

ORIGINAL ARTICLE

# Using techniques of neutralisation to maintain contact: The experiences of loved ones supporting remand prisoners

Isla Masson<sup>1</sup> | Natalie Booth<sup>2</sup>

<sup>1</sup>Isla Masson is Lecturer in Criminology, The Open University

<sup>2</sup>Natalie Booth is Senior Lecturer in Criminology, Bath Spa University

**Correspondence**

Isla Masson, Lecturer in Criminology, The Open University.

Email: [isla.masson@open.ac.uk](mailto:isla.masson@open.ac.uk)

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**Abstract**

This article proposes that loved ones supporting prisoners with experience of remand in England and Wales may use Sykes & Matza’s (1957) ‘techniques of neutralization’ by proxy. Adopting neutralisations may enable those in prison to be viewed not as those who have harmed, or bad people, but as those who themselves have been harmed. Potential benefits of these techniques are twofold: they help to reject stigma; and explain and enable continued contact. This framework may be a useful basis for work exploring familial contact and support for those affected by imprisonment.

**KEYWORDS**

contact, loved ones, remand prisoners, stigma, techniques of neutralisation

## 1 | INTRODUCTION

There is a significant and growing body of literature focusing on the benefits to prisoners if they have contact with family members. This narrative is predominantly found in policy documents and prisons literature, for example: ‘maintaining and rebuilding family relationships is central to prisoner rehabilitation’ (HM Chief Inspector of Prisons, 2020, p.53). Families are often talked about in terms of how they can help those in prison, ‘or the role families can play’ (Farmer, 2017, p.4), rather than with consideration of their needs. The links between maintaining family ties and resettlement outcomes occupy an ideological stronghold despite continued criticism by

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academics of this instrumental approach (see Booth, 2021; Codd, 2008; Jardine, 2017). The focus of this article is on the experiences of 'loved ones'<sup>12</sup> (Masson & Booth 2018) of remand prisoners who are separated from a close person through imprisonment, which is an area that has received little attention to date. The article addresses this gap, and examines the reality for loved ones supporting prisoners with experience of remand and how they navigate emotions relating to the alleged offence and subsequent period of incarceration. Likewise, central to this article is the original application of Sykes & Matza's (1957) 'techniques of neutralization' which are used by proxy – and the analysis of the role these may take in managing stigma and explaining the maintenance of contact. The unique application of this theoretical lens significantly contributes to academic knowledge as it helps to explain *why* some loved ones sustain contact, which so far has not been fully explored by previous research. As discussed below, there has been considerable interest in who visits, the number of visits and the visiting experiences, but much less attention on why some loved ones maintain contact. This article provides new insights into the loved ones' conceptualisations of their relationships and their motivations to maintain contact which practitioners could draw upon when supporting these family ties as identified by the Farmer reviews (Farmer, 2017, 2019).

The qualitative study on which this article is based presents valuable insights into a wide number of different relationships and personal circumstances of loved ones supporting men and women who were – or had been – remanded into prison custody in England and Wales. Those interviewed maintained contact through multiple means – telephone calls, emails, letters and visits. However, the loved ones in the study are in a minority as most prisoners do not receive visits (HM Chief Inspector of Prisons, 2020). There are many reasons why people may choose not to stay in contact with those in prison, and do not step across the prison threshold. The decision to maintain contact with someone in prison, particularly for an unknown time period (as is the case for those remanded), is not a decision made lightly. There are many practical barriers preventing contact, whether they relate to finances, distance, prohibitive rules relating to visits and telephone calls or delays with letters and emails:

I found one of the most difficult things with her being in prison, is dealing with the prison. (Zabina – mum)<sup>2</sup>

Also, as Condry (2007)<sup>3</sup> and Kotova (2020) argue, loved ones must also navigate the judgment of others and navigate feelings of shame and stigma 'by association' (Masson, 2019). There are emotional barriers, whether these relate to feelings regarding the alleged offence and responses by other people to it, or emotions due to stilted or emotionally charged contact. Moran & Disney (2018) argue that problematic visiting areas actually diminish opportunities for intimacy: 'how the spaces provided for prison visitation affect the doing of intimacy in ways that arguably detract from the potential benefits of visitation in supporting the wellbeing of both prisoners and visitors' (p.180). Loved ones, who themselves have not been remanded, are placed in positions where they must navigate significant changes to their relationships which are heavily influenced by, and within, the prisons (Booth & Masson, 2021). Maintaining contact with someone while they are incarcerated is a very uniquely charged experience; Condry (2007) suggests that the decision to support someone may result in further stigmatisation of those on the outside, while in the case of remand, providing support for an indefinite time period further complicates the issues.

One explanation is that in order to overcome these emotions and barriers, and to fully commit to the maintenance of contact, loved ones 'choose to frame the events of their lives'

(Maruna & Copes, 2005, p.222) and view the prisoner in a certain light, where they are worthy of contact. We propose that neutralisations may be needed to enable the maintenance of contact. Sykes & Matza (1957) initially outlined five techniques of neutralisation, where criminal behaviour is rationalised or justified. These are: (i) Denial of Responsibility – it was not their fault; (ii) Denial of Injury – nobody was harmed; (iii) Denial of the Victim – they deserved it; (iv) Condemnation of the Condemners – the police pick on them; and last (v) Appeal to Higher Loyalties – they did not do it for themselves. By adopting any of these techniques, or modifications and additions to the categories,<sup>4</sup> those who have deviated from social norms and laws do not reject these norms and laws, but justify their actions and maintain their sense of pro-social identity. According to Maruna & Copes (2005): ‘the influence of this creative insight has been unquestionable. Sykes and Matza’s article has been one of the most frequently cited and influential explanations of criminal behavior through the first part of the twenty-first century’ (pp.222–223). The extensive citation of the original work and the application of Sykes & Matza’s techniques of neutralisation demonstrates the depth to which this theory can be, and has been, applied to different deviant or offending groups/or individuals.

