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ARTICLE

Comparing deep-end confinement in England & Wales and Norway

Ben Crewe[1] | **Julie Laursen**[2] | **Kristian Mjåland**[3]

[1]Institute of Criminology, University of Cambridge, United Kingdom

[2]Centre for Interdisciplinary Studies of Law, University of Copenhagen, Denmark

[3]Department of Sociology and Social Work, University of Agder, Norway

Correspondence
Ben Crewe, Institute of Criminology, Sidgwick Avenue, University of Cambridge, Cambridge, U.K. CB3 9DA.
Email: bc247@cam.ac.uk

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Abstract

Extreme forms of custody represent the boundary points of state power. The configuration of the most restrictive corners of prison systems, and what goes on within them, is highly instructive in exposing the objectives, limits, and implications of state coercion at its most severe. Based on data collected in England & Wales and Norway, this article has two main aims. The first is to explore the degree to which "deep-end" confinement differs between jurisdictions with different penal philosophies. The second is to understand how the most extreme form of confinement in each jurisdiction differs from the more typical carceral experiences within each system and its overall penal ethos. Empirically, then, the article seeks to shine light into the deepest dominions of both prison systems, illuminating the experiential texture of extreme forms of imprisonment. It concludes by asking what can be inferred about Nordic exceptionalism, and about deep-end confinement more generally, by analyzing these domains.

KEYWORDS
comparative penology, depth of imprisonment, extreme custody, imprisonment, "tightness"

1 | INTRODUCTION

Extreme forms of custody represent the boundary points of state power. As Reiter and Blair (2018, p. 167) have argued, the treatment of the "superlative subject"—the "institutional subject who inspires the harshest treatment" (p. 167)—merits particular attention because it "sets the standard by which the entire system operates, and thereby, ultimately, defines the rights of every member of society." Such corners of the penal system are "located so close to the outside margin or permissible punishment that the need for [their] special scrutiny is obvious and inherent" (Zimring & Hawkins, 2004, p. 176). How they are configured, and what occurs within them, is therefore highly instructive in exposing the objectives, limits, and implications of state coercion at its most severe. In this regard, the composition and treatment of prisoners in the highest security conditions in any jurisdiction reveals a great deal about the politics of punishment.

Based on qualitative research conducted at sites of "deep confinement" in England & Wales and Norway—that is, the most controlled and restrictive units within each prison system—the article that follows has two primary aims. The first is to explore the degree to which deep-end confinement differs *between* jurisdictions with different penal philosophies. The second is to understand how the most extreme form of confinement in each jurisdiction differs from the more typical carceral experiences *within* each system and its overall penal ethos. Empirically, then, the article seeks to shine light into the deepest dominions of both prison systems, illuminating the experiential "texture" (Crewe, 2021) of extreme practices of state coercion: put simply, what it is like to be confined in the most extreme circumstances. Theoretically, its contribution is fourfold. First, in comparing between jurisdictions, the article illuminates how penal conditions and experiences are shaped by broader penal philosophies and discourses. Second, by comparing within jurisdictions, it shows how experiences of "deep" confinement are inseparable from (indeed, are co-constituted by) the experience of more typical conditions. Third, the article develops our understanding of the depth of imprisonment, with depth here referring less to a particular quality of confinement (see Crewe, 2021; Downes, 1988; King & McDermott, 1995) than to institutional sites that exemplify this quality. Fourth, in considering what can be inferred about "Nordic exceptionalism" (Pratt, 2008), and about confinement in the different context of England & Wales, by analyzing these domains, it advances our understanding of how different forms of governance and carceral experiences are shaped by different conceptions of dangerousness.

1.1 | Depth of Imprisonment

The idea of the "depth" of imprisonment has a short intellectual history. When first conceived by Downes (1988), "depth" referred to a particular *quality* of imprisonment—an element of its culture and regime that contributed significantly to the prisoner experience. Keen to advance comparative accounts of imprisonment beyond reductive concerns with sentence length, Downes provided some sense of the *nature* as well as the quantity of confinement. Having initially conceptualized depth in terms of various regime matters (now more often conceptualized as "weight"), an amended definition emphasized the permeability of the prison to the world beyond it:

> By depth of imprisonment is meant the openness of the prison life to the outside world, both in terms of the actual opportunities for contact with family and friends by visits, home leave, letters and the telephone, and also by the permeation of the

> institution by outside world agencies, whether recreational (visiting pop groups, etc.), informational (access to the media, newspapers, etc.) or social (visits by students, politicians, academics, etc.). (Downes, 1992, pp. 15–16)

Building on Downes's work, King and McDermott (1995) foregrounded matters of security and constraint, associating depth with both situational and dynamic measures (e.g., walls, bars, and cameras, plus searches and supervision) and restrictions on movement. "Depth" could therefore comprise measures designed to prevent both *escapes* and *disorder*, in both cases entailing limitations on the prisoner's liberty and autonomy.

In a more recent exploration of depth, Crewe (2021) has brought together such formulations, defining depth as "the degree of control, isolation and difference from the outside world" (p. 336), and emphasizing the extent to which the essence of depth is the prisoner's relationship with freedom and the outside world. Elaborating on earlier work, Crewe identified both the objective and the subjective elements of depth, what he refers to as its "texture," the term suggesting:

> [B]oth a set of objective characteristics and a sense of how these characteristics feel, just as a strip of satin or sandpaper might be described as having certain textural properties … but also a more sensory quality. (Crewe, 2021, p. 341, italics in original)

In Crewe's (2021) account, then, depth may include the feeling of being far from home, a long way from release, "out-of-touch," existentially "unfree," relationally isolated, deprived of the normal rights of citizenship, and subjected to forms of social, technological, and temporal "abnormality," feelings not exclusive to objectively deep conditions. Likewise, Crewe (2021, p. 341) quoted men held in the kinds of super-secure units that this article explores who dismissed the restrictiveness of their conditions as "just a state of mind," an idea that we expand on below.

Such dismissals emphasize the importance of recognizing variation in the way that deep conditions are subjectively experienced. Nonetheless, for prisoners, to be "in the deep end" has a common and intuitive meaning: being in a high-security institution, among people serving long sentences. The term implies being "underground" or immersed, far from the surface of freedom, or in an alien situation, almost helpless. In this regard, as well as capturing a particular quality or "texture" of any prison, "depth" is also a means of classifying different kinds of institutional sites, according to their level of security, control, and restriction. Thus, open and high-security prisons sit at different ends of a spectrum of depth, with the former referred to as "shallow" (Pakes, in press) and the latter as "deep custody" (e.g., Shalev & Edgar, 2015).

In the United States, considerable attention has been given to institutions of extreme depth, in the form of super-max prisons (see, e.g., Reiter, 2016; Rhodes, 2004; Shalev, 2013), and there is considerable scholarship on forms of solitary confinement or restrictive housing—shorter term and less exceptional modes of imprisonment than the super-max but historically highly persistent (Rubin & Reiter, 2018) and commonplace (see Resnik, 2020; Sakoda & Simes, 2021). As such research indicates, these conditions are always shaped in some sense by the needs and qualities of normal imprisonment, including the need to protect the functioning of the rest of the system, and by embedded practices of punitive restriction. In this regard, as Resnik (2020, p. 89) argued, understanding these outer edges of penal practice "requires that isolation not be thought about *in* isolation."

Sites of deep confinement have received much less attention in jurisdictions beyond the United States (though see Chantraine & Scheer, 2021; Shalev & Edgar, 2015). Comparative studies are even scarcer, with King's (2018) analysis of British and American policies for managing

dangerous prisoners a notable exception. King identified the way that the configuration of deep-end imprisonment depends on the degree to which organizational anxieties are based on the risk of escape relative to the risks of disorder (e.g., riots and assaults). As he noted, prisoners who are escape risks may pose little violent threat, while, conversely, those who threaten internal order may have no means or desire to escape. Accordingly, a prison can be highly secure in terms of its exterior boundaries, but relatively relaxed within, or might in theory be highly disciplined and restrictive but easy to breach (King, 2018; King & McDermott, 1995). The comparison of deep-end confinement in different contexts therefore has three related purposes: First, it allows us to identify the connection between different jurisdictional priorities or discourses and different institutional textures; second, it advances our understanding of how sites of extreme carceral depth are subjectively experienced; third, it helps us see how these experiences are shaped by the broader carceral contexts in which deep-end confinement is embedded.

1.2 | Comparative Analysis of Deep-End confinement

In recent years, various accounts have argued that there is a link between political economy and penal culture, with "neo-liberal" nations found to be more punitive and exclusionary compared with those that are more "social democratic" or welfare oriented (Cavadino & Dignan, 2005; Lacey, 2008; Lacey et al., 2018). Yet in drawing such conclusions, penal theorists have tended to stop short of entering prisons, instead drawing mainly on metrics such as imprisonment rates and prison conditions to assess punitiveness or penal severity (Cavadino & Dignan, 2006; Karstedt, 2015; Lacey, 2008; Pratt, 2008). Although such scholars have acknowledged the limitation of these measures, attempts to move beyond them while meeting the needs of large-n cross-national comparisons are highly challenging. Almost unavoidably too, broad-brush attempts to link types of political economy with particular kinds of penal cultures, practices, and outcomes gloss over local distinctions (Garland, 2013). They also depict individual prison systems as relatively uniform entities, with little sense of internal variation, either by prison type or by prisoner subgroup, despite clear evidence that the nature of imprisonment differs greatly within jurisdictions (Liebling & Arnold, 2004). Overall, then, such studies supply "empirical parameters for more detailed inquiry" (Garland, 2013, p. 490) but lack the empirical nuance that might connect different penal discourses with the subjective experience of incarceration, in all its complexity. All of this, and the fact that few prison ethnographies have linked the granular analysis of prison life to wider trends and sensibilities, has limited the dialogue between macro-level analyses of what prisons are *for* and micro-level accounts of what they are *like* (Carrabine, 2000). As Garland (2013 p. 490) noted (albeit with a different objective), "[I]n these circumstances, we should encourage more detailed, in-depth comparisons focused … on a few comparable jurisdictions selected for their relevance to issues of theoretical importance."

