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Incarceration and Generation – Mapping a conceptual, theoretical and empirical field of research

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Abstract: This chapter presents the state of the art in terms of the intersections between incarceration and generations. We start by exploring the conceptual definitions of both incarceration and generation. We argue that the expansion of the penal landscape makes us consider not only the different forms of incarceration in present times but also their impacts on specific age groups. Subsequently, we show how the intersections between these two concepts are being discussed theoretically and empirically, providing a brief state-of-the-art review of the existing literature, mainly in the social, criminal and legal studies, particularly with a focus on generations. This framework provides structure and guidance to the setting of the entire volume's rationale. Generation as a life stage is the

core perspective common to all the chapters included in this volume, which discusses the experiences, dynamics, cultures, interventions and impacts of incarceration concerning different generations: childhood, youth and emerging adulthood, adulthood and older age.

Key words: generation, incarceration, penal landscape, prison, life stage.

Incarceration and Generation: Multiple Faces of Confinement is the first volume of a two-book series around the intersections between incarceration and generations. This volume explores the experiences, dynamics, cultures, interventions and impacts of incarceration in various generations: childhood, youth and emerging adulthood, adulthood and older age. Based on the different forms of incarceration of these various generations, the second volume, entitled *Incarceration and Generation: Challenging Generational Relations*, presents and debates key intergenerational and intragenerational relations issues within incarceration.

Our main goal with these two volumes is to present different perspectives on the complex nature of the multiple intersections between incarceration and generation through a variety of chapters that cover different geographic, judicial and administrative contexts of incarceration, as well as different areas of research in law and social sciences. This makes it possible to identify, analyse and debate, from multiple angles, the social construction of the term ‘generation’ within the framework of different justice policies and prison practices. Without exhausting all the possible connections between incarceration and generation, the different perspectives brought to these volumes help substantiate the importance of acknowledging generation as a key concept in incarceration studies, encouraging academics to reflect on the relevance of considering this domain as a distinct field of research.

Arguing that the scientific field needs to expand in order to face the renewed complexity of social issues in relation to the measures involving deprivation of liberty worldwide (Fassin, 2011, 2017; Bosworth, 2017), this book adopts a broader definition of incarceration. It includes all forms of the so-called ‘traditional’ coercive institutional confinement, such as prisons, jails and juvenile detention centres, and other forms of administrative and institutional imprisonment related to the control of emergent global

migratory flows, such as immigration detention centres or reception centres. By doing so, incarceration is problematised and conceptualised by different areas of research, responding to and improving interdisciplinary challenges. In crime and criminal justice studies, an individual's age is one of the most common predictors of differences in attitudes and behaviours (Farrington, 1986; Loeber and Farrington, 2014; Ulmer and Steffensmeier, 2014). Generations are traditionally one way of grouping age cohorts. However, if we consider many other studies across different social sciences, the concept of generation is usually employed in a polysemous manner: as a principle of kinship descent, as a cohort, as a life stage or as a historical period (Ketzer, 1983). The focus on generations has recently re-emerged in youth studies and age studies (France and Roberts, 2015; Woodman and Wyn, 2014; Woodman, 2017; Ferreira, 2020), but we consider that the term should be discussed in a broader manner, encompassing not only the variety of possible generations but also the various meanings of the concept.

When we broaden the concept of incarceration and consider the diverse set of meanings that the concept of generation may have, the intersections between incarceration and generation(s) are immense. For instance, it becomes possible to discuss parent-child relationships and how they affect or are affected by incarceration experiences (see Seymour, 1998; Robertson, 2007; Poehlmann-Tynan and Pritzl, 2019); understand the dynamics of different generations in incarceration (Kuanliang, Sorensen and Cunningham, 2008); explore experiences of incarcerated people in different life stages, intergenerationally (Bhuller et al, 2018; Halsey and Vel-Palumbo, 2020) or intragenerationally; explore the transitions between different forms of incarceration and generations of incarceration for the same individual (e.g. the transition from juvenile to adult custodial institutions – Mallart, 2019); unveil the impact of public policies in a given historical period regarding the severity and extent of the confinement for entire generations (Western, 2006; Moore and Elkavich, 2008); and many other aspects.

Within the scope of this first volume, the focus is on the experiences, dynamics, cultures, interventions and impacts of incarceration (in its different forms) in specific generations – childhood, youth and emerging adulthood, adulthood and older age. This chapter starts by presenting an overview of the expansion of the penal landscape and of the incarcerated generations. It does so by exploring the contextual and theoretical background that sustains the broadening of the concept of incarceration. Then, it discusses the conceptual delimitation of the key concepts in this volume – incarceration

and generation. Finally, it shows how the intersections between these two concepts are being discussed theoretically and empirically, providing a brief state-of-the-art review of the existing literature, mainly in the social, criminal and legal studies, particularly with a focus on generations. This framework provides structure and guidance to the setting of the entire volume's rationale, which is presented in the last section of the chapter.

1. The expansion of the penal landscape and the incarcerated generations

Incarcerating people is possibly as old as society itself (Sykes, 1958). However, it was only in the 17th century that incarceration emerged as one of the main instruments of the State in dealing with criminals. In the 19th century, it became the central modality of retributive justice (Sykes, 1958; Fassin, 2017). Presently, prison is considered so 'natural' and has such an outstanding presence that it is extremely difficult to imagine a society without it (Currie, 1998, Davies, 2003). In fact, deprivation of liberty¹ appears in contemporary society as the most evident and most universal form of punishment (Romão, 2015; Fassin, 2017), a guarantee of a level of human security and social order in the strategic response to crime (Drake, 2012). As Angela Davies says:

The prison has become a key ingredient of our common sense. It is there, all around us. We do not question whether it should exist. It has become so much a part of our lives that it requires a great feat of the imagination to envision life beyond the prison. (Davies, 2003, p. 19)

The *Global Prison Trends 2020* report shows that the prison population is increasing, being 20% higher today than it was in 2002; imprisonment is overused, and sentences are getting longer (PRI, 2020). In 2019, more than 10.5 million people, including men and women, adults and children, were placed in prisons worldwide (PRI, 2019). Just one year later, over 11 million people were incarcerated globally, the highest number reached so far (PRI, 2020). Despite imprisonment being overused, funding for penitentiary systems generally remains low. Low funding leads to poor detention conditions and a lack of access to basic needs, such as healthcare services (PRI, 2020).

¹ Deprivation of liberty, according to Rule 11 (b) of the Havana Rules means "any form of detention or imprisonment or the placement of a person in a public or private custodial setting, from which this person is not permitted to leave at will, by order of any judicial, administrative or other public authority".

Additionally, high levels of prison overcrowding contribute to the increasing number of violent incidents in prisons globally, as do institutional impunity and a lack of transparency (PRI, 2020).