While the ‘famous five’ are not without criticism,<sup>5</sup> it is not our intention to examine the potential issues with the different techniques and modifications as well as the overlapping nature of them. Nor whether they are used by individuals to persist in crime or deviance. Instead, we examine whether the techniques are used by proxy – by the loved ones of those who are accused of deviations – and whether they help assist with the maintenance of contact, and therefore significantly add to our understanding of *why* some loved ones choose to visit. We examine how those who are not considered to be deviants or offenders themselves may neutralise or justify others’ actions, at least in their own sense-making, if not for their ‘display’ (Finch, 2007) of their incarcerated person by either using any, or aspects of, Sykes & Matza’s techniques of neutralisation. The analysis touches on the work of Condry (2007) who identified some of these neutralisations in her interviews with relatives of those incarcerated for serious offences. Specifically, Condry reported how several of these neutralisations used by relatives fit into two categories: act adjustment, to downplay or minimise the harm caused through the act; and actor adjustment, where attempts are made to influence the audience’s perception of the person. Despite advancements in practice and the rhetoric around supporting prisoners’ families in policy (Farmer, 2017, 2019) since Condry’s work, families appear to still need to neutralise in this way. Distinct from Condry’s contribution, this article seeks to examine why and how loved ones make the decision to visit and the extent that neutralisations might help loved ones view those in prison in a certain light and reject negative labels/stigma by association. Like others (Codd, 2008; Jardine, 2018) we believe it is problematic to view loved ones through a lens that is instrumental, as has been the case with successive governments’ agendas, for reducing reoffending. However, as our analysis finds that these techniques are effectively used by some loved ones to enhance positive contact, this should feed into the family ties narrative and would help those supporting all affected by imprisonment.

## 2 | METHODOLOGY

As outlined previously (Booth & Masson, 2021), the loved ones in the Families on Remand (FOR) project represent a wide variety of individuals supporting those with experience of remand in England and Wales. Despite making up a significant proportion of prison receptions,<sup>6</sup> and having different rules applied to them within prison,<sup>7</sup> there is very limited information about the experiences of those remanded (Transform Justice, 2018), beyond often stark prison statistics<sup>8</sup> and

barriers to speedy justice (Booth & Masson, 2021). Even less is known about those on the outside attempting to support remanded prisoners and to our knowledge, this is not a population previously studied in England and Wales or further afield. Given the number of people remanded in England and Wales, many thousands of families and other close individuals have direct experience of this form of incredibly punitive detainment (Masson, 2019) whose relationships, perspectives and treatment have not received appropriate research or policy attention to date. This is despite an increased national (Booth, 2020b; Codd, 2008; Condry, 2007; Jardine, 2019; Kotova, 2020; Masson, 2019; Masson, Baldwin & Booth, 2021) and international (Chui & Yeung, 2016; Condry & Smith, 2018; Travis & Waul, 2003; Woodward, 2010) interest in the wider, familial consequences of imprisonment, and policy interest in prisoners' family ties in England and Wales (Farmer, 2017, 2019). Responding to this gap, the FOR study sought to examine the familial experiences of remand, and the specific challenges and concerns related to these uncertain times.

After receiving ethical approval from both researchers' universities, semi-structured interviews were conducted with 61 individuals identifying as loved ones, supporting 50 prisoners who had experience of remand – a loved one in prison with experience of remand was the eligibility criterion to take part in the research.<sup>9</sup> Of the 61 loved ones interviewed, eleven were supporting those in prison pretrial, six were supporting those pre-sentence, 41 were supporting those who had been convicted but were previously remanded and three who had been recalled but were previously remanded (please see Appendix).<sup>10</sup> Both researchers conducted the interviews following an interview guide to ensure consistency during data collection. Participation was voluntary and loved ones were informed of the parameters of the research (including issues relating to confidentiality, data protection, anonymity, withdrawal and contact details for support post-interview) verbally and in writing via an information sheet before agreeing to participate, and informed consent was sought. All interviews were audio recorded, with the addition of interview notes, transcribed verbatim and then coded by both researchers using thematic analysis (Braun & Clarke, 2006). In fact, an early code 'neutralisations' became an overarching theme, which led to the creation of this article which seeks to explore how and why some loved ones choose to maintain contact and how neutralisation techniques help with this. In line with existing literature on demographics of prison visitors, the majority interviewed were women (mostly mothers and partners), demonstrating the very 'gendered nature' of supporting those in prison (Booth, 2020b; Booth & Masson with Dakri, in press; Codd, 2008). However, there were many different relationships (e.g., grandparents, aunts, siblings, friends), and participants represented a wide range of ethnic backgrounds (e.g., self-identifying as white European, white Irish, white Gypsy, British Kurdish, British Black, British Asian and mixed heritage), and age groups (the oldest participant was aged 90 years). Likewise, although participants were predominantly approached at three prison visitor centres the experiences span a significant number of prisons and geographical areas in England and Wales. Interviews also covered pre-offence, court and remand, sentence, concerns/expectations for release and, where appropriate, recall. Given that all of the prisoners associated with the loved ones interviewed had experienced remand, which meant that the courts felt detention pretrial or pre-sentence was necessary, it would be expected that some of the offences would be considered as very serious (see Legal Aid, Sentencing and Punishment of Offenders Act 2012, Schedule 11). Although those interviewed were not asked about the alleged offence, many implied or openly discussed the fact that they visited and provided ongoing support for those incarcerated for serious, violent and sometimes sexual offences. We anticipate that this may add an additional layer of emotion for those choosing whether to maintain contact or not and add complexity to the use of neutralisations.

