



Book Review: Criminal Justice in Scotland. Buchan J, Anderson S and Morrison K (2025). London: Routledge. pp267. pb £39.99. ISBN978-1-03-244580-9.

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It has been apparent at least since the formation of the Scottish Centre for Crime and Justice Research (SCCJR) in 2006 that criminological and socio-legal research in post- Devolution Scotland is both internationally renowned and engaged – to a degree – with Scottish policy-makers, in ways that may be less true of other comparably small jurisdictions. Engaged, but not vastly influential, of course – otherwise Scotland would not have persisted so long in pole position (or second, after England and Wales) in the league tables of *Western* European imprisonment rates, or recently surpassed its 2012 record for daily prisoner numbers. In late October, just a few days before this review was written, it stood at 8,430 in an estate with capacity for 7,800: morale among prison officers was collapsing (again) and an emergency early release programme was being contemplated (again). How to make sense of all this in a *putatively liberal, progressive country*?

Criminal Justice in Scotland shows clearly that the prisons crisis should not and cannot be understood in isolation and nuances Scotland's liberal credentials. It builds on earlier edited collections with similar or identical themes, but updates and systematises their arguments, taking into account changed institutional arrangements, new theoretical developments (especially in the sociology of punishment) and newly available research. In doing so it raises the bar on what single-text studies of criminal justice in one country should look like.

It begins and ends with a disquisition on the distinctiveness or otherwise of Scottish criminal justice, recognising that, among other things, its "public health" approach to violence reduction has met with some success. But it systematically dismantles the myths of liberal exceptionalism (eg Scotland is more egalitarian, and less racist) which position "us" as superior in penal matters to England and Wales. The evidence shows, ironically, that despite devolution and the nationalist/nation-building discourse of the present Scottish government, processes of "detartanisation" are making criminal justice in Scotland *more like* England and Wales, not less. Shared socio-economic insecurities call forth similar penal responses.

The book's core consists of chapters on crime prevention and community safety; policing; courts, prosecution and sentencing; fines and financial penalties; electronic monitoring; prisons and imprisonment; life after punishment (which remains, unsurprisingly, punitive); youth justice: and "community justice", a term which is used in Scotland primarily to organise discourse and practice around community sentences but overlaps with alternatives to prosecution, post-release supervision and community safety. A penultimate chapter looks at crime control in Scotland from a transnational perspective. Numerous text-boxes usefully elucidate specific - and often topical - issues, eg the presumption against short sentences, desistance, restorative justice, transgender people in prison, the age of criminal responsibility and stop and search. Each chapter formally poses pertinent questions to invite further reflection, many of which could usefully be pondered by all Scotland's citizens not just its students.

Scotland's increasingly militant (and often punitive) victim advocacy organisations may regret that no specific chapter is devoted to crime victims, tho' their concerns are registered at various points in the book, and well indexed. It remains to be seen whether future editions of this book, for which there will certainly be a demand, will continue without such a chapter, given the potency of "failed and angry victims" discourse on public

perceptions of judicial and penal-decision making. In addition, future editions will surely be addressing the imminent infusion of AI into criminal justice policy-making, the latest iteration of an embedded, ostensibly apolitical, managerial/technicist approach to public policy which is properly documented here. Annual, commercially-sponsored, “digital justice (and policing)” conferences have been heralding a bright future for AI for more than a decade (Nellis 2017); more recently, just a few days before the last such conference, Community Justice Scotland (2025) registered a more sceptical note at an event of its own.

Criminal Justice in Scotland is both a textbook and also a state of the art of review of where post-Devolution Scotland stands on key judicial and penal issues. In this latter respect it should be widely read *and discussed* in all the agencies whose work is analysed here. It is in the nature of complex and longstanding systems that only academic analysts gain *an overview of the whole*, and while not all textbooks succeed as well as this one, the present authors undoubtedly render a service to professionals and managers whose daily pressures and occupational presuppositions make it hard to see beyond the concerns and aspirations of their own agencies.

This is not in itself a radical critique of Scottish criminal justice, but its self-consciously, evidence-based *moderate* critique is more than enough to register the depths of crisis and constitute a wake-up call. The authors acknowledge the existence of more radical, abolitionist critiques and accept that many liberal aspirations in penal reform have fallen short, and may well have reached their limits. So where now? Almost inevitably they turn in their own conclusion to the 2008 McLeish Report, *Scotland’s Choice* which represented the last hopeful moment that a calculated political process could initiate a strategy for reducing prisoner numbers – down to 5000 over ten years, via more parsimonious sentencing, a new reparative philosophy, and much improved community provision. Oblivious of the pandemic to come, which exacerbated but did not cause the present crisis, McLeish warned of the systemic penal deterioration through which we are now living, if nothing - or too little – was done in response to his recommendations. The warning still stands. *Criminal Justice in Scotland* will leave any reader better able to grasp both the complexity and the urgency of what needs to be done.

References

Community Justice Scotland (2025) “In the age of AI, can justice be smarter?” Event on 7 October 2025 at The Social Hub, Glasgow.

Nellis M (2017) Setting the parameters of ‘digital (criminal) justice’ in Scotland. *Probation Journal* 64(3) pp191-208