The theoretical importance of comparing England & Wales and Norway reflects the way that both have been classified in political and penal theories, including influential texts such as Hall and Soskice's (2001) *Varieties of Capitalism* and Cavadino & Dignan's (2005) *Penal Systems: A Comparative Approach*. England & Wales is generally considered to have a relatively punitive penal ethos, linked to a neo-liberal political economy, combined with a managerialist focus on effectiveness and efficiency (Cavadino & Dignan, 2006; Lacey et al., 2018; Liebling & Arnold, 2004). Although the United States exemplifies neo-liberalism, England & Wales is a more complex case, marked by pragmatic managerialism layered on a social-democratic postwar history

(Cavadino & Dignan, 2006). Around the time of our study, this was expressed in a discourse of economic rationalism and public protection, in which the needs of prisoners were subordinated to risk management and fiscal constraint (Liebling & Crewe, 2013). These rationalities were reflected in an average annual cost of a prison place at slightly less than £41,000 (Prison Reform Trust, 2019), a ratio of uniformed staff to prisoner of 1:4 (Aebi & Tiago, 2021), an imprisonment rate of 140 per 100,000 inhabitants (Walmsley, 2018), an average sentence length of 21.4 months (Ministry of Justice, 2020), and 8.6 percent of the prison population serving life sentences (https://www.prison-insider.com/). Prisoner rights were limited, meaning that none were entitled to vote or have conjugal visits. Meanwhile, systemic overcrowding meant that approximately 39 percent of prisoners were held in shared cells (His Majesty's Prison & Probation Service [HMPPS], personal communication, 2020), often in old and dilapidated prisons, with high levels of violence, drug use, self-harm, and self-inflicted deaths (HMPPS, 2019; Prison Reform Trust, 2019).

Like other Nordic nations, Norway has an unusually inclusionary and tolerant penal philosophy (Cavadino & Dignan, 2005, 2006; Lacey, 2008; Pratt, 2008), linked to a social-democratic political economy, and a commitment to the "principle of normality" (Engbo, 2017), in which prisoners are meant to continue to receive the same quality of services (in the form of education, healthcare, and welfare services) to which they are entitled in the community. The characterization of Norwegian statehood as liberal, and its penality as mild is, however, contested. Many scholars have noted the tendency of Nordic states to intervene extensively and intrusively in the lives of their citizens (see Barker, 2013; Smith & Ugelvik, 2017), reflecting a paternalistic philosophy—organized around the needs of the state, or the "public good," as much as around individual citizens—as well as welfare oriented (though see Ievins & Mjåland, 2021). In Norway, for example, up to one third of prisoners are subjected to pretrial solitary confinement, often for extended periods (Smith, 2012). Yet other indicators do reflect a comparatively humane penal sensibility. At the time of our study, Norway's imprisonment rate was 63 per 100,000 (Walmsley, 2018), with an average sentence length of 7 months (Kristoffersen, 2022), an annual average cost per prisoner place equivalent to approximately £70,000 (Norwegian Correctional Services, 2020), and a ratio of uniformed staff to prisoners of 1:1.2 (Aebi & Tiago, 2021). Most accommodation (~85 percent) was single cell. Prisoners were allowed conjugal or family visits and retained the right to vote. Norway has no official life sentence, instead adopting a "forvaring" sentence of preventive detention, whose indeterminate nature means that, in theory, its recipients might never be released if considered necessary for purposes of public protection (see below).

Given such complexities, the importance of full and faithful description of Norway's penal practices, and of documenting all districts of its penal field, is even more vital. Existing discussions of Nordic penal exceptionalism have tended to draw on experiences of open prisons to emphasize the unusually humane nature of confinement in these nations (Pakes, 2020; Pratt, 2008; Pratt & Eriksson, 2013). This focus is appropriate both because open establishments comprise a substantial part of Nordic prison systems, relative to others, and because they exemplify the principle of normality. Much less attention has been directed toward the areas of apparently humane prison systems in which power is at its starkest than toward those where it exemplifies penal moderation. Since an obvious test of the exceptionalism thesis is whether it holds even in relation to those individuals deemed to represent the most serious threat to either public or penal order, this deficit is striking. Certainly, accounts of Norway's most restrictive prison units, and its most punitive sentences, are infrequent. The last sociological examination of Ila—Norway's main preventive detention prison, and its most secure penal institution—was Mathiesen's (1965) *Defences of the Weak*, and there has been no comprehensive study of how

the *forvaring* sentence itself is experienced. Intriguingly then, despite a growing literature on Nordic penal exceptionalism, and an emerging body of scholarship that has compared imprisonment practices between Nordic and other (harsher) jurisdictions (see Horowitz et al., 2021; Hyatt et al., 2021; Reiter et al., 2018), the deepest sites of Nordic penality have been virtually ignored.

Throughout its history, the *forvaring* sentence has been a hybrid sanction, imposed on offenders considered to be particularly dangerous, in an uneasy compromise between treatment aspirations, the need for retribution, and principles of public protection (Jacobsen, 2020). Subjected to heavy criticism in the 1960s and 1970s because of its indeterminacy and the reliance on psychiatric expertise in predicting future dangerousness (Johnsen, 2006, 2011; Mathiesen, 1965), the *forvaring* sentence has been animated in recent years by a more retributive justification (Johnsen & Storvik, 2020), leading to increases in minimum and maximum tariff lengths. In this respect, it is now "clearly … the most severe punishment" in Norway (Johnsen, 2011, p. 11), its redefinition shaped by neo-liberal political developments, the impact of some particularly egregious offenses (Johnsen, 2006, 2011), and the growing significance of risk management and ideas associated with the "new penology" (Feeley & Simon, 1992). Prisoners sentenced to *forvaring* are subjected to "incapacitation in a strict control- and security-oriented regime" (Johnsen, 2011, p. 5), aimed at protecting the public from harm not through incapacitation alone, but through efforts to "make the offender less dangerous" (Proposition to the Odelsting no. 46, 2000–2001, p. 41).[1] "Treatment" is therefore an integral element of the sentence (Johnsen, 2006; Storvik, 2017); indeed, the requirement, to be released, for prisoners serving *forvaring* sentences to prove that they no longer constitute a threat to society means that their rehabilitative opportunities should be better than for prisoners given determinate sentences.[2]

In England & Wales, the backstory of deep-end confinement relates to custodial behavior rather than to a particular kind of sanction. From the mid-1970s, following several riots and serious disturbances in high-security prisons (see Home Office, 1984), officials first considered the development of dedicated units for prisoners deemed to be "control problems" (Home Office, 1984, 1987; King, 2018). Although the logic behind such units involved enabling the smooth operation of the rest of the prison system, rather than treatment and public protection, as such, official deliberations were initially influenced by regimes established in the 1970s that were relatively progressive and relational. These regimes included the therapeutic model of Scotland's "Barlinnie special unit" for male prisoners whose violent conduct had "posed exceptional problems of management" (Cooke, 1989); therapeutic regimes for "highly disturbed prisoners" in England & Wales, (Home Office, 1984, pp. 18–19), characterized by multidisciplinary input and staffing levels that enabled "close supervision" and "close and relaxed relationships" (Home Office, 1984, p. 20); and the "new generation" of super-secure institutions in the United States, whose original ethos was, within an impregnable perimeter, to "foster better inter-personal relationships, and lead to more knowledgeable decision-making as a direct result of staff dealing with smaller, more permanent groups of inmates" (Home Office, 1984, p. 7). As King (2018)

[1] Three main conditions determine the imposition of the *forvaring* sentence: the offender must be found guilty of a serious offense; there must be a substantial risk that they will commit a similar offense in the future; and a conditional sentence must be deemed insufficient to protect the public from harm (Johnsen & Engbo, 2015). The court issues a maximum tariff, with an upper limit of 21 years (or 30 years for particularly serious terror offenses), and a minimum tariff of up to 14 years.

[2] Release from and extension of the *forvaring* sentence is determined by the courts, informed by a recommendation from the prison service, based on the judgment of whether the offender still represents a threat to the public. Extensions can be for up to 5 years at a time, with no ultimate upper limit.

documented, many recommendations in the two Home Office reports were never realized, and a series of disturbances and escapes in the 1990s meant that much of the progressive ambition for the units was jettisoned or diluted. When small units for disruptive prisoners were reorganized into the Close Supervision (hereafter, "CSC") system (see King, 2018), their form was austere, based on a model of incentives and disincentives, with one unit in particular descending into toxic and intractable confrontation between prisoners and staff (Liebling, 2001).