### 3 | ADOPTION OF TECHNIQUES OF NEUTRALISATION BY LOVED ONES

The loved ones were all at different points in their prison journey when interviewed (e.g., those in prison being pretrial, pre-sentence, or sentenced or recalled but with previous experience of remand – please see Appendix) and had different experiences of remand. Despite this, the analysis of the data indicated a high prevalence of neutralisations used by most loved ones in the current study. The analysis presented similar narratives around neutralisations despite whether or not a sentence had been received. As can be seen in the experiences discussed below, those who had a loved one in prison pretrial or pre-sentence did not use the neutralisations more than those who had been subsequently sentenced or recalled. Instead, there were shared experiences of remand which clearly shaped how they navigate their loved ones' incarceration and, particularly unique to this article, how they used neutralisations to facilitate contact. Likewise, often the same interviewees used several different techniques. Of those who did adopt techniques, comments linked to denial of responsibility were the most commonly made, and in line with previous work this was the 'master account' (Cohen, 2001, p.61; see also Kotova (2016) regarding actor adjustment). Many said that the person in prison was not guilty or they had acted in self-defence, and/or that there were mitigating factors or personal circumstances pre-existing the offence. The second most noted technique used was condemnation of condemners, or our preferred term, 'rejection of the rejectors' (McCorkle & Korn, 1954), often with regard to systemic issues within the criminal justice system (CJS), as well as criticisms about society more broadly. Interestingly only a few loved ones appealed to higher loyalties or denied an injury. None specifically denied there was a victim, perhaps reflecting the severity of some of the alleged offences, which echo's Condry's (2007) work where denial of the victim rarely appeared. Importantly, not all of the interviewees appeared to use neutralisation techniques. For some, the conversation regarding barriers to contact or feelings towards their loved one being remanded and maintenance of contact did not overlap with justifications for, or neutralisations of, the loved ones' actions that resulted in incarceration. However, as the majority did adopt techniques this is a significant area worthy of further exploration and such exploration will significantly add to our understanding as to why some choose to maintain contact.

#### 3.1 | Denial of responsibility

##### 3.1.1 | Not guilty/self-defence

Nearly a third of those interviewed did not feel that the loved one in prison had committed the alleged offence. For example: 'it was all lies ... he knows that he didn't do it' (Declan – friend); 'he's a straightforward lad, if he ain't done nothing wrong he will tell you, if he's done something bad he'll tell you straight' (Muriel – grandmother); 'they've just got like an innocent man in prison' (Chelsea – partner); and 'as I talk about it, it brings tears to my eyes because this is unnecessary, this is uncalled for, this is injustice' (Lauretta – sister). As will be discussed later, for Lauretta the lack of evidence in her sister's case made her incarceration particularly painful. In fact, several spoke about lack of evidence or not being present when the alleged offence took place: 'we proved he was elsewhere on each of the dates' (Jackie – mum); 'there was no new evidence, well any evidence actually' (Sally – partner); 'he was accused of assaulting me and he didn't and I know full well that he didn't' (Jess – friend). A few said they were remanded for someone else's crime:

'the guy he is working with in the part-time job, he's using his name to do something dodgy ... this other man, he's done this, these things' (Hinesh – brother); and 'it's something somebody else had done ... and instead of giving his [own] name, he gave his name so he's actually taken the rap ... he didn't actually do it at all' (Nick – cousin). Interestingly one interviewee, Naomi, was open about the fact that her partner had committed several previous offences 'but this time he genuinely didn't do anything'. Linked to this, and demonstrating the complexity of some of the cases, two said their loved one was actually the victim: 'he was attacked, it was on the CCTV ... there's no forensic evidence' (Elsie – partner), and 'my daughter is (a) victim, not (a) criminal' (Marina – mum). Two also said their loved ones had acted in self-defence. 'He's an idiot for being put inside ... He's an idiot for getting in a fight ... but then he was in circumstances of you can only be pushed too far' (Amanda – friend), and 'he's not proud of what he's done, and I'm certainly not proud of him, and I do throw it back in his face sometimes but I think it could be him dead, if he hadn't fought back' (Tara – partner). Both Amanda and Tara expressed an inner turmoil about the actions of those who had been incarcerated. For this group, any potential shame or stigma was rejected because those remanded were seen as innocent or acting in self-defence. Adding to our understanding of why some choose to visit those in prison, we propose that adopting these neutralisations in this way, and viewing those in prison through this light enables the maintenance of contact, as they are considered to have done little to warrant any stigma or the severing of support.

### 3.1.2 | Mitigating circumstances

Another way in which denial of responsibility was observed in the accounts of the loved ones was through the lack of consideration given by the courts to mitigating circumstances. A large and varied group of interviewees spoke of pre-existing issues, or 'sad tales' (Goffman, 1963), that contributed towards arrest. This group included some of the loved ones mentioned above who denied responsibility for committing the offence, as well as loved ones who appeared to accept the harm done by the person in prison. Mitigating circumstances mentioned included: addiction; mental ill-health; relationship breakdown; naivety; and exposure to trauma. Although these elements could be explored separately, many of these factors coexisted, and in the interviews, pictures were painted of often quite difficult lives prior to this period of remand, where holistic support and help were desperately needed. One mum, Rosie, was able to articulate this:

Everybody who walks through that door there's a story behind everybody ain't there. Else nobody would be here would they? ... There is that certain type of people that come here.

She said that part of the reason her son kept reoffending was due to 'smoking mamba',<sup>11</sup> an addiction he had acquired during a previous sentence. She felt strongly that lack of support for prisoners was incredibly problematic, that their needs went 'unnoticed'. Others that spoke about addiction to drugs said it began in their mid-teens. For example:

Steve's sister got him hooked on heroin, didn't tell him what it was, how it affects you, that you'd wake up one morning poorly and at 14 years old he became an addict ... he's been an addict for a long time. (Naomi – partner)

Likewise, Billy's son started using drugs when he was about 15 years of age:

It started with the smoking of cannabis ... the cannabis progresses into the cocaine ... it's just an onward (spiral) ... deep down he's a good kid and he's got a heart of gold, but it's the drugs and the drink.

Many spoke of their loved ones' problematic relationships with the 'demon drink' (Tracey – foster mum). For example: 'she's an addict and I don't think she thought she could stop being that way' (Zabina – mum). Zabina described the trauma her daughter had experienced in several abusive relationships, as well as a car crash that fractured her spine. Trauma featured in several of the interviews, often relating to death:

there was a disaster three years ago ... a few died in the family ... it just sort of snow-balled from then ... I think he was young and he was on the drink and all and ... he just went downhill ... He just took it the whole way. (Philip – uncle)

In fact, being young and naïve was something quite a few mentioned, for example, Petra spoke of her husband keeping bad company with problematic friends: 'he was so silly. Stupid. Young'. As discussed later, for a few this vulnerability linked to disengagement with schooling at a young age. For Scarlett, the naïvety went further: 'Colton has his learning difficulties and stuff so you can, although you don't accept what he's done, you can understand how he misreads things'. His additional needs created a lot of challenges and pressure for the family, especially Scarlett who acted as his carer. Stewart also spoke about the challenges supporting his wife:

she is an alcoholic ... and when she's in a bad state with it, she has a habit of dialling 999 ... she phones 999 a lot because she's effectively seeking help.

