EUROPEAN GROUP FOR THE STUDY OF
DEVIANCE AND SOCIAL CONTROL

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Coordinator: Ida Nafstad
Secretary: Per J. Ystehede

An international network working towards social justice, state accountability and decarceration

NEWSLETTER No 06, 2018
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I. Editorial

“For anyone advocating penal abolitionism it is essential that they acknowledge the harms of VAW and the challenges that it confronts to the idea of living in a world without prisons…” writes David Scott in this month’s newsletter. The questions he raises are important because violence (and murder), whether against those who identify themselves as women or other groups, one may claim is the litmus test for the penal abolitionist argument. Especially mental images of extreme violence may make many shy away from entertaining ideas of alternatives to prison. Perhaps, if not just as important as taking violence against women seriously, is to fight against the myth of closure. Jody L. Madeira makes this point in her book aptly called “Killing McVeigh: The Death Penalty and the Myth of Closure”. In 1995, Timothy McVeigh detonated a two-ton truck bomb that felled a Federal Building in Oklahoma City, killing 168 people. Madeira asks; in the wake of such terrible events: is closure possible? Her study shows that killing McVeigh did not bring closure to the victims.

The use of criminal law, sanctions such as imprisonment, how to best work against violence done by the state or individuals – these are merely a few of the topics we are looking forward to hear about and discuss at this year’s EG conference.

Make sure to register for the conference as soon as possible! The registration form can be found here, and below in this Newsletter.

Excited to see you all very soon!

In solidarity,
Ida and Per
II. Taking VAW seriously and the promotion of an anti-violence alliance

By: Dr David Scott, The Open University

This paper is an edited and updated version of a lecture I delivered to undergraduate students at the University of Central Lancashire in 2013. This unpublished paper was added to the website of Academia.edu in April 2018. The paper highlights the importance of acknowledging and challenging all forms of violence and argues that the criminal law fails both victims and perpetrators of VAW. The paper highlights some non-punitive approaches to responding to VAW and calls for the promotion of an ‘anti-violence alliance’ among feminists, penal abolitionists and other anti-violence activists.

Home Truths
Violence against women [VAW] is sadly an everyday and widespread harmful activity. VAW is vastly under-reported and is often understood as an ‘invisible crime’ because officially recorded police data provides a gross under-estimate of its actual prevalence. Indeed, it is now more than 20 years since the British Crime Survey estimated that there were likely to be more than one million incidents of domestic violence each year and that one in four women were likely to experience violence from men. More than half of all VAW is estimated to be domestic in origin but as little as four in every 1000 incidents of partner abuse are reported to the police (Stanko, 1985). This all indicates that VAW is an enormous problem and its seriousness is overlooked.

The insidious nature of VAW has long been recognised by feminists researching the criminal law. Feminist scholars Jill Radford and Betsy Stanko (1991:186) argue that VAW (and other forms of sexual violence) “are used by men as a way of securing and maintaining the relations of male dominance and female subordination” whereas Liz Kelly (1988:76) has talked about a ‘continuum of violence’, which points to the “basic common character underlying the many different forms of violence is the abuse, intimidation, coercion, intrusion, threat and force men use to control women”. Feminists have also made important connections between rape, physical abuse, verbal humiliation, domination, exploitation, coercion and control and how VAW may be the final expression of power and authority of a man over a woman (Millet, 1971; Brownmiller, 1975). VAW can entail verbal put downs, social isolation, public embarrassment, taking away money, spying, kicking, punching, yelling, tearing clothes, destroying possessions, threatening to kill, threatening friends and relatives, pushing, knifing, shooting, burning and so on. For anyone advocating penal abolitionism it is essential that they acknowledge the harms of VAW and the
challenges that it confronts to the idea of living in a world without prisons. Likewise, however, anyone advocating that the criminal law and imprisonment is ‘the answer’ to VAW needs to carefully consider the ways in which these forms of control are, in and of themselves, a form of structural violence that perpetuates a vicious cycle.

