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Fractured Lives, Dissenting Voices, Recovering 'Truth': Frontiers of Research and Resistance

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Fractured Lives, Dissenting Voices, Recovering 'Truth': Frontiers of Research and Resistance

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Abstract

Emerging from critical conferences in the early 1970s involving academic researchers, community-based workers and activists, critical social research challenged the role and legitimacy of mainstream social sciences in their support of social orders fractured by class, 'race', sectarianism, gender, sexuality and age. This article opens with a brief reflection on the emergence and consolidation of critical social theory as the foundation and context for research that challenges state-institutionalised power and authority. It draws on long-term, in-depth primary research into the operational policies and practices of policing and incarceration, exploring the profound challenges involved in bearing witness to the 'pain of others'. Recounting personal testimonies 'from below', revealing institutionalised deceit and pursuing 'truth recovery', it argues that dissenting voices are the foundation of hope, resistance and transformation.

Keywords

State power; legitimacy; regimes of truth; structural inequality; critical social research; incarceration; Ireland; Hillsborough.

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Introduction

In his classic text *Ways of Seeing*, the artist John Berger encouraged wide public debate about how selectivity afforded to images 'establish our place in the surrounding world'. The photographer's 'choice of subject', the painter's 'marks ... on the canvas or paper' and the consequent 'perception or appreciation of an image' are filtered by 'our way of seeing' (Berger 1972: 10). Apparently impulsive, the immediacy and spontaneity of observation are informed by prior knowledge and understanding. Reflecting on her experiences as a war journalist witnessing brutality and brutalisation, Susan Sontag (2003: 125–126) observes that outsiders can neither 'understand' nor 'imagine how dreadful, how terrifying and how normal' are the 'ordeals of others'. She was driven by a determined resolve to reveal the reality of 'faraway suffering', informing and encouraging interventions that might 'do something to alleviate it'. Situating herself in the presence of those ordeals, photographing and reporting the deprivations endured by civilians caught in the crossfire, Sontag introduced an international audience to a 'way of seeing' that otherwise would have remained invisible. While distinct in focus and content, Berger and Sontag illustrate the significance of proximity, interpretation and representation in informing knowledge and understanding.

Seemingly unique, the 'caught in the moment' gaze of the individual, however, cannot be understood in isolation from its broader social, political and economic contexts. An instant in time and place is framed by the prevailing ideologies and their contestation. As Foucault (1980) demonstrates, through mechanisms, techniques and procedures central to the maintenance and legitimacy of the state's established order, 'knowledge' embedded in official discourse reflects and reproduces 'regimes of truth'. In this context, 'truth' is manufactured, transmitted and reproduced. Acts and events are ascribed meaning, understanding is inhibited, and agency is diminished. A key component of critical social research is its interrogation of the processes through which legitimacy is ascribed to specific events thus elevating interpretation to fact. It enquires 'beneath the surface of appearances' to reveal 'how social systems really work' and 'how ideology or history conceal the processes which oppress and control people' (Harvey 1990: 6).

Revealing the mechanisms through which knowledge is ascribed legitimacy, critical social research questions the premises on which public information is considered reliable, challenging the claims made for 'value-free' 'scientific' analysis within social sciences. Further, it explores the processes through which dissenting accounts emerge and their significance in the advancement of alternative discourses. Thus, it 'rejects the premise that knowledge ... is value-free or value-neutral' but 'derived and reproduced, historically and contemporaneously, in the structural relations of inequality and oppression that underpin established social orders' (Scraton and Chadwick 2013: 107).

This article focuses on distinct but related research conducted over four decades in the United Kingdom, reflecting the significance of personal and collective testimonies in recovering truth otherwise lost in the interminable processes, obstructive investigations and deceitful obfuscations of official procedures and discourse. Gathering testimonies, derived in 'being there' and 'bearing witness', reflects Sontag's mission as an investigative journalist. It also establishes critical social research as fundamental to knowledge acquisition and truth recovery. Taking Berger literally, what follows identifies and engages the 'view from below' or, in the case of incarceration, the 'view from inside'. Researching within and alongside complex communities enduring social, political and economic marginalisation challenges the power dynamic and academic conceit inherent in mainstream social sciences.

Power, Legitimacy and State Authority

Identifying key moments in the emergence and consolidation of critical social theory and its application to the 'ordeals of others' formed the underlying premise of the text *Power, Conflict and Criminalisation* (Scraton 2007). It acknowledged the radical shift in social sciences that had challenged academic orthodoxies, not least the contributions of critical interventionists in the USA compelled to face down the fierce threat of McCarthyism. In this hostile climate within sociology, Wright Mills (1959: 20) was determined to establish an alternative discourse to the 'inhibitions, obscurities and trivialities' underpinning the 'bureaucratic techniques' and 'methodological pretensions' useful to 'the corporation,

army and the state'. Functionalist orthodoxy, bereft of 'sociological imagination' and leaving political-economic interests undeclared, served and serviced post-war regeneration reinforcing mainstream, traditional hierarchical values as norms. These were values that sustained social stratification, gendered families, racial superiority, homogenous sexuality, compliant youth and law-abiding citizens.

Within a decade, in a highly charged public address, Howard Becker (1967: 240) considered critical social analysis was 'caught in a crossfire' of political values. State institutions and mega-corporations had financed and incorporated sociological research to help deliver their exploitative agendas. Calling for observational research into polarised social divisions, sufficiently immersed 'to have a perspective', Becker (1967: 240) challenged the mantra of 'value-freedom', demanding that social scientists identify 'whose side we are on'. Alvin Gouldner, also rejected the proposition that social science research could claim value-neutrality, reiterating the significance of structural relations evident in manifestations of power, legitimacy and authority. As 'new' capitalism advanced, functionalist academic research had spawned a generation of economic expansionists, social engineers and welfare technicians. Railing against social research that patronised the 'concrete and smaller worlds' of everyday life with researchers cast as 'zoo-keepers of deviance', Gouldner (1973: x) argued for 'reflexive' analysis locating social and cultural relations in material history and the political-economic present. For, the 'sociological imagination' was 'not a fashion or an aesthetic choice' but a means through which 'the struggles of oppressed people for equality, self-determination and social justice' could be advanced (Krisberg 1975: 19).