Others viewed actions as calls for help, for example, referring to an offence of sexual nature: 'they're not right in the head for doing it are they? Not in the first place, he needs a shrink, surely you can get a psychiatrist in here?' (Kelly – stepdaughter). Zadie spoke about the voices her ex-partner heard and how injections were needed to silence them:

he needed the help though, like doctors and that refused him and he had to do something like that [referring to the offence] to get the help that he wants and now he's having help.

Similarly, demonstrating extreme distress prior to being remanded: 'Grace cut her own throat' (Zabina – mum). Like Zadie, Zabina spoke of the help now received in prison, something that she had tried to secure for many years. Scarlett spoke about two of her son's problems with alcohol, regarding her eldest son: 'sometimes if he's going through a rough patch he will start drinking', whereas her other son: 'sometimes he drinks because of the mental health'. Given the extensive literature on the link between poor mental health and an increased propensity with offending when there is comorbidity with substance misuse (Hartwell, 2004; Lynch et al., 2014; Pickard & Fazel, 2013), it was unsurprising that several loved ones discussed this. Saskia spoke of sadness relating to drink, mental health and offending, as her brother had been clean prior to being incarcerated, and had made significant attempts to turn his life around:

He suffered from depression and he used to drink, but he generally turned his life around and he didn't drink for 18 months and then this [remand] come – bang!

Sinead spoke in depth about the challenges facing her son Nathan who, like Zadie's ex-partner, heard voices, but Nathan also had a long-standing, often considered gendered eating disorder

(Striegel-Moore et al., 2009; Strother et al., 2012), which she felt was brought on by reclusive behaviour subsequent to a car crash: ‘The voices what he’s got are, they call him, so if they’re saying, you know, the foods green,<sup>12</sup> they’re real to him, them voices ... so that’s why he couldn’t eat’. As will be discussed later, despite numerous attempts to get Nathan help, his mental health continued to deteriorate without appropriate community support. A few spoke of depression or deterioration of mental health that occurred following a relationship breakdown, for example: ‘he was going through a bad patch with his marriage and he was very depressed, he was on antidepressants, he was on the verge of like suicide’ (Bindu – mum). In a similar nature, Eric spoke about his friend’s deterioration of physical health due to her brain tumour, and how this explained the circumstances surrounding the alleged offence:

she’s unpredictable ... she can suddenly say the most awful things ... the tumour’s getting worse, and the Doctor’s said it would, as it grows ... she started to show this erratic behaviour.

Taken together, the accounts of the interviewees illustrate multiple and often overlapping reasons, they considered as mitigating circumstances surrounding their loved ones’ remand. These techniques appear to deny or, at the very least diminish, responsibility, as there were other factors at play, which we suggest could enable the minimisation of stigma and importantly help us to understand the ways in which they validate ongoing support and contact with those incarcerated.

### 3.2 | Rejection of rejectors

While discussing their loved ones’ remand, a significant number of interviewees expressed opinions that indicated how they, themselves, condemned the condemner, or rejected the rejectors. This rejection was directed at a wide number of actors, be that within the CJS (or the CJS as a whole) or to wider society. In the interviews, it often felt quite personal how those in the CJS did not do their jobs properly and how their loved ones had paid the high price for this. Elsewhere the literature has also reported how prisoners and their families perceive the CJS as acting unjustly or illegitimately, for instance in cases of convictions of joint enterprise (Hulley, Crewe & Wright, 2019) and imprisonment for public protection (IPP) sentences (Anniston & Condry, 2019). For a multitude of reasons, they felt that the person in prison had been set up to fail or unfairly targeted by organisations in their pre-prison lives. Echoing the previous ‘sad tales’ (Goffman, 1963) some felt this was not the first mistreatment, with suggestions that organisations had failed them from a young age. For example: ‘he was a naughty kid, so it was naughty schools, here, naughty schools, there. He was a troubled child’ (Jenny – ex-partner). There is certainly a significant literature base on the link between school dropout and offending (Henry, Knight & Thornberry, 2012; Rocque et al., 2016). Zabina felt that the judgment and lack of diagnosis and appropriate support by those working in different schools pushed her daughter along a certain path that resulted in her responding negatively to those in positions of power:

They’ve all failed, right from school from expelling her, not diagnosing all her dyslexia, dyspraxia, dyscalculia, all those things, none of it was diagnosed so she was expelled and then she went to this school, to that school, went to special school ... so it’s like everything set her up to fail ... a failure by a lot of organisations.

She felt that appropriate earlier intervention would have prevented her involvement with the CJS. Similarly, Billy felt that a lack of support prevented his son from tackling his previously mentioned alcohol addiction:

they just kept letting him go. And I think if they would have probably sent him to a rehabilitation centre or some referral, he might have stopped all this.

There were missed opportunities for support in the community which spanned other areas, including provisions for mental health:

the police aren't arresting Nathan because he's not doing anything wrong, he's just poorly, and the ambulance can't take him unless Nathan agrees and it just goes on and on and on ... it looks to me like they've got a little system going ready to lock them up for a long, long time rather than make them well. (Sinead – Mum)

When discussing her other son, Luke, Sinead felt that those with previous convictions were easier to prosecute which helped massage police clear-up rates:

it's complex and it's corrupt ... it's not all about 'not guilty', 'guilty', it's all about deals and a certainty of who they can lock up ... someone who's just done first offence for shoplifting, that's not a dead cert for remand so they don't really bother with them.

Similarly, Chelsea considered her partner's past to be a significant factor in the treatment he had received in his current case:

they should stop judging people based on their past, because people can change, so fair enough he had a very bad past, a rough past, but that doesn't necessarily mean that their present and their future is going to be the same.