In the same report, it is underlined that mass incarceration is growing in the world despite the decrease in crime (PIR, 2020). The penal expansion results not from an increase in crime, but from a punitive crime control policy (Laird, 2021, Goldson, 2019, 2013; Liefwaard, 2017; Wacquant, 2000, 2009; Garland, 2013, 2001; Fernández-Bessa and Brandariz, 2021, volume I). Prison occupies a central place in crime control policy, even if studies strongly suggest that there is no link between the number of people in prison and the levels of crime. Due to its centrality, it has become a normal social destination for an increasing number of citizens (Crewe, 2009; Garland, 2013), especially for certain citizens who occupy the bottom of the social hierarchy (see Wacquant, 1999; Western, 2006). This is corroborated by recent data showing that the overwhelming majority of people in prison continue to come from disadvantaged backgrounds (PIR, 2020), which clearly illustrates the process of a selective justice. Additionally, people belonging to marginalised groups, such as foreign nationals, minorities and indigenous peoples, are disproportionately arrested and imprisoned and face greater risks of human rights violations at the hands of the authorities (PIR, 2020).

Studies have been showing that immigrants and foreign nationals are overrepresented in the penal system (Marshall, 1997; Wacquant, 1999; Tonry, 1994; Gomes, 2014). Another way of ‘controlling’ foreign populations is through immigration detention centres. Immigration detention is “defined as the practice of confining individuals defined as non-citizens in order to achieve immigration-related aims” (Bosworth and Turnbull, 2015b, p. 92), such as identification or removal (Turnball, 2017). The governmentality of immigration has become a crucial issue in contemporary societies (Castles, Haas & Miller, 2014; Fassin, 2011), and widespread detention is used as a way of deterring asylum seekers and other migrants from entering receiving countries. For instance, during the summer of 2018, the US government detained thousands of migrant parents and their separated children pursuant to its zero-tolerance policy at the United States–Mexico border (Ryo, 2019).

There are no known statistics for the total number of immigrants detained per year worldwide (ACNUR, 2019). However, Freedom For Immigrants², which mostly

² For detailed information about this project, follow the link <https://www.freedomforimmigrants.org/>.

focuses on the United States, and the Global Detention Project³ (GDP) are currently making an effort to provide systematic data. As of March 2021, the GDP exposed that the United States was operating the world's largest immigration detention system, having usually more than 50,000 non-citizens in detention every single day, even though detainee numbers fell considerably after the COVID-19 pandemic. Freedom for Immigrants' data, collected from thousands of intakes with people in immigration detention, show that most people in immigrant detention are between 26 and 35 years old. In 2016, the UK's immigration detention system, one of the largest and most heavily scrutinised in Europe, counted 30,000 people detained, including asylum seekers, pregnant women and children.

Scholars have been drawing attention to the many ways in which the lines between criminal enforcement and immigration control have blurred both in law (Stumpf, 2006; Kalhan, 2010; Bosworth and Kaufman, 2011; Bosworth and Turnbull, 2015a; Turnbull, 2017) and in media and public discourse (Kalhan, 2010; Jack at al., 2021 – volume II). The powers unleashed by the integration of immigration and criminal law are painful and often feel deliberately punitive (Turnbull and Hasselberg, 2017; Bosworth, 2017). As Turnbull (2017) explains,

Detainees experience similar “mortification” processes as inmates of other “total institutions” (Goffman, 1961) and go through comparable “pains of imprisonment” (Sykes, 1958)—what Bosworth (2014, p. 131) calls pains of detention—associated with the denial of liberty. They feel the punitiveness associated with forced separation from their families, friends, and communities, poor or limited access to healthcare and legal representation, and degrading or demeaning treatment (Chacón, 2014). Although immigration detention centers serve administrative purposes, “they are regulated by a very disciplinary regime reminiscent of ordinary prisons (Gündoğdu, 2015, pp. 117–118)”.

Additionally, although the conditions of confinement vary from country to country (see Turnbull, 2017), like prisoners, many immigration detainees live in crowded conditions, often with poor hygiene and inadequate ventilation (Cheliotis, 2013), making them especially vulnerable to several diseases (Meyer et al., 2020). The

³ For detailed information about this non-profit organization, which promotes the human rights of people who have been detained for reasons related to their non-citizen status, follow the link <https://www.globaldetentionproject.org/>.

use of detention for immigration purposes is a carceral trend that continues to increase across the world (Fassin, 2011) and is a phenomenon no longer limited to so-called Western countries or the Global North (Turnball, 2017). This scenario led Fernández-Bessa and Brandariz (2021, volume I) to affirm that prisons together with immigration detention facilities are currently the most relevant sites of punitive confinement. Therefore, when considering incarcerated individuals, it is not possible to exclude immigration detention centres from the current penal landscape. Prisons and detention centres are crucial elements of the contemporary penal landscape, and the nature of the penal power of these institutions must be addressed (Bosworth and Turnbull, 2015).

This new global culture of control (Garland, 2001, 2013) and power, based on a drift towards security that affects everyone in terms of the governance of States and international relations (Beck, 2007; Fassin, 2011), is increasingly present in the lives of children, young people, adults and elderly people. This means that individuals from all generations are being incarcerated and experiencing incarceration in different jurisdictions and carceral institutions around the world. Although all generations present specific needs and particularities, it is a fact that in a world on the move, with intense demographic changes and an increasing extension of life expectancy, the incarceration of the younger and the older generations brings new perspectives and challenges.

Although Article 37 of the United Nations Convention on the Rights of the Child (UNCRC) (1989) states that a child should only be arrested and detained as a last resort, a growing body of research from different scientific areas has been confirming that children and young people are not detained as a measure of last resort (Goldson et al, 2021; Laird, 2021; PRI, 2020; Nowak, 2019; Liefwaard, 2017, 2008; Kilkelly, 2016). The United Nations Global Study on Children Deprived of Liberty, coordinated by the Independent Expert, Prof. Manfred Nowak, estimated that at least 1,410,000 children were detained in the administration of justice, 410,000 children remained in pre-trial detention and prisons, 330,000 were held in immigration detention centres, 35,000 were deprived of liberty in the context of armed conflicts, 19,000 were living in prison with their caregivers and 1,500 were detained on grounds of national security (Nowak, 2019, p. 661). The report further estimated that, overall, roughly 1.5 million children are deprived of liberty per year on the basis of a judicial or administrative decision. But these are the official figures provided by the State entities; they do not cover all areas, institutions and situations. The number of children *de facto* deprived of liberty in public

and private institutions could exceed 7 million per year (Nowak, 2019, p. 659-60). Another relevant issue is the fact that prisons have 50% more women today than in 2000 (PRI, 2020). If this incarceration trend continues to grow in the upcoming decades, it will eventually affect the numbers of incarcerated children (see Linonge-Fontebo, 2021, volume II).

On the other side of the generational spectrum, the data show that the number of older people in prison continues to rise in many countries (PRI, 2020). Globally, the actual numbers can be very diverse: “In Japan, the number of prisoners aged 60 or older rose from seven per cent of the total prison population in 2008 to 19 per cent in 2016, and in Singapore, the number of prisoners over 60 doubled between 2012 and 2016. In the UK, the proportion of prisoners aged over 50 increased from seven per cent in 2002 to 16 per cent in March 2018” (PRI, 2020). There is growing recognition of the fact that keeping older people in prison is not always necessary, appropriate or cost-effective (due to healthcare costs and the need for specialised equipment and staff – see De Motte, 2021, volume I). The management of older people in prison, including those with chronic or terminal illnesses (Chaiklin, 1998; Faiver, 1998), also puts a major strain on prison staff, who are often not trained to deal with their complex needs or with the death of older people in prison (PRI, 2020).

