

# A Question of Sacrifice: The Deep Structure of Deaths in Police Custody

Ian Loader 

*University of Oxford, UK*

## Abstract

Deaths in police custody present a set of enduring and troubling puzzles. Why do such deaths seldom result in prosecutions or adequate redress? Why are victims' families so under-resourced and typically met with a conflicted mix of empathy and hostility? Why do acknowledged problems remain unresolved despite review after review making the same criticisms and seemingly consensual recommendations? Why is the state's failure to fulfil its duty of care towards those it detains met with public indifference? In this article, I argue that we can shed new light on these questions if we theorize and investigate police power using the metaphor of sacrifice. Thinking about police power through this lens enables us to identify and illuminate a conflict between the liberal rationality that appears to govern responses to custodial deaths and the illiberal values and affects that constitute what I term the deep structure of deaths in police custody. By re-examining reports of recent enquiries into the issue, I outline four recurring elements of this deep structure and show how they clash with surface liberal rationalities. The systemic reduction of custodial death requires, I conclude, that we name and contest the quasi-sacred conception of police authority that holds the police vital to the production of order and control and its agents to require protection when things 'go wrong'.

## Keywords

Commissions of enquiry, deaths in police custody, liberalism, police power, sacrifice

---

## Corresponding author:

Ian Loader, Centre for Criminology, University of Oxford, St Cross Building, St Cross Road, Oxford OX1 3UL, UK.

Email: [ian.loader@crim.ox.ac.uk](mailto:ian.loader@crim.ox.ac.uk)

The democratic illusion works because the majority is unaware or unwilling to be aware of the conditions imposed on minorities . . . In times of anxieties about security, societies tend to be tolerant regarding abuses that are viewed as the collateral damage of policies supposedly intended to protect them.

Fassin (2015: 105, 116)

## Introduction: Enduring Troubles, Troubling Puzzles

Every year in England and Wales, people die in police custody. Police stations are sites of coercive detention. But they are also rule-bound places in which the state has a legal duty of care towards those who the police detain (see Skinns, 2019). According to INQUEST, 1077 people died in a police station between 1990 and 2018.<sup>1</sup> The numbers dying per year have fallen over that period, though figures for 2017–2018 from the Independent Office for Police Conduct reveal the number of deaths rising to a 10-year high of 23.<sup>2</sup> Some of those who die in police stations each year do so as the direct result of having been restrained by police officers. These are the cases where the highest ethnic disproportionality is to be found. They are also the cases that tend to come to public attention. Most often people die of ‘non-natural’ causes having been brought to a police station for behaviour sparked by mental health trauma or intoxication. Others commit suicide – though reductions in suicide have been the biggest factor in the drop in deaths in custody since 1990. Over recent years, however, there has been a rise in the numbers committing suicide within 48 h of having been released from police custody. In 2015/2016, 60 such cases were reported.

Tracking the number of deaths in police custody and the circumstances in which they occur is an important part of what is entailed in establishing the phenomenon. But I want

to identify and investigate another constitutive element of deaths in police custody – namely, the recurring process of enquiry and inaction that attends such deaths. In January 2015, following their long and fruitless struggles for justice, then Home Secretary Theresa May met the families of Sean Rigg and Olaseni Lewis, two young Black men who died in police custody having been restrained by officers, Rigg in 2008 and Lewis in 2010. Having done so, the Home Secretary announced the setting up of an Independent Review of Deaths and Serious Incidents in Police Custody (IRDSIPC) to be chaired by Dame Elish Angiolini. The review reported in January 2017 and is replete with detailed recommendations, 110 of them (IRDSIPC, 2017). But the Report also observed – in a moment of frustrated reflexivity – that the independent review followed

no less than seven inquiries into failings in police custody held between 2013 and 2015. The Report went on to:

Much of the frustration felt by families can be attributed to the occurrence of the same failings time after time. This feature is evident from the many reviews, enquiries and reports looking at these very issues over the years. Despite clear, pragmatic recommendations and agreement for action from successive governments, the police and other agencies, some of the worst types of failings have persisted. (IRDSIPC, 2017: 23)

The question is why? Why this repeated cycle of death, review and inaction, and the attendant sense of enduring crisis and institutional intractability? Why the repeated police defensiveness and failure to bring anyone to justice? Why are families met with a contradictory mix of sympathy and recalcitrance? Why is the state's failure to protect the lives of those it detains generally met with public indifference?

In this article, I address these recurring features of the phenomenon of deaths in police custody by teasing out the values and affects at stake in contests about custodial deaths.<sup>3</sup> My argument is that we can shed clearer light on such deaths, and their agitations and ramifications, if we theorize and investigate police power using the metaphor of sacrifice. Doing so, I argue, enables us to identify and illuminate the conflict between a liberal rationality that pervades the surface of responses to deaths in custody and a deep structure of illiberal affects that treat custodial death in sacrificial terms as 'the wasteful loss of human life for a supposed gain in some public good' (Zachhuber, 2013: 2). In the following section, I outline the theoretical resources that can help us to 'see' police and criminal justice in these revised terms as sites of sacrifice. I then seek to elucidate what is at stake in contests over police custody via a rereading of the report of the Independent Review and other recent inquiries into deaths in police custody. This reconsideration brings into view an illiberal and undemocratic cultural mentality that holds the police to be vital to protecting majorities from marginal populations and its agents to require protection when the control of such population exceeds legal limits or otherwise 'goes wrong'. The systemic reduction of the ensuing collateral damage requires, I conclude, that we name and contest the alluring fantasy of police as constitutive of liberal capitalist social order and 'mak[e] oneself vulnerable' to the 'new political possibilities' (Lebron, 2016: 158) that flow from an insistence that all those who come into contact with police remain democratic citizens.

## Theorizing Policing Cultures: Questions of Sacrifice

Sacrifice can only be phenomenologically comprehended if one is prepared to suspend one's own sense of rational disbelief and journey, in actuality or else in imagination, towards the place where sacrifice reaches. (Mayblin and Course, 2013: 314)

In modern liberal democracies, it is common to think of police organizations as large, rule-bound and accountable state bureaucracies. Policing is an instrumentally rational world of visions, strategies, priorities and budgets. Police forces have been afforded a range of coercive powers – to surveille, stop, search and detain individuals and to seize their data and property – which are utilized to prevent and detect crime and maintain order. They are supplied with an array of technologies – truncheons, radios, phones, computers, cars, helicopters and so on – to facilitate the pursuit of these goals. Modern police forces claim a monopoly over the use of legitimate violence – something that stands as both a guarantor of the security of citizens and an every-present threat to their liberty. Police power is hence restrained by law; hemmed in with rights protections and governed by mechanisms of oversight, accountability and redress. Policing, on this view, is a site of calculation, a world of mundane law enforcement and order management.