In fact, a criminal record, combined with racism, made Cody feel the police set up her partner: 'When he was younger he got arrested for something he didn't do and got framed, and 'cause of us being gypsies there's no hope'. This direct form of discrimination towards Gypsies, Roma, and Irish Travellers by the police is something that is reflected in the existing literature (The Traveller Movement, 2018). Likewise, Tracey, whose foster son was unexpectedly recalled to prison, described discrepancies and unfair punishment:

it said in the paperwork, every drug test clear and then the reason, the sheets, the reason for the recall was drug abuse or use, so I said 'it can't be both can it? How can it be both?'

She spoke of frustration relating to those not doing their job properly and the barriers to contact due to not being his biological mother. Jess was also dealing with emotions relating to prison recall:

it's like defective isn't it? I don't like that he's back on recall for something which I know didn't happen and so it's like if they don't like your face then you're back in here again for like no reason and it's just so unfair.

She felt this form of ‘backdoor sentencing’ (Padfield & Maruna, 2006), was particularly painful as they had readjusted to being back in each other’s lives full time following his initial release. Then, those with power had unfairly torn them apart again, for an offence Jess knew he had not committed, because she was the supposed victim. Several argued that there were problems within other aspects of the CJS:

it’s a collusion between the prosecution and the judge and the police, because the police did not even investigate the matter ... they keep on stalling, stalling, stalling, to twist the evidence ... It’s like they know that they made a mistake.  
(Lauretta – sister)

In support of Lauretta’s rejection of the rejectors, and her feeling about the lack of evidence, her sister Nadia was never sentenced to prison, despite being held on remand for over two years when Lauretta was interviewed. Interestingly, a significant number of those remanded by magistrates’ courts do not go on to receive custodial sentences (Ministry of Justice, 2021a).

Others spoke of unfair treatment in the courts due to poorly prepared lawyers: ‘they spend so much money on a case that was so badly represented, so badly put forward’ (Bindu – mum), or a dismissive or punitive judge: ‘the judge is being really hard on him basically’ (Elsie – partner). The latter echoed Condry (2007) and Kotova (2016) who reported the presence of an offence hierarchy by relatives and while this was a part of act adjustment, in the current study this was identified through judges’ decisions. The judge, and their lack of consideration in relation to mitigating circumstances, was mentioned quite a few times: ‘the judge they don’t know ... they not believe anything’ (Marina – mum) and: ‘the judge on that day was retiring and he had a reputation and I think that day he certainly put his ... stamp on it’ (Stella – grandmother). Stella, and the paternal grandparents also supporting her grandson Darren, felt he was disproportionately sentenced:

Stella: I mean you can kill somebody and get three years ... we thought as a family that nine years was ...

Marie: ... it were harsh ...

Stella: ... was a lot

Ray: we believe that the system was very wrong, what they’re dishing out to people.

They spoke about Darren being used as a scapegoat because of the media attention at his trial, and in line with the authors’ previous findings regarding misinformation at courts, often from professionals (Booth, 2020b; Masson, 2019), they were angry about the pressure to plead guilty to get a lighter sentence. Similarly, frustrations with the CJS were expressed towards prisons, probation, and post-release support. Chelsea argued that prisoners still had human rights: ‘don’t be treating them the way how you’ve been treating them’ (Chelsea – partner). Post-custody, Rosie felt that her son, who had ADHD<sup>13</sup> and as previously mentioned was addicted to Spice, would not reoffend if organisations in the community helped him secure the basics to survive:

they reoffend to come back in because there’s a roof over their head ... their bills paid, their meals everyday, but that’s what they haven’t got when they come out, they’ve got a shop doorway.

She passionately described how those judging her son made it more difficult, stopping his benefits, not providing suitable accommodation and changing the processes to reintegrate back into society. For example, she spoke about how he was failed by probation:

they sent him a message, but he didn't get it because he got no phone ... But they turned around and said you should have gone to the job centre or the council and checked on their computers. But he didn't know that at the time.

These challenges link back to the argument regarding lack of support when help is sought pre-custody, indicating that these issues are far-reaching and long-lasting within the lives of people in contact with the CJS. For many interviewed, the actions of their loved ones were partially or wholly neutralised through the injustice of the remand and the actions of the rejectors. Again, we consider that viewing those in prison as in need of help because of failed systems and victims of those in positions of power, rather than individuals who are shameful or bad, presents them as worthy of ongoing support and contact. It is argued that applying techniques of neutralisation in this way significantly develops our understanding as to why some choose to visit and remain in contact.

### 3.3 | Appeal to higher loyalties

A few interviewees spoke of how the offence occurred due to wanting to maintain contact with children, or because of a pressure to financially support and provide for their partner – they were not wholly bad people (which could be seen as examples of backwards balance – see Condry (2007) and Kotova (2016)<sup>14</sup>). For example, Michael and Liam were both remanded for breaching restraining orders by attempting to visit their children: 'It's just pathetic as to why he's in here ... He's then locked up for only trying to do the right thing ... you can't win. If you don't see your kids you're in trouble for not seeing your kids and when you do try and see your kids then you're still in (the) wrong' (Gina – partner). Similarly, Georgie and Patrick said Michael's ex-wife tricked him into breaching his order: 'She got him sent to prison ... she phoned him, told him to go up there Fathers' Day, he went up there and then she called the police on him because he'd breached his restraining order' (Georgie – partner). Interestingly, there was no discrepancy between the views of those in prison and the loved ones interviewed; there was a shared reality inasmuch as they both felt that contact with children was more important than the court restrictions.

Prior to their arrests, both Andrew and Darren had financial difficulties, and struggled to provide for their families. Andrew had a newborn baby and was overwhelmed by mortgage payments whereas Darren was newly married and recently unemployed. According to his grandparents, Darren had received threats to his family if he 'snitched':

Marie: he were threatened, his friend were threatening him and he said if he said owt and admitted owt he'd get off

Stella: you see he said he were aware of his family if he did anything and yeah, so.

Interviewer: so he pleaded guilty.

Stella: yeah, straight away.