Having previously focused on 'how social actors define each other and their environments', Becker (1974: 60) recognised the significance of *structural* 'differentials in the power to define' invested in 'elites, ruling classes, bosses, adults, men, Caucasians, superordinate groups generally'. They were discernible in 'primitive forms of control' and, more significantly, 'by controlling how people define the world'. Davis (1975: 205) identified inequality as essential to the success of advanced capitalism, evident and reproduced in the complex intersections of 'class, ethnicity, sex and political and economic' relations. Those holding political and economic power set an agenda 'detrimental to the interests and needs' of the powerless. This emerging body of work was neither homogenous nor uncontested, identifying as 'new', 'radical' or 'critical' criminology (Taylor, Walton and Young 1973, 1975). It affirmed the 'diverse and unique world of everyday life, the claimed location of interactionists, yet it adapted and contextualized new deviancy theory' prioritising 'the dynamics of power and the processes which underpinned its legitimacy' (Scraton and Chadwick 1991: 165).

Built on these foundations, critical analysis of the State's definition and operational dynamics of 'reasonable' force (policing) and 'humane' containment (prisons) prioritises the processes through which public order, social discipline and civil obedience are sustained. State authority is the concrete manifestation of the relationship between power and legitimacy. All states, whatever their form, claim authority for institutional powers to govern and regulate their subjects. In exercising institutional power, legitimacy is secured and maintained through regulatory processes embodied in the administration of the 'rule of law'—policing, courts, incarceration. State authority is absolute and determining, albeit mediated by the extent to which distinct regimes accommodate participatory democracy. It holds the '*monopoly of the legitimate use of physical force within a given territory*' (Weber 2009: 77–78, emphasis in original), institutionalised in the relationships between geographical boundaries, political autonomy and legal jurisdiction.

Poulantzas (1978: 81) argued that the State's monopoly on the legitimate use of violence 'underlies the techniques of power and mechanisms of consent: it is inscribed in the web of disciplinary and ideological devices; and even when not directly exercised, it shapes the materiality of the social body upon which domination is brought to bear'. The threat of physical punishment, from incarceration through to solitary confinement and state execution, is internalised through 'mechanisms of fear'. For Hall (1985), the conjuncture identified by Poulantzas as authoritarian statism more appropriately should be understood as authoritarian populism, generated by the purposeful construction and manipulation of popular consent. In their highly influential work, Hall et al. (1978: 319) proposed that the underlying crisis in the UK

economy had generated crises 'in political legitimacy, in social authority, in hegemony and in class struggle and resistance'.

What followed was a relentless, dogmatic commitment—in government policy supported by compliant mainstream media—to regulate popular dissent, community-based movements and increasingly strong trade union resistance. It represented a 'qualitative *shift* in the balance and relations of force: the law, the police, administrative regulation, public censure' (Hall et al. 1978: 278). What had been progressive, in retrospect modest, advances in welfare, education, social housing and workers' rights were redefined within a right-wing media as responsible for social upheaval, economic decline and the subversion of democracy. Within a year of its 1979 election, the British Conservative Government introduced extensive surveillance and regulatory mechanisms across social policy, welfare support and criminal justice alongside trade union regulation.

In 1969, the British Army had been deployed on the streets of Northern Ireland, ostensibly to quell civil unrest and to work alongside the secret services and the Royal Ulster Constabulary. Direct rule by the British Government was imposed in 1972 with the virtual suspension of civil rights. This included internment without trial, implementation of emergency powers, progressing non-jury trials and withdrawing 'special category status' from politically affiliated prisoners. Within the UK, 'laws became increasingly prohibitive and repressive, the police operated outside the checks and balances of political accountability, sentencing hardened and prison conditions worsened' (Scraton 2007: 228). This revealed the authoritarian state's reaction to criminalise 'an unlimited reservoir of acts' while characterising its interventionism as 'warfare' (Christie 1994: 24)—a war on drugs, terrorism, unions and welfare claimants. This relentless shift to authoritarianism consolidated the New Right's political agenda.

Having presided over the deaths of ten prisoners on hunger strike in the North of Ireland and inner-city uprisings in England's Black communities, Prime Minister Margaret Thatcher projected her UK Government's ideological purpose:

At one end of the spectrum are the terrorist gangs within our borders, and the terrorist states which finance and arm them. At the other are the hard Left, operating inside our system, conspiring to use union power and the apparatus of local government to break, defy and subvert the law ... now the mantle has fallen on us to conserve the very principle of Parliamentary democracy and the rule of law itself. (Thatcher 1984)

Legitimate trade union action and local authority opposition were placed on a spectrum alongside terrorism. The die was cast.

Structural constraints on individuals, families and communities marginalised by class, gender, sexuality, 'race' and age hardened under Thatcherism and, in the USA—its closest political-ideological ally—Reaganism. These overarching determining contexts shackled potential, diminished hope and hobbled agency. Having introduced draconian legislation, the UK Government used criminal justice agencies to stifle dissent from within Black communities, trades unions, young people and politically affiliated prisoners in the North of Ireland. It declared war on Argentina claiming 'ownership' of the Malvinas and legitimacy for its intervention. As state authoritarianism consolidated its political and ideological mission, critical social research confirmed its guiding principles: 'bearing witness, gathering testimonies, sharing experiences, garnering the view from below and exposing the politics and discourses of authoritarianism' (Scraton 2007: 240).