Recently, individualized risk assessments, mental health screening, violence reduction programming, and a greater commitment to staff–prisoner interaction have shifted the culture of the CSC system somewhat closer to its earlier vision (King, 2018). Shalev and Edgar's (2015) report on "deep custody"—the only published research on the CSC system in recent years—described a system in which prisoners were positive about staff–prisoner relationships and their access to mental health and other specialist staff. Similar observations have been made in official inspections (His Majesty's Inspectorate of Prisons [HMIP], 2006, 2015, 2018), including the shift in ethos away from containment and punishment. Conversely, such reports have also identified a range of problems and frustrations: a psychologically intense atmosphere, partly resulting from close monitoring of prisoner behavior; restricted social contact; limited regimes, including access to programs and purposeful activity; cramped and claustrophobic living conditions; resentment about reasons for selection and the difficulties of deselection; a lack of external scrutiny regarding key decisions; and, in recent years, the disproportionate representation in the system of Muslims and ethnic minorities (HMIP, 2006, 2015, 2018; Shalev & Edgar, 2015). Based on existing reports, then, this form of deep-end confinement is not some simple reflection of neo-liberal or punitive penal discourses but, as in Norway, a complex configuration of rationalities.

At the time of our fieldwork, the aim of the CSC system was to "remove the most significantly disruptive, challenging and dangerous prisoners from ordinary location," with the aim of managing and reducing their risk to others, or to institutional order, to a point where they could be returned to "normal or a more appropriate location" (National Offender Management Service [NOMS], 2012, p. 3). Specific reasons for referral include one-off, multiple, or escalating incidents of hostage-taking, serious assault, murder and attempted murder, concerted indiscipline, persistent problematic behavior, or "a continuous period of segregation exceeding six months … due to refractory behaviour." Thus, whereas prisoners in the deep end in Norway shared the same *forvaring* sentence, in England & Wales, these criteria meant that prisoners held within it were serving a range of sanctions (see below).

Overall, then, even though in both jurisdictions the primary characteristics of such units were restriction and control, their "targets" and functions differed: in England & Wales, prisoners who posed a threat to the governance and stability of the rest of the prison system; in Norway, prisoners who represented a threat to the community beyond the prison. Here we find different conceptualizations of dangerousness, the latter corresponding with Foucault et al.'s (1978, p. 11) observation that, from the nineteenth century onward, the "principal target of punitive intervention" shifted from the criminal act to the criminal himself or herself, that is, "the danger potentially inherent in the individual" (p. 13; see also Pratt, 1995, 2015). Specifically, some crimes were considered so inexplicable that the "dangerous individuals" who committed them required indeterminate or preventive detention less for what they had *done* but for who they *were*: their underlying pathology and the threats that they posed to the social body. These different conceptualizations of "dangerousness," which we elaborate in more detail below, are highly pertinent to the experiential qualities of the two systems.

2 | COMPARING AND RESEARCHING THE DEEP END

Between 2016 and 2019, as part of a broad, comparative study of penal policy-making and prisoner experiences, we conducted 665 in-depth interviews, with 454 individual prisoners (i.e., some interviewed on more than occasion) in England & Wales and Norway. The overall research project included three prison-based projects undertaken in both jurisdictions: a longitudinal study of experiences of entry into and release from prison; 'semi-ethnographic' (see below) studies of prisons holding men convicted of sexual offenses and female prisoners ; and a study of the "deepest" parts of each prison system. Although the latter substudy forms the main basis for the analysis in this article—specifically, 39 interviews and approximately 160 further hours of observation and informal discussions conducted in England & Wales and 16 interviews and 60 further hours of observation and informal discussion in Norway—the others provide data that enable comparison within as well as between the two jurisdictions.

2.1 | Research Sites

Our sampling objective in the deep-end study was to seek out the units within each system that were regarded as especially "deep," imposing additional and exceptional measures of security, control, and supervision. Although the term "depth" is in some ways imprecise, our research sites were recommended consistently by the various academics and practitioners we consulted. In England & Wales, there was consensus that the appropriate sites should be the CSC system, comprising eight units within five high-security establishments (Full Sutton, Manchester, Wakefield, Whitemoor, and Woodhill), as well as "designated cells" within the segregation units of these and other high-security prisons. In the assessment and management units at Wakefield and Woodhill A-wing, conditions were extremely restrictive, amounting to a form of solitary confinement. Those at Whitemoor and Full Sutton were "progressive regimes," where prisoners could generally mix freely for most of the day. Woodhill B-wing operated a semirestrictive regime, in which men mixed in smaller groups for shorter time periods. In Norway, most people from whom we solicited advice recommended that we undertake fieldwork in G wing ("the basement") and J wing in Ila prison, and the equivalent unit in Trondheim prison, all of which mainly held men serving *forvaring* sentences. Prisoners and practitioners shared a view that these units were the most restrictive in the system for men considered particularly risky. Although Norway also has a "particularly high security" regime, at the time of our fieldwork, only two prisoners were being held in such conditions, the notoriety of one of whom prohibited access. Some people we consulted suggested interviewing prisoners being held on remand in conditions of restrictive isolation across the regular high-security prison estate, but our aim was to focus on dedicated units holding a population in need of specialist expertise and spatial segregation, rather than these more fragmented experience of solitary confinement.

In England & Wales, out of an overall prison population of approximately 83,000 (Walmsley, 2018), accommodated in 117 establishments, the number of men in the CSC system fluctuated at approximately 60. In Norway, out of an overall prison population of approximately 3,400 (Walmsley, 2018), 124 prisoners were serving forvaring sentences (77 of whom were held in Ila). Ila and Trondheim are the only prisons in the Norwegian system with dedicated units for forvarings prisoners. At the time of our study, Ila's G wing held four men but had capacity for 11 men overall (plus four security cells), with another 11 men held on J-wing, while Trondheim's *forvaring*

unit was accommodating a further ten. Although defining the deepest modes of confinement is more difficult in Norway than in England & Wales, such numbers suggest that, relative to the overall prison population in each jurisdiction, a much greater proportion of prisoners in Norway are held in conditions that are *distinctively* deep when compared to the rest of the system. The corollary of this is that, in England & Wales, where high-security conditions are in general deeper than in Norway, a much higher proportion of prisoners are held in conditions that are equivalent to the most extreme points in the Norwegian prison system.

As we discuss below, while prisoners were selected into the England & Wales CSC system as a result of their custodial behavior (i.e., were a specific kind of *prisoner*), those in the units at Ila and Trondheim were selected mainly because of the risks associated with their original crime (i.e., were a specific kind of *offender*).[3] In Norway, however, this distinction was not absolute. Some prisoners in Ila's G wing were described by staff as dangerous both inside and outside prison, whereas some of those on J wing were regarded as too "difficult to handle" elsewhere in the system. In practice, we could not interview any prisoners on Ila's G wing because staff felt that they were too mentally unwell to grant informed consent or liable to find the interviews too distressing.[4] On some grounds, then, our comparison was imperfect. Yet, by comparing the sites within each system whose conditions were most restrictive, and which therefore represented the most extreme manifestation of state coercion, differences between the jurisdictions in terms of selection criteria and objectives alerted us to broader concerns and sensibilities, which became part of the analysis itself.

2.2 | Recruitment and Selection

In England & Wales, all interviews with CSC prisoners were undertaken by Ben Crewe, accompanied in two cases by Anna Schliehe. Access was negotiated through formal channels (the HMPPS National Research Committee) and, prior to that, informal discussion with the clinical lead for the CSC units. Once fieldwork began, in the more open units, it was possible to discuss the study at length with potential participants, whereas in the more restrictive units, the initial explanation entailed a brief discussion when prisoners collected their meals, or sometimes a conversation through a cell door. A few participants were approached by letter, in advance of short visits. All participants were given a detailed information sheet. Overall, 39 CSC prisoners agreed to be interviewed, a response rate of 65 percent.

An official inspection of the CSC system in 2015 found that 15 (42 percent) CSC prisoners were aged 21–29 years, 10 (28 percent) aged 30–39 years, and 11 (30 percent) aged 40 years or older. A total of 23 (64 percent) identified as White, 7 (20 percent) as Black, and 2 (6 percent) as Pakistani; 16 (47 percent) were Muslim, 9 (26 percent) were Christian, and 6 (18 percent) said they had no religion. Our sample was similar: 12 (31 percent) were Muslim, with most of the remaining prisoners either Christian or nonreligious. Overall, 27 (69 percent) were White, 6 (15 percent) were Black, 3 (8 percent) were Asian, and 2 represented other categories. Background characteristics

[3] Prisoners in Norway who commit serious violence while in custody are mainly absorbed within the high-security prison estate. Prisoner homicides are extremely rare in Norway, with a 2017 murder being the first within its system since 1982. In England & Wales, the in-prison murder rate has averages at three per year (see HMPPS, 2020).

[4] In England & Wales, staff sometimes advised us that particular individuals should probably not be approached for interview but did not exclude anyone from the study. We wondered, in Norway, whether the more interventionist approach reflected a more paternalistic penal culture overall.

varied, but most participants described biographical experiences of abuse, neglect, and violence, with many having been removed from family homes and raised instead in local authority care (i.e., children's homes). All had spent long periods in prison segregation units prior to selection, and several had experience of secure psychiatric institutions. Almost all were serving long life sentences (with minimum terms of more than 25 years), but two participants—selected based on institutional disruption and staff assaults—were on short, determinate sentences and were due to be directly released from the CSC system into the community.