Both families spoke of the offences being ill-conceived solutions to their money problems, for example:

I said ... 'why would you be so stupid? What made you think this could work? Getting money like that?' (Camilla – mum)

In neither of the latter two families did the interviewees feel that offending was the only option available. For instance, Camilla and Robert said that they would have helped their son with his financial problems if he had asked and, in both families, the loved ones had contributed to their (grand)sons' mortgage deposits. Nevertheless, they also understood the need to bring money into the family home, perhaps in an attempt to be more self-sufficient. Sadly, imprisonment placed significant pressure on the interviewees to provide ongoing financial support in relation to continuing to make mortgage repayments and, for Stella, by taking responsibility for repaying court fees. Despite differing opinions regarding the rights or wrongs of their loved ones' actions, at points in their interviews these four families neutralised the harms or actions of those in prison because they did it for the sake of others. Again, this form of neutralisation is suggested by the authors to prevent the withdrawal of contact, as those in prison are not viewed as being 'bad' or shameful.

### 3.4 | Denial of injury

A few of the loved ones spoke in ways that denied or minimised the injury related to the offence. For example:

he hadn't gone out and caused trouble. It's just happened because of stupid conditions [restraining order] and stuff. It's not as if he's going out to burgle summat or hit somebody or ... It's just come at the wrong time for him. (Patrick – dad)

'Wrong place, wrong time' featured in several interviews, and a few said harm was not intended but situations escalated, for example: 'he didn't go out with the intention to do it' (Tara – partner). Rather than her minimisation of events being based on how her daughter described the incidents, Zabina was present on one occasion:

I've been there when one of these assaults has happened and it's not assault, she's goes into a panic because of her PTSD<sup>15</sup> and I've actually got in between the police ... and said 'please just give her space'.

To demonstrate the lack of assault, she mimicked a brush against the skin to the researcher. Likewise, Zabina explained how despite her criminal record: 'Grace poses no risk to society because the only people that she's had a problem with are the people that threaten her'. This was similarly identified in other interviews as when talking about different aspects of the lives of those in prison, or pre-custody, many were described very favourably, often placed on a pedestal, again appearing to reflect the backwards and sideways balance discussed in Condry's (2007) and Kotova's (2016) work. The way this was framed related to having a good work ethic, being a good parent, being academically gifted or being very popular. For example: 'he's an ideal prisoner in here ... he's got a good name' (Marie – grandmother); 'he was always there for parents evening and little things like that, like his first day at school and all those things' (Elsie – partner); 'top

level in every subject, he were maths of great Britain, he never had a day off school' (Sinead – mum); and 'you've got somebody who's like my son who'll do anything you ask' (Jackie – mum). What was slightly unclear was the extent to which this positive depiction was the interviewees' true reflection of those in prison, and to what extent this was as Booth (2020b) has previously argued, a form of stigma or shame management. Nonetheless, several loved ones portrayed those in prison as causing minimal injury and/or were a good person who deserved to be treated as such. It is suggested that viewing those in prison through such light, and not those who brought shame on the family, may explain why loved ones felt that the person in prison was worthy of their support and continued contact.

#### 4 | OUTCOME OF ADOPTION OF TECHNIQUES OF NEUTRALISATION

Contributing new insights about why contact may be sustained following incarceration, this article has illustrated a significant breadth to the number of neutralisations used by the loved ones when discussing their experiences of supporting someone who was, or had been, on remand. There was also a significant crossover in the different techniques adopted, likely reflecting the complex experiences and challenges pre-remand. It was not as simple as whether they are guilty or not guilty, although quite a few stressed innocence. Instead, many sought to rationalise and/or make sense of behaviour within the wider context of the persons' lives by, for example, explaining struggles with addiction, mental health, a challenging personal and financial situation, and/or histories of trauma. Much of this reflects previous research on prison populations (Corston, 2007; Prison Reform Trust, 2021; Social Exclusion Unit, 2002), however this article significantly adds to our understanding of those with experiences of remand which until now has received little academic attention. Likewise, building upon Condry's (2007) research, several also spoke of being set up to fail and unfair treatment, how actions were justified because they were trying to do the right thing, or minimised the harm caused. The analysis indicates that neutralisations are often adopted as a means by which to make sense of the imprisonment and, because of the more positive framing of their incarcerated loved one, they may remain invested in sustaining a relationship with them. Given the number of those interviewed who expressed different aspects of these techniques, the variety of neutralisations used, and the length of time in which it seemed that many had adopted these techniques,<sup>16</sup> it is prudent for academics and policymakers, as well as those working with prisoners and their loved ones, to not view these accounts as 'excuses' for those incarcerated. Nor should they be seen as ways in which those in prison could be portrayed in the most favourable light to the researchers to overcome interview power dynamics. Instead, it is suggested that through the application of neutralisations loved ones are potentially able to minimise the decisions of their loved ones with regard to the alleged offence and protect themselves and those in prison from stigma relating to the alleged offence and subsequent incarceration. Indeed, if we reflect on the need to use these neutralisations by loved ones, we might consider this to be a necessary strategy in the increasingly punitive way that incarcerated people and the role of the CJS is framed in politics, the media, and wider society more recently (see Bottoms, 1995). By successfully neutralising or justifying their loved ones' actions they can express greater empathy towards them, and often see them as a victim of circumstances, which may mean they are seen as more worthy of continued contact and support. As such, seeing them in this more positive light may make those in the community more determined to fight to overcome any obstacles to the maintenance of contact (Masson & Booth, forthcoming). We suggest that adopting these different

narratives could be viewed as coping mechanisms which may enable sense-making of often very difficult situations and feed into decisions to continue contact.

However, it was unclear from our interviews whether it might be easier to neutralise if the person is, or has been, on remand, compared with those who are sentenced directly. Similarly, the level or use of neutralisation with regards to the amount of resources available to the individuals involved or severity of the accused offence could be hypothesised, however this goes beyond the scope of this research and would require further interviews. Likewise, something that requires further exploration is the extent that those interviewed are aware that neutralisation(s) were adopted. It was unclear whether the narratives were adopted subconsciously or consciously. Linked to this, we are interested to know how external or internal pressure to support the person in prison affects a conscious or subconscious adoption of neutralisations. We are also curious about whether pressure from those in prison is placed on the loved ones to see alleged offences and circumstances surrounding them, and the subsequent period of remand, in a certain light. We must consider through whose lens these accounts were formed. Was this their own, or their shared, reality? As previously mentioned, some of those interviewed had been present when the alleged offence took place, or witnessed first hand the ways in which their loved ones had struggled pre-custody, so described the circumstances first hand. On reflection, and given the nature of the conversations in the interviews, we got the sense that most described their own perceptions. Only one interviewee expressed doubt as to the circumstances surrounding their loved one's period of remand. Amanda mentioned feeling uneasy about what her friend told her about why he was incarcerated. As she was not a next of kin she had not seen any paperwork, but doubt seemed to niggle away at her about this specific aspect of her friend's circumstances. This unease did not spill over to any other aspects of his situation, as other neutralisations were adopted.