The Problem of Not Being Heard
The starting point for an abolitionist approach to responding to VAW is with the acknowledgement of the voice and the promotion of the safety, recovery and wellbeing of the victim / survivor. VAW can be world or even life destroying – generating trauma, fear, anxiety, insecurity, mistrust, depression, self-harm, sleeping disorders, low self-esteem, eating disorders, mental ill-health, withdrawal, failure to protect self, suicidal ideation, meaninglessness and breaking previous assumptions about safety. VAW can then result in the unravelling of identity of victims / survivors, and this can be done in ‘silence’. All too often victims / survivors of VAW encounter what Jill Stauffer (2015) has called “ethical loneliness” – this is where someone has experienced harm and ‘social abandonment’ but nobody will listen to them or there is a refusal to properly hear their voice. Victims / survivors of VAW and all other forms of domestic abuse are not the only people who can experience this denial of voice, but the first thing an abolitionist approach advocates is that the person who has been harmed is heard and respected. There is an ethical responsibility to alleviate their suffering. This means advocating policies that can provide assistance and help in rebuilding their world. We should be prepared to listen to all views and hear ‘unwelcome knowledge’ (Cohen, 2001) that we might initially find hard to comprehend, but hearing and acknowledging the voice of the victim/survivor is essential. Respect and care for all human beings is the first step in helping rebuild the lives that have been destroyed by violence and by the social factors that led to it.

What the Criminal Law Can Do (and what it can’t)
Michelle Madden Dempsey (2009) presents one of the strongest cases in defence of the criminal law addressing VAW. She has noted that up to 85% of women who initially report this offence request dismissal of charges. Whilst this is often because VAW often involves people in intimate relationships who at least at some point shared a strong emotional attachment, Dempsey (2009) maintains this may also be because women are intimidated by their former (current) partner to drop the prosecution. Dempsey (2009) concedes that the criminal law is not necessarily going to address all the needs of the victim / survivor but argues that successful prosecutions could challenge and publicly denounce the patriarchal (male dominance) values underscoring VAW.
... the effective prosecution of domestic violence consists in a particular kind of prosecution: one that contributes to the project of reconstructing our society as non-patriarchal, thereby creating a world in which domestic violence in its strong sense no longer exists. (Dempsey, 2009: 222)

The assumption is that criminal prosecution helps women both individually and collectively by sending a symbolic message denouncing VAW. It is assumed that this will reduce future incidents of VAW and improve the safety of women in society. This expressive element (expressing social disapproval and condemnation of VAW) is often cited as an important factor for those advocating the use of the criminal law. However, there is much evidence that indicates otherwise (Mills, 2003; Bumiller, 2008).

Let us consider briefly some of the ways the criminal law has been considered problematic:

- The idea that the criminal law can send an effective message to society is unproven. People do not necessarily interpret and read the message of the courts correctly (Mathiesen, 1990).
- Certain categories of perpetrators of VAW are most likely to end up being processed by the criminal law. These people are often from low social economic status and have poor inter-personal skills and lack the skills to develop healthy attachments. The judgements of the courts may then merely perpetuate inaccurate stereotypes about perpetrators of VAW that never lead to effective solutions (Scott and Codd, 2010).
- The patriarchal values underscoring VAW are a distortion of existing social norms that need to be challenged on the basis of their extremist nature. Perpetrators of VAW should be understood within the context of existing (and problematic) masculinist hierarchies of power and the way they devalue the lives and knowledge of women more broadly (Jagger, 1983) but also other men, young people and human equalities. Widespread positive imagery building the self-esteem and powerbase of women is much more likely to challenge patriarchal ideas and values than a sentence of the criminal courts.
- We ask too much of the law. The criminal law is a blunt instrument that is not very effective as means of resolving conflicts between intimates. In fact, the collateral consequences (that is the personal harms) that arise from a criminal conviction (such as loss of job, status, social networks – something which has been described as social death) means that many victims / survivors of VAW are deterred from using the criminal law (or withdraw their cooperation following contacting the police). People often realise the excessive harshness of the penal
law when it deals with the familiar rather than the stranger. We are much better able to justify the penal law and criminalisation of others. When it is brought closer to home the inadequacy of the criminal law as a means to effectively respond or deal with social conflicts is made abundantly clear (Mills, 2003; Bumiller, 2008).

- The othering of people who have perpetrated VAW is ultimately counter-productive and may even facilitate offending in the future through denials of injury and victimhood (Cohen, 2001; Lacombe, 2008). People reject negative and dehumanizing labels – they do not recognise themselves in such a representation and this can lead perpetrators rejecting the opinion of the courts and of their accuser, ultimately constructing themselves as a ‘victim’ in their own mind.

