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CONTRASTING PRISONERS' RIGHTS

A COMPARATIVE EXAMINATION
OF ENGLAND AND GERMANY

LIORA LAZARUS

OXFORD MONOGRAPHS ON
CRIMINAL LAW AND JUSTICE

Contrasting Prisoners Rights A Comparative Examination Of Germany And England

Liora Lazarus



Contrasting Prisoners Rights A Comparative Examination Of Germany And England:

Contrasting Prisoners' Rights Liora Lazarus, 2004 *Contrasting Prisoners' Rights* Liora Lazarus, 2004 This work aims to provoke reflection on the English conception and treatment of prisoners rights through juxtaposition with prisoners rights in Germany The systems are compared and placed against a wider social background and the methodological problems of comparative law are considered *Prisoners' Rights* Susan Easton, 2011-03-10 This book considers prisoners rights from socio legal and philosophical perspectives assessing the advantages and problems of a rights based approach to imprisonment with a focus on citizenship the treatment of women prisoners and social exclusion **Unequal Security** Peter Starke, Laust Lund Elbek, Georg Wenzelburger, 2024-09-30 We live in an age of insecurity The Global Financial Crisis the Covid 19 pandemic the wars in Ukraine and Gaza and the climate crisis are just the most evident examples of shocks that have increased the level of insecurity among elites and citizens in recent years And yet there is ample evidence that insecurity is not equally distributed across populations Bringing together disciplines such as political science criminology sociology and anthropology and combining quantitative and qualitative studies from a wide range of rich and middle income countries this collection presents a new framework for exploring the two key social challenges of our times insecurity and inequality together The volume analyses the nature causes and distribution of subjective insecurities and how various actors use or respond to unequal security The essays cover a host of themes including the unequal spatial distribution of in security unequal access to security provision in relation to crime and welfare the impact of insecurity on political attitudes as well as policy responses and the political exploitation of insecurity An important contribution to debates across several social scientific disciplines as well as current public debate on insecurity and politics the volume will be of great interest to scholars and researchers of criminology social policy peace and conflict studies politics and international relations sociology development studies and economics It will also be of interest to policymakers and government think tanks **Punishment and Citizenship** Milena Tripkovic, 2019 Criminal disenfranchisement the practice of restricting electoral rights following criminal conviction is the only surviving electoral restriction of adult mentally competent citizens in contemporary democracies Despite the strong devotion to the principle of universal suffrage criminal offenders are still routinely deprived of active and passive franchise while the justifications for such limitations remain elusive and incoherent In *Punishment and Citizenship* Milena Tripkovic develops an empirical and normative account of criminal disenfranchisement Starting from historical precedents of such restrictions and examining the current policies of a number of European countries Tripkovic argues that while criminal disenfranchisement is considered a form of punishment it should instead be viewed as a citizenship sanction imposed when a citizen fails to perform their role as a member of a political community In order to determine the justifications of disenfranchisement Tripkovic explores various citizenship ideals and examines whether criminal offenders comply with the expectations that are posed before them After developing a theoretical framework of

