H.Annison (2015) *Dangerous Politics: Risk, Political Vulnerability and Penal Policy*. Oxford: Oxford University Press. ISBN: 9780198728603 (£65 HBK).

**Reviewed By:** Ailbhe O’Loughlin, University of York

Harry Annison’s *Dangerous Politics* is an in-depth study of the ‘creation, contestation, amendment, and abolition’ of the controversial indeterminate sentence of imprisonment for public protection (IPP) (p.3). The book addresses the important question, first posed by Brown (2010:43), of ‘why, in modern liberal societies, do we seem so willing to trade away the liberty rights of those deemed dangerous and why in such a wholesale fashion?’ (Annison, 2015: xi). Annison uses a framework of ‘interpretive political analysis’ (p.xii) to explore how and why the IPP sentence came into existence, and why potentially restraining influences appeared to have little effect on the progress of a policy that was to prove so damaging. By weaving a rich and authoritative narrative, he skilfully incorporates materials from an impressive 63 qualitative interviews with key actors and observers, including politicians, civil servants, special advisors, judges and criminal justice practitioners.

As Fergus McNeill and colleagues have argued in a different context, there is a ‘governmentality gap’ between macro-level sociological accounts of ‘penal transformation and reconfiguration’ and the realities on the ‘frontline’ revealed by micro-level studies (McNeill *et al.*, 2009: 420-421). Empirically-grounded accounts of penal policy, such as that presented by Annison, may ‘be best understood not as a counter-example to accounts of penal transformation but as evidence of an incompleteness in their analyses’ (McNeill *et al.*, 2009: 420). *Dangerous Politics* affords plentiful evidence of this ‘incompleteness’ (McNeill *et al.*, 2009: 420) by highlighting how British political traditions and structural and social factors influence the translation of macro-level trends, such as the rise of risk and of ‘the public voice’ (Annison, 2015: 31), into reality.

The ‘IPP story’ (Annison, 2015: xiv) begins in Chapter 2, outlining how the ‘real problem’ (p.30) of dangerous offenders released from determinate prison sentences, the ‘enabling tools’ (p.36) of risk assessment and the ‘rise of the public voice’ (p.31) contributed to a feeling within government that it had the ability and, indeed, the obligation to protect vulnerable citizens from dangerous individuals. Chapter 3 describes in detail the ministerially-led policymaking process that followed in which risk prediction capabilities were over-estimated and the voices of experts and the public were largely excluded from discussions. Continuing the theme of exclusion, Chapter 4 examines the struggles of penal reform groups and parliamentarians to raise concerns about a ballooning prison population and the fate of IPP prisoners becoming stuck in an under-resourced system.

In Chapter 5, Annison presents a sociologically informed analysis of the role of the judiciary in ‘reining in’ (p.103) the effects of the IPP in a series of court cases brought by prisoners. This chapter eschews traditional doctrinal approaches to legal analysis and explains how cultural and structural factors unique to the British context conditioned the role the law could play as a moderating influence on penal policy. The paradoxes of the liberal but deferential ‘senior judicial tradition’ (p.104) are particularly well brought-out and constitute a fascinating case study in and of themselves.

Chapter 6 follows with an account of political moves to salvage the IPP and avoid the ‘twin dangers’ (p.130) of a prison crisis and a political crisis. Something had to be done to relieve the pressure on an overburdened prison system but a combination of the ‘dangerous’ label attached to IPP prisoners and the ‘penal arms race’ (p.130) severely limited the government’s options. Chapter 7 explores how the liberal strands of traditional conservatism and the easing of the pressures of the election cycle finally allowed the sentence to be abolished by the Coalition government. A chink of light shines through this chapter and shows a way out of the ‘prisoner’s dilemma’ in penal politics (Lacey, 2008).

Chapter 8 draws together the diverse strands of the preceding chapters to articulate the lessons of the IPP story for penal theory and policymaking. Annison reveals that although the IPP sentence appeared to be an example of populism, members of the public were mere ‘dummy players’ in a drama conducted by elites with limited access to public opinion. Combined with the ‘yes minister’ traditions of civil servants in the ‘Westminster model’ (Annison 2015: 4), a judiciary fettered by legal formalism and deference to parliament and a cynical and powerful tabloid media, the negative implications for the state of British democracy are clear.

Readers will be rewarded by delving into Appendix I, an account of the research process that highlights its rigorous nature and provides valuable practical advice for securing interviews with elites. It also contributes to the existing literature on elite interviewing by putting forward Annison’s reflections on his own position as an ‘Oxford man’ and ‘elite’ researcher (p.213).