But modern police institutions are not just ‘made’, they are also ‘imagined’ (Unger, 1987). They are not just sites of calculation, but also of representation (cf. Sparks, 2003). They produce not only material but also symbolic effects. Policing is a cultural institution – a site for the production of meaning and myth. It is an institution onto and through which people project various hopes and aspirations, fears and fantasies, about the social world. Policing is a site of affective identification that is inescapably entangled with questions of life and death, order and chaos, security and vulnerability, morality and immorality, honour and dishonour, belonging and exclusion and the boundary between ‘us’ and ‘them’. Policing is an institution shaped by, and shaping, mentalities and sensibilities towards the social – a place for the formation, circulation, authorization and contestation of social meanings. To grasp this, we have not only to be attuned to the beliefs, commitments and affiliations of police officers (sentiments well-documented under the rubric of police culture); we also need to attend to police audiences and wider ‘policing cultures’ (Loader and Mulcahy, 2003, Chapter 2).

Police scholarship has explored these cultural dimensions of policing in a number of ways. It has been shown that part of the appeal and effects of police dramas and detective stories is that they permit audiences to imaginatively enter a world of morally fundamental tales, often with tragic dimensions (Sparks, 1992). Such tales commonly depict a world in which justice is done and order restored by the lonely, flawed police hero setting asides the constraints of law and bureaucracy: ‘one of the most persistent themes of police fiction is that you cannot be a successful investigator by applying the rules in the book’ (Brodeur, 2010: 90). Media representations of police work, and police legitimization work via the media, also tend to emphasis a world in which serious crime is central to the police mission and policing indispensable to the production and reproduction of order (Hirschfield and Simon 2010; Reiner, 2007). Although no simple causal claims can be established, fictional and media representations of police clearly help form an interpretive lens through which ‘real’ policing is experienced and understood.

But the meaning-saturated and producing qualities of policing are not only, or mainly, an effect of fictional and news representations. Rather, policing is imagined ‘all the way down’. A significant strand of police sociology has demonstrated how the police perform ordering and cultural work that ‘enables individuals and groups to make sense of their pasts, form judgments on the present, and project various imagined futures’ (Loader and Mulcahy, 2003: 45). This work has shown how police action routinely communicates signals to those with whom officers interact, teaching them positive or negative lessons about where and whether they fit within extant social hierarchies (Bradford et al., 2014; Fassin, 2013; Justice and Meares, 2014; Loader, 2006). Such signals are also communicated to wider audiences. The police are in this sense a vehicle for the imagined – as well as real – suppression of social anxiety and insecurity. They are important definers of the boundaries of moral community serving to draw and patrol the line between belonging and exclusion. Among some audiences – typically those who define as ‘law-abiding citizens’ – the promise of policing has powerfully to do with serving and protecting ‘us’ from those defined as unwanted or dangerous to others (Harkin, 2015). This affective identification with the police as the source and symbol of order may mean that such citizens fail to attend to, deny, or even endorse, abuses of police power directed at members of denigrated or neglected out-groups (Belur, 2009, 2010; Bradford et al., 2016).

How can we develop this line of theorizing and research on policing to shed light on deaths in police custody? The dominant liberal discourse on such tragedies is rooted in the idea of the police as a rule-bound, governed and reform-able institution. It is focused on reducing the scale and impact of custodial deaths via better training, police cell design, access to medical support and legal advice and so on. The Independent Review is the latest example of such – entirely laudable – efforts. But if we are to apprehend the repeated cycle of stalled reform in this field, and the repetitions of the attendant discourse, we need to pay closer attention to the imaginary, or ‘structure of feeling’ (Williams, 1964), that lurks beneath the surface of liberal discourse and holds the problem and its remedies in this particular place (see also Baker, 2016: 42). This, I believe, can be done by investigating what is at stake in contests about deaths in police custody using the metaphor of sacrifice.

Sacrifice seems an antiquated idea to liberal secular sensibilities, steeped as it is in religious practice and rituals that us moderns believe we have transcended. Although the analysis of sacrifice has a rich history in the social and human sciences (Bourdillon and Fortes, 1980; Girard, 1977; Hubert and Mauss, 1964), it has also of late become a marginal concept, both as an object of enquiry and as an analytical construct. But we should take care not give up on the heuristic value of this idea. The analysis of sacrifice alerts us to ‘how societies *develop* cultural priorities’ and ‘stimulate individuals to *become* certain types of social subjects’ (Shilling and Mellor, 2013: 3; emphasis in original). In so doing, the idea may help us to unearth some crucial dimensions of contemporary policing. Etymologically sacrifice means ‘to make sacred’ and it is commonly remarked that the core of any sacrificial practice entails a process of mediation between the profane and the sacred (Ghiaroni, 2007; Hubert and Mauss, 1964: 9). To make any entity or institution sacred is, as Eagleton (2018: 52) has recently observed, ‘to lift it out of the realm of instrumental rationality’ and endow it with untouchable properties. It is a recurring theme of literature on the symbolic power of policing that – notwithstanding the trappings of bureaucratic modernism and liberal governance – the police retain traces of untouchable authority (Loader, 1997; Reiner, 1992). ‘The police are linked, even in modern societies, with the sacred, the powerful, mysterious, distant and awesome’ (Manning, 2012: 179).

Responses to deaths in custody may be structured by one such sacred property of the police – namely, that they are embodiments of a social fantasy of order and sovereign control whose task it is to do what is necessary to protect ‘law-abiding’ majorities from threatening or unwanted out-groups. Once the police are identified and imagined in this light, majority sentiment becomes willing to countenance the neglect, violation and silencing – in short, the sacrifice – of troubling minorities who are perceived to threaten that police-centred fantasy of order. Two things follow: first, police detention is transformed in a manner that contravenes the surface claim that legitimizes and supposedly constrains police power – that the police treat those who transgress with decency and care. Second, policing is transformed into a site in which the values that liberal democratic polities purport to hold dear, and use to hold the police to account, are jettisoned at the altar of security and sovereign control. What the circularity of the discourse on custodial death may disclose is that those who die in police stations are, in effect, sacrificed to uphold the greater

go(o)d of communal order and well-being and resurrect the authority of officers who bravely expose themselves to danger to keep ‘us’ safe from those excluded from full citizenship of liberal capitalist societies.