2. Conceptually delimiting incarceration and generation(s)

Considering the renewed complexity of social issues related to the measures involving deprivation of liberty worldwide, this book adopts a broader definition of incarceration. For this purpose, incarceration includes all forms of the so-called ‘traditional’ coercive institutional confinement, such as prisons, jails and juvenile detention centres, and other forms of administrative and institutional imprisonment related to the control of emergent migratory flows, such as immigration detention centres or reception centres. By doing so, incarceration is problematised and conceptualised by different areas of research, responding to interdisciplinary challenges. The discussion about incarceration can no longer be limited to prisons, as that would mean neglecting other important forms of deprivation of liberty.

Zero-tolerance guidelines in the definition of public justice and security policies (Moore, 2013; Ryo, 2019) emerge and shape the everyday relationship between incarcerated individuals across generations and the State. As different generations can

be held in confinement, we may observe different tendencies, dynamics and outcomes in these differential incarceration experiences. However, what constitutes a generation might be conceptually different depending on the field of study, the legal framework and/or the geographical context under consideration. Even within certain fields of study, the term generation can be polysemic. The topic of generations and generational differences is discussed in a wide variety of contexts (Devriese, 1989). Which leads us to ask: is there a polysemy of the word or rather a plurality of scientific constructions?

Sociology pays less attention to the horizontal divisions (cohort, generation) within a society than to its vertical divisions (social class, gender) (Gillerad, 2004). In crime and criminal justice studies, an individual's age is one of the most common predictors of differences in attitudes and behaviours. Generations are traditionally one way of grouping age cohorts. However, if we look at many other fields of study across social sciences, the concept of generation is usually employed in a polysemous manner. Kertzer (1983) proposed four categories to aggregate the concept: 1) generation as a principle of kinship descent – mostly used by anthropologists to encompass a set of kinship relations in a particular community, while demographers use it as a measure to identify the length of a generation; 2) generation as a cohort – used mostly in the work of the demographers to identify the succession of people moving through the age strata; 3) generation as a life stage – as used in relation to the opposition between younger and older generations, especially when trying to show a generational conflict; and 4) generation as a historical period – used more commonly in history, but also in life course criminology, in the sense that a generation can cover a wide range of cohorts, often linked to specific events (Kertzer, 1983, p. 126).

Despite this extraordinary effort in compiling the different ways in which the concept of generation appears in social sciences literature, we can still identify relevant issues within these categories. For example, how does one determine the boundaries of 'a common date of birth' and when exactly does one cohort begin and another end? (Gillerad, 2004). Furthermore, although generation as a cohort allows researchers to employ an approach known as cohort analysis to track a group of people over the course of their lives, not all individuals will be exposed in the same way to the same events. If we cut an age group vertically in terms of gender, social class, race or ethnicity, the same events will necessarily be experienced differently (Galland, 2011; Stocker, 2014). Besides, there are fundamental differences across generations, not just regarding their

racial and ethnic composition, but also how quickly they reach certain milestones, such as marriage, or their political and ideological orientation (Pew Research Center, 2015).

Therefore, the way Mannheim (1952) defined generation is paramount to the understanding of the multiple layers that can still be associated to a specific generation. According to Mannheim (1952), generations are formed through two important elements. The first one is a common location in historical time, such that there are shared events and experiences. The birth year alone is insufficient to place a person in a specific generation; rather, the person needs to experience and participate in the defining events of that generation. The second one is an awareness of that historical location. Historical events will not affect people from different cultural backgrounds and social classes in the same way. Therefore, more than one generation unit might exist for a group located in a particular historical time, sharing certain events and experiences. For example, as Stocker (2014) illustrates, experiencing the Civil Rights movement would have had different consequences for African Americans and Whites, yielding two generation units within the cohort instead of a single generation.

Another major contribution comes from Ryder (1965). Despite having a more neutral approach in comparison to Mannheim, as he defends that generational location is better represented through the more neutral construct ‘cohort’, he says that historical events occurring during particular life/development stages might be more influential. For example, historical events occurring during young adulthood are particularly influential, as young people are “old enough to participate directly in the movements impelled by change, but not old enough to have become committed to an occupation, a residence, a family of procreation or a way of life” (Ryder, 1965, p. 848).

This aspect is of major importance to the life course perspective, which greatly influenced the life course criminology approach (see Gomes, Carvalho and Duarte, 2021, volume II). Building on his longitudinal studies of child and adult development, Elder (1974, 1985, 2001) formulated a life course perspective positing the process through which social and historical contexts, particularly during childhood and adolescence, affect the trajectory of an individual’s development through the lifespan. In other words, an individual’s childhood and adolescent experiences are particularly important in setting the stage for the subsequent developmental adult trajectory. He argued that “historical events and individual experience are connected through the family and the ‘linked’ fates of its members” (Elder, 1998, p. 3). For example, the model from *Children of the Great Depression* (Elder, 1974) clearly showed that family

became a link between the macroscopic events of economic decline and the microworld of children (Elder, 2001). Furthermore, Elder (2001) affirms that

The early wave of life course studies (...) focused on the family context and the processes of lives - kinship ties, social transmission, intergenerational relations, the life cycle in which one generation reproduces another, and generational status. In the 1960s this family perspective was supplemented by studies of age and the life course, producing a framework that featured paradigmatic themes such as lives and times, the timing of lives, linked lives, and human agency. (2001, p. 16-17)

This means that family – its structures and processes – is an important institution to consider in life course perspectives and to understand generations, but the way family is conceived and how it impacts an individual's childhood suffered a transformation inside life course studies.

As can be seen from this brief account, the way generation is conceptualised may vary, revealing multiple ways of measuring or signifying generations. Depending on the framework being used, these multiple meanings may operate simultaneously, which makes generation a powerful concept for understanding the social world, but a very slippery concept due to being difficult to define and apply (Bristow, 2016).

For the purposes of this two-books series around the intersections between incarceration and generations, generations are defined neither in the narrow sense of cohort nor using the more individualised life course approach. We understand generation as a social construct and intend to include the plurality of possible meanings of this concept. Bearing this in mind, this first volume focuses mainly on the concept of generation as a life stage (see Ketzer, 1983), although authors might integrate other meanings in their individual chapters. The idea is to follow individuals through their life stages, starting with chapters on childhood and ending the volume with a chapter on the elderly. However, the first chapter will use the term generation as a historical period, as it is a chapter arguing and contextualising the existence of a generational transition in the penal field (see the first section of this chapter). The second volume (Gomes, Carvalho and Duarte, 2021, volume II) includes chapters that focus on generation as a principle of kinship descent, particularly the chapters that explore issues of family and incarceration, as well as on generation as a cohort and as a historical period (see Kertzer, 1983, p. 126).