If anything, the strengths of such a rigorously researched study could have been exploited further in challenging some of the existing criminological literature. Annison identifies ‘an unresolved tension’ (p.41) in the assumptions underlying the IPP sentence:

Ministers desired a sentence which would protect the public from those posing a significant risk (i.e. postmodern penal warehousing), but also assumed that processes were in place which would serve to rehabilitate the offender, thus returning them to full citizenship status (i.e. modern goals of welfarism and social engineering) (Annison, 2015: 41).

The characterisation of the goals of incapacitation and rehabilitation as ‘contradictory’ (Annison, 2015: 41) deserves further unpacking, and it would be illuminating to explore how Annison’s interviewees sought to reconcile them. The history of attempts to govern dangerous offenders shows that these dual strategies were deployed even in Victorian times (Garland 1985; Pratt 1997; Godfrey, Fox and Farrall 2010.). This indicates that it may be necessary to look beyond the often overstated dichotomies set up between ‘postmodern’ and ‘modern’ (Annison, 2015: p.41) approaches to crime control to come to a greater understanding of the assumptions underpinning the IPP approach.

Similarly, the analysis of the IPP sentence as ‘positivist in its underlying assumptions’ (p.62) reflects the limitations of characterisations of the criminal trial as dominated by classical conceptions of the offender and the post-trial period as influenced by the positivist criminological tradition (Bottoms 1977). It may be questioned whether the IPP sentence was concerned with pathological offenders or underpinned by positivistic determinism, not least given the focus of current rehabilitative interventions on ‘the communication of censure and the re-moralization or responsibilization of offenders’ (Robinson, 2008: 435). Nicola Lacey’s (2011; 2016) recent work indicates that preventive measures against offenders such as the IPP sentence have much in common with the Victorian concept of liability for criminal character. This may prove a more productive frame of analysis than positivism given the links between Victorian moralism and the Evangelical notion of ‘reform’ (see Garland 1985).

The lessons to be drawn from Annison’s study are not to be underestimated, as the ‘enabling tools’ (p.36) of risk assessment and the dream of a society free from crime are seductive. His account helpfully avoids descent into ‘dystopia’ (Zedner 2002), however, by suggesting ways in which we might move beyond ‘illusory democratization’ (Annison, 2015: p.72) and towards real public participation in political debates. The abolition of the IPP by the Coalition government and the seeming de-escalation of the ‘penal arms race’ (p.130) identified by Annison suggest that more considered and better-informed criminal justice policymaking may be possible in future. On the other hand, the debates surrounding Britain’s exit from the European Union indicate that media and political attention may simply have turned towards another group of ‘folk devils’: foreign migrants.

Bottoms A. (1977) ‘Reflections on the Renaissance of Dangerousness’*, The Howard Journal of Criminal Justice* 16: 70–96.

Brown M. (2010) Theorising Dangerousness. In: Nash M. and Williams A. (eds) Handbook of Public Protection. Abdingon, Oxon: Willan Publishing.

Feeley, M. and Simon, J. (1992) “The New Penology: Notes on the Emerging Strategy of Corrections and its Implications”, *Criminology*, 30(4), 449-474.

Garland D. (2003) ‘Penal Modernism and Postmodernism’. In: Blomberg T. G. and Cohen S. (eds) *Punishment and Social Control*. New York: Aldine de Gruyter.

Garland, D. (1985) *Punishment and Welfare: A History of Penal Strategies*. Aldershot: Gower.

Garland, D. (2001) *The Culture of Control: Crime and Social Order in Contemporary Society*. Oxford: Oxford University Press.

Godfrey, B. S., Cox, D. J., and Farrall, S. (2010) Serious Offenders: A Historical Study of Habitual Criminals. Oxford: Oxford University Press.

Lacey, N. (2016) *In Search of Criminal Responsibility. Ideas, Interest and Institutions*. Oxford: Oxford University Press.

Lacey, N. (2011) “The Resurgence of Character: Responsibility in the Context of

Criminalization”. In: Duff, R.A. and Green, S. (eds) Philosophical Foundations of

Criminal Law. Oxford: Oxford University Press.

Lacey N. (2008) The Prisoners' Dilemma: Political economy and punishment in contemporary democracies. Cambridge: Cambridge University Press.

McNeill, F., Burns, N., Halliday, S., Hutton, N. and Tata, C. (2009) ‘Risk, responsibility and reconfiguration: Penal adaptation and misadaptation’, *Punishment and Society* 11, 419 – 422.

Pratt, J. (1997) Governing the Dangerous: Dangerousness, Law, and Social Change. Sydney: The Federation Press.

Robinson, G. (2008) “Late-Modern Rehabilitation: The Evolution of a Penal Strategy”, *Punishment & Society*, 10, 429-445.

Zedner, L. (2002) “Dangers of Dystopias in Penal Theory”, Oxford Journal of Legal Studies, 22, 341–66.