- The ostracism, stigma and social death that arises following a successful criminal prosecution may lead to the perpetrator becoming angrier, even more extremist in their views and less likely to ask for help and “manage their own problems effectively” (Hudson, 2005: 183). The criminal process in the main does not lead to people taking responsibility for what they have done, or to the automatic acknowledgement of the voice of the victim / survivor. It may do the opposite. It may entrench ‘domestic violence denial’ or fuel desires for revenge.

- Ultimately, the processes of the criminal law cannot meet the needs of the victim / survivor. It does not create the society that we all, surely, want. People are still left feeling outrage, injustice and pain. It provides only fleeting voice for the victim / survivor (their day in court) rather than allowing that voice to be appropriately listened to and acknowledged in the long run. Most significantly it does not help to repair or redress the harms and damage that were generated through VAW.

If the perpetrator is handed down a prison sentence then this is likely to only exacerbate the above problems and further entrench patriarchal values in a place of institutionally-structured violence. The hyper-masculine environment of the prison only helps to confirm the extreme views of the VAW perpetrator and encourages continued commitment to the social structures that contributed to it in the first place. The criminal law approach then does not then appear to meet the needs of the victim / survivor or help address the problematic behaviour of the perpetrator. Abolitionists argue that despite claims to the contrary, in practice the criminal law does not appear to take VAW seriously. The only way in which it can be argued to do so is by removing the perpetrator in an immediate way from a situation. Whilst this is sometimes the only solution available, it is not one that will ultimately lead to a different kind of society where VAW is not tolerated. Solutions MUST BE found where women can be kept safe when confronted with the immediate threat of a violent
perpetrator. However, we must find a method which does not reinforce the conditions or structures that perpetuate and tolerate violence between human beings on any level or in any institution of our society. Resorting to control, domination, and violence will never provide the long-term solutions to VAW that we desperately need.

An Alternative Approach
There are a number alternatives to the criminal law. Linda Mills (2003), a feminist abolitionist who has personally experienced domestic violence and abuse, is unconvinced that the criminal law can be of much assistance in addressing VAW. Indeed she argues that prosecutions and incarceration are likely to make perpetrators more abusive in the future. For Mills the primary focus should be on safety rather than using the law to challenging societal values. She notes that women stay in abusive relationships because:

- Don’t want to be alone
- Low self-esteem and confidence
- Stay together for the sake of the kids
- Can’t afford to leave
- Have nowhere to go
- Social stigma
- It’s unsafe to leave (because they fear for their lives)
- Marriage failure would bring cultural, family, community shame
- Sense of personal failure if relationship collapses

Relinquishing an intimate relationship is no easy task. Women agonise over lost lovers and family relationships gone astray. Many women, as relational beings, are haunted by whether they have tried hard enough. (Mills, 2003: 60)

All these relational factors mean that using the blunt instrument of the criminal law may not be the most desired route for victims of VAW. Kirstin Bumiller (2008) locates the problem of VAW within the structural fault lines of society and the general degradation of women. She strongly argues that we need to have a more holistic approach to helping women live full and fulfilling lives – this includes making the appropriate social, economic and political supports available to them. But most of all we should priorities safety and a victim / survivor orientated approach. There should be immediate increases in funding for ‘escape routes’ for women and children who are experiencing or witnessing VAW, such as Women’s shelters, rape crisis centres and refuges and that these genuine places of safety should be run (at least in part) by
women who have experienced physical, emotional and/or sexual violence. Bumiller (2008) is concerned with the way in which VAW has been manipulated and co-opted by the Neo-liberal state, leading to not only more men being criminalised and placed in the clutches of the penal apparatus, but also to more women being medicalised, responsibilised and placed under increasing state surveillance.

Feminists, VAW campaigners and abolitionists can work together with other anti-violence campaigners (such as anti-war movements, anti-racists and those advocating peace and transformative justice) to call for the promotion of an anti-violence alliance. Here all forms of violence are acknowledged as a problem and that the only approaches that are going to work are those which are grounded in the principles of inclusion and social justice.