## The Deep Structure of Deaths in Police Custody

Deaths in custody have over the years attracted a small critical literature, much of which I draw upon in the analysis that follows. This work typically takes the form of either macro analysis of trends and responses (e.g. Baker, 2016; Pemberton, 2005, 2008) or accounts that contextualize particular cases in the wider socio-economic or racial order (e.g. Klippmark and Crawley, 2018; Razack, 2015). Custodial deaths much more commonly attract official attention. Such deaths are investigated by Coroners and by the Independent Police Complaints Commission (IPCC).<sup>4</sup> Families of victims have been aided by the campaigning, support work and legal advice offered for over 30 years by INQUEST (2019). Deaths in police custody have also over recent decades been the focus of a regular slew of official and unofficial commissions of enquiry. Such reviews are so common they have become a constitutive element of deaths in custody as a social phenomenon. We therefore have to treat discourse prompted by such deaths as an integral part of our object of enquiry. With this in mind, I want to reconsider the reports of the range of enquires conducted over the last decade with a view to teasing out the values and affects at stake in contests over the meaning of custodial deaths. I want in particular to highlight and analyse four recurring themes that make up what I term the deep structure of deaths in custody. The analysis reveals that beneath the surface of ongoing liberal concern and its reform agendas lies a quasi-sacred, deeply illiberal idea(l) of policing that renders custodial deaths a question of sacrifice.

### *Circuits of Inaction and the Illusion of Consensus*

Let us turn first to the merry-go-round of review, recommendation and inaction – a process that the Independent Review highlights while at the same time being its latest iteration. This is a dimension of responses to custodial death that, as David Baker notes, can be traced back at least to the 1990s (Baker, 2016: 205). Its recurrent features include the identification of the same failings, the regurgitation of broadly similar remedies, the failure to implement those remedies and the bemoaning of that failure. The Independent Review speaks of ‘the occurrence of the same failings time after time’ (IRDSIPC, 2017: 23), ‘the failure to learn lessons and to properly consider and implement recommendations’ (IRDSIPC, 2017: 13), and notes that ‘the emergence of the same themes in many of these deaths is indicative of a failure to learn lessons’ (IRDSIPC, 2017: 33). In 2014, a report by the Equality and Human Rights Commission (EHRC) into deaths of adults with mental health conditions found that 367 adults with such conditions died of non-natural causes in police stations or psychiatric wards between 2010 and 2013, before concluding that ‘despite many reports and recommendations, serious mistakes have gone on for far too long. The same errors are being made time and again, leading to deaths and nearer misses’ (EHRC, 2014: 3). A 2013 report by the mental health charity Mind opened by

recalling the death in 1998 of David ‘Rocky’ Bennett at a secure mental health unit. ‘More than 15 years since Rocky Bennett’s death’, the report went on, ‘we are still no closer to implementing the lessons learned’ (Mind, 2013: 3). In a 2014 report, INQUEST noted that ‘one of the striking features’ of its work monitoring deaths in custody over 30 years ‘has been our repeated experience of attending inquest after inquest where the same issues are identified as possibly contributing to the death’ (Coles and Shaw, 2014: 1). The Independent Review summarizes the general point thus:

These reports made a variety of recommendations concerning issues relating to deaths in police custody, all of which are also covered in this report. The same failings, and the same issues, appear to manifest themselves time and again. Nothing in these reports is new, and nothing found during the course of this review was unknown to experts who have followed these issues for years. It is damning that the same issues are still being discussed. (IRDSIPC, 2017: 226)

Reading these reports bring to mind the quip – typically misattributed to Einstein – that insanity is doing the same thing over and over again and expecting different results. Part of what explains the stubborn persistence in this case is the assumption that there exists a professional consensus about what needs to be done to prevent custodial deaths (in terms of training, or oversight, or better liaison between police and mental health services) and that the task at hand is to pressure the police and other agencies to take the necessary action. The repetitious character of the reports confirms the presence of the consensus; the fact that repetition is required is deemed to be the result of a lack of resources, political will or bureaucratic inertia. It is the evident frustration arising from a combination of consensus and inertia that prompts the novel suggestion made in several recent reports. The EHRC recommended a statutory duty on institutions ‘to publically respond to recommendations from inspectors and regulators’ (EHRC, 2014: 20), while the Independent Review suggested creating an ‘Office for Article 2 Compliance’ tasked with reporting publically ‘on accumulated learning and compliance from inquest outcomes and recommendations’ (IRDSIPC, 2017: 246).<sup>5</sup> This echoes the call made by INQUEST in 2014 for the establishment of a ‘permanent institution’ – a Standing Commission on Deaths in Custody – with an obligation to conduct comprehensive and systematic research and analysis of narrative verdicts and rule 43 reports’ (Coles and Shaw, 2014: 22).<sup>6</sup> Frustration has, in other words, spurned a meta-recommendation: a recommendation to set up a body to ensure that previous recommendations are monitored and acted upon.

There is however an alternative interpretation of the cycle of review and inaction through which this meta-recommendation is designed to cut. This suggests that the consensus on how to respond to deaths in custody is a surface phenomenon that masks a deeper conflict and that the recurrent failure to enact sensible remedies is the product of something more embedded than lack of resources and institutional inertia. The deeper conflict is between the state’s duty to ensure the welfare of those whom it detains and the affectively powerful idea that policing must be afforded the tools and support needed to manage marginal populations so as to secure public protection and maintain order. The failure to enact sensible, consensual remedies lies in the fact that the consensus



supporting those remedies is more apparent than real and what lies in the way of taking serious steps to prevent people dying in custody is the challenge such a systematic reduction presents to a powerful imaginative fantasy about the social purpose of policing in structurally unequal societies. This fantasy seldom speaks its name in official or public discourse. But it nonetheless does powerful ordering work. The stubborn unwillingness to implement steps to reduce deaths in custody reveals a willingness to sacrifice those on society's margins who die in police stations in order to preserve a policing system that serves – and serves to protect – the law-abiding majority (see also Pemberton, 2005).