3. Various generations incarcerated: theoretical and empirical studies

Seeking to unveil the complexity of deprivation of liberty among its old and new forms targeting different generations, theoretical and empirical studies will now be discussed to show the multiple faces of incarceration. As mentioned before, this section follows individuals through their life stages, starting with childhood and youth incarceration and ending with older people incarceration.

3.1. Childhood

The social construction of modern childhood is a product of its separation from the world of adults, taking place alongside the increasing institutionalisation of children's daily lives (Wyness, 2006). As a dual condition that combines biological and social categories that intersect political, social and moral aspects in a given society, childhood is a permanent component of the social structure that is constructed in different ways in different times (James and James, 2004). It is a collective social category that aggregates a plurality and diversity of conditions and ways of life, some of which are socially diametrically opposed, marked by origins of gender, culture, religion, social space of classes or geographic location, while others refer to the coexistence of social regularities among children (Almeida, 2006). This is a generation whose members have in common a position of dependence on other generations, especially adults; therefore, a lesser capacity of exercising the various forms of power.

The weakening and dilution of informal social control and the increase of individual and collective expectations about the justice system are interrelated, and there is a greater demand for control and regulation of children's lives. It is into the mechanisms of formal social control that functions until recently informally ensured in the communities are transposed (Carvalho, 2015; Fagan, 2010). Despite the strong geographic disparities and social inequalities, worldwide, children and young people are amongst the most vulnerable social groups at a higher risk of experiencing a measure of deprivation of liberty.

In contemporary societies, it is not possible to discuss the concept of childhood without thinking of its legal definition, specifically within the framework of international law. The Convention on the Rights of the Child (UNCRC) approved by the United Nations in 1989 was the first international legally binding text to recognise

all the fundamental rights of the child. It defined the term child as “every human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier” (Article 1). In relation to the diversity of cultural and social contexts, the terms child, children, young people and youth are often used interchangeably to refer to people below the age of eighteen years. Nevertheless, in different countries worldwide, at a certain age the child is removed from the scope of child justice and may be tried and sentenced as an adult (see Zeijlmans, Sipma and van der Laan, 2021, volume I; Carvalho, Urbano and Duarte, 2021, volume I; Safranoff and Tiravassi, 2021, volume II).

According to the UNCRC, children are and must be seen as social actors and not just as the passive subjects of social structures and processes. This means that all intervention in children’s lives must develop a new way of social and judicial thinking that sees children as independent subjects of procedural rights instead of adopting the traditional view of children as mere objects in need of assistance and charity (Fagan, 2010). However, when considering the imprisonment of children and young people, States continue to have serious difficulties in finding a balance between the notions of being a child or young person and becoming an adult, which are both intrinsic to the concept of childhood (Uprichard, 2008; Javeau, 2006). This discussion has to take into consideration the paradoxes shaping children’s lives in contemporary societies (Christiaens, 2015) as a result of intense social, demographic, technological and political changes in the last decades.

Article 37 of the UNCRC (1989) is clear in advocating two key principles regarding the enforcement of measures involving deprivation of liberty: “no child shall be deprived of his or her liberty unlawfully or arbitrarily” and the deprivation of liberty “shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time”. It is also imperative to separate children deprived of liberty from adults, guaranteeing that every child is treated with humanity and respect in all situations and spaces and has access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent entity. The centrality of these principles is such that they are repeated and reaffirmed in a number of other international standards in this domain (see Goldson and Randazzo, 2021, volume I; Foussard and Jung, 2021, volume II).

In spite of the international instruments that urge States to consider detention as a measure of last resort for children and young people (Goldson and Kilkelly, 2013), both researchers and professionals who work in the field of child and youth justice acknowledge that, in many parts of the world, measures involving deprivation of liberty applied to children and young people remain the norm rather than the exception (Laird, 2021; Nowak 2019; Liefwaard, 2018, 2017, 2008; Bochenek, 2017). Worldwide, a neoliberal vision tends to prevail in the administration of justice in relation to children, moving risk management away from the realm of the State and collective responsibility in different spheres of social action into that of individual responsibility (Wacquant, 2009). Children and young people's inequalities in the access to structures of opportunities are frequently ignored, and a climate of economic rationalism in the management of child and youth imprisonment is exacerbated.

Even in countries that have made efforts towards the establishment of child-specific legislation in the area of justice, child-friendly policies and specialised courts and procedures, the situation of child and youth imprisonment is contested, since in many cases measures involving deprivation of liberty are still widely used and spread, based on an ideal of child protection (PRI, 2020; Christiaens, 2015). This situation requires further discussion on the nature of the assessment process, instruments and procedures. It requires, in particular, a better understanding of how the law enforcement agencies involved from the outset in the intervention and further proceeding, including police and social workers, prosecutors, judges and justice/prison officers, examine in each individual case whether proper non-custodial solutions are available and should in fact be applied.

In the past two decades, intense dramatisation and mediatisation of offending, particularly in Western societies, have boosted the problematisation of children and young people as members of dangerous generations, who pose higher risks to others (Moore, 2013; Galland, 2011; Dünkel, 2014; Goldson and Muncie, 2015). There tends to be a wider perception that they have become more aggressive and violent than ever, related to the idea that perpetrators always tend to be successful and that social control institutions are rarely effective. This perspective ultimately undermines the confidence of individuals in such institutions and erodes social cohesion, as expressed in a diversity of child incarceration contexts in present times (Farral et al., 2016; Bochenek, 2017; Cunneen et al., 2018; Goldson et al., 2021).

The UN Global Study on Children Deprived of Liberty presents a more in-depth portrait of the global situation concerning the multiple forms and expressions of child incarceration across the world, including of the views and perspectives of children deprived of liberty who were heard for this purpose (Nowak, 2019). As Nowak and Krishan (2020) pointed out:

Children deprived of liberty remain an invisible and forgotten group in society notwithstanding the increasing evidence of these children being in fact victims of many further human rights violations. Childhood is when children develop their personality, their emotional relationships with others, their social and educational skills and their talents. The personal cost to these children is immeasurable in terms of the destructive impact on their physical and mental development, and on their ability to lead healthy and constructive lives in society. Many children may find themselves in a vicious cycle of different situations of deprivation of liberty throughout their childhood, which might start in an ‘orphanage’, followed by various institutions for educational supervision and drug rehabilitation until culminating in imprisonment and reoffending. Deprivation of liberty means deprivation of rights, agency, visibility, opportunities and love. Depriving children of their liberty is depriving them of their childhood. (Nowak and Krishan, 2020)

Children are being detained at increasingly younger ages and for longer periods of time (Nowak, 2019). Many children and young people keep being detained due to different social circumstances and without the possibility of ensuring the procedural guarantees due to them (Goldson et al., 2021; Nowak, 2019; Liefaard, 2017; Christiaens, 2015). Others comply with measures and sentences of indefinite duration, clearly in violation of international principles, either life imprisonment without the possibility of parole or other measures with a duration that is disproportionate to the acts committed or to the child or young person’s age or degree of development (Nowak, 2019). Still others are tried and convicted as if they were adults and are serving sentences in adult prisons. Increasingly, children and young people are deprived of their liberty due to social problems from which they should be protected by the State, as is the case of migrants fleeing armed conflicts or child soldiers; it is supposedly in the name of their protection that they end up being the target of segregation and isolation measures (Bochenek, 2017).