The 'Healthy Prison' Oxymoron

In the early 1970s, I taught a Criminology class in the Victorian-built Walton Prison, now HMP Liverpool. Guards were consciously intimidating, some openly wearing National Front pins. The jail was rat-infested and stank of urine. Without night access to toilets, prisoners, three to a cell, wrapped excreta in newspaper and threw it from cell windows. Each morning, it was collected by prisoners on the 'shit detail'. These were the conditions endured by prisoners often locked down 23 in every 24 hours. Strangeways, now HMP Manchester, was Walton's Victorian sibling.

**LYNCH MOB HUNT DOWN SEX BEASTS
TWELVE DIE IN JAIL RIOT HORROR**
(Daily Star)

**SEX PERVERTS BUTCHERED IN THEIR CELLS
12 DEAD IN JAIL DRUG RIOT**
(The Sun)

**MASSACRE AT STRANGWAYS
1,000 PRISONERS SET JAIL ABLAZE**
(Today)

**MOBS KILL SEX INMATES AND BURN PRISON
11 DIE IN JAIL RIOT**
(Daily Mirror)

**20 DEAD
SEX OFFENDERS HANGED AND CASTRATED**
(Manchester Evening News)

On the morning of 2 April 1990, gruesome headlines dominated the front pages of UK tabloids. A hastily constructed perimeter fence encircled the Strangeways prison as live radio and television confidently reported the extremity of prisoners' violence. They claimed a rampaging mob had destroyed a wing of the insanitary and overcrowded jail, set a fire, raided prison hospital drugs cabinets and slaughtered fellow prisoners. A small group occupied the prison's roof, hurling tiles and masonry at officers below. As days passed, the headlines continued: 'Carnage in the Cages'; 'Quake Britain'; 'Tortured'; 'Lynched in Jail Horror'; 'Prison Mob Hang Cop'; 'Bodies cut up and dumped in sewer'. The reported execution of 11 became 20, then 30. As non-participant prisoners were dispersed to other prisons, further gruesome details emerged. Sex offenders had been targeted, put before kangaroo courts, beaten, castrated and executed, their bodies butchered.

By day, negotiations faltered; by night, hovering helicopters blasted music to exhaust the protesters. As the unprecedented occupation continued for 25 days, calls for military intervention mounted. Prisoners shouted grievances from the rooftop, holding aloft their unequivocal message scrawled on a white sheet: NO DEAD. Whatever the Home Office negotiators knew, they remained silent regarding casualties. It transpired that while some prisoners jailed for sex offences had been assaulted, allegations of torture and death were false. Gruesome events, graphically transmitted in media quotes from unidentified witnesses, had not happened. There had been no executions, no prisoners hung from balconies, none butchered nor castrated. In an instant, a myth had been created, and it remained uncorrected for several weeks.

As the small dishevelled group retreated from their occupation, well aware they faced severe punishment, the media fell silent. The 'Strangeways Massacre' had been the most remarkable story in contemporary English penal history. Condemned by Prison Governor Brendan Friel as an 'explosion of evil', its promotion had been engineered, a direct consequence of unofficial reports and off-the-record briefings by prison

officials, guards and their association. Unattributed allegations had been encouraged by inducements, remaining uncontested by official negotiators inside the prison throughout. The failure to deny became the substance of verification.

Lord Justice Woolf was appointed to lead a comprehensive inquiry and make recommendations for systemic change in prison regimes, management and staffing prioritising prisoner rehabilitation. Intended to underpin root-and-branch reform throughout the prison estate, his report made 12 recommendations and 204 proposals. They were not realised. Twenty-five years later, reflecting on the failure to liberalise prison regimes, he condemned 'competition between politicians' to be 'tough on crime ... for that read prisoners' (*The Guardian* 1 April 2015). Throughout the post-Strangeways decades, reflecting the profound authoritarian shift discussed earlier, successive Conservative and Labour Governments cast the net of criminalisation ever-widely, imposing increasingly longer jail sentences. Most prisons functioned not as places of reform and progression but as human warehouses—sites of regression. The inhumane conditions that prevailed in Strangeways persisted: overcrowded and unhygienic cells, weak management, aggressive regulation and minimal opportunity for work/education.

What were the institutionalised consequences of this failure? In 2017, the Strangeways Independent Monitoring Board supplied the answer: 'decent, humane, safe accommodation in which prisoners might find a degree of self-respect' were unfeasible, given 'the squalid, vermin-infested, damp environment more reminiscent of Dickensian England' (IMB 2017: 7).² Prisoners were subjected to 'vermin in the residential accommodation', a 'plague of rats' in the shower block, with bedding, clothing and belongings 'soiled by vermin'. Residential areas were 'unhygienic, unhealthy, environmentally dangerous' (IMB 2017: 18). The inhumanity and neglect, against which the 1990 protesters had railed, prevailed.

An inspection at another Victorian prison, HMP Liverpool, condemned its 'abject failure ... to offer a safe, decent and purposeful environment'.³ Its regime was 'unacceptably poor', the prison 'so dirty, infested and hazardous to health' it 'could not be cleaned'. Inspectors 'could not recall having seen worse living conditions' (HMCIP 2018: 5–6). Three decades beyond the Strangeways uprising and Woolf's mild reformism, conditions in Manchester and Liverpool prisons, among others, remain uninhabitable. Meaningful work and recreation are unavailable to most prisoners languishing for excessive periods in locked cells, their physical and mental health compromised.

The severe criticisms levelled at these regimes by monitors and inspectors are consistent with devastating inspection assessments at Northern Ireland's main male prison, Maghaberry. In 2015, persistent long-term overcrowding in 'unfit for purpose' accommodation was condemned by the prison's independent monitors. Most prisoners, particularly the vulnerable, were offered no purposeful activity. A landing culture dominated by boredom, drug-taking, bullying and self-harm was the norm. Within a debilitating atmosphere of depression, mental ill-health pervaded, treatment programs were non-existent, and 'at-risk' prisoners were poorly monitored. Maghaberry's deficiencies were endemic.