The circuit of recommendation and inaction also arguably tells us something important about the social purpose of post-death investigation, inquest and review. At first site, the investigatory process seems animated by unease, disquiet and anger about custodial deaths and by a liberal distrust of state power and the attendant will to curb police excesses or neglect. The recurring mix of review, reform proposal and institutional intractability intimates, however, that something else is 'going on' – namely, a ritual of catharsis and reassurance that conveys the appearance of busy concern while the fundamentals of the status quo that conduce to custodial death are left in place. Deaths in police custody represent a breach in the liberal order of things that prompts concern and demands action: investigation, enquiry and information production. But the ensuing collection of facts and findings are routinely left to languish and gather dust, such that the point INQUEST (2019: 1) make about narrative verdict and Rule 43 Reports can stand for the whole ritualistic process: 'The lessons to be learned from the content of these verdicts and reports are far too frequently lost: they are analysed poorly or ignored; misunderstood or misconstrued; dissipated or dismissed'. Seen in this light, official responses to deaths in police stations are an apparatus of oversight aimed at stopping the spread of contagion and putting the symbolic order back together. The breach in the liberal order is managed and repaired in ways that leave unchanged the underlying authority relation in which police are fetishized as vital to the reproduction of the social and protected as such.<sup>7</sup> As Eagleton (2018: 52) notes, in the face of 'some disruption or turbulent transition', sacrificial rites 'buttress and integrate the social order' (see also Girard, 1977: 8).

### *Contests of Victimhood*

The metaphor of sacrifice can also illuminate the treatment received by the grieving families of those who perish in police custody. Part of what it shows us is who can and cannot claim the label of victim in public culture. Those who die after police contact find several roadblocks in the way of successfully achieving such status. There is ample evidence over the years of such roadblocks having been erected by the police. Sometimes in post-restraint deaths, victims are denigrated by allegations about them being 'out of control' and possessing 'super-human strength' and of the danger they posed to officers or members of the public. As Pemberton (2008: 246) put it following his dissection of 'state talk' in such cases: 'the imagery of violence faced by officers is used to neutralize empathy for the victim' (see also Scraton and Chadwick, 1987). A decade later, the Independent Review echoed these claims:



There is a perception among families . . . that following the death police forces have been quick to portray the deceased and their friends and relatives in a poor light in an effort to neutralize any public sympathy. (IRDSIPC, 2017: 196)

In a similar vein, Razack (2011, 2015) notes how Aboriginal people who die in custody in Canada are officially depicted as belonging to a 'damaged population' (2011: 111) prone – prior to their contact with the police – to ill-health, alcohol addiction and physiological weakness.

There is little doubt that these official efforts to 'other' the deceased and deny their victimhood do occur. But it is more interesting to think about how and why they 'work'. They do so in part because they tap into powerful cultural sensibilities about police authority (see below) and about the kinds of people who end up in a police station. By behaving 'strangely', or causing a public disturbance, or being intoxicated by drugs or alcohol, those who die in custody have acted in ways that all too often and easily effaces their vulnerability and erodes public sympathy. They are *reduced* to their behaviour. By coming to be inside a police station – places located in the 'law-abiding' imaginary as secret, barely known sites into which good people do not go<sup>8</sup> – those who die in custody are, in the eyes of many, already marked as trouble or troubling. In either case, they are unlike 'us'. This process of moral distancing renders those who die in custody unworthy of the label victim and questionable recipients of public care and attention (Pemberton, 2005). They are 'incapable of establishing or sharing the social bonds that link' the audiences who look fondly at police power from a safe distance (Girard, 1977: 12).

This of course cannot so easily be said of their families. They often campaign tirelessly for years in search of justice and redress with the frequent support and advice of INQUEST, a body that has made itself an influential actor in contests over deaths in custody. Families are clearly victims of a sort and tend initially to be treated as such and embraced with sympathy. But report after report details the poor treatment afforded to families during the investigation of deaths in custody. Consider the following examples: The EHRC (2014) documented delays in reporting deaths to family members and interviews with the deceased's relatives taking place too soon after their deaths. An IPCC (2014) review into its investigations of deaths in custody noted examples of families feeling 'unfairly judged' by investigators and of communication with families that 'lacked empathy, sensitivity and compassion' (2014: 60). The aforementioned Independent Review found that for relatives of those who die in police custody, delays, obfuscations, institutional blunders and complacency are common-place – 'the same patterns reveal themselves time after time' (IRDSIPC, 2017: 28). 'Families', it noted, 'feel they are viewed with suspicion rather than with the compassion shown to other families whose loved ones are considered victims of crimes non-police perpetrators or who have bene involved in an accident or disaster' (IRDSIPC, 2017: 179). An Independent

Commission study into mental health and policing in London noted failures of the Metropolitan Police to provide information to families and a lack of coordination among agencies. It concluded thus:

Families spoke of their shock, bereavement, bewilderment, anger and sadness at being caught up in a system which in some instances regarded them as an irrelevance, in other as a nuisance, and, in some circumstances, with palpable hostility. (Independent Commission on Mental Health and Policing, 2013, n. 55)

How though are we to account for the conflicted mix of initial empathy and subsequent distancing that the Independent Review found to be the typical experience of families of those who die after police contact? One answer to this question lies in the conflict that occurs between competing ideas of victimhood. At the surface, bereaved families are engaged in a struggle for victim recognition that brings with it an entitlement to dignity, voice and remedial action, such as compensation. To the extent this claim is successful, bereaved families can mobilize public sympathy, but in ways that risk disarming the system of its usual defences.

Formal claims to victimhood thereby clash with the alternative sense in which those who die in police custody and their families are victims – namely, victims whose sacrifice is necessary to uphold a police-centred illusion of order. Being a victim in this sense demands deprivation of the moral and legal status that flows from being a victim in formal legal terms. To acknowledge that formal status would threaten the distinction between purity and pollution, blur moral categories that sacrifice demands are kept apart. Because they can make *prima facie* legitimate claims to be victims, families have (initially) to be treated with sympathy and respect. Because that status enables them to damage the cultural structures that keep the police safe from serious reform, they have to be managed and kept at a fearful distance. Hence, the practices of denigration to which families of the deceased are time and again found to be subject. If extant structures of domination and subordination are to be kept pure and intact, the scapegoat has, as Eagleton (2018: 42) puts it, ‘to be polluted’. That scapegoat is the deceased and – if needs be – their families.

### *Security Logics, Police Defensiveness*

A further part of what is unearthed by the notion of sacrifice is how deaths in custody cases and official reactions to them are structured by a powerful logic of order in which the police are afforded a pivotal place. How though does this logic of order shape the practice and meaning of custodial death? There is no doubt that in circumstances giving rise to the detention of those who subsequently die in police cells, officers have to make quick and difficult judgments in contexts where crucial information is absent. But it is also apparent that such cases are all too often governed by an overriding impulse to impose order and control. This is the case both situationally and structurally.