A major concern is expressed regarding the systematic violation of children's rights when incarcerated, particularly targeting the inhuman and degrading conditions of detention, an invisible reality that causes enormous suffering to the children and young people subjected to it (Nowak, 2019). The multiple dimensions of the harmful impacts of deprivation of liberty on the well-being, health and development of children are clearly identified and problematised in the UN Global Study (Nowak, 2019), which is in line with previous research.

Not only is detention harmful to children, it does not prevent reoffending and is the most expensive way of dealing with children in conflict with the law (...). There is also compelling evidence to suggest that detaining young people makes them more, rather than less, likely to commit further offences. This is because children who enter the prison system are more likely to be damaged in the short term through the trauma of the experience, and in the long term will find it more difficult to return to school or obtain employment or vocational training, and are therefore more likely to be a burden on the economy and society at large, rather than being able to contribute to its advancement and healing in times of economic crisis. (PRI, 2012, p.1)

What becomes clear is that the idea that justice can promote appropriate institutional environments that facilitate the rehabilitation of children and young people is easier said than done (Mackenzie, 2006). The harmful impacts on children could endure over the individual life course and be reflected also in the following generational relations (Gomes, Carvalho and Duarte, 2021, volume II). Detention, as a form of structural violence, deprives children of their childhood (Nowak, 2019). As a result, the Global Study urges all States to take urgent action to drastically reduce the “number of children held in places of detention and prevent deprivation of liberty before it occurs, including addressing the root causes and pathways leading to deprivation of liberty in a systematic and holistic manner” (Nowak, 2019, p. 668).

The imposition of limits to the right of liberty through childhood and youth in contemporary societies is far from being restricted to the classical juvenile institutions or prisons. As a result of the emergence of a myriad of forms, procedures and contexts specifically related to the phenomenon of global migrations, the situation has become more intricate and complex than ever (Klaassen et al., 2020). Forced child migration poses major challenges for contemporary societies, giving rise to significant social

concern in relation to the increasing numbers of migrant children detained in many parts of the world (Castles, Haas and Miller, 2014). The number of those who attempt to escape from conflicts and wars at very young ages has grown significantly over the past years. Despite this being the case predominantly for boys, the number of girls in the same situation has been increasing with each passing year. The statistical dimension of the problem is not known exactly, as not all cases are officially reported and the contexts and ‘new institutions’ in which they occur are increasingly diverse (Liefwaard, 2017). Often, such cases occur in situations that constitute a violation of many principles and rights recognised in the UNCRC, even in the condition of child soldiers or asylum seekers trying to escape from a conflict. In addition, many children disappear from the institutions and locations where they were placed, with EUROPOL estimating that, between 2014 and 2016 alone, more than 10,000 children in this situation in Europe have disappeared. This is a complex and growing problem in many parts of the world.

The “triple vulnerability” identified as a result of being a minor, a migrant and, in many cases, unaccompanied (Ruiz, Palma and Vives, 2019) ends up as a “triple risk” of a higher probability of social exclusion after turning 18 years old. The condition of these children as young, foreign and formerly under tutelage demands new approaches and a common action ground and steps at the national, regional and international levels, so that coherence and effectiveness in the assistance provided to them can be achieved (see Ruiz Fincias, 2021, volume I).

3.2. From youth transitions to adulthood

The meaning of the term ‘youth’ varies in different societies around the world and is quite controversial. Worldwide, the extension of the time span of youth is a fact (see Zeijlmans, Sipma and Laan, 2021 – volume I; Carvalho, Urbano and Duarte, 2021 – volume I). For statistical purposes, the United Nations defines the terms youth and young people interchangeably to mean “those persons between the ages of 15 and 24 as youth without prejudice to other definitions by Member States” (UN, 1981).

The age limits of a generation are always a social construction based on the perspectives of a society on specific social groups. Until recently, youth transitions to adulthood were defined on the basis of the young people’s increasing autonomy between late adolescence and the early years of adulthood, considering their separation from the family’s home and entry into the labour market. However, this understanding

is now being challenged (Schmidt et al., 2020). The current lifestyles of youth give visibility to the new forms of transition to adult life, in which it is no longer possible to speak of a linear and synchronised path along the educational-professional and familial-marital axes as in previous generations (see Zeijlmans, Sipma and Laan, 2021 – volume I; Carvalho, Urbano and Duarte, 2021 – volume I). Yet, these are strongly socially stratified processes, since socioeconomic origin is still a key determining factor in shaping the course and extension of the transition from youth to adulthood (Ferreira, 2017, 2019; Billari et al., 2019).

The age at which, in the justice system, an individual becomes liable as an adult for acts of violation of the criminal law is a key issue in determining how deprivation of liberty is defined by justice. The extension of the time span of youth and the interrelated social changes in contemporary societies pose new and complex challenges to the traditional models of child justice system and criminal judicial systems, which are failing to provide the most appropriate responses to distinct age groups of children and young people (Wacquant, 2009; Farrington et al, 2012; Goldson and Muncie, 2015; Cunneen et al., 2018; Goldson, 2019; Schmidt et al., 2021). Many forms of deprivation of liberty in the transition period of youth are grounded in social or/and legal guidelines that consider young people as adults. This has resulted in a greater presence of young people in adult prisons or adult institutions. In addition to this, there is a growing body of research from social sciences, neurosciences, biomedicine and law focused on the tensions between sociological and legal insights on the concepts of youth and social control in relation to the impacts of neo-liberal governance models and the emergence of a ‘new punitiveness’ trend prompted by penal populism (Garland, 2001; Prat, 2007; Wacquant, 2009; Pruin and Dünkler, 2015; Kilkelly, 2016; Liefwaard, 2018).

The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (General Assembly resolution 40/33 of 29 November 1985, the Beijing Rules) point out that “In those legal systems recognizing the concept of the age of criminal responsibility for juveniles, the beginning of that age shall not be fixed at too low an age level, bearing in mind the facts of emotional, mental and intellectual maturity.” (Rule 4). The age limits of criminal majority were never established internationally due to lack of consensus among the States, and the national legislator’s criterion prevails in its definition. Given the impossibility of defining an age that can encompass the cultural, historical and social diversity of all States, the UNCRC highlights the need for positive discrimination in the intervention of justice, leaving it

to each country's discretion to establish a minimum age limit, below which the young person is presumed not to have the capacity for guilt and to be considered and treated as an adult. Article 40, paragraph 3 of the UNCRC and Rule 4 of the Beijing Rules show that the principle of legality should be the basis for this process.

