

### Further reading

#### *Domestic violence*

- **Dinovitzer, R. and Dawson, M. (2007)** 'Family-based justice in the sentencing of domestic violence' *Brit.J.Criminol.* Vol 47(4) 655-670.

#### *Incapacitation*

- **Brody, S. and Tarling, R. (1980)** *Taking Offenders out of Circulation*, Home office Research Study, No. 64, London HMSO.
- **Brown, M. (1998)** 'Serious Violence and Dilemmas of Sentencing: A Comparison of Three Incapacitation Policies' *Crim. L.R.* 710. [This article examines data from New Zealand to compare three possible incapacitation strategies. It also critiques those provisions found in that jurisdiction and elsewhere which are based on making a distinction between 'ordinary' offenders and dangerous offenders.]
- **Cavadino, P. and Dignan, J. (2006)** *Penal Systems: A Comparative Approach*, London, Sage. [In chapter 3 the authors discuss some of the factors influencing the expansion of imprisonment in the United States.]

#### *Life imprisonment and release on licence*

- **Amos, M. (2004)** 'R v Secretary of State for the Home Department ex parte Anderson – Ending the Home Secretary's Sentencing Role' *MLR* Vol 67 108-123.
- **Gullick, M. (2004)** 'Sentencing and Early Release of Fixed Term Prisoners' *Crim. L.R.* 653-662. [This article reviews the new provisions in the Criminal Justice Act 2003.]
- **Shute, S. (2004)** 'Punishing murderers: release procedures and the "tariff", 1953-2004'. *Crim.L.R.* 873-895.

- **Valier, C. (2003)** 'Minimum Terms of Imprisonment in Murder, Just Deserts and the Sentencing Guidelines' *Crim. L.R.* 326-335.

### ***Preventative custodial sentences***

- **Ashworth, A. (2004)** 'Criminal Justice Act 2003: Part 2: Criminal Justice Reform – principle, human rights and public protection, *Crim. L.R.* 516-32.
- **Beckett, K. and Western, B. (2001)** 'Governing social marginality: Welfare, incarceration and the transformation of state policy', in D. *Garland* (ed.) *Mass Imprisonment*. London, Sage, 35-50.
- **Clarkson, C. (1997)** 'Beyond Just Deserts: Sentencing Violent and Sexual Offenders' *Howard Journal* Vol 36(3) 284-92.
- **Thomas, D. (2004)** 'The Criminal Justice Act 2003: Custodial Sentences' *Criminal Law Review* 702-71.
- **Van Zyl Smit, D. and Ashworth, A. (2004)** 'Disproportionate Sentences as Human Rights Violations' *MLR* vol 67(4) 541-560.
- **Von Hirsch, A. and Roberts, J. (2004)** 'Legislating Sentencing principles: the provisions of the Criminal Justice Act 2003 relating to sentencing purposes and the role of previous convictions' *Crim. L.R.* 639-652.

### ***Risk and dangerousness***

- **Baker, E. (1993)** 'Dangerousness, Rights and Criminal Justice' *Modern Law Review* vol. 56, 528-47.
- **Beck, U. (1992)** *The Risk Society: Towards a New Modernity*. London, Sage. [An influential theoretical analysis of the role of risk in (post) modern society.]
- **Floud, J. (1982)** 'Dangerousness and Criminal Justice' *Brit. J. of Criminology* Vol 22. No. 3, 213.

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CHAPTER 5  
Risk and Danger

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- **Frieberg, A. (2000)** 'Guerillas in our midst? Judicial responses to governing the dangerous' in M. Brown and J. Pratt (eds) *Dangerous Offenders*. London, Routledge.
- **Hannah-Moffat, K. and O-Malley, P. (eds) (2007)** *Gendered Risks*. London: Routledge-Cavendish
- **Henham, R. (2001)** 'Sentencing Dangerous Offenders: Policy and Practice in the Crown Court' *Crim. L.R.* 693.
- **Kemshall, H. (2003)** *Understanding Risk in Criminal Justice*. Milton Keynes, Open University Press. [This book offers detailed introductory material on concepts of risk and risk assessment generally.]
- **Lyon, D. (ed) (2006)** *Theorising Surveillance*. Cullompton: Willan.