In the former instance, one commonly finds people having been restrained by police officers in ways that suggest the imperative to control a distressed and/or distressing individual trumps the duty of care that officers have towards that individual. It is common for commissions of enquiry to note the difficulties that officers have in assessing risk when called to attend to someone experiencing a mental health crisis and to bemoan the failure of forces to seek or pass on relevant information about the individual concerned (Independent Commission on Mental Health and Policing, 2013, n. 27). But they

also catalogue incident after incident in which officers restrain people in a ‘heightened physical and mental state’ in numbers, or in positions, or for durations of time, that are evidently dangerous – dangers of which the Independent Review found ‘limited police recognition’ (IRDSIPC, 2017: 40). It is, moreover, common to find little evidence of de-escalation techniques being deployed. What is common to these incidents is the imposition of a will to order over an ethic of care – an outlook which healthcare professionals are often found to either share or defer (IRDSIPC, 2017: 34). The Independent Commission on Mental Health and Policing (2013, n. 55) expressed the point thus:

The tactics and behavior used to restrain people with mental health issues is the most disturbing of our findings . . . The Commission examined several cases involving prolonged restraint by the police. It is at least questionable whether there was a need to take control with such force or in such numbers in any of the cases reviewed.

In such cases, fears of the dangerous – typically Black male – ‘other’ time and again win out over considerations of concern for vulnerable individuals.

At the structural level, the indicator of the primacy of a security logic is that individuals who are intoxicated or experiencing a mental health crisis are routinely taken to and detained in police stations. Under s. 136 of the Mental Health Act 1983, a person who is suffering from a mental disorder and in immediate need of care or control can be removed to a ‘place of safety’ and detained for up to 72 h while a medical assessment is made. The supporting Code of Practice states that ‘a police station can only be used on an exceptional basis’ and ‘when absolutely necessary to control violence’. A joint review of this provision by Her Majesty’s Inspectorate of Constabulary (HMIC) and the Care Quality Commission in 2013 reported that in 2011 more than 9000 cases had resulted in police custody (compared to 16,035 hospital admissions) and concluded that ‘it was clear that the Code of Practice had not been followed on some areas for many years’ (HMIC/Care Quality Commission, 2013: 47). In 2012/2013, police cells were used on 7761 occasions (EHRC, 2014: 11). Report after report has bemoaned this situation (see also Department of Health/Home Office, 2014),<sup>9</sup> both in respect of s. 136 detentions and in relation to the wider detention of vulnerable people in police stations (HMIC, 2015). The recurring refrain is that police stations are ‘not suitable’ places of safety for people experiencing a severe mental health condition (EHRC, 2014: 49). The Department of Health/Home Office review even considered removing the police station as an option under s. 136, before deciding to retain it (2014: 43–44).

There are clearly resource-based reasons why people suffering from mental health trauma, or intoxication, end up in police stations – there is often a lack of health-based places of safety or alternatives such as drying-out centres. Medical staff and facilities have also been found to be reluctant to admit people who are intoxicated, or prone to violence, or who have a known record of violence. But these constraints are equally clearly shaped by a mentality that transforms public health questions into problems of order, thereby turning police stations into places to manage the distressed and distressing and to handle acute drug and mental health crises (Baker, 2016: 206). Deaths in custody are one result of this mutation. As the Independent Review notes:

during the 11 years between 2004/5-2014/15, 82% of people who die in or following police custody had some link to alcohol and/or drugs. Overall, 49% of those who died had alcohol and/or drug related factors identified specifically as a cause of death in post-mortem examination. (IRDSIPC, 2017: 51)

At least in part this is the consequence of a security logic that holds in place the idea that police stations are places of safety, despite all the evidence and repeated protestations to the contrary. As the HMIC (2015: 24) reminds us: 'The design, management and staffing of police custody arrangements are primarily directed towards the control of suspected criminals and not the identification of, and support for, people who are vulnerable' (see also Wooff and Skinnis, 2018).

The flip side of the transformation of police stations into places for the management of acute vulnerability is that police officers are routinely called upon to handle crises for which they are neither trained, equipped or supported. This fact helps us to account for the observation that, when things go wrong and detainees die in custody, the 'great shock and concern' that officers feel is perceived by families to 'very rapidly' be 'replaced by defensiveness' (IRDSIPC, 2017: 10). During any ensuing investigation and inquest, the noted tendency of the police to close ranks in order to mitigate the risk to which they are exposed looks, on the surface, like self-protection. The officers involved are legally permitted to confer among themselves before giving evidence to investigators (IRDSIPC, 2017, Chapter 10) and one should not be surprised if such conferral is governed by the 'foundational' occupational sentiment of loyalty (Crank, 2004: 239) and by the feeling that if there is a family that needs protecting in such situations, it is the police family.

Such a response may also be animated by other recurring features of the police occupational outlook. First, police officers view their job as dangerous. Officers' felt experience includes the remote but symbolically charged risk of lethal danger (a rare event whose occurrence is ritualistically dramatized at police funerals by a display of police unity and unbowed authority –Crank, 2004, Chapter 26; Manning, 1977), coupled with the everyday reality of small, unpredictable risks. This gives the police 'a cultural preoccupation with danger' (Crank, 2004:). Second, the fact that the police are willing to shoulder these risks in order to protect the public and keep chaos at bay imbues the job, in officers' eyes, with a righteous, heroic quality (Waddington, 2012: 105), something marked in public culture by such things as police bravery awards and the generalized expectation of public and political support. Thirdly, the police view themselves as having been allocated society's 'dirty work' (Hughes, 1962) that they have an 'unconscious mandate given by the rest of us' (Hughes, 1962: 5) to do what is necessary to manage disorderly, marginal populations on 'our' behalf.

This mix of occupational sentiments is likely to combine in powerful ways to produce the defensiveness that has repeatedly been found to characterize police responses to deaths in police custody. Custodial deaths are typically experienced as a genuine trauma by the officers involved who fear prolonged suspension and a working life conducted under the shadow of protracted investigation. This activates an instinct to defend the colleagues involved, to demand that the public acknowledge the shock and suffering of officers and to remember with gratitude the noble, selfless character of the police

vocation. Officers feel, in short, that they are made to carry the can for structural exclusions that lie beyond police control and that they put their bodies and lives on the line in order to keep the majority safe from dangerous others. For officers, *their* sacrifice needs honouring – and this means placing clear and obvious limits on what can legitimately be said and done in criticism of the police when things go wrong.