The growing complexity of youth transitions in societies marked by profound sociodemographic changes has led to the scientific, political and pragmatic recognition of the fact that the binary categories of minors and adults may not, by themselves, be sufficient to determine the nature and practices of incarceration in specific age groups. The distinct social category of young adults (Webster et al., 2004; Farrington and Loeber, 2012), related to the life course stage of emerging adulthood (for those aged 18 to 25 in Western societies) (Arnett, 2000, 2015), with unique needs and challenges, has become a renewed object of attention for researchers and policymakers (see Zeijlmans, Sipma, Laan, 2021, volume I).

Some countries have already moved towards the adoption of legal provisions for these age groups, especially concerning the mitigation of sentences to avoid the enforcement of measures involving deprivation of liberty. Nonetheless, the overall scenario is one in which young people and adults serve sentences in the same facilities (see Carvalho, Urbano and Duarte, 2021 – volume I). Consequently, most of the literature about prisons does not problematise the specific age of prisoners, aside from acknowledging that the prison population tends to be demographically young (Wacquant, 2000), unless the focus of the study is on clearly discussing a particular age group, such as young adults (Kuanliang et al, 2008; Kolivoski and Shook, 2016; Price, 2020) or the elderly (Aday, 1994, 2003; Maschi et al., 2013; Codd, 2018, 2020). By default, prison studies cover the life stage of adulthood of the incarcerated individuals.

There is a whole body of literature that explores the change in the social organisation of prisons from within the prison itself, that is, by observing the internal dynamics of incarceration (see Petersilia and Tonry, 1999; Liebling and Maruna, 2005; Cunha, 2008a; Jewkes, Bennett and Crewe, 2016; Reeves, 2016; Duarte and Gomes, 2017; Granja, 2017; Gomes, 2019) and/or collecting privileged information from staff and prisoners, with the latter case being more frequent than the former (Reeves, 2016). Researchers also try to capture the essence of what it is to be incarcerated (e.g. Cohen and Taylor, 1972; Zamble and Porporino, 1988; Toch, 1992; Medlicott 2011; Jewkes, 2005a, 2005b; Harvey 2007; Windzio 2006; Bereswill 2006, 2011; Johnson and Toch, 1982; Crewe, 2009; Drake, 2012), enhancing the reflection on how incarceration is felt

and how people in prison interpret and negotiate prison obligations. Topics around the ‘pains of imprisonment’ and violence are very frequent (Clemmer, 1940; Sykes, 1958; Johnson and Toch, 1982; Liebling and Maruna, 2005; Crewe, 2009; Bereswill, 2011; Crewe, 2011; Warr, 2016; Crewe et al, 2017; Fassin, 2017; Guia and Gomes, 2019; Haggerty and Bucerius, 2020). For example, Crewe (2009) reinforces the idea that incarceration entails ‘intrinsic pains’, deprivations and certain conditions that influence the culture and social organisation of the prison. Drake (2012, p. 74) shows that the suspension and the minimisation of the rights of prisoners create a deep sense of social exclusion; prisoners are left in a state of despair by the extreme incapacitation they experience as a result of relentless punishment.

These studies lead to questioning the purposes and effects of incarceration (Toch, 1975, 1977; Johnson and Toch, 1982; Liebling and Maruna, 2005) on the life and well-being of prisoners. While the purposes and techniques of incarceration have changed significantly – and there have even been significant technological changes in daily prison life (Fassin, 2017) – their social outcomes are very little known. Taking the concept of pains of imprisonment to another analytical level, Liebling and Maruna (2005) questioned the long-term effects of incarceration for the individual. Instead of asking ‘What works?’, they ask ‘What hurts?’ (Liebling and Maruna, 2005). Feelings of fear, anxiety, humility, trauma, depression, injustice, powerlessness, violence and uncertainty are part of the experience of prison life; although they seem ‘hidden’, they reveal themselves everywhere in prison life and have immediate and long-term consequences (Liebling and Maruna, 2005). After all, whatever the purpose is, imprisonment is always an act of coercion, since detention is, by nature, non-voluntary (Moreira, 1994) and indelibly labels individuals (Cox, 2020).

A discussion on the effects of incarceration cannot be restricted to the effects of the incarceration itself. It also entails exploring the specific conflicts that accompany the process of resocialisation after the end of the prison sentence. This means that the dynamics of criminal recidivism or desistance and the processes of social reintegration or prison re-entry are linked to the influence that incarceration has on these individuals. As Bereswill (2011) points out, it is important to recognise that the transition from prison to the outside world and the entire process of social reintegration are marked by the experiences of confinement and by the way in which these affected the individuals. Rodrigues (2002, p. 45), reinforcing this idea, mentions that prison does not only produce resocialisation effects; it also creates barriers and difficulties when prisoners

return to their communities. Research on the re-entry process shows the barriers to re-entry experienced by ex-prisoners, including blocked achievements, diminished resources, disruptions in social ties and constraints to other opportunities necessary for the transition from prison to society (Travis, 2005; Visher and Travis, 2003; LeBel and Maruna, 2012; Mears and Cochran, 2015; Gomes and Rucker, 2021, volume I).

Therefore, prisons present themselves as complex and conflicting organisms (Crewe, 2009) that impact the lives of staff and (young) adult prisoners (Moreira, 1994), irrespective of their purposes and the contexts and forms in which they emerge and are maintained. Assuming that other forms of incarceration beyond prisons, such as immigration detention centres, adopt the same carceral dynamics and purposes (Stumpf, 2006; Kalhan, 2010; Bosworth and Kaufman, 2011; Bosworth and Turnbull, 2015a, Turnbull, 2017), this means that we might be observing similar or reconfigured experiences and outcomes. For instance, Bosworth (2017) argues that foreigners serving time in immigration detention centres face additional administrative burdens and are subject to processes of differentiation and exclusion simply because of their citizenship.

3.3. Older age

Currently, older prisoners make up a significant and growing minority within a penal estate (Davoren et al., 2015; Mann, 2012; Stevens et al., 2018, PRI, 2020; Codd, 2020). Most scholars agree that the increase in older populations in prison is not directly related to a sudden increase in the number of older people committing crimes (Aday, 2003). The widespread longer average life expectancy (Ginn, 2012) and the changes in sentencing practices and in granting parole contributed to this phenomenon, particularly through the continuous lengthening of sentences for major offences and the lengthening of sentences and sentences of imprisonment for minor offences (Silva, 2019).

When older prisoners were not such a prevalent issue in the penal system, less research was being produced about this group (Adams and Vedder, 1961; Baier, 1961; Freedman, 1948). Literature would focus on theoretical paradigms of the criminal behaviour among the elderly (Keller and Vedder, 1968; Moberg, 1953; Whisken, 1968) and on the prevalence and type of crimes committed (Cullen, Wozniak and Frank, 1985; Forsyth and Gramling, 1988; Gewerth, 1988; Malinchak, 1980; Shichor and Kobrin, 1978). As the elderly became more visible in the penal system, a growing number of

studies started to explore the issues associated with this particular group, coming from different fields of research, including psychiatry, psychology, medicine, health and gerontology, sociology, social work, social and penal policy, criminology, corrections and prison management (Aday, 1994, 2003; Baidawi et al., 2011; Kim and Peterson, 2014; Fazel et al., 2001; see also Claire de Motte, 2021, volume I).