Answers to the above questions could help to identify how support for family ties for prisoners – by loved ones and professionals alike – might be better managed and, where appropriate, supported. This new knowledge and understanding regarding the views and sense-making of loved ones supporting a person with experience of remand might influence policy and practice focused on prisoners' family ties. For instance, for some interviewed they were supporting those exposed to prison for the first time, where we anticipate that aspects of these neutralisations may be needed to make sense of unknown changes and emotions. Whereas for others these techniques provided protection and sense-making for several years and 'worked' for them as they managed their relationships. Our findings coupled with the techniques of neutralisation theory provide original insights that help to explain why a minority continue contact with incarcerated loved ones. However, caution is urged before processes are implemented to encourage loved ones to adopt neutralisations. It is vital to consider the potential harm of using techniques if they result in loved ones experiencing more painful experiences through continuation of contact. For instance, not all relationships are beneficial to those on the outside, and in fact, some may be considered to be complex and unhealthy (Codd, 2008). Likewise, building upon previous findings (Booth, 2020a; Jardine, 2019) many of those interviewed demonstrated significant emotional and financial sacrifices in order to provide continuous support for those in prison – often for significant periods of time. Several interviewed did not have the support of others to maintain contact with those remanded. This subsequent isolation, and potential impact on their mental health and support networks, is worthy of consideration. Also, potentially by feeling that injustice has been committed, loved ones might expose themselves to more emotional heartbreak on behalf of those in prison. In sum, we strongly believe that loved ones' needs and experiences should not be ignored due to the role they may play in another person's journey. It is important to consider the best interest of all parties involved and that pressures applied to view those in prison in a certain positive

light and maintain contact might not be in the best interest of loved ones in the community. Yet when contact is being sustained, and neutralisations are apparent, practitioners should consider how this can be further fostered. Indeed, the cautions we share here are particularly pertinent in light of the increased emphasis in policy and practice that highlights the potential of family relationships as a means to support rehabilitation by successive governments (see Farmer, 2017).

Another important consideration is how the relationship within the interview might have affected how aspects of techniques of neutralisation were articulated. For example, given the imbalance of power dynamics between researchers and interviewees (Booth & Harriott, 2021), could participants have wanted to depict their loved one in a more favourable light and therefore argued innocence or that personal circumstances accounted for what are often quite serious offences. This limitation is not confined to this project alone, and should be addressed by all qualitative researchers when considering the nature and language of questions, the research environment, as well as analysis and write up of findings. However, this potential power imbalance was considered prior to data collection, and attempts were made to rebalance the situation. First, the researchers were very clear in introductions with potential participants, and in all accompanying paperwork, that they were not employed by, or associated with, the prison or probation service, and that the purpose of the research was to gain a better understanding of how family members were affected by periods of remand. Potential interviewees were given time to consider participation and it was stressed that there was no pressure to take part or negative repercussions to not engage. Reflecting this choice, some potential participants initially declined when first approached or after reading the information sheet. Others agreed to be interviewed at a later time of their choosing, for example after the visit or later in their own homes. Likewise, there was also no financial payment for taking part in the research, and no expectation that interviewees or those in prison would directly gain from speaking to the researchers. For example:

he hasn't done nothing, he really hasn't done nothing and I have no need to lie to you, at the end of the day you're not an officer, you're not gonna go and share the information with them, he really didn't do it. (Cody – partner)

To further support this, at no point post-interviews did anyone ask what we could do for them or their loved ones; some, however, did ask further questions about methods of support, to which the researchers signposted when possible. Others asked what would happen to the audio recordings, and all participants were offered the opportunity to receive feedback about the project. Finally, at no point did the interviewer ask about the alleged offence, meaning that any discussion regarding this was led by the interviewee. We posit that greater levels of neutralisations might have actually been used if this question was asked. During transcription and analysis it was clear that an appropriate level of rapport was built between the researcher and the participant; no interviewee asked to end the interview early; however on a few occasions a participant asked to move to the next question.

## 5 | CONCLUSION

The findings and theoretical discussion presented in this article are intended to contribute new knowledge in two different but overlapping ways. First, the data are drawn from a study which is the first to examine how loved ones are affected by the separation and imprisonment that accompanies the remand of a relative in England and Wales. Importantly the findings shed light on the

ways that loved ones, at different points in their remand journey, make sense of the incarceration in instances where contact is maintained. Second, by using the theoretical framework provided by Sykes & Matza (1957), analysis of the data has indicated how techniques of neutralisations may help us to understand why the decision to remain in contact might be made, and can inform future research and practitioner work in this area. Thematic coding and analysis of the data led us to question if, and to what extent, aspects of neutralisations are used by proxy by loved ones. Many of those interviewed who adhere to laws and social norms used aspects of these neutralisations to consciously or subconsciously justify their loved ones' alleged violations. We suggest that by using these neutralisations, in whatever form they are expressed, loved ones are able to protect both themselves and those in prison from stigma. Viewing their loved ones through this supportive and understanding lens, rather than as a problem or a 'bad' person, sheds light on how people provide ongoing support despite often quite serious alleged offences. The concept of separating the deed from the doer – as seen in restorative justice work (see Strang & Braithwaite, 2001) may be one explanation for greater levels of contact between some prisoners and loved ones. It is suggested by the authors that by doing this they are able to mentally overcome the hurdles in place to maintain contact, as through the use of neutralisations they are not making personal sacrifices and fighting to maintain contact with a loved one, who has harmed others, but fighting to maintain contact with a loved one who has, and continues to be, harmed. While we know that some people in prison have regular contact with loved ones, most do not (HM Chief Inspector of Prisons, 2020). As demonstrated in this article, a greater attention towards the techniques of neutralisations as a theory for loved ones of prisoners is important as it may assist academics, practitioners and policymakers to understand why and how the decision to remain in contact is made. The lens afforded by the theory enables a deeper understanding of the way that loved ones conceptualise their situation, and their imprisoned relative, including the wider context of their lives, and how this feeds into their overall sense-making. The insights shared therefore are of great significance as they provide an explanation for why contact is maintained – something that has previously been under-explored in the literature.