citizenship duties Tripkovic concludes that very few criminal offenders fail to satisfy fundamental citizenship conditions and exhaustive voting restrictions cannot ultimately be justified A comprehensive assessment of criminal disenfranchisement Punishment and Citizenship offers concrete policy suggestions to determine the limited circumstances under which electoral rights could justifiably be withheld from criminal offenders Desistance from Sex Offending D. Richard Laws, Tony Ward, 2011-03-11 This book offers a fresh perspective on treating a population that is often demonized by policymakers the public and even clinicians The authors argue that most sex offenders are people like us with the potential to lead meaningful law abiding lives if given a chance and appropriate support They describe an empirically and theoretically grounded rehabilitation approach the Good Lives Model which can be integrated with the assessment and intervention approaches that clinicians already use Drawing on the latest knowledge about factors promoting desistance from crime the book discusses how encouraging naturally occurring desistance processes and directly addressing barriers to community reintegration can make treatment more effective and long lasting *Of One-eyed and Toothless Miscreants* Michael H. Tonry, 2019 This volume examines scholarly and lay thinking about punishment of people convicted of crimes with particular emphasis on making the punishment fit the crime The contributors challenge the most prevalent current theories and emphasize the need for a shift away from the politicized emotionalism of recent decades They argue that theories that coincided with mass incarceration and rampant injustice to countless individuals are evolving in ways that better countenance moving toward more humane and thoughtful approaches Resisting Punitiveness in Europe? Sonja Snacken, Els Dumortier, 2013-03-01 This volume provides an important and exciting contribution to the knowledge on punishment across Europe Over the past decade punitiveness has been studied through analyses of increased or new forms of punishment in western countries Comparative studies on the other hand have illustrated important differences in levels of punitiveness between these countries and have tried to explain these differences by looking at risk and protective factors Covering both quantitative and qualitative dimensions this book focuses on mechanisms interacting with levels of punitiveness that seem to allow room for less punitive political choices especially within a European context social policies human rights and a balanced approach to victim rights and public opinion in constitutional democracies The book is split into three sections Punishment and Welfare Chapters look into possible lessons to be learned from characteristics and developments in Scandinavian and some Continental European countries Punishment and Human Rights Contributions analyze how human rights in Europe can and do act as a shield against but sometimes also as a possible motor for criminalization and penalization Punishment and Democracy The increased political attention to victims rights and interests and to public opinion surveys in European democracies is discussed as a possible risk for enhanced levels of punitiveness in penal policies and evaluated against the background of research evidence about the wishes and expectations of victims of crime and the ambivalence and polycentric consistency of public opinion formations about crime and punishments This book will be a valuable addition to the literature

in this field and will be of interest to students scholars and policy officials across Europe and elsewhere Theorizing Legal Punishment Richard L. Lippke, 2024-02-06 This book systematically defends an account of the institution of legal punishment that draws on both retributive and crime prevention thinking The work argues that legal punishment censures convicted offenders and thus morally communicates with them any victims and the broader community while also serving to reduce future crime The expressive or retributive element is assigned the lead role in this mixed account because it better captures the notion that members of society are to be held morally accountable for their failures to abide by defensible criminal prohibitions of various kinds Despite this it is conceded that the reduction of crime plays a vital role in justifying the institution of legal punishment and the book contains extended discussion of how and why this is so Beyond its explication of the aims of legal punishment and their respective roles within a mixed theory the study devotes separate chapters to sentencing criminal procedure and the imposition of fees and collateral legal consequences on individuals who have been convicted of crimes and fully served their sentences In these ways the work moves beyond discussion of the abstract aims of legal punishment to details of the institution s internal structure and operations The many historical deficiencies and failures of the institution are duly noted and the challenges they pose for punishment theorizing are examined The book closes with discussion of the limited success of punishment institutions in apprehending convicting and punishing those who violate the law including many who do so in serious ways Alternatives to reliance on legal punishment institutions are briefly examined In the end retention of such institutions is urged although it is suggested that we ought to have modest expectations about their ultimate success The work will be of interest to those working in the areas of Legal Philosophy and Criminology The Wiley-Blackwell Handbook of Legal and Ethical Aspects of Sex Offender Treatment and Management Karen Harrison, Bernadette Rainey, 2013-01-07 This handbook combines the latest theory on a high profile complex subject in criminology exploring the legal and ethical dimensions of society s response to sex offenders in jurisdictions from the USA to Japan The first publication to offer a detailed and wide ranging analysis of legal and ethical issues relating to sex offender treatment and management Covers a range of related issues from media coverage to equality duties Presents research from numerous national jurisdictions including the UK USA Australia New Zealand Canada Norway Germany Netherlands Japan and Israel Includes perspectives from respected leading academics and practitioners including William Marshall Tony Ward Doug Boer Daniel Wilcox and Marnie Rice **Handbook on Prisons** Yvonne Jewkes, Ben Crewe, Jamie Bennett, 2012-08-21 This is the most comprehensive and ambitious book on prisons to have been published a key text for anybody studying the subject and an essential work of reference for practitioners working in prisons and other parts of the criminal justice system It is especially timely in view of the many changes and debates about the role of prisons and their future organisation and management as part of the National Offender Management Service A key aim of the book is to explore a wide range of historical and contemporary issues relating to prisons imprisonment and prison management and to chart likely future trends