The most desirable solutions are neither perpetrator nor ‘relationship’ focussed but directed to addressing the most persistent problems causing and created by [sexual] violence: the social and economic disadvantage experienced by women and their dependents. The primary goal of a campaign to prevent [sexual] violence must be to promote the emotional well-being and economic sustainability of women who suffer repeatedly from [sexual] violence throughout their lifespan. This certainly involves providing individual women with the emotional, material, and communal support to empower themselves. (Bumiller, 2008: 163)

The criminal law does NOT PROTECT women who have experienced VAW. It does not create safety or provide the means for helping women leave a violent relationship. What such an alternative approach would do is take VAW seriously because it is the only approach that recognises that most people who perpetrate VAW are unlikely ever to be embroiled in the criminal process. Whether through the criminal law or not, societies are currently not taking VAW seriously. When the criminal law is applied it is often simply scapegoating the small number of people who it does process and, worse than that, the underlying structural problems remain entirely unrecognised and unresolved. We therefore must be prepared to adopt interventions that can also reach those who are experiencing VAW but are not prepared to prosecute.

It seems then that many people who have been abused by partners want something to be done but do not want to use the criminal law. Victims/survivors of VAW often want to know why the perpetrator harmed them; to know they are now safe; to have acknowledgement of the harm done; hope that there will not be other people harmed by the perpetrator (Renvoize, 1993). These objectives, which take harm seriously, are
more likely to be achieved through social policies building upon positive images of women, protection and safety rather than the criminal law.

But how should we respond to perpetrators of VAW who have been reported to the police and are facing prosecution (and indeed those who have been through the criminal process)? It is important to note that the punitive sanctions imposed by criminal process are unlikely in themselves to foster the kind of acknowledgement of the harm done or generate a commitment to living a life of non-violence that would be the most desirable outcome of any direct intervention. Simply providing solidarity with people who are experiencing social death when facing or following a criminal prosecution of VAW will not be enough (Hearn, 1998). What many people who have had violent episodes require is extensive therapy, aid and assistance both in terms of addressing the impulse to violence and other problems of living that they may be encountering (both social and psychological). There should be wider recognition that people who have perpetrated VAW can gain the skills to lead healthier non-violent lives. Interventions with violent offenders have been known to work well, such as those drawing upon cognitive behavioural psychological therapy as a means of helping offenders taking control of their offender cycles, challenge denials and accept that their behaviour had been an abuse of power. Yet such voluntarily chosen interventions, like “Strength to Change” in Hull are relatively recent and small in number: it was only in 2004 that programmes offering ‘intense emotional support’ began in England and Wales and there are still only around 40 such groups today. Ultimately we need to enhance and develop more men-centred VAW therapeutic interventions and programmes in the community as part of the response (Hearn, 1998; Smallman, 2013).

The first step to finding a way forward is, of course, taking VAW seriously. The true nature and impact of VAW must be acknowledged alongside recognition of just how deeply ingrained VAW is in our contemporary culture and social structure that continues to actively disempower and undermine the status of women. Feminists have understood VAW as an abuse of [mainly male] power and privilege and hierarchies of male power (Jagger, 1983). To take VAW seriously it is crucial that structural and political contexts of abusive behaviours are engaged and, that “distorted ideas and images of women are not seen as the unique, pathological, property” of people convicted of VAW and related offences, but something that we need to challenge and refuse to tolerate at societal level (Mercer, 1998: 121).
References

https://www.independent.co.uk/life-style/health-and-families/features/can-group-therapy-cure-domestic-violence-8985289.html
III. Late Registrations – please submit as soon as possible!

Social harm in a digitalized global world: Technologies of power and normalized practices of contemporary society

European Group for the Study of Deviance and Social Control
46th Annual Conference
Ljubljana, 22-24 August 2018

REGISTRATION FORM

Please send a fully complete form to Katja Simončič, katja.simoncic@pf.uni-lj.si

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SPECIAL DIETARY AND OTHER REQUIREMENTS

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175 € - Participant with support from their institution
110 € - Participant with no support from their institution
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In case you are unemployed or otherwise unable to pay the fees let us know and we will make an effort to offer you a reduced price if possible.

Fees for 46th Annual Conference 2018 gives access to:

- Conference material
- Lunch
- Coffee Breaks
- Conference Dinner

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Please note that your registration will not be registered until we have received your payment.