In the more progressive units, most interviews were conducted without any barrier between interviewer and interviewee, with prison staff stationed outside the room. In more restrictive units, interviews took place through a perforated Perspex screen or, in Wakefield, in an interview suite comprising two converted cells, with a barred, window-shaped opening separating interviewer and interviewee. The research also involved informal and opportunistic conversations with uniformed staff, during shifts and break periods. Notes were taken openly in a fieldwork diary. Formal interviews were undertaken with two unit governors, five members of the CSC management committee, and three former CSC managers.

In Norway, interviews were conducted by Julie Laursen or Kristian Mjåland, generally in the prison chapel or private rooms on the units. In both Ila and Trondheim, informal meetings with prisoners (of a kind that would not have been permitted on the units in England & Wales) were held prior to the fieldwork, allowing the researchers to introduce themselves and explain the project. Nine interviews were undertaken in Ila, with eight prisoners from J wing (out of 11 men overall) and one former G and J wing prisoner. Seven interviews were conducted in Trondheim (out of 10 men overall). Overall, then, six men (approximately 29 percent) declined to participate. As in England & Wales, an additional element of the fieldwork involved talking informally and opportunistically to prison officers and unit managers about their professional practices and orientations while they were going about their daily work. Formal interviews with more senior staff were not undertaken mainly because of time constraints.

The Norwegian sample consisted of 16 men serving *forvaring* sentences, of whom three were in their 30s, six in their 40s, and seven in their 50s. All but two identified as ethnic Norwegian. The average sentence length (maximum tariff) in the sample was 14.6 years. Seven participants had been convicted of murder, seven of sexual offenses, and two of serious violence. The majority had been imprisoned for 2–5 years at the time of the interviews, while a few had served 10–30 years. Nearly all Norwegian interviewees had spent considerable time in prison on remand (i.e., prior to being convicted) before receiving the *forvaring* sentence, many in full isolation for prolonged periods. The sample had mixed background characteristics: disadvantaged childhoods, problematic drug use, and multiple prior convictions. Others, mainly those convicted of sexual offenses, had no or only one conviction before receiving the *forvaring* sentence and had been in employment and stable housing arrangements at the time of their arrest.

The research was described on the information sheet as a study of "deep-end" imprisonment, interested in "the experience of being held in the most secure conditions within the prison system: what it feels like, what relationships are like with staff; the main problems that you encounter; how you cope with your situation, and other such issues." During the interviews, participants were asked about their backgrounds; carceral histories; identities; relationships with the outside world; feelings of control, hope, and meaning; conditions and treatment; adaptive strategies; social relationships within and beyond the prison; experiences of power; use of the law; and their overall penal consciousness (see Sexton, 2015), including their reflections on moral selfhood and penal legitimacy. Questions were drafted before the start of fieldwork but were

adapted responsively once it began, when salient issues became more apparent. The concepts of "depth," "weight," and "tightness" (explained in more detail below) were used to develop the questions and organize the interview protocol, but were not referred to explicitly. For example, with regard to 'depth', participants were asked to reflect on matters including how far they felt from the free world, their contact with people in the community, and the restrictiveness of their conditions.

Almost all interviews were recorded using a digital voice recorder, lasting on average approximately 2.5 hours.[5] Although all participants were given pseudonyms, to preserve anonymity, with a small and identifiable sample, quotations in this article are unattributed. Our understanding of the research sites was supplemented by observations and informal conversations, a semi-ethnographic approach that prison researchers describe as "quasi-ethnography" (Owen, 1998) or "reserved participation" (Liebling, 1999. p. 160). Such terms capture the structural limitations of researching highly controlled environments, while conveying a sensibility of immersion, firsthand experience of the context, and a commitment to phenomenological understanding.

While the practical elements of the fieldwork were, on the whole, relatively straightforward, the particular characteristics of the population meant that we had to navigate several difficulties. In both jurisdictions, the fieldwork was intense, because of the extreme nature of so many prisoners' experiences and personalities, and the bleak nature of their circumstances. The interviews were often challenging mainly because some prisoners presented as highly dangerous or distressed, or because their index or custodial offenses—often described to us in detail—were at the edges of our comprehension. In England & Wales especially, a few participants delighted in their descriptions of violence and acknowledged that, just as they enjoyed playing games with the authorities, they regarded the interview situation as an arena of power and manipulation ("They're playing a game with someone who thrives on playing those type of games." *BC: "Is this a game?*" "It's all a game."). Some expressed views that were violently Islamophobic; others were so preoccupied with feelings of illegitimacy about their selection onto the units that imposing any kind of structure on the interview was very difficult. Other difficulties were the result of prisoners' mental health problems, in particular, forms of paranoia and attention deficit disorder that made discussions fragmented or meant that interviewees talked obsessively about very specific issues. One interview was excluded from the analysis entirely because his mental health issues meant that, despite him signing a consent form, it became apparent that this consent was not meaningful.

In Norway, interview situations were never experienced as dangerous, and our participants were not considered by staff to be an immediate threat to our security. Yet the interviews were emotionally intense because of the severity of the men's convictions, the distress and despair they communicated, and the fact that some were mentally and emotionally unwell. Some interviews were also challenging because interviewees were highly *censorious* (Mathiesen, 1965), bringing to the interview piles of documents they claimed to prove illegitimate treatment. Overall, however, the men we interviewed in Norway were respectful and expectant, eager to communicate to us their experiences of "deep confinement."

[5] One interviewee requested that the interviewer instead take notes; another engaged in only a brief, informal discussion. One was keen to be interviewed but unwilling to submit to the security demands deemed necessary by the authorities, which in his case required the interview to be conducted through a Perspex screen or with him placed at the far end of a long table, at distance from the interviewer. Instead, he engaged in several structured conversations on the prison yard and through writing long letters.

2.3 | Analytic Framework

Interviews were coded using NVivo, drawing on a conceptual framework organized around the dimensions of "depth," "weight," and "tightness" (see Crewe, 2011a, 2015), as well as around themes that emerged from inductive analysis. As Crewe (2021) has noted, the framework enables a form of analysis that is less about the evaluation of quality than about a rich and differentiated description of carceral texture, drawing on four axes of distinction that, in Shammas's (2014, p. 115) terms, help prison scholars assess "how punitive power varies *in kind* rather than degree, how the nature of pain-imposition varies qualitatively" (emphasis added). Compared with established ideas, including the "pains of imprisonment" (Sykes, 1958), it offers an analytic platform that is less empirically flat and less amorphous. The framework was also used to provide a scaffold through which comparison between the two jurisdictions could be more easily drawn. Here, the "fuzziness" of the concepts is helpful in advancing the gaze beyond the specific (and often non-comparable) practices and policies of particular regimes, toward qualities of imprisonment "that are more abstracted but at the same time more experiential" (Crewe, 2021, p. 340).

The framework was at the heart of the overall research program, a stable structure around which a differentiated empirical description of the texture of prison life—and its key dimensions—could be organized. While we have discussed the idea of depth above, "weight" communicates the almost palpable burden of imprisonment and is mainly about interpersonal treatment, staff–prisoner relationships, the use of staff power, and daily conditions. "Tightness" relates to several factors linked to the manifestation of penal power in ("soft") psychological rather than ("hard") coercive forms. It reflects the increasing bureaucratization of prison life, including the greater use of discretion; the use of specialist expertise, often located beyond the prison wings, including psychological assessments, cognitive behavioral interventions, and monitoring and management strategies rooted in prisoner files and records; and policies and practices, like incentive and early release schemes, which require prisoners to self-regulate a wide range of conduct to enhance their living conditions and accelerate their progression through the prison system. Crewe (2011a, 2011b) has identified a range of frustrations that result (particularly for people serving indeterminate sentences), including the feeling that penal power is unpredictable, impossible to reach or influence, and a threat to the individual's sense of identity, summed up as the pains of uncertainty and indeterminacy, of psychological assessment, and of self-government.

Overall, these concepts provide much of the structure for the content that follows: the grounds on which similarities and differences can be mapped out.

3 | FINDINGS

The different selection criteria for the CSC system (custodial conduct) and for Ila and Trondheim (sentence type) shaped their everyday discourses and practices significantly. In England & Wales, the units were suffused with a discourse of dangerousness relating to immediate physical harm. Frontline staff often referred to the need to be "constantly aware," noting for example that CS prisoners were "the most dangerous people in Europe," "all [with] the same potential of killing people." One supervising officer said his philosophy was "to expect the unexpected. Never forget what they are capable of." Other uniformed staff commented, "You're always living with risk. … When they're quiet, they're always up to something." Another said, "They might be superficially friendly, but they'd slash your throat in an instant if they needed to. All psychopaths." Officers

therefore repeatedly insisted that the "golden rule is that you never trust them." The defining feature of the units was the perpetual sense of imminent violence, expressed in constant vigilance, and highly controlled practices of unlocking prisoners and escorting or overseeing them to collect meals or use shower facilities.