A full independent inspection followed (HMCIP/CJINI 2015). In three of four assessment categories—safety, respect and dignity, purposeful activity (World Health Organisation 1999)—the prison was ranked 'poor'. Its management, conditions and regime were trapped in a downward spiral endangering prisoners' lives. The Chief Inspector condemned the prison as 'one of the worst prisons [we] have ever seen and the most dangerous ... Dickens could write about Maghaberry without batting an eyelid' (*BBC News* 5 November 2015). Unsafe and unstable, Northern Ireland's main prison had descended into crisis.

The severe condemnation of Manchester, Liverpool and Maghaberry prisons reflects institutional failures in the operational policies and practices prevalent throughout most prisons: overcrowding, long periods of lockdown, minimal work opportunities, drug use, bullying and hopelessness. These are the ingredients of revolt. In the aftermath of Strangeways, rather than positive regimes emerging to stimulate hope and recovery, punitive regimes of fear and degradation prevailed. It is a direction of travel consistent with the USA. In analysing California's 'distinctive new form and function of the prison', Simon (2007: 142–143)

considers it 'a space of pure custody, a human warehouse or even a kind of waste management facility'. Populist politicians relentlessly promote all prisoners as inherently 'dangerous', recasting harsh rhetoric as a commitment to protecting 'the wider community'. In this regressive climate, the 'transformation of the prisoner through penitence, discipline, intimidation, or therapy' has been abandoned in favour of incarcerating 'people whose propensity for crime makes them appear an intolerable risk for society'. As Simon (2007: 142–143) concludes, maintaining 'order' within the 'toxic-waste-dump prison increasingly relies on total segregation of the prisoners considered to be the most threatening'. It offers no correctional pretence and no commitment to reform—only an inhumane reality of unconditional containment, social isolation and persistent lockdown.

What are the consequences of such institutionalised inhumanity? As Sim (2009: 130–131) states, prisons have an 'extraordinary capacity for inflicting pain and inculcating fear, and if need be terror, into the lives of the confined'. Through its inherent culture, incarceration generates 'social harm' derived in '*systemic* discourses of punitive degradation' further damaging the 'lives of those whose sense of psychological and material well-being' has been 'fractured by their pre- and post-prison experiences' (Sim 2009: 130–131). Regarding penal expansionism's populist manifesto, Law's research with women prisoners in the USA demonstrates that mass incarceration plays to a banal 'tough on crime' agenda. It has resulted in 'the criminalization of more activities, leading to higher rates of arrest, prosecution and incarceration while shifting money and resources away from other public entities—education, housing, health care, drug treatment and other societal supports' (Law 2009: 169).

Gilmore (2007: 13) questions how incarceration is 'supposed to produce stability through controlling what counts as crime'. She reflects on centuries 'of experience into conflicting and generally overlapping explanations for why societies decide they should lock people out by locking them in' (2007: 13). Put directly, 'those locked up cannot make trouble outside'. Penal reality is a 'mix of care, indifference, compulsory training, and cruelty to people in cages' (Gilmore 2007: 13). For most prisoners subjected to this reality, 'the acquisition of sobriety and skills' and the adoption of 'alternative lifestyles' are unrealisable. Liberal reformist claims for prisoner rehabilitation have little traction in retributive regimes prioritising incapacitation. Rehabilitation is reduced to aspirational rhetoric, overwhelmed by a persistent and growing wave of 'penal populism ... dehumanising criminals as dangerous and irredeemable outsiders' giving 'legitimacy to a whole array of symbolic and draconian practices' (Di Giorgi 2013: 34). Additional to dissuading the offender from committing further crimes, the severity of the prison sentence and the inhumane conditions in which it is served are proposed as deterrents to others. Neither objective is achieved.

Thus, penal reformism is exposed as deceit; that via some magical process, conducted within a punitive and destructive environment of institutionalised deprivation, prisoners emerge not only unscathed by captivity but equipped to face a hostile world. Such groundless assumptions neglect the harm and consequences inflicted on prisoners 'in our name'. Prisons create and reproduce 'populations of incomplete and wounded lives ... inside the prison or outside the prison' (Quinney 2006: 270). 'Prisoner' or 'non-prisoner', within the walls or in the community, 'no-one escapes the damage caused by the fact that prison exists' (Quinney 2006: 270). Its deprivations and consequences are 'pervasive'. Whether 'economic, social, psychological' or 'spiritual', the 'injuries caused by the prison are shared by all' (Quinney 2006: 270). Yet the pains of confinement are generated and sustained in 'our' name, financed through 'our' financial contributions. Given the emotional, social and political dislocation inflicted selectively on individuals and communities, the full societal cost cannot be reduced to economics.

It is ironic that in times of severe political-economic crisis, an increasingly popular liberal reformist defence for incarceration is that it provides a safe harbour from destitution—poverty, homelessness, alcohol and drugs. While prisons might provide marginal respite from harsh realities in communities, they are places that reinforce impoverishment while encouraging prescribed and illicit drug dependency. Half a century has passed since Goffman (1968: 24–25) observed that those entering prison from relatively stable circumstances are 'immediately stripped of support' while subjected to 'a series of abasements,

degradations, humiliations and profanations of self' inflicted 'around the clock'. Relentless incarceration generates a dislocated state of 'permanent civil dispossession', abrogating prisoners' political 'rights'. Through objectifying procedures imposed on arrival—'photographing, weighing, fingerprinting, assigning numbers, searching, listing personal possessions for storage, undressing, bathing, disinfecting, haircutting, issuing institutional clothing, rules'—the prisoner is 'shaped and coded into an object that can be fed into the administrative machinery of the establishment' (Goffman 1968: 25–26).