Chapters in the book are written by leading scholars in the field and reflect the range and depth of prison research and scholarship Like the Handbook of Policing and Handbook of Crime Prevention and Community Safety the Handbook on Prisons will be the essential book on the subject **Alternatives to Imprisonment in England and Wales, Germany and Turkey** Öznur Sevdiren,2011-02-24 The book focuses on one of the most problematic areas of Turkish penal justice the overreliance on custodial measures and a corresponding growth in the prison population and compares Turkey with two major European countries in this respect England and Wales and Germany The underlying question throughout the study is the extent to which prison alternatives can be seen as genuine alternatives to immediate custodial sentences

International and Comparative Criminal Justice and Urban Governance Adam Crawford,2011-06-02 Criminal justice has traditionally been associated with the nation state its legitimacy and its authority The growing internationalisation of crime control raises crucial and complex questions about the future shape of justice and urban governance as these are experienced at local national and international realms The emergence of new international justice institutions such as the International Criminal Court the greater movement of people and goods across national borders and the transfer of criminal justice policies between different jurisdictions all present novel challenges to criminal justice systems as well as our understandings of criminal justice This volume of essays explores the implications and impact of criminal justice developments in an increasingly globalised world It offers cutting edge conceptual contributions from leading international commentators organised around the themes of international criminal justice institutions and practices comparative penal policies and international and comparative urban governance and crime control **Criminology** Eamonn Carrabine,Pamela Cox,Pete Fussey,Dick Hobbs,Nigel South,Darren Thiel,Jackie Turton,2014-03-21 Building on the success of the second edition *Criminology A Sociological Introduction* offers a comprehensive overview of the study of criminology from early theoretical perspectives to pressing contemporary issues such as the globalization of crime crimes against the environment and state crime Authored by an internationally renowned and experienced group of authors in the Sociology department at Essex University this is a truly international criminology text that delves into areas that other texts may only reference This new edition will have increased coverage of psychosocial theory as well as more consideration of the social political and economic contexts of crime in the post financial crisis world Focusing on emerging areas in global criminology such as green crime state crime and cyber crime this book is essential reading for criminology students looking to expand their understanding of crime and the world in which they live **Prison Segregation** Ellie Brown,2023-04-21 *Prison Segregation The Limits of Law* explores the use of segregation in English prisons by examining how law is used and experienced and how human rights are upheld It draws on empirical research through interviews with staff and prisoners to understand how law works or not in a site of the prison which is traditionally characterised by real imbalances of power The book draws on one of the first research studies of its kind an in depth ethnographic study of law culture and norms within the segregation unit It adopts a

socio legal perspective to explore i how segregation is and should be used in prisons and how the law sets the parameters of that usage in theory ii the complex web of laws and rules as applies to segregation and their relationship with the actors responsible for their implementation iii how laws and rules can be undermined by the culture and context within which they are implemented It relies on the voices of prisoners and staff as well as observations and descriptions to bring experiences to life The accounts from staff and prisoners sometimes joyous sometimes harrowing provide a rich and rare insight into the segregation unit It provides access to and insights into parts of our criminal justice system which are typically impenetrable Whilst it is an academic study of law and power in segregation units and prison more broadly it is also a very human account of lived experiences The book is multi disciplinary in nature and will appeal to those with an interest in law sociology criminology and psychology It will also appeal to those seeking to understand socio legal research methods in the field of criminal justice However the book is also pragmatic and has a number of recommendations which would be of interest to practitioners lawyers prison managers and policy makers

Research Handbook of Comparative Criminal Justice

Nelken, David, Hamilton, Claire, 2022-09-15 With contributions from leading experts in the field this timely Research Handbook reconsiders the theories assumptions values and methods of comparative criminal justice in light of the challenges and opportunities posed by globalisation deglobalisation and transnationalisation

The Death of Punishment

Robert Blecker, 2013-11-19 For twelve years Robert Blecker a criminal law professor wandered freely inside Lorton Central Prison armed only with cigarettes and a tape recorder The Death of Punishment tests legal philosophy against the reality and wisdom of street criminals and their guards Some killers poignant circumstances should lead us to mercy others show clearly why they should die After thousands of hours over twenty five years inside maximum security prisons and on death rows in seven states the history and philosophy professor exposes the perversity of justice Inside prison ironically it s nobody s job to punish Thus the worst criminals often live the best lives The Death of Punishment challenges the reader to refine deeply held beliefs on life and death as punishment that flare up with every news story of a heinous crime It argues that society must redesign life and death in prison to make the punishment more nearly fit the crime It closes with the final irony If we make prison the punishment it should be we may well abolish the very death penalty justice now requires