### *Families Without Law, Police Outwith Law*

The final theme of what I have termed the deep structure of deaths in custody relates to the process of post-death investigation and inquest. This is a process which at the legal surface serves victims' families and their quest for truth. Under Article 2 of the European Convention of Human Rights (incorporated into the Human Rights Act 1998), the state is placed under an obligation to effectively investigate any death for which it may have some degree of responsibility. This includes deaths from non-natural causes in police detention (EHRC, 2014: 23). Yet recurring patterns in the operation of these processes reveal an altogether different picture. Typically, processes are slow and families 'wait years for a resolution' (Baker, 2016: 82; IRDSIPC, 2017: 11). In the case of Sean Rigg, almost a decade elapsed between his death in Brixton police station in 2008 and the decision of a Crown Prosecution Service review not to bring charges against any of the officers involved. Investigations are relatively under-resourced, especially when compared to homicide enquiries. The aforementioned right of officers to confer prior to giving evidence can afford coherence and privilege to the police version of events. Police officers are also under no obligation to give testimony during an investigation (IPCC, 2014: 50–51). By contrast, notwithstanding the vital support offered to many by INQUEST, families are commonly marooned on the margins of investigations and inquests, experiencing 'confusion and bewilderment' at 'the unfamiliar, formal and sometimes hostile atmosphere of the Coroner's Court' (IRDSIPC, 2017: 212). It is a recurring refrain on this topic that a process that is represented as inquisitorial is in reality 'almost always adversarial in nature': 'This has been the unanimous opinion of Coroners, lawyers and families who have given evidence to this review' (IRDSIPC, 2017: 215; see also Baker, 2016: 58).

Given this, one needs to note the radical inequality that exists between state bodies with the determination and resources to employ senior lawyers and families with no automatic right to legal representation. As the Independent Review puts it:

The tendency of individual state agencies to attend inquests represented by their own barristers and legal teams who go on to adopt an adversarial style of advocacy, does nothing to reassure the public that the inquest is truly an inquisitorial process concerned with establishing the truth. (IRDSIPC, 2017: 225)

The deep structure of the process is, in other words, one in which the state is defensive and defends itself, while victims' families are denied effective redress and accountability. As sacrificial victims they have, as Razack puts it, to be '*routinely* evicted from the law' (2011: 89; emphasis in original).

This structure is further revealed by the lack of prosecutions of officers for murder or manslaughter following custodial deaths. The Independent Review is but the latest enquiry to identify what has become an established social and legal fact (see e.g. Benn and Worpole, 1986). It notes that there have been eight prosecutions in connection with a death in custody over the previous 15 years; all have resulted in acquittals. There has never been a successful prosecution for murder or manslaughter in such cases, despite verdicts of unlawful killing at Coroners' inquests. Suspensions of officers are also rare. One does not have to believe that prosecuting officers is the key to reducing the number of deaths in police custody to see that there is something here that stands in need of explanation. There are clearly material and legal dimensions to these issues. It may indeed be difficult as a matter of law to secure evidence and get juries to convict officers in such cases.

But the pattern of non-prosecution also sends an important cultural signal about who or what matters (or whether they or it matter) and what is at stake in custodial death. In this respect, it is apparent that prosecutors' actions are guided by a professional second-guessing of the predispositions and worldviews of juries. Prosecutors expressly or implicitly judge that there exists a 'reservoir of solidarity' (Crank, 2004: 242) among a wider public who 'have a high degree of esteem for and identification with the police' (Crank, 2004: 242). Prospective jurors are thereby likely to feel that brave police officers, who give so much to protect 'us' from dangerous others and have suffered enough from this tragedy, ought to be protected from criminal sanction (Pemberton, 2008: 257). The cumulative outcome of the importation of this dominant sensibility into the legal process is that victims and their families are left without law, while police officers are permitted to operate outwith law.

## **Conclusion**

I have argued in this article that in official reactions to deaths in police custody, one can discern a deep structure of meaning that helps to make sense of the otherwise puzzling motifs that recur in such reactions. What that structure discloses is an illiberal and undemocratic policing imaginary which in effect treats those who die in custody as collateral damage; bodies that are sacrificed in order to shore-up and defend a police system that protects the law-abiding majority from dangerous out-groups. One outcome of this powerful imaginary is that those who die in custody and their families are expelled from consideration both as fully democratic citizens and as victims of abuse or neglect.

To press this argument is not to deny that deaths in police custody prompt moral or political anxiety, even outrage, or that they are routinely sites of contestation. Custodial deaths do become 'matters of concern' (Latour, 2004) around which different actors assemble and struggle in contests over accountability, redress and justice. On occasions, most recently in the case of Sean Rigg, these contests are very public ones. Custodial death prompts action and reaction from different arms of the state – 'rank and file' and senior police officers; Home Office ministers, officials and lawyers; police inspectorates and complaints bodies and coroners. Such actors are differently situated in relation to any given death and come to its investigation with different interests and ideologies. Deaths in custody are also contested by families, lawyers, INQUEST and cognate

pressure groups, as well as by opposition politicians and the liberal media, each of whom are contesting official claims to truth and pressing claims for justice. In this antagonistic territory, there is no certainty that state truths will prevail (cf. Scruton, 2016); indeed, the politicization of deaths in police custody over the last several decades has contributed to such incremental changes as have been made, as I noted at the outset.

Deaths in police custody are, in these ways, the site of a shifting state–society dialectic. But custodial deaths are, I have sought to show, at the same time the location of a more obscure, difficult-to-grasp conflict between secular and quasi-sacred conceptions of police power and authority. The prevailing critical responses to such deaths – advanced over decades by INQUEST and articulated most recently by the Independent Review – are animated by a secular liberal rationalism. They seek more transparent governance of police detention to craft tighter rules and make them stick, to put in place more robust training and to bring better data and collective learning to bear on reducing custodial death. It is in this spirit that the ‘New Framework for Action and Accountability’ proposed by INQUEST sought to develop ‘evidence-based policy and practice’ (Coles and Shaw, 2014: 21). In their view, ‘vital learning – the accumulated knowledge that we as community have gleaned collectively when contact between citizen and the state has ended in disaster, death or tragedy – must be put on a more secure footing’ (Coles and Shaw, 2014: 2).