Institute of Criminology at the Law Faculty in Ljubljana Bank Account:
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IV. Call for Papers – Handbook of Penal Abolitionism

The Routledge International Handbook of Penal Abolitionism

Edited by Michael J. Coyle and David Scott

Introduction
The Routledge International Handbook of Penal Abolitionism will provide the leading ‘one stop global abolitionist textbook’ for the 21st century that will both reflect key abolitionist thought and also help set the agenda for local and global abolitionist ideas and interventions over the coming decade. It will consist of 35-40 chapters (5,000-6,000 words each) working toward the systemic and systematic dismantling of penal structures and processes, and toward social living that is grounded in relationships that take into account the needs of all. The editors of this global-centered project seek contributions from all around the world (east, north, south, and west), and from scholars, non-academics, activists, and people in (or formerly in) prison. We seek work that (a) engages and furthers abolitionist practice, study, politics and theory, (b) examines abolition empirically, theoretically, historically, culturally, spatially, or rhetorically, and (c) is situated within or at the interstices of critiques of ableism, capitalism, hetero-normativity, militarism, patriarchy, state power, racism, settler colonialism, and xenophobia.

Call for Papers
Shaped by an unequivocal commitment to social justice, abolitionist social movements have emerged as the most innovative reaction to penality and punishment. Abolitionists challenge not only the imperialist colonialism, patriarchy and racial capitalism of carceral logic and penal practice (law, police, courts, prisons), but also work to establish and support networks of solidarity with the primary targets of penalization such as communities of colour and people who are socially and economically excluded - and to provide a platform for voices of resistance.

The Routledge International Handbook of Penal Abolitionism aims to reflect on the global emergence of penal abolition and to highlight its vibrancy and dynamism around the world today. There are, of course, cultural and geographic variations of meaning to ‘penal abolitionism’. Viewing their work as curatorial, the editors seek to reflect this plurality of meanings, and understand the term as operating on at least four levels: (a) as a social movement directly engaged in resisting and contesting penal logic, policies and practices, (b) as an intellectual project that provides a way of understanding the
world (a theoretical perspective), (c) as a coherent set of ethical and political values shaping daily lives and interactions with other people (including the handling of conflicts and harms), and (d) as a form of strategic engagement with existing power relations (such as white supremacy), promoting both a critique of the present but also a vision of a better and more just future. As such, penal abolitionism is inevitably tied to praxis and challenging the language, culture and taken-for-granted assumptions about the very existence of law, policing, courts and prisons.

*The Routledge International Handbook of Penal Abolitionism* emerges in the current context of the global consolidation of neo-liberalism, the seemingly relentless growth and reach of the penal machinery of the state that especially targets people of colour and the socially and economically excluded, the globalisation of a profit orientated prison industrial complex, and the intensification of the devastating collateral damage wreaked by penal practices upon individuals, families and communities. In an age of a globally entrenched penal logic, we invite a comprehensive and wide ranging collection of papers that will provide a platform for the further promotion of the ideas of penal abolitionism and a site for sharing the abolitionist work of people working in diverse arenas and geographies.

Penal abolitionism is not just about pulling down walls and deconstructing penal logic. It is also about building a more just world. Toward that endeavour, the editors welcome chapters which will empirically or theoretically discuss a variety of themes, such as:

1. **Voices from the inside (prisoners) and hyper-surveilled communities: words from the caged, silenced, and marginalized.**
2. **Social movements and organising for abolition (voice of grass roots and non-academic abolitionists): abolitionist priorities now.**
3. **Critique and resistance to the penal nation-state (including punishment outside of legal processes): setting the parameters of abolition, i.e. what is to be abolished and why.**
4. **Critique pseudo-abolitionist alternatives, such as carceral feminism and revenge-oriented “restorative” justice schemes (e.g., Gacaca, Rwanda).**
5. **Rehabilitation of traditional justice mechanisms (e.g. cultural rites vs. the procedural rights of the abstract individual) in the post-colony realities of imperial forces and control (e.g., USA military bases, military-industrial complex, economic mining, etc.).**
6. **Theoretical and political perspectives: the diversity of abolitionist thought and tradition.**
7. **Geographical horizons (abolitionism around the globe): contributions from six continents on the history and current state of local abolitionism.**
8. **Building radical alternatives: abolitionist alternatives and visions of the future.**
Abstracts: DUE OCTOBER 1, 2018 to: Abolition.Handbook@gmail.com
Abstracts should be in the range of 400-500 words and must be accompanied by a brief biography⁴. Early submissions are welcome. We encourage submissions from people who are/have been in prison (or punitively victimized), community organizers, graduate students, activist-scholars as well as junior and senior academics. Invitations to submit a chapter will be based on a review of the abstracts received by the due date. As editors we welcome a rich diversity of abstracts and promise further labour to ensure all abstracts that meet the submission criteria and cannot be included in this volume are helped to reach a publication outlet.