In Ila and Trondheim, the overarching rationale was danger to the public rather than to other prisoners or prison staff. Staff members consistently asserted that most men in these units were not especially dangerous in the present, while in custody, but were a significant risk in and to the community. "Dangerousness" related less to the current risk of violence and more to serious harm in the future. While, in England & Wales, then, the logic of practice related principally to situational control, in Norway, it was organized around monitoring and surveilling prisoners to assess their potential dangerousness and the interventions appropriate to their risk of reoffending:

> We're trying to get to know everything about them. Their needs. What work and programs they should do. Their triggers. How they deal with conflict. … It gives us a baseline, to see if they change. (officer, Norway)

In the sections that follow, drawing on our conceptual framework, we show how these different discourses and practices shaped the experiential texture of deep-end confinement. Throughout, we draw attention to the differences both *between* deep-end confinement in the two jurisdictions and between deep-end and non–deep-end confinement *within* each jurisdiction.

3.1 | Depth

The focus in the England & Wales CSC system on managing custodial risk meant that conditions were objectively deeper and more restrictive than in Ila or Trondheim. The core CSC sites were super-secure units nestled within high-security prisons, which were themselves significantly more secure and restrictive than comparable institutions in Norway. Entry into these host establishments, which were surrounded by thick walls and patrolled by security dogs, involved airport-style security, including a rub-down body search. To get into the CSC units specifically involved further security processes, including multiple doors, controlled through buzzers and cameras connected to a central control room.

Security practices in Norway were in general more relaxed. Ila is surrounded by a wire fence, with situational security measures corresponding with a medium-security establishment in England & Wales; entering involved an airport-style bag search but no personal rub-down. The two *forvaring* wings in Trondheim were "prisons within prison," separated from the rest of the establishment by a long passageway with additional security measures. Beyond the practices we document below, however, the wings were not especially different from other high-security wings in Norway, appearing in many ways normal compared with the environmental exceptionalism of the CSC units.

3.1.1 | Segregation

In England & Wales, CSC prisoners had no contact with prisoners beyond the CSC system. Minimal forms of work and education took place on the units, while discrete segregation cells and gym facilities produced an environment that was virtually hermetic. Among the very few reasons

why a CSC prisoner might leave a unit were for medical treatment or to attend a courtroom, with one prisoner commenting that going to the prison's main segregation unit to receive some dental treatment felt "like going to Ibiza." Another declared himself "lucky" that he had required several hospital visits: "[S]o I've been in and out, in and out; but I know people that was on here for 5 years and never left the unit once; you're completely segregated from everything." Some prisoners complained about the impact of such conditions on their physical health, for example, the effects on their eyesight of being confined to buildings without any distant focal points. Others referred to sensory deprivations, such as being unable to see the sky except through the crisscross pattern of overhead meshing: "[T]he walls are so close and so high, and there's so much cage, you can't even see the sky and clouds properly." "The exercise yard is literally a cage. You feel like a caged animal." Some reported having become hypersensitive to sound and being deprived of meaningful physical contact for months on end. In terms of contact and mobility, then, the distinction between these units and the wider prison system was decisive, to the extent that CSC prisoners often narrated their accounts of depth and isolation less in terms of their distance from freedom than from the rest of the high-security estate: "Prison-to-CSC is like outside-to-prison," one participant explained, adding, "It's walled-in. No-one knows what's going on [within the units]; you lose contact with everybody [that is, non-CSC prisoners];" another complained that being in the CSC system left him "out of the loop; [you] disappear from the prison gossip."

By contrast, in Norway, although the stigma of being a *forvaring* prisoner produced some relational estrangement from "mainstream prisoners,"—"You are seen as a psychopath. … I don't go out in the prison yard … because other inmates see us"—most men on Ila's J wing and in the Trondheim unit worked or attended education alongside men from other parts of the prison. Several noted that, in such contexts, being trusted to work with tools and able to have unguarded conversations made them feel more like "colleagues" than prisoners. Within these more normalized relational environments (compared with the more oppressive feel of the units themselves), they felt "closer to the free world" in a "safe haven" and could "lower their shoulders" and be themselves—the kind of language that CSC prisoners used mainly to describe periods of in-cell solitude. Prisoners in Ila and Trondheim retained their right to family visits, which in Ila allowed them to spend unsupervised time in a room accommodating sexual activity. Likewise, one man in Ila explained that a volunteer visitor was allowed to sit in his cell for several hours continuously, eating cake (brought by her) and drinking coffee (made by him). By contrast, in the CSC system, visits were held in a dedicated room within each unit in highly constrictive conditions: "[Officers are] practically in your lap."

The much greater permeability of the units in Norway was also embodied by the right, for most prisoners, to periods of accompanied leave outside. One man on G wing who was considered particularly difficult to manage had been taken out into nearby woods, escorted by five officers, and been on regular trips to go fishing, to shops, and to meet a friend for a meal. Another participant reported that, when in an outside hospital, officers had trusted him enough to let him walk behind, rather than in front of, them: "[I]t didn't seem like they were afraid or worried [that] I would run." Institutional commitment to such practices was based on an understanding of the impact of deep-end confinement on well-being: "We do it cos they need it, because of the isolation damage;" "cos they are sick and need to get out," two officers explained. In sum, then, compared with deep-end prisoners in England & Wales, the men in Ila and Trondheim were considerably less sequestered, both from the rest of the prison and from direct contact with the outside world.

3.1.2 | Security, restriction, and control

Nonetheless, in describing the units, prisoners in the units in Ila and Trondheim felt their conditions to be highly restrictive and used a language that corresponded with CSC prisoners in England & Wales. One described security measures as "super-tight" with "no slack." Several criticized rules and regulations for being pettier than in other Norwegian prisons, such as being prohibited from helping themselves to food and having only 10 minutes to register for phone calls. One protested that staff had confiscated his floor rug for being "too slippery." Many prisoners complained that their contact with people outside prison was limited excessively: "I have called my family three times in 21 months. … You become so closed off. … You only get 10 minutes to call." Two prisoners reported feeling "100 percent" cut off, one having external contact only by telephone, the other denied contact with his family having threatened an officer during a phone call to a relative in his previous prison.

Norwegian participants also complained about atypical forms of situational control. In contrast to the open nature of prison regimes elsewhere in Norway, prisoners in Trondheim were subjected to fortnightly cell searches and had to pass through metal detectors when leaving their unit. As a result, one man said that he felt like a "caged animal," reinforced by having to communicate with wing staff through an intercom system or a small hatch below a separating window. Another said that the size of the unit, its limited activities, and the number of cameras made him feel like he was "in a zoo. You're a monkey in a cage." Contrasting Trondheim with his experience in other Norwegian prisons, one interviewee used a similar metaphor: "[It's] completely different. Here, I feel like we are beasts, who people look at through windows [and] cameras." Although levels of security and control were, objectively speaking, less restrictive than in England & Wales, because they were so much more restrictive than most other parts of the Norwegian system, they were experienced as highly oppressive.

In both jurisdictions, perceptions of depth were shaped to some degree by prisoners' carceral trajectories. In Norway, several prisoners noted censoriously that earlier in their sentence, often when on remand, they had been kept in conditions that were considerably less restrictive and given highly trusted jobs, and had done nothing subsequently to indicate a greater level of dangerousness. Such contradictions generated considerable discontent. Prisoners and staff in Norway noted that the units were highly undramatic, with very few incidents of violence. Having only two officers on Ila's J wing during some afternoons, a unit considered to be among the most restrictive in Norway, was highly instructive. One prisoner described the irony of "know[ing] that everyone thinks of you as dangerous," yet being accompanied on furlough by "two tiny women … the height of my shoulder." Here, prisoners drew attention to the form of confinement that resulted from anxieties about risks that were mainly located in the future but that bled into the present (see below). Accordingly, they struggled to understand why they were subject to such a strict regime and objected to conditions that felt unduly oppressive. Overall, then, prisoners in the units in Ila and Trondheim identified their situation as highly undesirable relative all other parts of the Norwegian system.

In England & Wales, levels of security and control corresponded with the sense of ever-present threat. Staffing ratios were normally one to one, and some prisoners were allowed out of their cell only when several officers were present, wearing protective equipment, and following a strict protocol. Yet in contrast to Norway, many CSC prisoners expressed a preference for their conditions over institutional alternatives. Before entering the CSC system, disruptive and violent behavior meant that all had spent periods, often many months, in segregation units, where conditions were

more restrictive. Moreover, compared with standard wings in high-security prisons, access to staff and amenities (e.g., telephones) was significantly better (see Shalev & Edgar, 2015). As a result, it was easier to "get stuff done" and access support than on wings that were larger and less well staffed.

3.1.3 | Subjective experience of depth

As well as being shaped by their custodial experiences, perceptions of depth were shaped by biographical factors and sentence lengths. In England & Wales, some CSC prisoners claimed to be existentially free or said their current state of isolation and restriction was no worse than when they had been in the community ("I never felt part of the free world. … I'm as close to the world outside as I was when I was there"). Several were serving whole-life tariffs or sentences so long that the outside world felt meaningless or irrelevant:

> Nothing exists for me outside these walls. … All that applies to me is custody. … Society doesn't mean anything to me.

> I'm at a dead end, and it's a dead end at both ends. I know I'm gonna be in the CSC for years. … There's no use thinking about outside. I'm not interested in the world out there.

