

## International Journal for Crime, Justice and Social Democracy



## Book Review

### Harry Annison (2015) *Dangerous Politics: Risk, Political Vulnerability and Penal Policy*. Oxford University Press.

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*Dangerous Politics* is a sobering account of the dangers inherent in legislative attempts to prevent future harm, detailing the rise and fall of the United Kingdom's controversial indeterminate sentencing regime for 'dangerous offenders': Imprisonment for Public Protection (IPP). The IPP, which commenced operation in 2005, provided for the preventive detention of certain sexual and violent offenders after they had served a tariff sentence and until the Parole Board was satisfied they no longer posed a risk to the public. The IPP was criticised for increasing the prison population and rates of mental illness amongst prisoners, and for the difficulties faced by prisoners to prove they no longer posed a risk. The regime was abolished, prospectively, in 2012 and replaced with an Extended Determinate Sentence framework. At 31 March 2018, 2,884 IPP prisoners remained in custody, an 18 per cent decrease since 2017 and a 53 per cent decrease since the peak in June 2012 (Ministry of Justice 2018: 3).

Annison draws on 63 interviews with key policymakers, including ministers, the judiciary and pressure groups, to provide a detailed account of the creation, contestation, amendment and eventual abolition of the IPP. The frank portrayals elicited from key players in the policymaking process together with Annison's incisive analysis make *Dangerous Politics* necessary reading for Australian policymakers, students and researchers of penal politics. Additionally, in Appendix 1 of this book, Annison gifts to students a valuable resource in the form of the process and pitfalls of undertaking 'elite interviews', including problems of access, building rapport and making sense of data.

The book is divided into three sections: Beginnings, Effects and Conclusions. Chapters One to Three set the scene for the IPP story, placing the IPP within the broader historical, political and sociological accounts of dangerous offenders; interrogating the key drivers for the political focus on 'dangerous offenders' that led to the creation of the IPP sentence; and reconstructing the policymaking process, examining how key stakeholders were excluded, warning signs ignored and, notably, policymakers lacked a detailed understanding of the 'risk paradigm'.

Chapters Four to Six focus on the strategies of contestation and resistance employed by relevant actors culminating in key amendments in 2008 that set a minimum tariff and introduced judicial discretion in the imposition of an IPP sentence. These chapters explore, respectively, the efforts of interest groups, parliamentarians and other organisations to impact policymakers; the role of the senior judiciary in resisting and limiting the use of the IPP sentence and its effects; and the

process of the 2008 amendments, including how the Brown Labour government navigated the twin dangers of systemic and political risk.

Chapter Seven explores the political motivations for, and deliberations and debate surrounding, the abolition of the IPP. Chapter Eight concludes the narrative, drawing connections between the IPP story and extant literature, and considering broader lessons of the IPP story for penal policymaking.

Annison grounds his study in interpretive political analysis, and argues that ‘risk’ and ‘the public’ influenced the IPP story as *abstract ideas*. The idea of risk and its ability to be prevented—that is, the belief held by key actors that developments in risk assessment enabled selective incapacitation of dangerous offenders—were crucial to the creation of the IPP. However, the risk paradigm was adopted with little input from risk experts and without key policymakers understanding the emerging paradigm. Similarly, the idea of ‘the public’ was central to the IPP story, but there was an absence of deliberation between the public and policymakers, evincing the ‘illusory democratisation’ of penal policymaking.

To move beyond illusory democratisation, Annison argues for enhanced deliberative and democratic penal policymaking, not simply between the public and policy makers but crucially ‘*between policy participants*’: policymakers, risk experts and criminal justice professionals (p. 201). Annison argues that the integrationist- and insulationist-orientated approaches to penal policymaking ‘may not be as mutually exclusive as might first appear’ (p. 203). For Annison, the IPP story reveals the enduring and significant role played by political beliefs and traditions in penal policymaking, in particular, in conditioning the form of ‘populist’ measures. To succeed, improvements in penal policymaking must, he argues, engage with established political traditions and practices, as well as with existing structures and pressures.

*Dangerous Politics* is a captivating account of the ‘IPP story’, and of the dangers inherent in an uncritical acceptance of the risk paradigm in penal policymaking. It is a compendious and discerning study of the creation and eventual demise of this controversial preventive sentencing regime, in conversation with the rich criminological, legal and political literature spanning risk and insecurity, populism, penal policymaking and the role of the judiciary in the ‘pre-emptive turn’ in criminal justice. It will be of continued relevance to Australian policymakers, researchers and students considering criminal justice responses to ‘dangerous’ offenders.

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