A greater level of attention upon these techniques allows for adoption by practitioners supporting continued contact when deemed appropriate. By working closely with loved ones separated by imprisonment, perhaps through family mediation, it might be possible for neutralisations to help relationships to be strengthened and supported. In turn, relations that are (re)connected during incarceration could be supported in a number of ways, including trial preparation and/or reintegration post custody. However, it is vital that before practices are established to encourage loved ones to view those on remand in this light, consideration is placed upon the benefits of doing this for loved ones. These individuals should not be viewed as tools to help reoffending levels, they themselves are individuals in their own right and deserve to be a supported group who are personally harmed by the CJS (Booth & Masson, 2021). Future research that interviews those on both sides of prison walls, as well as repeat interviews, would help us to tease apart these different experiences and emotions and further understand these enduring issues relating to incarceration.

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**ORCID**

Isla Masson  <https://orcid.org/0000-0001-7203-6748>

**ENDNOTES**

- <sup>1</sup>Family, friends and significant others.
- <sup>2</sup>All participants and their loved ones in prison have been given pseudonyms.
- <sup>3</sup>Please see Condry's (2007) work on families of those in prison for serious offences, and the overlap with remanded prisoners.
- <sup>4</sup>For example, see Kaptein & van Helvoort (2018).
- <sup>5</sup>See Maruna & Copes (2005) for a significant review of techniques of neutralisation and how they have been applied to a wide range of offences and groups.
- <sup>6</sup>For example, 64% of all first prison receptions in England and Wales in 2020 - representing 38,071 individual receptions (Ministry of Justice, 2021a).
- <sup>7</sup>For example, different entitlements for clothes, contact, regime (HM Inspectorate of Prisons, 2012).
- <sup>8</sup>For example, in 2020, 28% of self-inflicted deaths in the prison estate were by remand prisoners (all of whom were pretrial), and in the same time period, remand prisoners made up 12% of all self-harm incidents (and 17% of all self-harm incidents in female establishments) (Ministry of Justice, 2021b). In fact, the Prisons and Probation Ombudsman (2014) previously stated that: 'Prison Service Instructions should list being held on remand as a risk factor and the risk factors for suicide and self-harm should be presented clearly and concisely' (p.6).
- <sup>9</sup>Although most were single interviews, a few interviews were joint interviews and/or conducted with multiple members of the same support network.
- <sup>10</sup>It should be noted that it is unsurprising that so many of those with experience of remand go on to receive custodial sentences, as the very nature of the courts deeming remand necessary indicates that many are suspected to be involved in serious or violent offences. This does not detract from the fact that they had experienced remand and the liminal and unknown nature involved with this type of custody.
- <sup>11</sup>Mamba or 'spice' is a synthetic cannabinoid, according to the European Monitoring Centre for Drugs and Drug Addiction (2018) 'synthetic cannabinoids are the most common group of NPS (new psychoactive substances) used in prison' (p.5).
- <sup>12</sup>Thinking the food was off or mouldy.
- <sup>13</sup>Attention deficit hyperactivity disorder
- <sup>14</sup>Attempts to demonstrate those in prison as not wholly bad are suggested to be carried out through either a backwards and sideways balance; backwards being that they had a good side prior to the offence, and sideways demonstrating their good side since the offence.
- <sup>15</sup>Post-traumatic stress disorder.
- <sup>16</sup>Several of those interviewed had maintained this contact and support for years - significantly beyond the initial period of remand.

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## APPENDIX

| Participant name    | Status of loved one in prison at interview |
|---------------------|--|
| Lauretta            | Pretrial                                   |
| Eric                | Pretrial                                   |
| Angela              | Pretrial                                   |
| Gina                | Pretrial                                   |
| Sinead              | Pretrial                                   |
| Zabina              | Pretrial                                   |
| Stephanie           | Pretrial                                   |
| Cody                | Pretrial                                   |
| Elsie               | Pretrial                                   |
| Scarlett            | Pretrial                                   |
| Chelsea             | Pretrial                                   |
| Zadie               | Pre-sentence                               |
| Connie & Sonia      | Pre-sentence                               |
| Annie               | Pre-sentence                               |
| Bindu & Barrir      | Pre-sentence                               |
| Petra               | Sentenced                                  |
| Rosie               | Sentenced                                  |
| Jean, Muriel & Sean | Sentenced                                  |
| Charlotte           | Sentenced                                  |
| Phillip             | Sentenced                                  |
| Ariel               | Sentenced                                  |
| Hinesh              | Sentenced                                  |
| Saskia              | Sentenced                                  |

(Continues)

| <b>Participant name</b> | <b>Status of loved one in prison at interview</b> |
|-------------------------|---|
| Heather                 | Sentenced   |
| Margaret & Shirley      | Sentenced   |
| Georgie & Patrick       | Sentenced   |
| Jenny                   | Sentenced   |
| Amanda                  | Sentenced   |
| Billy                   | Sentenced   |
| Tara                    | Sentenced   |
| Naomi                   | Sentenced   |
| Kylie                   | Sentenced   |
| Jackie                  | Sentenced   |
| Sally                   | Sentenced   |
| Sandie, Kelly & Paul    | Sentenced   |
| Camilla & Robert        | Sentenced   |
| Cheryl                  | Sentenced   |
| Janet & Nick            | Sentenced   |
| Louise                  | Sentenced   |
| Marie, Ray & Stella     | Sentenced   |
| Tamsin                  | Sentenced   |
| Declan                  | Sentenced   |
| Wynnie                  | Sentenced   |
| Stewart                 | Sentenced   |
| Freddie & Marina        | Sentenced   |
| Nancy                   | Recalled  |
| Jess                    | Recalled  |
| Tracey                  | Recalled  |