Domestic Application

of the ECHR Eirik Bjorge, 2015 The first sustained critique of how domestic courts in the EU apply the European Convention on Human Rights and interact with the European Court of Human Rights at Strasbourg This book considers the British French and German approaches to the ECHR and shows that domestic courts apply and develop the Convention faithfully and positively

Prisons, Punishment, and the Family Rachel Condry, Peter Scharff Smith, 2018

Every year millions of families are affected by the imprisonment of a family member Children of imprisoned parents alone can be counted in millions in the USA and in Europe It is a bewildering fact that while we have had prisons for centuries and the deprivation of liberty has been a central pillar in the Western mode of punishment since the early nineteenth century we have only

relatively recently embarked upon a serious discussion of the severe effects of imprisonment for the families and relatives of offenders and the implications this has for society. This book draws together some of the excellent research that addresses the impact of criminal justice and incarceration in particular upon the families of offenders. It assembles examples of recent and ongoing studies from eight different countries in order to not only learn about the secondary effects and collateral consequences of imprisonment but also to understand what the experiences and lived realities of prisoners' families means for the sociology of punishment and our broader understanding of criminal justice systems. While punishment and society scholarship has gained significant ground in recent years, it has often remained silent on the ways in which the families of prisoners are affected by our practices of punishment. This book provides evidence of the importance of including families within this scholarship and explores themes of legitimacy, citizenship, human rights, marginalization, exclusion, and inequality.

Comparative Law Esin Örüçü, David Nelken, 2007-10-12. This innovative, refreshing, and reader-friendly book is aimed at enabling students to familiarise themselves with the challenges and controversies found in comparative law. At present, there is no book which clearly explains the contemporary debates and methodological innovations found in modern comparative law. This book fills that gap in teaching at undergraduate level and for postgraduates will be a starting point for further reading and discussion. Among the topics covered are globalisation, legal culture, comparative law and diversity, economic approaches, competition between legal systems, legal families and mixed systems, comparative law beyond Europe, convergence, and a new *ius commune*, comparative commercial law, comparative family law, the common core, and the better law approaches, comparative administrative law, comparative studies in constitutional contexts, comparative law for international criminal justice, judicial comparativism in human rights, comparative law in law reform, comparative law in courts, and a comparative law research project. The individual chapters can also be read as stand-alone contributions and are written by experts such as Masha Antokolskaia, John Bell, Roger Cotterell, Sjef van Erp, Nicholas Foster, Patrick Glenn, Andrew Harding, Peter Leyland, Christopher McCrudden, Werner Menski, David Nelken, Anthony Ogus, Esin Örüçü, Paul Roberts, Jan Smits, and William Twining. Each chapter begins with a description of key concepts and includes questions for discussion and reading lists to aid further study. Traditional topics of private law such as contracts, obligations, and unjustified enrichment are omitted as they are amply covered in other comparative law books, but developments in other areas of private law such as family law are included as being of current interest.

Unveiling the Energy of Verbal Artistry: An Psychological Sojourn through **Contrasting Prisoners Rights A Comparative Examination Of Germany And England**

In a global inundated with monitors and the cacophony of instant conversation, the profound energy and psychological resonance of verbal art often fade in to obscurity, eclipsed by the constant barrage of sound and distractions. Yet, set within the lyrical pages of **Contrasting Prisoners Rights A Comparative Examination Of Germany And England**, a captivating work of literary brilliance that impulses with fresh emotions, lies an unforgettable trip waiting to be embarked upon. Written by way of a virtuoso wordsmith, that magical opus books visitors on an emotional odyssey, softly exposing the latent potential and profound affect embedded within the elaborate internet of language. Within the heart-wrenching expanse of the evocative evaluation, we will embark upon an introspective exploration of the book is key styles, dissect their charming writing design, and immerse ourselves in the indelible impression it leaves upon the depths of readers souls.

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