Institutionalised objectification underpinned the Strangeways uprising, generating persistent volatility against penal authoritarianism. Our research into the uprising and hostage-taking in Scotland's Peterhead Prison recorded prisoners' testimonies revealing the parlous conditions they endured (Scraton, Sim and Skidmore 1991). Multiple deprivations were exposed in a deficient regime within a remote jail built in the 1880s. The 'totality of the institution' was 'underwritten by a degree of totality or absolutism in power relations which virtually strip the prisoner of civil rights, personal consultation and democratic process' while imposing an 'unrelenting imposition of authority' (Scraton, Sim and Skidmore 1991: 61–62). As Mandela (1994: 340–341) concluded, prisons are 'designed to break one's spirit and destroy one's resolve'. Their regimes purposefully 'exploit every weakness, demolish every initiative, negate all signs of individuality—all with the idea of stamping out that spark that makes each of us human and each of us who we are'. The 'challenge for every prisoner' is 'how to survive prison intact, how to emerge from a prisoner undiminished'.

Distinctive in time and specific in circumstances, what unifies these accounts is the 'view from inside'. In applying the principles of critical analysis, bearing witness to the events and gathering testimonies from those suffering the institutional deprivations and arbitrary punishments administered behind closed doors, 'truth' is recovered. These testimonies, collected independently and over decades, provide a consistent and informed counter to official versions propagandised relentlessly at stage-managed press conferences and in evidence to official inquiries. Once headlined in public discourse, however, the propaganda becomes virtually impossible to unravel and reverse.

From War to Peace: Women's Incarceration in Northern Ireland

In 2003, under its unique powers of entry, the Northern Ireland Human Rights Commission visited HMP Maghaberry, widely considered one of the 'most complex' prisons in Europe due to its diverse population: men; women; remand; short-term/medium-term/life sentence prisoners; asylum seekers; sex offenders; 'political' prisoners. Commissioners, profoundly concerned by the conditions and regime they experienced, initiated research specifically focused on women prisoners.

From 1969, for almost three decades, the six counties of Northern Ireland were at war, occupied by the British military and secret intelligence services. During the Conflict, in a population of approximately 1.6 million, 3636 people died, including over 2000 civilians (McKittrick et al. 2004: 1477). Hillyard et al. (2003) note that 88,000 households lost a close relative; a further 50,000 households had a resident injured. As a direct consequence of sectarian intimidation and threats, approximately 28,000 people lost employment, and 54,000 families were relocated. Throughout the Conflict, the North was policed and regulated by special powers and non-jury trials. In August 1971, the internment of 'political' activists without trial was introduced and institutionalised; 2357 men and women were arrested and subjected to harsh interrogation (McEvoy 2001). Boyle, Hadden and Hillyard (1975: 32) note that in imposing Direct Rule powers, the UK Government established a 'new system of arrest and detention'.

Initially, those prisoners claiming 'political' affiliation were granted 'special category status'. In 1976, however, the British State reclassified politically affiliated prisoners as 'ordinary' criminals. In response, Republican prisoners refused to wear prison clothes or conform to prison rules. Draped only in coarse blankets, they were confined to strip cells. Following a series of beatings by guards, they embarked on a 'dirty protest', smearing excrement on cell walls. Hunger strikes followed, and 10 men died (McKeown 2001; Scraton 2020).

The politics of incarceration throughout the Conflict were driven by the State's steadfast commitment to criminalising and containing politically affiliated prisoners. In April 1998, following four years of uneasy peace negotiations, the UK and Irish Governments signed the Good Friday Agreement, setting the constitutional foundation for devolution powers to a democratically elected Northern Ireland Assembly. The 1998 Northern Ireland (Sentences) Act was central to the settlement and established the legislative framework to release on licence prisoners affiliated to a paramilitary organisation. In 2003, the Human Rights Commission initiated in-depth research into the conditions experienced by non-politically affiliated women prisoners held in a high-security unit within Northern Ireland's largest male jail (Scraton and Moore 2005). As the initial report was published, women prisoners were transferred to a medium-security unit within a male young offenders' institution, and the research was extended (Scraton and Moore 2007).

The research revealed a prison estate unfit for purpose. Incarcerating women in a male jail imposed severe restrictions on their movement, association, work and educational opportunities. With no prison staff recruited since the early 1990s and the early release of politically affiliated prisoners, there remained a surplus of mid-career, predominantly male, Protestant prison managers and officers. Many had limited experience of prisoner contact, few with women prisoners. A culture of non-engagement persisted; contact was reactive rather than proactive in conditions where often distressed and vulnerable women—and young men—were locked down for long periods without opportunities to participate in constructive activities. Further, serious failures in oversight and monitoring were institutionalised.

In-depth interviews revealed that the women's lives in their communities often amounted to 'virtual' imprisonment. Many were locked into poverty, child-rearing, primary parenting and caring responsibilities in neighbourhoods ravaged by illicit and prescription drugs. Over one-third of Northern Ireland's children live on or below the poverty line, affecting schooling, health and welfare. Held in a prison regime designed, administered and prioritised to accommodate men reflected women's experiences of marginalisation within their communities. Negotiating the regime exacerbated the profound impact of maintaining family contact, particularly with children, and the often-traumatising experiences of 'family' visits. On their release, women—particularly mothers—labelled 'former prisoner' were subjected to stigma, humiliation and shame associated with their incarceration.