These are issues around the health and social care needs of older prisoners and the burden of the high costs of this particular care to the prison system (Chaiklin, 1998; Faiver, 1998; Maschi et al., 2013; Stevens et al, 2018; Skarupski et al., 2018; Aday and Maschi, 2019), the lived experiences of ageing in prison (Aday, 2003, Aday and Wahidin, 2016, Aday and Krabill, 2011; Crawley and Sparks, 2006; Baidawi, Trotter & Flynn, 2016; Sparks and Day, 2016; Filinson, 2016; Codd, 2018; Smoyer, Madera & Blankenship, 2019; Avieli, 2021) and the challenges this new phenomenon poses to individuals and the State and the penal system (Abner, 2006; Aday, 1994, 2003). Despite most studies focusing on the challenges, hardships and pains of being incarcerated in old age, some authors have started to explore the possibilities of successful ageing experiences behind bars (Lucas et al, 2018, Avieli, 2021). This is very much controversial, as it has been suggested that prison life is incompatible with the promotion of successful ageing (Filinson, 2016). However, Avieli (2021) argues that ageing in prison cannot be perceived as a single, unified process, but as a personal and individual phenomenon, and that old age may facilitate positive changes in the lives of ageing offenders in prison.

Usually, three groups of older prisoners are discussed in the literature – the ‘first time’ or ‘new elderly’, the career or chronic, and the ‘old timers’ (Goetting, 1983; Aday, 2003). The ‘first time’ are prisoners that serve a prison sentence for the first time albeit at a later stage in their life. They are usually incarcerated for crimes such as homicide, sexual offences, domestic violence, drug trafficking and alcohol-related crimes (Aday, 2003). In this group we might include another one, labelled as ‘short-term first’, to consider those who went to prison for the first time at a late stage in their life but with very short sentences (Goetting, 1983). The ‘careers’ are prisoners that have spent a considerable part of their lives in and out of prison, ultimately becoming elderly in prison (Aday, 2003). The ‘old timers’ include prisoners who, having a life sentence, grew old in prison (Goetting, 1983).

Whilst it is no longer appropriate to describe older prisoners as ‘invisible’ in penological research (Codd, 2018), it is quite curious to observe that there is no

consensus in terms of what an ‘older’ or ‘elderly prisoner’ is (Barnes, 1999), and these terms are often used interchangeably (Kim and Peterson, 2014). The threshold adopted by different researchers ranges from 45 to over 70, which makes international comparisons very difficult (Codd, 2018, 2020). The definition of what constitutes an older prisoner is even more difficult, as it is closely linked to biological, psychological and social aspects of the prisoners (Aday and Krabill, 2012; Deaton, Aday and Wahidin, 2003; Vaughn and Collins, 2004; Watson, Stimpson and Hostick, 2004). For instance, some authors have been arguing that prisoners may experience ‘accelerated ageing’, leading to an apparent 10-year differential between the overall health of prisoners and that of the general population (Grant, 1999; Turner and Peacock, 2016; Wahidin, 2011; Aday and Krabill, 2012). This means that prisoners are considered to be functionally older than their chronological age (Ginn, 2012).

4. Incarceration and Generation: An overview of Volume I

This book assumes an epistemological, theoretical and methodological diversity, taking a multi-scale perspective by mobilising researchers from different universities and research centres representing various local geographies. In addition, some chapters go beyond a specific local context and provide an international overview of specific issues. The present volume explores the experiences, dynamics, cultures, interventions and impacts of incarceration in various generations: childhood, youth and emerging adulthood, adulthood and older age. It is structured in a way that makes it possible to follow the individuals through their life stages, starting with chapters on childhood and ending with chapters on the elderly in confinement. Although this is the conceptual orientation based on which the volume is structured, that does not preclude the authors from incorporating other meanings of generation in their own chapters.

The expansion of the penal landscape in contemporary societies led Cristina Fernández-Bessa and José Ángel Brandariz (*Chapter 2. Generations of penalty: On prison, immigration detention and their intersections*) to affirm that prisons together with immigration detention facilities are currently the most relevant sites of punitive confinement. In their work, they explore the multifaceted nexus linking prison and immigration detention across European jurisdictions, to claim that we are witnessing a ‘generational’ transition in the European penal field. Examining the ‘laboratory’ thesis and the ‘transcarceration’ thesis, the authors suggest that by creating a new confinement

apparatus via immigration detention centres and adding it to the penal system, we might be observing not only an expansion of the penal landscape, but also a penal transition in which prison and immigration detention practices are increasingly interwoven.

This trend is especially relevant within the global debate on children deprived of liberty. Based on previous work by Goldson (2020, 2015, Goldson et al., 2021), Barry Goldson and Silvia Randazzo (*Chapter 3. Child and Youth Imprisonment: International scope, impacts, outcomes, and replacements*) update on the rationale for fostering the debate on the abolition of measures involving deprivation of liberty regarding children. The critical analysis of this phenomenon presents the results of an integrated analysis of different international legal instruments, from a historical, human rights and children's rights perspective, and the findings of relevant scientific research. The broader conceptual and theoretical framework supports the analysis of data collected from the United Nations Office on Drugs and Crime on the spatial variability in the distribution of child and youth imprisonment. The portrait thus obtained shows how international norms and standards fail to be enforced in a time of penal expansion, which has been marked by a significant growth in the diversity of forms and in the figures of child and youth imprisonment worldwide. Far from being a measure of last resort and for the shortest appropriate period of time, the sentence of imprisonment brings with it harmful and negative impacts that support the authors' assertion in favour of a set of sharp arguments as to why child imprisonment should be replaced by alternative initiatives, in line with Foussard and Jung (2021, volume II).

Despite the principles set out in the United Nations instruments and other international and regional guidelines concerning the need for States to avoid child imprisonment, the treatment that most unaccompanied migrant children receive when arriving in a new country starts with their placement in confinement, in most cases under administrative measures and almost indefinitely. The recent entry of hundreds of unaccompanied migrant minors, essentially male, in Ceuta, the Spanish enclave in North Africa (May 2021), renewed the visibility of this human mobility phenomenon that seems to affect – to a greater or lesser extent – many European jurisdictions. Over the last decade, Spain has become one of the principal gateways to Europe as the number of unaccompanied migrant minors has grown each year. This trend is the centre of the analysis presented by Maria Inmaculada Ruiz Fincias (*Chapter 4. Unaccompanied Migrant Children: Reality and perspective in Spain*), focused on the Spanish public policies and responses with regard to unaccompanied migrant minors,

who are targeted by both State control efforts (border police and judicial authorities) and welfare schemes aimed at meeting their social needs. This valuable study is focused on the discussion of the needs of the children in relation to the current legal framework and existing protocols and resources in Spain. What started as an emerging phenomenon a few years ago has turned into a consolidated and wider social problem for the Spanish and European authorities. Since the transition from youth to adulthood constitutes a critical point in the evolution of an individual, as the author points out in relation to unaccompanied migrant minors, its impact is felt in all populational and social groups, gaining special meaning when it comes to thinking about the response to offenders during this stage of life. This theme is at the core of the debate presented in the two following chapters.