In general, then, most CSC prisoners described feeling buried or cut off, using metaphors that communicated a sense of deep isolation and abnormality: "It feels like I'm on the moon … the situation is completely and utterly abnormal." "The outside world feels a million miles away." "Another galaxy. Completely in a cave." Although such sentiments were normally expressed with a sense of desolation, for several CSC prisoners, the isolation and containment that characterized the CSC system instead, or sometimes also, generated feelings of sanctuary and psychological safety: "I'm comfortable being behind my door—my own little cocoon. … I don't want to progress. This is my comfort zone, my safe haven." In this respect, for some prisoners, the thick membrane between the CSC and high-security systems provided a welcome form of separation. Several expressed relief at "get[ting] away from prison politics," including social obligations linked to gang networks and norms proscribing interaction with officers. Many were also pleased to escape the tensions and irritations of "batch living" (Goffman, 1961): "I'm tired of being around prisoners all the time. … I've had 20 years of it … I don't want to go back on normal location." "CSC's the best thing that could have happened. … I'm not around fucking idiot people." Here, then, we find metaphors of liberation as well as submersion.

In Norway, far fewer prisoners described the restrictions and conditions of the units as psychologically preferable to elsewhere in the system. The metaphors used to characterize the units were generally less extreme than in England & Wales. Yet some parallels were striking, linked to similar biographical experiences and the hopelessness engendered by long and indeterminate sentences. One prisoner said he tried "not to think about the outside because there is nothing out there for [me]." Another said that, having led a life of solitude, he felt "more lonely before coming in" and could not "remember what being free felt like." Asked how cut off he felt from society, one replied: "It doesn't exist at all." Phrases such as feeling "lost in space," "on another planet," in "a hopeless vacuum," or "a micro-apartment on the North Pole," particularly among those serving longer *forvaring* sentences, echoed the metaphors of CSC prisoners, where statements of hopelessness

were also common ("I ain't got no hope," "I don't really see a future," "the only hope I have is to get off the CSC").[6] Although the minimum sentence length of *forvaring* prisoners was shorter than for CSC prisoners, and their likelihood of release higher, the unusual nature of the indeterminate sanction within Norway meant that most Norwegian participants feared they would never be freed. For most, the outside world was therefore considered remote or irrelevant. One described it as "so remote that it is absolutely incredible. … We don't even know if we will ever get to see the world outside these walls again." In Norway especially, where the *forvaring* sentence had such a special status, this theme—that indeterminacy obliterated hope and exacerbated feelings of being swallowed by the system—was pervasive: "[I]t kills human beings inside. We have no date to focus on, whatsoever. Nothing." "It is really terrifying. … [Y]ou don't have any grip about when you are released." "I don't have any illusions about life on the outside anymore." Consistent with Sexton's (2015) findings, these "symbolic" components of deep-end confinement were experienced as much more severe than those elements that were more "concrete" or material.

3.2 | Weight

In the England & Wales CSC system, the preoccupation with imminent danger was reflected in the way that staff engaged with prisoners and defined success. For CSC staff, a good day meant the absence of "action"—no assaults. To quote one officer, "A static day can be a good day. [We] all go home similar to how we arrived." Yet this did not mean that the goal was safe containment alone. Officers were pleased to see marginal improvements in prisoners' mental well-being, willingness to engage, and progression toward normal location, even while they recognized that such developments were often slow—"[A] grunt of engagement … can be massive." To achieve such goals, both stability and change, required considerable skill and effort (see Liebling et al., 2010), achieved through directed conversation and active engagement. Although "close supervision" meant that, even in the most CSC restrictive units, officers sought to interact with prisoners, they did so principally in the interests of dynamic security and through a prism of risk, interpreting behavior in relation to established "triggers" and "risk factors," for example.

Prisoners intuitively recognized the nature and limits of their treatment. Commenting on relationships with officers, they generally stated that even though they felt treated with respect, they were not "cared about:"

> *[Do] you think they treat you with respect?*
> Totally. Yeah.
> *Do they care about you do you think?*
> I think care might be a bit strong, but they show an interest in certain things. … They still make themselves approachable … and some of them are up for a laugh.
>
> They are pretty decent, they're polite, they have a bit of banter with you. … They're good like that. … I've come across much worse.
> *Do you think they care about you?*
> They don't care a shit, [but they] behave in a professional way. And they're fair.

[6] Where hope was expressed, its form tended toward the existential: finding hope in the love of family members or through faith.

As the final excerpt implies, statements of this kind were noteworthy because they were more positive than accounts of staff treatment elsewhere in high-security prisons. Some men whose orientation to officers in other establishments was hostile and often assaultive were willing to credit their relative decency: "The staff are all right;" "you don't get treated like shit or talked to like shit."

Officers were certainly "present," in the sense of being numerous, available, and committed to some degree of interaction and engagement. Indeed, in the more open CSC units, staff–prisoner relationships were "light-present" (Crewe et al., 2014), with authority used dynamically and relationally, rather than operating at distance (Liebling et al., 2011). In one such unit, the tableau of several officers playing pool with a prisoner resembled "a group of blokes in a pub" (fieldwork notes). One participant said, "Officers treat me with as much decency as I would expect from any of my friends." Most others, though, differentiated between sincere engagement and a form of restrained respectfulness, marked by caution and a pervasive sense of risk:

> It's like they're going fishing, for information. Everything is underpinned by danger, threat. They can't see us as humans.

> You get treated with a bit more respect here, but I can't help thinking the majority of it's false.

Accordingly, prisoners acknowledged a basic level of professional support, noting that staff sought to assist them ("staff sort things for you;" "I couldn't really fault them. [They] go out of their way [to help]") but did so mainly for instrumental reasons rather than a deeper commitment to care:

> I don't think they care about us, no, I think they have a job to do. … They say, you know, "we're here to support you" and stuff like that, but actually they're just here for their paycheck aren't they? It's their job.

> *Do you feel that staff care about you and your needs?*
> No. Not really. … obviously they're here to do their jobs and maintain the order of the place; they're not interested in what happens to you personally.

In Norway, these relational distinctions between the units and the rest of the prison system were inverted. That is, Norwegian participants contrasted the high levels of care and humanity that they had experienced elsewhere in Norway's system with treatment in the units that they felt was respectful but shallow, defined by distance, suspicion, and an absence of genuine interest:

> *How do you experience your treatment by the officers?*
> I am treated fine by everyone.
> *Do you feel that they understand who you are as a person?*
> No. No. Not to any real degree. It's very superficial.

> He says that officers in Trondheim seem nice enough but always just observe him through the cameras; they don't come on the wing to talk to him. (fieldwork notes, Norway)

Several observed that, in contrast with normal practice in Norwegian prisons, officers rarely mixed with them informally or talked to them about "everyday life" or personal topics:

> Occasionally you need officers to talk to about personal things. But here you don't get that kind of follow up and I miss that. … They don't take the initiative to have follow-up conversations [, i.e.,] just sitting on the couch and talking for a bit about things.

> There's no one who comes and asks "how are you?" or comforts you if you're having a bad day. … It seems to me like the staff don't care too much about you.

In this regard, prisoners' accounts of staff–prisoner relationships in both systems were ostensibly similar. Yet the broader, systemic cultures in which prisoners were situated meant that the meanings attached to these relationships differed. In their orientation to prisoners, officers in Norway's deepest units were less cynical and more humane than were officers in almost all prisons in England & Wales. But, accustomed to a culture of "relational normality" between staff and prisoners elsewhere in the system (Mjåland & Laursen, 2021), prisoners in Ila and Trondheim expressed frustration that officers were "emotionless," "unreasonably strict," and rather "heavy" and "absent" (Crewe et al., 2014). Terms such as "professional," which were often expressed by CSC prisoners in England & Wales, rarely featured. Many also felt that staff behavior was shaped by forms of moral distancing and denigration—linked to their original offenses—that were rarely reported to us elsewhere in Norway:

> He says it is strict not only because of all the petty rules but also [because of] how officers treat them: [T]hey deny them rights and say, "Think about what kind of an offense you are here for." (fieldwork notes, England & Wales)

> *Do you feel like the officers know who you are, know your needs?*
> No. No. What they know about me is from the newspapers, from another prison, some reports and recommendations, but whether they know me like a person? No not at all.

Compared with other Norwegian prisons, these relationships felt distant, superficial, and lacking in humanity: "Nobody sits down to talk with me like I am a human being." "I think they probably look down on me." They were tainted by two main factors. The first was an emphasis on security, which prisoners believed compromised a commitment to care and limited the potential for trust. As one prisoner explained, "They are so conscious about security and instructions instead of the social part. … The contact is gone really. It is barely present." The second was the role of officers in surveillance and bureaucratic monitoring, which prisoners described as having a "cooling effect" on staff–prisoner relationships and producing a "fake" relational environment: "If you're going to pathologize everything," one prisoner commented, "you end up creating a distance between people." These modes of monitoring reflected elements of "tightness" that were a prominent part of prisoners' accounts of Ila and Trondheim.

3.3 | Tightness

3.3.1 | Self-government and bureaucratic monitoring

With striking consistency, men in the Norwegian units talked about the degree to which they had to self-monitor: their sense of humor ("If I crack a joke, it can be misunderstood"), acts that might appear aggressive ("they look for threatening body language"), what they ate or watched on television ([An officer] said, "You have to think a bit about why you are in prison and what you are watching"), and their emotional expressions, which several kept as neutral as possible to avoid misinterpretation:

> People don't dare to show a lot of emotions here. If you show that you are very happy one day, and the next day you are a bit more down, they start saying that you have mood swings. Then there's talk about personality disorders. It's scary. So you need to be very monotonous.