Ciara was 16, a child in an adult jail. She self-harmed, and no part of her visible body was free from tears or cuts. Her only clothing was a canvas pinafore dress—its Velcro fastening removed to prevent her scouring her skin. Held in the prison hospital for nine days, she had been returned to a punishment and segregation cell. It was bare except for a solid concrete plinth, a canvas blanket and a cardboard potty as a toilet. Unsurprisingly, she had attempted to hang herself:

I hear voices, [they] tell me to cut myself. And I release the pain as well. It's terrible, so it is. You sleep and you keep changing positions ... Just look what they make me go to the toilet in. That's for night time ... It's a disgrace ... They don't give me underwear or nothing ... just a wee sanitary towel and that's it ... stuck in the cell with a camera ... no privacy or nothing. Your dignity's taken away. They just said, 'It's your own fault you're behind the door'. (Moore and Scraton 2014: 134–136)

Such were the conditions that led to prisoners self-harming and taking their own lives.

The research interviews and observation further exposed the fiction of penal reformism and the lip-service paid to the 'healthy prison' agenda. Women prisoners were judged and treated according to their perceived femininity and the tropes associated with female conformity. They were consistently disrespected, not least when escorted within the prison, walking a gauntlet of shouted sexist abuse from young men in the male blocks. Invariably, abuse focused on their bodies and appearance. With workshops and education prioritised for young male prisoners, purposeful or creative activity for women prisoners was minimal. Most suffered mental ill-health, often as a consequence of imprisonment within a deficient regime. Ciara's comments demonstrate how women's vulnerability was heightened through punitive

isolation. Further, the claims made about rehabilitation, resettlement and reintegration on release amounted to cruel deceit.

As McCulloch and Scraton (2009: 11) propose, 'the violence of incarceration is historically, socially and culturally imprinted on the foundations of the prison'. For Ciara and the women interviewed, the pain of incarceration was a combination of mounting depression, mental ill-health and physical debilitation. The research developed to include the incarceration of men and young people within the context and legacy of the Conflict (Scraton 2015). Focusing on institutional and interpersonal power relations, it questioned the political legitimacy afforded to carceral regimes, their management and operation. Limited educational provisions, inadequate or insufficient opportunities for skills development, long periods of lockdown and mental ill-health extended throughout the penal estate. The research findings were supported by reports from the Independent Monitoring Boards and the Inspectorates.

The cumulative evidence presented above challenges the social, political and ideological justifications advanced for prisons as places of opportunity where individuals—many suffering from mental ill-health, deep-seated addictions and inescapable poverty—can exit prison gates with hope and purpose. It exposes the operational reality of life in jail as oppressive, contextualised by policies of containment, security and institutional control rather than opportunity, safety and personal development. The abject failure of penal reform contradicts claims for the legitimacy of incarceration, thus returning the focus to decarceration and abolition.

In seeking the eventual abolition of mass imprisonment, however, Davis (2003: 103–104) argues, the challenge of campaigning for 'more humane, habitable environments' while not 'bolstering the permanence of the prison system'. Its resolution requires sociological imagination and political will to create a 'constellation of alternative strategies and institutions ... revitalization of education at all levels' alongside a 'health system providing free physical and mental health care to all' (Davis 2003: 103–104). On the road to abolition, reducing the prison population—decarceration—requires a societal commitment to developing and funding a 'justice system based on reparation and reconciliation rather than retribution and vengeance'.

Hillsborough: Justice Delayed is Justice Denied

On 15 April 1989, as an FA Cup semi-final kicked off at Sheffield's Hillsborough Stadium, compression in a tightly-packed crowd on standing terraces led to the death of 96, mostly young Liverpool soccer fans. Four hundred were seriously injured, thousands traumatised. To relieve congestion outside, police officers had opened an exit gate allowing over 2000 fans to enter an unfamiliar stadium. Descending a steep tunnel, they emerged at the rear of already overcrowded pens—fences to the sides, to the front and no means of retreat. As people were dying, the Police Commander told officials that fans had forced entry. Broadcast internationally, his lie blamed fans for the disaster. Further elaborated, the unsubstantiated police version dominated the headlines: fans had arrived 'late', without tickets, many drunk, violent and abusive. These unproven allegations deflected responsibility, then infected the investigations and inquests, the latter concluding that the deaths were 'accidental'. In this hostile climate, the Hillsborough Project was founded. Its research provides a critical analysis of the causes, circumstances and aftermath.

The day after the disaster, Prime Minister Margaret Thatcher, her Press Secretary Bernard Ingham and Home Secretary Douglas Hurd arrived in Sheffield. Subsequently, Ingham wrote that the Chief Constable told Thatcher, 'there would have been no Hillsborough if a mob, who were clearly tanked up, had not tried to force their way into the ground' (Personal Correspondence, dated 13 July 1994). Within days, allegations from senior police officers and local Conservative politicians dominated media coverage, and a public inquiry was appointed, led by Lord Justice Taylor (Coleman et al. 1990; Scraton, Jemphrey and Coleman 1995). Accepting the veracity of police briefings, the press minimised accounts from survivors and witnesses that painted a markedly different picture.

The relentless condemnation of fans' behaviour, vilified for causing death and physical injury, devastated already traumatised survivors. On 17 April, the *Star* claimed the tragedy was the consequence of a 'crazed surge'. The *Yorkshire Post* reported 'thousands of latecomers' without tickets had caused a 'fatal charge'. Writing in the *Evening Standard* (17 April 1989) Peter McKay condemned 'the tribal passions of Liverpool supporters' who had 'literally killed themselves and others to be at the game'. Jacques Georges, the UEFA President, condemned 'beasts waiting to charge into the arena' (*Liverpool Echo*, 17 April 1989). In the *Liverpool Daily Post* (18 April 1989), John Williams was unequivocal: 'gatecrashers' had 'wreaked their fatal havoc'; 'uncontrolled fanaticism and mass hysteria' had 'literally squeezed the life out of men, women and children'. It was 'yobbism at its most base' as 'Scouse killed Scouse'.

