

Prisoners: Law and Practice S. Creighton and H. Arnott. London: Legal Action Group (2009) 813pp. £40.00pb ISBN 978-1-903307-71-7

There are many different ways to approach the study of prisons, each with its own strengths and problems. Perhaps unsurprisingly in light of its authors, this book adopts an unashamedly legal and practice-oriented approach. This perspective is in itself rather interesting. As Creighton and Arnott observe (p.606), in all but the last 40 years of prison history, law has done little to constrain and scrutinise what happens behind our prison gates. Therefore, a core underlying theme of this book is the judicialisation of many aspects of prison life. Furthermore, the seamless integration of law in a strict statutory sense with 'soft law' (policies, prison service rules, guidelines) also appears to suggest that soft law mechanisms, previously considered to be of negligible legal significance, are increasingly justiciable as part and parcel of today's prison *corpus iuris*. This all feeds into a legal trend (in which this book marks another important step) towards the construction of a floor of concrete prisoner rights and an increasing perception of prison law as a discrete, specialist area of legal expertise.

A legal practitioner's perspective also has ramifications for the types of issue with which the authors engage and whom it should attract as an interested readership. First, coming from a legal perspective means that this book only really delves into areas where there is legally-relevant regulation and naturally emphasises areas of legal complexity (examine, for example, the length and complexity of Chapters 10 and 11 on release rules) or which have been litigated. It is interesting, then, to consider the 'black holes' in this book; areas of unfairness or ambiguity upon which the law is either silent or, as yet, relatively undiscussed. One may think, for example, about the law's role in challenging insufficient provision of employment and education in prisons which impedes re-categorisation to lower-security facilities and parole. Second, and where this book sees to diverge most significantly from other leading textbooks in this field, such as Livingstone, Owen and Macdonald's *Prison Law*, this book's content more obviously reflects the adversarial nature of a practitioner's perspective (more specifically, a lawyer representing prisoners). The authors consistently focus upon the rights of prisoners, and sparing detailed legal analysis down to its key cases, principles and remedies, and sparing historical legislative background or descriptions of legal institutional structure. One notable illustrative omission is discussion of the legal position of a prison officer for example. This gives the book a more bottom-up rather than top-down feel; a book grounded in reality and practicality and aiming to provide a comprehensible yet comprehensive (rather than exhaustive) account of prison law as it affects the majority of prisoners.

So who should read this book? Put quite simply, anyone from any academic discipline with an interest in imprisonment in a fairly loose sense. Loose, because the book deals with imprisonment broadly defined (encompassing secure training centres, young offender institutions and secure children's homes, for example) and because it places prisons in their wider criminal justice context rather than stopping at the gate (including discussion about probation and multi-agency public protection arrangements, for example). To their credit, the authors also make valiant attempts to locate and rationalise information about the private sector's role in this field. The practical nature of this book tempers a lot of potential legal denseness, and clear language and helpful tables aid clarity. In this sense, it contrasts favourably with other works in the field, such as that of Livingstone, Owen and Macdonald (2008), and will serve as a more accessible immediate reference point for prison staff and prisoners.

Law is constantly in action in the prison environment. Its role within prisons is perhaps an area which has thus far been rather under-explored and may provide fertile ground for interesting inter-disciplinary research, considering, for example,

how the law is experienced in practice, the difference between law and perceptions of it and the extent to which law contributes to prison culture or quality of life. This book, then, offers a solid prisoner and practice-oriented legal knowledge foundation, synthesising often dispersed and disorderly sources of legal norms in a way which will prove invaluable to prisoners, prison staff, lawyers and non-lawyers alike.

Reference

Livingstone, S., Owen, T. and Macdonald, A. (2008) *Prison Law*, Oxford: Oxford University Press.

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Rehabilitation: Beyond the Risk Paradigm T. Ward and S. Maruna. London: Routledge (2007) 204pp. £18.99pb ISBN 978-0-415-38643-2

Tony Ward and Shadd Maruna's *Rehabilitation: Beyond the Risk Paradigm* provides an authoritative account of the concept of rehabilitation and its history. It compares the influential Risk-Need-Responsivity model (see Andrews and Bonta 2003) with their own Good Lives Model (GLM; Ward and Brown 2004). Their central concerns are: an exploration of what it means to undertake rehabilitation as an endeavour (Chapter 1); why this endeavour is important and legitimate (Chapter 2); which conception of the purpose of rehabilitation and the nature of criminality should be adopted to underpin this endeavour (Chapters 3 to 5); and the promotion of the GLM as a superior theory of rehabilitation (Chapter 6).

Ward and Maruna begin with a vibrant and engaging history of rehabilitation as an ideal, which they persuasively argue has greater continuity and durability than the 'nothing works', 'death of rehabilitation' narrative implies (pp.1-7). They lament the lack of 'true theories of correctional intervention' (p.28), arguing that a full rehabilitation theory 'comprised of values, core principles, etiological assumptions and practice guidelines' is crucial if practitioners and clients are to be aware of the aims of intervention and its relationship with the causes of offending (p.33). This discussion of what theories should be and do (see Chapter 2) would be useful source material in many contexts and, given its clarity and brevity, deserves to be read widely within and without the criminological community.

The authors set out the Risk-Need-Responsivity model and argue that despite its professed clinical, scientific approach, "harm" and "good" are value-laden terms and therefore [this] model does presuppose normative judgments concerning what is beneficial to the community and to the offender' (p.78). The model is seen to operate within a narrow risk paradigm that downplays wider cultural, structural, and ecological factors (p.82). While Ward and Maruna seek to display this model in its best light, their reservations are readily apparent: while it promotes empirically-derived, structured assessment and treatment strategies which have 'resulted in reduced recidivism rates and safer communities' (p.104), the theory's 'narrowness of its basic assumptions and value commitments' means that insufficient attention is paid to core therapeutic and intervention tasks (p.105).

As for the GLM, the authors' desire for a more positive, offender-oriented theory of rehabilitation leads them to argue that 'a focus on the promotion of specific goods or