As in England & Wales, where one prisoner described officers as "mini psychologists, but without the certificate," uniformed staff were regarded as adjuncts to psychological power, engaging in a form of "hobby analysis" (Crewe, 2011b), in which they overinterpreted casual remarks and jokes as relevant to offending behavior and risk.

As suggested above, as in England & Wales, participants in Norway described the difficulties that resulted from knowing that officers engaged with them partly for purposes of risk assessment and often recorded notes about their interactions. Officers were considered either standoffish or "fishing" for information. In both jurisdictions, prisoners were therefore guarded in their interactions with officers because they perceived their interest as hazardous or insincere:

> He doesn't feel like they ask [how he is doing] because they care but because they need something to write down in the two daily journal entries. (fieldwork notes, Norway)

> I won't interact with officers because if I drop my guard, I'll give them information that might be cutting my own throat, used against me. (prisoner, England & Wales)

Men in both systems were resentful of monitoring systems that they experienced as extensive, perpetual, and highly invasive: "They write everything down about us" (prisoner, Norway). "Everything you say can and will be used against you" (prisoner, Norway). "If you fart, they write about it" (prisoner, England & Wales). "You are on 24-hour surveillance" (prisoner, England & Wales).

The nature of these complaints was remarkably consistent between the two jurisdictions. These included the questionable expertise of officers to analyse behaviour, the degree to which what was recorded on file became a permanent basis for judgment, the tendency of reports to be petty, partial, unduly negative or de-contextualised, and the lack of transparency and space within the process for polite disagreement (see Crewe, 2011a, 2011b). For example:

> It's very scary because these reports mean so fucking much when one is being [assessed for] release. … "In the forensic-psychiatric report it says this and this;" then it is carved in stone. (prisoner, Norway)

> It's a prejudice, based on what they've read in my file. [They] should deal with me based on how I am, not my past record. (prisoner, England & Wales)

> I very rarely eat [my meal] at 3 pm, but I'll take food and put it in the fridge. Then it's written: "did not accept dinner" [or] "took meatballs. Did not take potatoes" [laughs]. They're supposed to be writing about important things. (prisoner, Norway)

> You are a list of incidents that have occurred—you are a list of negative incidents. (prisoner, England & Wales)

> He says he tries to argue with them in a calm and precise manner, but when he does, they describe him as argumentative. (fieldwork notes, Norway)

> All decisions made about you in the CSC are done behind your back, behind closed doors. (prisoner, England & Wales)

In both systems, prisoners complained that these processes entailed a form of misrecognition, in which what was written about them did not correspond with who they truly were (see Crewe, 2011a). In both jurisdictions, they resented the need to present a "strategic self," to avoid doing or saying anything that might be misinterpreted, and to suppress their true personality:

> I don't understand why I have to bullshit. (prisoner, England & Wales)

> I can't crack a joke, which might get interpreted a bit wrong. The way you talk to officers at other wings; they just laugh. Whereas here, you see that certain officers give you a look. "Now you need to watch out, so you don't go down a level." It's so scary. … You feel, all the time, that you can't say what you mean, or you always have to choose your words carefully. You can't be yourself. (prisoner, Norway)

The nature of this form of power was experienced in both systems as highly insidious. One prisoner in England & Wales remarked, "[T]hey know how to attack your mind." If anything, however, prisoners in Norway expressed a more acute sense of powerlessness in the face of psychological power: unable to "have your own truths and opinions," forced into diagnostic categories, and required to "confess" to progress. Several described such requirements as a total assault on the self: "They are going to destroy you as a human being. They are going to pick you entirely apart." "Ila takes away more than your freedom. They try to break you." Such statements stood in sharp relief against the relative lack of degradation reported by prisoners elsewhere in Norway's system (see Crewe et al., 2022). Indeed, in general, complaints about the tightness of penal power were of special note in Norway and were expressed with particular intensity because in all other Norwegian prisons, these features and frustrations were virtually absent.

3.3.2 | Indeterminacy, uncertainty, and psychological expertise

Marked by various forms of indeterminacy, uncertainty, and psychological intrusiveness (Crewe, 2011a), if anything, the experience of imprisonment in Norway's deep end was both subjectively and (to a lesser degree) objectively tighter than in England & Wales. First, men in Ila and Trondheim expressed considerable confusion and resentment about being subjected to a form of risk-thinking that felt vague or irrational, requiring them to prove in the present that they were not risky in the future. The scrutiny of everyday conduct, reflecting blurred lines between current and future risk, or manifest and latent dangerousness, made them feel enveloped by an overreaching form of power whose demands implied bad character (McNeill, 2019) and produced feelings of deep insecurity:

> They only try to find something negative about us. For example, I'm sentenced to prison for sexual assault, but they are more concerned with whether I keep my room tidy.

> To be imprisoned is not a problem in itself. … But here, you are put in the spotlight. It takes so little before you have messed up. It's the uncertainty all the time. … Is this wrong? Is this right? The uncertainty.

One prisoner complained that the authorities wanted a "risk-free system … to be 100 percent free of risk." Another stated, "It's difficult to have a forvaring sentence. Because there is nothing that is good enough. Always, the final answer is 'We cannot be completely, absolutely sure'." Although men in the England & Wales CSC system expressed similar sentiments about "administrative uncertainty" pertaining to their future (Maier & Ricciardelli, 2019), compared with the rest of the Norwegian system, where predictive risk-thinking was considered reductive, the emphasis in Ila and Trondheim on dangerousness was unusual.

Second, the assessment of prisoners in Ila and Trondheim based on both psychological need and risk made the web of power feel even more extensive. While specialist assessors in England & Wales were forensic psychologists, focused principally on risk, those in Norway had psychiatric expertise, focused both on mental disorder and the wider goal of social protection. This dual concern, aimed at diagnosing and transforming the dangerous offender, "as much for the societal body as for the individual soul" (Foucault et al., 1978 p. 7), placed prisoners under forms of scrutiny that felt psychologically highly oppressive. As one prisoner noted, "[It's like] a psychiatric prison. Everything is about your mental health: who you are, and who you are going to become." This binding of an "old penological" emphasis on inner pathology with broader concerns about "social danger" (Foucault et al., 1978) produced a rehabilitative discourse that felt particularly invasive and generated considerable paranoia. On Ila's J wing, several men believed that there was concealed audio surveillance, and some whispered or covered their mouths when talking to avoid being overheard. One prisoner described power as being "everywhere but nowhere," echoing Foucault's (1977) idea of an enveloping web of power and surveillance.

The role of psychiatric discourse in Norway's deep end added a further burden. Repeatedly, prisoners in Ila and Trondheim described the acute stigma that resulted from the *forvaring* sentence being associated with serious mental health disorders or inexplicable deviance:

> They think that you're mentally ill once they hear the word *forvaring*.

> When you become an inmate on *forvaring*, … Norwegian citizens think …, you're very crazy.

This reference to the public imagination was significant and differed from England & Wales, where there was no comparable sense of being affected by a broader public narrative. Several men in our Norwegian sample referred to the difficulties they anticipated on release because of assumptions they believed would be made by the public about their enduring dangerousness. For example:

> If [after release] I'm going to rent an apartment privately, I'm obliged to say that I'm sentenced to preventative detention. And who wants someone [like that] to rent a room in their basement? … Those who get preventative detention, and Ila prison in itself. … What is portrayed in the news is that: "here are the most dangerous prisoners in Norway." That's the first sentence that appears every single time one is talking about Ila. The general public catches up on that. It's not easy to get away from that.

Conveying the moral burden of the sentence, one participant stated that it was "heavy to be condemned to preventive detention."

The indeterminate nature of the *forvaring* sentence generated strong feelings of illegitimacy and despair that we seldom heard elsewhere in Norway. One participant stated that he sometimes felt suicidal because he could neither "live with or see a way out of Ila." Another man, given a particularly long minimum sentence, described feeling like being in "a maze that's closed in all ends." Referring to the uncertainty of their release date, others characterized their state as a form of "perpetual remand." Some disputed the basic legal legitimacy of the sentence, asking us whether indeterminate sentences were permitted in other countries. In general, then, among deep-end prisoners in Norway, resentment was directed at the legal system, the nature of the penal sanction, the label attached to it, the role and power of psychological and psychiatric expertise, and the overall perception that these units were so divergent from the rest of the Norwegian prison system.

In England & Wales, the interpretation of psychological power took a more hostile form. Many prisoners asserted that what was written about them was a deliberate and vindictive distortion: "If they have an axe to grind, they use reports;" "they stab you in the back with a keyboard." Although these comments related to the power of frontline officers, generally, in England & Wales, psychologists were seen as the embodiments of power: "They're the ones that have the power in this system. They're the ones that make the decisions about where you can be, what activities you can do, what your triggers are, whether you go on certain medication." "They're the ones that can keep you [in] and put you on CSC."