Papers: DUE JUNE 1, 2019 to: Abolition.Handbook@gmail.com
Papers must contain original and unpublished work, and be in the range of 5,000-6,000 words. Written to appeal to activists, community organisers, practitioners, students and scholars across a wide range of disciplines, papers should be straightforward, user-friendly, jargon free, and prepared in accord with Routledge guidelines for authors, i.e. they must follow the manuscript preparation, editorial style, and conventions (references, bibliography, etc.) per the publisher: https://s3-us-west-2.amazonaws.com/tandfbis/rt-files/docs/Author+Guidelines+2017.pdf

All Inquiries and Communication to: Abolition.Handbook@gmail.com
Please send all inquiries regarding The Routledge International Handbook of Penal Abolitionism directly to the editors at Abolition.Handbook@gmail.com (and NOT to their personal email addresses).

Thank you.

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⁴ The editors ask for a Curriculum Vita (resume) or a brief description of the author’s background to ensure the volume represents a diversity of voices and experiences.
V. Call for Papers – Edited Volume on Asian Prisons

Editors: Mahuya Bandyopadhyay and Rimple Mehta

Much of the research and writing on prisons is on Western prisons and the frameworks for conceptualisation of research on prisons and understanding about them is derived from the ideas of the ‘well-ordered Western prison’. These frameworks often result in systematic erasures of the historical and cultural specificities of the prisons of the Global South. We seek articles that will demonstrate such erasures through a focus on systems of prison management, practices, and ideas of reform and rehabilitation. The articles will also draw on the idea of the prison as a cultural space where the intersecting identities of race, caste, class, gender shape the everyday life in prison. We envisage that the articles will provide a broad overview of the use of imprisonment in different countries of Asia. We hope that this focus on the cultural specificities of the systems of imprisonment and punishment will enable us to build a comparative understanding of prison systems in the region. The articles could choose from a range of issues to further elaborate on the practices of punishment, while addressing the critical issue of erasure as mentioned before.

This could include the following:

- historical trajectory of the penal machinery of the chosen country
- legal frameworks and norms that govern prisons in the country
- summary of the extent of the use of imprisonment, with focus on the imprisoned populations and foreign nationals in prisons
- an understanding of prison conditions
- narratives of practices, contestations and negotiations within the prison
- ideas of reform and rehabilitation within the prison system and how they are being used
- relationship and linkages between the prison and the other criminal justice organisations
- impending and/or ongoing privatisation of prisons

The list is not exhaustive and is only indicative of some of the themes that authors may choose to focus on. However, we are keen that the articles must present empirical accounts of prison practice and the historical shifts therein. We hope that you will be able to bring your own interests and perspective to the chapter, in terms of focusing on particular prisons within the country or general issues confronting the prison system of the country.

We welcome collaborative articles. Our hope is that each chapter will be more than a straightforward review of the topic and provide an overview and critical analysis of the key issues and questions in the area, and also seek to advance it with original data, theory or argumentation.

Please submit your 500-word abstract and a short biography to us by 1st August 2018 (indianprisonsnetwork@gmail.com).
Please feel free to contribute to this newsletter by sending any information that you think might be of interest to the Group to Ida/Per at:

[Email](mailto:europeangroupcoordinator@gmail.com)

Also feel free to contribute with discussions or comments on the published material in the newsletter

Please submit before the 25th of each month if you wish to have it included in the following month’s newsletter, and provide a web link (wherever possible).

If you want to subscribe to the newsletter, do not hesitate to send an email to europeangroupcoordinator@gmail.com