Kirti Zeijlmans, Take Sipma and André van der Laan (*Chapter 5. European justice systems and the distinct approach to young adults' incarceration*) focus their chapter on an emerging and significant area of research that explores the incarceration of young adults in European justice systems. The authors frame their analysis within a broad theoretical framework informed by contributions from psychology, criminology, neuroscience and sociology. Thus, this approach adds nuance and intersectoral value to an issue of growing interest both from a scientific and a social perspective. This chapter places the analysis of different approaches to the incarceration of young adults used in Europe within the discussion of developmental pathways for criminal behaviour that include individual and social factors. In doing so, it seeks to highlight the complexity and intersection of factors that serve as grounds for judicial measures aimed at the emerging generational category of young adulthood. Drawing on a cross-national comparison from an international study coordinated by the Research and Documentation Centre (WODC) of the Ministry of Justice and Security in the Netherlands, the authors provide updated information focused on the European context and deepen critical issues arising in the field and in scientific debate. Bringing together a more comprehensive analytical outline, the judicial frameworks of five countries – Austria, Germany, Portugal, the Netherlands and Sweden – are portrayed and compared in more depth.

Deepening the discussion of the incarceration of young adults and focusing on one of the jurisdictions analysed by Zeijlmans, Sipma and van der Laan, the following chapter presents a unique portrait of the profiles of young adults placed in Portuguese prisons. Maria João Leote de Carvalho, Cláudia Urbano and Vera Duarte (*Chapter 6.*

'Goldies', 'Birdies' and 'Oldies': An Exploratory Analysis of Young Adults in Portuguese Prisons) extend the debate concerning this field by presenting a study on the sociodemographic characteristics of young adults, the crimes they committed and their placement in different types of prisons in Portugal, which illustrates some of the major tensions arising in the penitentiary system that go beyond the Portuguese justice system (see Sallas, Lourenço and Alvarez, 2021, volume I; see also Linonge-Fontebo, 2021, volume II). Within the framework of the increasing international debate on how justice systems need to rethink the responses to young adults in light of the extension of the time span of youth in contemporary societies, the Portuguese jurisdiction deserves special attention given the continuous and significant decrease in the number of prison sentences applied to young adults over the past three decades. Major contradiction between law and practice are discussed by the authors, since young adults are often placed in adult prisons, due to the lack of specialised prisons in the country, and subjected to increasing harmful impacts to their present and future trajectories (see Ana Safranoff and Antonella Tiravassi, 2021, volume II). Although this generational group is approached differently in many countries, for a variety of reasons, the knowledge about its composition is limited. The added value of the three clusters identified in this chapter based on the analysis of the national prison statistics contributes to the understanding of the composition of the young adult prison population, helping to enhance policymaking and gear it towards more effective practices and different prevention strategies.

From the singularities of the transition to adulthood, the following chapters of the volume move on to the specific approaches to the incarceration of adults. Fernando Salla, Luiz Lourenço and Marcos César Alvarez (*Chapter 7. Adults in the Brazilian prison system*) present and discuss an overview of the history of adult imprisonment in Brazil, highlighting the main social processes that have driven the rapid rise in incarceration rates in the country. The authors pay special attention to the discussion on the degradation of the living conditions of prisoners, the difficulties in implementing effective policies and the emergence of organised prisoner groups. The inclusion of the Brazilian perspective, focused on the world's third-largest population of incarcerated adults, makes a relevant contribution to this book by giving visibility to discourses of various forms of deprivation of liberty in one of the most contested penitentiary systems from the Global South.

Because ‘time in prison’ matters, Sílvia Gomes and Dixie Rocker (*Chapter 8. Gender, Incarceration and Reentry: An analysis of the barriers to reentry of male and female adult prisoners in Portugal*) offer us a challenging chapter aiming at a better understanding of gender differences in the way adult prisoners perceive the impact of incarceration on their re-entry process and on the expectations after release. Drawing on a theoretical review framework intersecting gender and incarceration, the authors reveal and discuss the singularities and convergences of men’s and women’s re-entry narratives based on the analysis of their own perspectives. Findings suggest how differences in prison facilities, criminal histories, social constructions of gender and the particular Portuguese social and judicial context influence the re-entry processes of prisoners. This chapter makes a unique contribution to the extant literature on prisoner re-entry, while advancing gender research supported on novel data on Portuguese prisoners of relevant interest to the international comparative approaches.

Ana Ballesteros (*Chapter 9. Analyzing new trends in immigration detention systems in Canada: impacts in adult undocumented migrants*) explores the Canadian immigration detention system concerning the situation of young adult and adult undocumented migrants. The chapter presents relevant data for the discussion of detention systems globally, which goes further than the Canadian system, as well as provides a framework to inform the practices in this field (similarly to *Maria Inmaculada Ruiz Fincias*, 2021, *chapter 4*). In this chapter, the author proposes to analyse the impact of a new framework, called National Immigration Detention Framework (NIDF), implemented in 2017, whose goal is to “create a better, fairer immigration detention system that supports the humane and dignified treatment of individuals while protecting public safety”. Critically, based on empirical evidence, Ballesteros argues that the changes introduced in the immigration detention system in Canada seek to legitimise the detention and supervision of those adults and young adults living in the country without legal status exacerbating racial and gendered biases. The author further argues immigration detention practices are reinforcing the shadow carceral state and creating an increasingly sophisticated and robust ‘autonomous detention machine’ while maintaining a high capacity of responsiveness and absorption of demands and critiques.

Drawing on the reality of the elderly in prison, Claire de Motte (*Chapter 10. The consequences of imprisoning older males in prison in England and Wales*) presents an in-depth portrait of the UK’s penitentiary system, highlighting the realities regarding

elderly prisoners. Discussing the meaning of ageing in prison, the author puts into perspective the points of view of the prisoners themselves and those of the health and correctional professionals that accompany them. On the basis of in-depth qualitative research addressing the specific situations and needs of older prisoners, this chapter makes a valuable contribution to a deeper understanding and debate on how the notion of prison and penal sanctions applied to this age group must be rethought, since living conditions in prison do not meet their needs.

We hope that, taken together, the chapters in this volume will provide a greater understanding of the intersections of incarceration and generation, particularly the importance of considering various forms of incarceration, and of the differences and similarities between the various incarcerated generations. This volume does not exhaust all the possible topics that might be explored with regard to each of the generations in confinement, nor does it cover all forms of incarceration. However, it starts a dialogue and sets the stage for academics from both the Global North and the Global South to reflect on the possible advantages of considering this lens. Our ambition is that, in time, this two-book series will encourage academics to reflect on the relevance of considering this domain a distinct field of research, aggregating all the incredible work that is already being developed by scholars across disciplinary boundaries and promoting additional studies on the links between incarceration and generation.

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