My interpretive reconstruction of the meaning of custodial death raises new questions about the repetitious, dead ends of liberal-minded reform efforts in this field. As we have seen, the measures that flow from these efforts typically fall into a quagmire of warm words and repeated inaction. This is not because such measures are wrong, but because their proponents too readily assume these are sensible steps with the backing of all ‘right-thinking people’ – what I called the illusion of consensus. This assumption fails to grasp that what is ‘going on’ in cultural contests about deaths in police custody is not merely a question of state–citizen relations, but always also a battle between secular and quasi-sacred conceptions of the state and subjecthood. My argument is that to unstick the dial on this issue one has to identify the work performed by an imaginary that is actively present but typically unstated in these contests. That imaginary has two linked components: first, an illiberal, undemocratic ‘cultural priority’ (Shilling and Mellor, 2013: 3) that identifies with and fetishizes the police as heroic, close to untouchable guarantors of social order; second, the creation of ‘social subjects’ (Shilling and Mellor, 2013: 3) who risk polluting police authority and are thereby placed beyond moral concern and legal protection. The result is that those who die in custody are posited not as subjects or citizens who deserve redress, but as objects which can be jettisoned if that is what is necessary to honour and protect those who protect us.

My purpose in this article has been to ‘name’ that structuring sensibility with a view to bringing it into the light of public contestation. Having done so, it becomes clear that the systematic reduction of custodial death requires more than practical steps to make police stations safer for detainees and more than recognition that police stations are dangerous sites of asymmetric power that should be used, governed and contested accordingly (Kendall, 2018). We need also to acknowledge a wider point that flows from the present analysis. So long as the police are practically mandated and symbolically imagined as institution for managing excluded and marginal populations on behalf



of the fearful ‘law-abiding’, and thereby shoring up a particular socio-economic and racial order, then members of those marginal groups will be considered expendable to secure the benefits that such order brings for the majority. Deaths in custody becomes, in this respect, another example of a police practice where the legitimating values of legalism and democratic accountability disguise and do little to obstruct the power of the police to engage in the extralegal policing of those at the bottom of class and racial hierarchies (see also Bradford and Loader, 2016; Fassin, 2018: 40–41; and more generally, Dubber, 2005). The deep structure of deaths in custody suggests, in sum, that policing contains elements of what Lerman and Weaver call a ‘non-democratic regime’ within a ‘democratic republic’ (2016: 91). It is a regime that treats excluded and vulnerable populations, not with dignity and voice, but as troubled and troubling individuals who are routinely jettisoned at the altar of security and order. ‘There can’, as Eagleton (2018: 38) reminds us: ‘be no possibility of sacrifice if all citizens are equals’.

### Acknowledgement

The author is grateful to the following people for constructive and encouraging comments on earlier drafts of this article: Ben Bradford, Naomi Creutzfeldt, Jonny Steinberg, Peter Rush, Adam White and two anonymous journal reviewers.

### Declaration of Conflicting Interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

### Funding

The author(s) disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: This work was supported by the Mid-Career Fellowship awarded by the Independent Social Research Foundation.

### ORCID iD

Ian Loader  <https://orcid.org/0000-0002-6419-0486>

### Notes

1. National figures on deaths in police custody were not kept until 1981. Information on such deaths is now produced annually by the Independent Office for Police Conduct. Figures are also produced by the campaign group INQUEST using a slightly different counting method. See <https://www.inquest.org.uk/deaths-in-police-custody> (accessed 19 September 2018).
2. [https://www.policeconduct.gov.uk/sites/default/files/Documents/statistics/deaths\\_during\\_following\\_police\\_contact\\_201718.pdf](https://www.policeconduct.gov.uk/sites/default/files/Documents/statistics/deaths_during_following_police_contact_201718.pdf)
3. This is not an article about deaths in young offender institutions or prisons. But it is worth noting that similar patterns can be observed in penal settings. The Harris Review into the deaths in detention of 18–24 years old observed: ‘Those deaths represent a failure by the State to protect the young people concerned. That failure is all the greater because the same criticisms have occurred time and again. Our findings echo the criticisms and recommendations made consistently and repeatedly thought the last 15 years and more’ (The Harris Review, 2014: 8).
4. In January 2018, this body was renamed The Independent Office of Police Conduct.

5. The reference is to Article 2 of the European Convention of Human Rights which states that 'Everyone's right to life shall be protected by law'.
6. Since 2004, coroners or juries have been able to deliver narrative verdicts offering a statement of the circumstances in which the deceased came by his or her death; Rule 43 of the Coroners Rules provides a Coroner with the power to issue a report to a person or organization where they believe that action should be taken to prevent future deaths.
7. As Razack (2015: 23) says of such inquiries into deaths in custody of Aboriginal people in Canada, they 'resolve settlers' anxieties that they have in fact failed to care by announcing a commitment to improving Indigenous lives'.
8. Girard (1977: 32) could, in the respect, have been referring to police stations when he wrote: 'it is essential to keep as far away as possible from sacred things, always to avoid direct contact with them'.
9. Considerable variation exists between police forces in the use of police stations under s. 136. The Department of Health/Home Office (2014: 42) review found that in 2013/2014 seven forces used police stations in fewer than 10% of cases while six forces used stations in over 50% of cases (see also HMIC, 2015: 74).

## References

- Baker D (2016) *Deaths After Police Contact: Constructing Accountability in the 21st Century*. Basingtoke, UK: Palgrave.
- Belur J (2009) Police use of deadly force: Police perceptions of a culture of approval. *Journal of Contemporary Criminal Justice* 31: 237–252.
- Belur J (2010) Why do the police use deadly force? Explaining police encounters in Mumbai. *British Journal of Criminology* 50(2): 320–341.
- Benn M and Worpole K (1986) *Death in the City*. London, UK: Canary Press.
- Bourdillon MFC and Fortes M (eds) (1980) *Sacrifice*. London, UK: Academic Press.
- Bradford B and Loader I (2016) Police, crime and order: The case of stop and search. In: Bradford B, Jauregui B, Loader I and Steinberg J (eds) *The Sage Handbook of Global Policing*. London, UK: Sage, pp. 241–260.
- Bradford B, Milani J and Jackson J (2016) Identity, legitimacy and “making sense” of police violence. *Oxford Legal Studies Research Paper No. 41/2016*. Available at: [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2793818](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2793818)
- Bradford B, Murphy K and Jackson J (2014) Officers as mirrors: Policing, procedural justice and the (re)production of social identity. *British Journal of Criminology* 54: 527–550.
- Brodeur JP (2010) *The Policing Web*. Cambridge, UK: Cambridge University Press.
- Coles D and Shaw H (2014) *Learning from Deaths in Custody Inquests: A New Framework for Action and Accountability*. London, UK: INQUEST.
- Crank JP (2004) *Understanding Police Culture*. New York, NY: Routledge.
- Department of Health/Home Office (2014) Review of the operation of sections 135 and 136 of the mental health act 1983 in England and Wales: A survey. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/301724/ReviewOperationS135S136.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/301724/ReviewOperationS135S136.pdf)
- Dubber M (2005) *The Police Power: Patriarch and the Foundations of American Government*. New York, NY: Columbia University Press.
- Eagleton T (2018) *Radical Sacrifice*. New Haven, CT: Yale University Press.