The allegations that followed became increasingly sinister. Unnamed police officers claimed that while rescuing the dying, they were assaulted by Liverpool fans who stole from the dead. The *Star* (18 April 1989) claimed that 'Ticketless thugs staged crush to gain entry'. They had 'attacked an ambulance man, threatened firemen and punched and urinated on policemen as they gave the kiss of life to stricken victims'. The following day, the allegations were echoed by five national newspapers: 'Dead Fans Robbed by Drunk Fans' (*Daily Star*); 'They were drunk and violent and their actions were vile' (*Mail*); 'Police Accuse Drunken Fans: Police saw "sick spectacle of pilfering from the dying"' (*Express*); 'Fury as police claim fans robbed victims' (*Mirror*); 'Police tell MP of attacks on them as they helped injured' (*Telegraph*). The *Sun* cleared its front page: 'THE TRUTH: 'Some fans picked pockets of victims; Some fans urinated on the brave cops; Some fans beat up PC giving life kiss'. A 'high-ranking police officer' claimed that a dying young woman had been sexually abused: 'fans were just acting like animals'. In the public's mind, the die was cast.

Four months later, the Home Office Inquiry published an interim report concluding that overcrowding was the 'main cause' of the disaster, the 'main reason' being a serious failure in police control (Taylor 1989). Contrary to earlier press coverage, the report berated the Match Commander and senior police officers for their collective failure on the day, exacerbated by their evasiveness before the inquiry. Preliminary inquest proceedings heard uncontested pathology findings on each of the deceased. The Coroner ordered that blood alcohol levels of all who died, including children, should be recorded. His unprecedented decision further fuelled the allegation that alcohol consumption had contributed to the deaths.

In November 1991, following the Director of Public Prosecutions' decision not to proceed with criminal prosecutions, the full inquests were resumed. Remarkably, the Coroner imposed a 3.15 pm cut-off on evidence. Without taking medical opinion or providing clinical evidence, he claimed that by that time all who died would have suffered irreversible fatal injuries. It was a claim without substance. Further, in consultation with police advisers, the Coroner selected witnesses, including local residents, publicans and police officers, whose collective testimony affirmed that ticketless, drunk and aggressive fans had arrived at the stadium determined to force entry. Five months later, following his selective summary of evidence from 230 witnesses, he directed the jury to a majority 'accidental death' verdict.

It devastated the families and survivors. A bereaved mother stated, 'The inquests were a farce. The Coroner clearly directed the jury ... he got what he wanted'. Another mother stated: '... the jury could only arrive at one verdict after the Coroner's performance' (Scraton 2016: 219). The reversal of the public inquiry findings was welcomed by South Yorkshire senior police officers and the Chairman of the Police Federation who addressed bereaved families, live on television, 'What more do they want?' Using an unfortunate metaphor, another senior police officer involved proclaimed that it was 'time to bury the past' (Scraton, Jemphrey and Coleman 1995: 261).

Two years later, a High Court judicial review confirmed the Coroner's direction as 'impeccable'. In 1997, an unprecedented judicial 'scrutiny' of 'new' evidence was initiated by the Labour Government. Despite compelling evidence that police statements had been altered by a team appointed within the South Yorkshire Police, it concluded that there was no justification for a further public inquiry (Stuart-Smith 1998). By this time, two detailed alternative reports had been published by the Hillsborough Project (Coleman et al. 1990; Scraton, Jemphrey and Coleman 1995). Their findings were consolidated by Jimmy

McGovern's award-winning 1996 drama-documentary *Hillsborough* and a comprehensive analysis, *Hillsborough: The Truth* (Scraton 1999, 2016). The analysis revealed the full extent and impact of altered police statements, which had been ordered by the South Yorkshire Police and its solicitor. Despite widespread publicity, this extensive body of research and analysis was ignored for a further decade. In 2009, the families' persistent campaign led to the appointment of a unique independent panel of inquiry. Scraton drafted the application, headed its research and was the primary author of its comprehensive report.

The panel's researchers analysed two million documents from 80 organisations and individuals. Two years later, it delivered a comprehensive report: its 12 chapters and 153 findings established a catalogue of official failures (Hillsborough Independent Panel 2012). The research exonerated the fans. New criminal investigations followed, alongside a review of policing by the Independent Police Complaints Commission (now the Independent Office for Police Conduct). The Attorney-General quashed the inquest verdicts, ordering new inquests. Following five preliminary hearings, supported by legal aid, full inquests ran for two years, presided over by a High Court Judge. In 2016, the jury returned a verdict of unlawful killing. In addition, it recorded egregious failings: 10 by the stadium owners, architects, safety engineers and ambulance service; 15 by the South Yorkshire Police. The verdict exonerated the fans, overturning the accidental death verdict so heavily influenced by the Coroner's direction a quarter of a century earlier.⁴

Throughout two decades, senior South Yorkshire police officers, the Chief Constable and their lawyers, the Police Federation, Members of Parliament and civilian witnesses closely associated with the police purposefully and collectively attributed full responsibility for the disaster to fans, including survivors and those who died. Their statements generated and sustained a persistent myth regarding fans' culpability, influencing the media, the Coroner, appeal court judges, the judicial scrutiny of 'new' evidence, government ministers and senior politicians. The detailed analysis and substantial recommendations of the Hillsborough Project's 1990 and 1995 reports, precursors to the Independent Panel's comprehensive findings two decades later, were ignored. Finally, the 2016 verdict silenced the highly vocal and much-publicised vilification directed against those who survived Hillsborough. However, those involved in the construction and promulgation of the myth failed to accept responsibility or apologise for the additional pain and suffering inflicted on bereaved families and survivors.