In Norway, prisoners identified the main powerholders as the senior officers on the units, Ila's head psychiatrist, "the [bureaucratic] region" in which the institution was located, and the courts that made release decisions. In both systems, then, participants complained that the people making the most significant decisions about them were those who knew them least well and who operated "at a distance," through expertise and individuals located beyond the units themselves (see Crewe, 2011a):

> [It's] people who you don't get to speak to deciding your fate. (prisoner, England & Wales)

> Psychologists write reports on you when they've only met you once. (prisoner, England & Wales)

> He thinks that the region and the Directorate for Correctional Services hold most power over him, his life and progression. He finds this ironic since they are the ones that know him the least. (fieldwork notes, Norway)

> *So who would you say has the most power over you and your life?*
> It's those who have the least to do with me. Those who are the furthest away: Oslo, The Directorate for Correctional Services, the region. Those who don't know anything other than my record. (prisoner, Norway)

As a result, even when prisoners had faith in the staff who wrote their reports, they regarded the most significant forms of power as lying beyond their potential to shape it. Many also felt that there was little correspondence between their conduct and their progression. To quote one prisoner in England & Wales, "Psychologists say good things about me, but they don't help me get deselected. … No matter how good I am, it comes to nothing."

In England & Wales, such frustrations were expressed through a discourse of "corruption," often associated with the entire criminal justice and welfare system. For several prisoners, the power wielded by prison psychologists was not only a normal part of serving an indeterminate sentence but also was no different from lifelong interactions with social services: "I've had stuff written about me all my life—in care homes, and so on." As a result, many CSC prisoners expressed an almost total lack of trust in these systems: "[T]hey're all corrupt: police, criminal justice system; it just goes up and up and up;" "the higher up, the more untrustworthy they become." In Norway, societal distrust was less acute, but levels of cynicism about the prison bureaucracy were similar. This cynicism was exacerbated by the sense that, compared with other Norwegian prisoners, the treatment of those with *forvaring* sentences, including the role of psychological power, was so distinctive.

4 | CONCLUSION

The principal case for studying deep-end confinement is that, in most countries, it represents the most coercive and restrictive treatment that the state imposes on some of its citizens in the name of others. Understanding what life is like in such places—how power is used, how it is experienced—seems an elemental responsibility. Alongside the more conceptual importance of exploring institutions that exemplify "depth," obvious moral questions need to be asked about the edge points and targets of state practice (Zimring & Hawkins, 2004), not just because such potential for abuse exists in these exceptional sites of power or because of what they reveal about how the "worst of the worst" are defined and treated. While the exceptionalism of the United States, regarding use of super-secure and segregative practices, means that it tends to be the touchstone against which forms of extreme coercion are judged (Reiter et al., 2018), close, comparative analysis of related practices in other jurisdictions offers the potential to see how national philosophies of punishment produce different kinds of deep-end regimes, based on different conceptualizations of dangerousness.

In England & Wales, the CSC units represented a kind of terminus (Sparks, 2002): the end of the line for the otherwise unmanageable, a place to which they were sent because of specific acts they had committed. In Norway, the units in Ila and Trondheim represented something closer to an assessment center, a starting point for individuals, located there based on a more nebulous sense of what they might do in the future. In both systems, the units were characterized by a sense of being stuck—the possibility for prisoners of exiting only after many years of seeking to demonstrate (in Norway) that they could be safely reformed or (in England & Wales) no longer posed a risk to the rest of the prison system. Likewise, participants across our research sites defined their environments in similar ways as both deep and tight. In England & Wales, however, deep-end units were principally described in terms of extreme control and restriction (i.e., depth), whereas in Norway, the dominant depiction was their relative tightness. In both jurisdictions, tightness and depth interacted in notable ways, with many prisoners feeling deeply submerged because of psychological and psychiatric knowledge. That is, continued confinement in highly controlled conditions was ultimately determined by modes of specialist expertise typically regarded as elements of soft power. Here, then, we see a direct and distinctive dynamic between hard and soft forms of penal power, resulting in frustrations linked both to the conventional outcomes of coercive restriction and to the forms of uncertainty, unpredictability, and indeterminacy associated with psychological assessment and the logic of bureaucratic monitoring and decision-making (see Crewe, 2011a).

In both jurisdictions, prisoner experiences were shaped by the broader carceral context. In England & Wales, deep-end conditions were an intensified but relatively continuous version of what was found throughout the high-security prison estate, and yet the nature of their risk meant that prisoners were entirely separated from the rest of the system by a thick physical and bureaucratic membrane. By contrast, in Norway, deep-end prisoners were not quarantined from their peers but experienced conditions and treatment discontinuous with the rest of the system. In line with the normality principle that characterizes Nordic penality, they retained many rights of citizenship. Yet the penal power to which they were subjected was, in the Norwegian context, unusually oppressive. Indeed, a good deal of frustration was shaped by the exceptionalism of this treatment relative to the rest of Norway's prison system, where staff–prisoner relationships were more relaxed and much less emphasis was placed on dangerousness and risk. The broader point to emphasize here is that experiences of extreme forms of confinement are shaped by the more typical prison experiences against which prisoners contrast them. To use Sexton's (2015) terms, in Norway, deep-end punishment was especially "salient" because of the ways that prisoners' expectations had been shaped by their prior experiences in conditions considerably less oppressive. The implications here are not only for analyzing prisoners' accounts of incarceration but also for comparative penology more generally. For whereas researchers are often comparing *between* jurisdictions, the comparisons made by participants are with their own prior experiences and expectations.

Overall, Norway's system seems highly bifurcated, with a stigmatized minority, convicted of "inexplicable" offenses, and therefore unable to be quickly folded back into the national community, given indeterminate sentences and treated according to a distinctive penal logic. The invasive nature of this risk-based monitoring is resonant of the forms of penal and social intervention that many scholars have identified with Nordic societies, conceptualized by Smith and Ugelvik (2017) as "The Big Mother penal welfare state model," in which the dual attempt to punish and rehabilitate produces a particularly acute mode of state intrusion. Yet the units in Ila and Trondheim were the only sites within Norway's prison system where prisoners felt themselves to be gripped psychologically by the penal state. Elsewhere, Norway's prison system was consistent with its

portrayal in Pratt's (2008) germinal work as mild and humane. Put another way, whereas most prisoners in Norway encounter conditions that correspond with the principle of normality, those considered particularly difficult and dangerous are instead subject to something closer to a more oppressive form of corrective *normalization*.

The wider significance of these cleft practices is instructive. If anything, with regard to the treatment of prisoners, it is Norway rather than England & Wales whose logic more closely resembles Garland's (1996, p. 446) description of 'a pattern of criminological thinking, involving a split between … a "criminology of the self and a 'criminology of the other'," with the latter representing a distinctly threatening class. Garland argued that the "other" is the offender "for whom we can have no sympathy and for whom there is no effective help" and contrasted this with the "once-dominant welfarist criminology which depicted the offender as disadvantaged or poorly socialized and made it the state's responsibility … to take positive steps of a remedial kind" (p. 462). Yet Norway's deep end represents something more hybrid: an inclusive form of othering, organized around psychiatric intervention, aimed at reforming rather than expelling individuals who pose a risk to the public, with a distinctively overbearing ethos linked to perceptions of public dangerousness. Here, the logic resembles a mode of "old penological" individualized attention, focused on the criminal as much as on the crime, and significantly shaped by the psy-disciplines, in ways that run counter to some of the more sweeping claims in the literature about the "de-psychologization" of criminality (Foucault et al., 2017) and the fading of penal-welfarism (Garland, 1996).

The concern in England & Wales's deep end with "managing unruly groups" and risk is more consistent with the "new penology" (Feeley & Simon, 1992, p. 455), exemplified by the North American model of the super-max prison (Pizarro et al., 2006). As in the super-max, the men held in CSC units were deemed a threat to the functioning of the rest of the prison system based on their custodial conduct (Kurki & Morris, 2001), rather than seen as a danger to the wider public because of their index offense. In Reiter's (2016, p. 131) terms, the rationale for their selection was that they were "institutionally rather than socially dangerous," based principally on an organizational and managerial logic that enabled the smooth operation of the rest of the system. Yet the culture and practices of the CSC system deviated significantly from the situational-coercive approach of the super-max. For while the objective of the latter is simply incapacitation and control, the CSC units were also concerned with diagnosis and treatment and sought to encourage the kinds of relationships between staff and prisoners absent from super-max environments. In this regard, deep-end confinement in England & Wales seems consistent with the classification of the United Kingdom as much more moderately neo-liberal than the United States, influenced by a more social-democratic history.

Our study therefore shows important variation in how states treat the citizens whom they have marked out as requiring extreme and exceptional penal measures. These variations cannot just be "read off" from the character of broader penal cultures, but reflect jurisdictional distinctions in the conceptualization of dangerousness. Methodologically speaking, then, a comparative lens helps identify the ways in which institutions with ostensibly similar functions vary in their goals and practices; in the populations they deem to require "extra" arrangements of security, control, and intervention; and in the carceral textures that result.

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AUTHOR BIOGRAPHIES

Ben Crewe is a professor of penology and criminal justice and the deputy director of the Prisons Research Centre, Institute of Criminology, University of Cambridge, U.K. His research investigates all aspects of prison life, focusing in particular on penal power and prisoner experiences.

Julie Laursen is an assistant professor and the Marie Skłodowska-Curie Fellow in the Centre for Interdisciplinary Studies of Law, Faculty of Law, University of Copenhagen, Denmark. Her research interests are moral anthropology and the prison, the experience of indeterminate sentencing in courts and indeterminate imprisonment, and the moral communication of punishment.

Kristian Mjåland is an associate professor of sociology at the University of Agder, Norway. His research interests include comparative penology, sociology of prison life, offender rehabilitation, and drug use.

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