Critical Research: The 'Echo' and the 'Answer'

This brief excursion into my critical work on prisons, the legacy of civil war in the North of Ireland and three decades of investigative research into the Hillsborough aftermath demonstrates a driving imperative to recover truth and pursue justice through 'bearing witness', accessing alternative accounts, analysing 'hidden' data and recording abuses of state power. In challenging the obfuscations of 'official discourse' and 'scientific' knowledge, investigative research positions the immediacy of 'personal troubles' within their broader context as 'public issues' (Wright Mills 1959). Despite its claims for value-neutrality, official discourse is no guarantor of 'truth'. Its legitimacy is derived in the *status quo* and the maintenance of dominant vested interests. Rather, the truth must be sought in alternative oppositional accounts: the 'view from below'. In its recovery, truth holds the powerful—whether private or state agencies, corporations or individuals—to account. It does so on 'their' terms, using the rule of law and, where appropriate, engaging international standards and building oppositional alliances. Its fulfilment, however, necessitates a 'fundamental shift in the structural relations and determining contexts of power which marginalize and exclude [individuals] from effective participation in their destinies' (Scraton and Haydon 2002: 326).

While diverse in focus, the research discussed here exposes the myth of value-freedom, demonstrating that regulatory institutions do not achieve the value-neutrality they claim. Rather, these institutions are woven into the fabric of inequality, marginalisation and criminalisation, which is evident in the power imbalance derived in and sustained by the determining contexts of class, 'race', gender and sexuality. Multiple deprivations are rooted in endemic poverty and structural inequality. There is consistent evidence in cross-jurisdictional prison research that deprivation and punishment are bedfellows. Working-class communities disproportionately endure cuts in employment, essential services, health care,

welfare and education while living in poor, high-density housing, reliant on food banks. In June 2017, 72 people were killed and many more bereaved and displaced as a consequence of a foreseeable fire in a neglected social housing scheme administered by one of London's most affluent boroughs. The Grenfell Tower fire is testimony to institutional failure in state–community relations and public consultation (Bulley, Edkins and El-Enany 2019). It is a failure derived, legitimated and reproduced in the structural relations of inequality and oppression that constitute, maintain and reproduce the established socio-economic order and its state institutions.

While this article was under review, it became dramatically apparent that a highly contagious and deadly disease, COVID-19, was escalating rapidly into a pandemic. With no known vaccine, it claimed many lives, closed down entire cities and towns, factories and businesses, shops and social venues. As people isolated in their homes, instructed by the State to end all direct personal contact, it appeared no one was immune from contracting the virus. Inevitably and unsurprisingly, however, it continues to impact disproportionately on the most marginalised communities where physical, spatial and social distancing are not possible, and medical capacity is minimal (Davis 2020; Giroux 2020). Unrelated, but at the height of the pandemic, in Minneapolis a White police officer was filmed kneeling on the neck of a prostrate Black man while other officers watched on passively and approvingly. Under the knee, George Floyd died. Under the banner 'Black Lives Matter', his death triggered unprecedented international protests directed against racist policing and colonial heritage—the visible manifestation of racist oppression.

Clearly distinct in context and circumstances, the impact of the Grenfell fire, the marginalisation laid bare by a pandemic and the use of state violence against the Black community have shared roots in societies whose administration of state power and political and economic reproduction are dependent on maintaining and sustaining structural inequalities. Critical social research does not 'hover in the air' above seemingly random events unfolding 'on the ground' and managed by state institutions. As this article demonstrates, working with families and communities campaigning for 'justice' for loved ones in prison, in the aftermath of disasters or conflict reflects Sontag's commitment to deploying her photographic skills as a chronicler of oppression, exposing the pain of 'others'.

Within communities riven by social, political and economic exclusion and ravaged by prescription and street drugs, the persistent challenge is to establish programs that share knowledge, consult inclusively and support active participation across the lifespan. These programs should celebrate diversity while eliminating fear and defeating discrimination in all its complex, interrelated forms. They should respond with alacrity, compassion and resources to mental ill-health crises. As Giroux (2002) states, defeating exclusion requires generating and sustaining a politics of hope derived in the advancement of learning and the creation of opportunity.

Alongside a commitment to social and economic justice, as the research in prisons and with young people in the North of Ireland demonstrates, is the creation of inclusive dialogue prioritising critical thought and informing political action. In a well-quoted passage, Dorfman (2004: 10) states that those who bear witness to torture, degradation or the suffering of others could not 'live with themselves if they did nothing ... could not stain their lives by remaining silent'. Witnessing suffering yet 'doing nothing' redefines observers as 'accomplices'—so it is with critical social research. In challenging the 'darkness of apathy' and ensuring that the 'voices' of the marginalised are eminent, the excluded 'receive the echo and answer' that is their right.

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- ¹ School of Law, Queens University Belfast, p.scraton@qub.ac.uk. This article was first presented as a plenary presentation to the Interdisciplinary Workshop on State Violence, Macquarie University, Australia in December 2018. It is derived from three substantial research projects spanning three decades: The Violence of Incarceration; The Context, Circumstances and Consequences of the Hillsborough Disaster; Childhood, Transition and Marginalisation. While distinct in focus, the projects share an imperative of critical social research—foregrounding and contextualising the 'view from below' or, in the case of the prison research, the 'view from inside'. Many thanks to the organisers of and participants in the Workshop, co-researchers on the projects, to the reviewers whose comments were very helpful and, as ever, to Deena Haydon.
- ² Independent Monitoring Boards (IMBs) are established at all prisons, independent of prison management, with powers of entry to monitor operational policies and practices and hear prisoners' complaints or concerns.
- ³ Prison inspections are conducted usually at five-year intervals and over two weeks at all prisons by Her Majesty's Inspectorate of Prisons (HMIP), an independent body headed by a Chief Inspector (HMCIP). Their reports provide an assessment based on the World Health Organisation's 'Healthy Prison' criteria.
- ⁴ The Hillsborough Independent Panel web-site includes its report and all supporting documents: <https://discovery.nationalarchives.gov.uk/details/r/C14176659> See also: <http://hillsboroughinquests.independent.gov.uk/> (temporarily unavailable at the time of publishing due to ongoing legal proceedings).

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