- Equality and Human Rights Commission (EHRC) (2014) Preventing deaths in custody of adults with mental health conditions: An inquiry by the Equality and Human Rights Commission. Available at: [https://www.equalityhumanrights.com/sites/default/files/adult\\_deaths\\_in\\_detention\\_inquiry\\_report.pdf](https://www.equalityhumanrights.com/sites/default/files/adult_deaths_in_detention_inquiry_report.pdf)
- Fassin D (2013) *Enforcing Order: An Ethnography of Urban Policing*. Cambridge, UK: Polity Press.
- Fassin D (2015) Petty states of exception: The contemporary policing of the urban poor. In: Maguire M, Frois C and Zurawski N (eds) *The Anthropology of Security*. London, UK: Pluto Press.
- Fassin D (2018) *The Will to Punish*. Oxford, UK: Oxford University Press.
- Ghiaroni S (2007) Sacrifice. In: Ritzer G (ed) *The Blackwell Encyclopaedia of Sociology*. Oxford, UK: Blackwells.
- Girard R (1977) *Violence and the Sacred*. Baltimore, MD: John Hopkins University Press.
- Harkin D (2015) The police and punishment: Understanding the pains of policing. *Theoretical Criminology* 19(1): 43–58.
- Her Majesty's Inspectorate of Constabulary (HMIC) (2015) The welfare of vulnerable people in custody. Available at: <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/the-welfare-of-vulnerable-people-in-police-custody.pdf>
- Her Majesty's Inspectorate of Constabulary (HMIC)/Care Quality Commission (2013) *A criminal use of police cells?* Available at: <https://www.justiceinspectorates.gov.uk/hmicfrs/media/a-criminal-use-of-police-cells-20130620.pdf>
- Hirschfield P and Simon D (2010) Legitimizing police violence: Newspaper narratives of deadly force. *Theoretical Criminology* 14(2): 155–182.
- Hubert H and Mauss M (1964) *Sacrifice: Its Nature and Functions*. Chicago, IL: Midway Reprint.
- Hughes E (1962) Good people and dirty work. *Social Problems* 10(1): 3–11.
- Independent Commission on Mental Health and Policing (2013) *Report of the Independent Commission on Mental Health and Policing*. Available at: [http://news.bbc.co.uk/1/shared/bsp/hi/pdfs/10\\_05\\_13\\_report.pdf](http://news.bbc.co.uk/1/shared/bsp/hi/pdfs/10_05_13_report.pdf)
- Independent Police Complaints Commission (IPCC) (2014) *Review of IPCC's work in investigating deaths: Final report*. Available at: [https://www.policeconduct.gov.uk/sites/default/files/Documents/research-learning/review\\_of\\_the\\_IPCCs\\_work\\_in\\_investigating\\_deaths\\_2014.pdf](https://www.policeconduct.gov.uk/sites/default/files/Documents/research-learning/review_of_the_IPCCs_work_in_investigating_deaths_2014.pdf)
- Independent Review of Deaths and Serious Incidents in Police Custody (IRDSIPC) (2017) Report of the Independent Review of Deaths and Serious Incidents in Police Custody. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/655401/Report\\_of\\_Angiolini\\_Review\\_ISBN\\_Accessible.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/655401/Report_of_Angiolini_Review_ISBN_Accessible.pdf)
- INQUEST (2019) Evidencing truth to power. Available at: <https://www.inquest.org.uk/Handlers/Download.ashx?IDMF=6aadd1b3-0be6-4d4b-8de1-34b16faf1860>
- Justice B and Meares T (2014) How the criminal justice system educates citizens. *The ANNALS of the American Academy of Political and Social Science* 651(1): 159–177.
- Kendall J (2018) *Regulating Police Detention: Voices from Behind Closed Doors*. Bristol, UK: Policy Press.
- Klippmark P and Crawley K (2018) Justice for Ms. Dhu: Accounting for indigenous deaths in custody in Australia. *Social & Legal Studies* 27(6): 695–715.

- Latour B (2004) *Politics of Nature: How to Bring the Sciences into Democracy*. Cambridge, UK: Cambridge University Press.
- Lebron C (2016) *The Making of Black Lives Matter: A Brief History of an Idea*. New York, NY: Oxford University Press.
- Lerman A and Weaver V (2016) *Arresting Citizenship: The Democratic Consequences of Crime Control*. Chicago, IL: University of Chicago Press.
- Loader I (1997) Policing and the social: Questions of symbolic power. *British Journal of Sociology* 48(1): 1–18.
- Loader I (2006) Policing, recognition and belonging. *The ANNALS of the American Academy of Political and Social Science* 605(1): 201–221.
- Loader I and Mulcahy A (2003) *Policing and the Condition of England: Memory, Police and Culture*. Oxford, UK: Oxford University Press.
- Manning PK (1977) *Police Work: The Social Organization of Policing*. Prospect Heights, IL: Waveland Press.
- Manning PK (2012) Drama, the police and the sacred. In: Newburn T and Peay J (eds) *Policing: Politics, Culture and Control*. Oxford, UK: Hart.
- Mayblin M and Course M (2013) The other side of sacrifice: Introduction. *Ethnos* 79(3): 307–319.
- Mind (2013) Mental health care crisis: Physical restraint in crisis: A report on physical restraint in hospital settings in England. Available at: [https://www.mind.org.uk/media/197120/physical\\_restraint\\_final\\_web\\_version.pdf](https://www.mind.org.uk/media/197120/physical_restraint_final_web_version.pdf)
- Pemberton S (2005) Deaths in police custody: The “acceptable” consequences of a “law and order” society. *Outlines* 2: 23–42.
- Pemberton S (2008) Demystifying deaths in police custody: Challenging state talk. *Social & Legal Studies* 17(2): 237–262.
- Razack SH (2011) The space of difference in law: Inquests into aboriginal deaths in custody. *Somatechnics* 1(1): 87–123.
- Razack SH (2015) *Dying From Improvement: Inquests and Inquiries into Indigenous Deaths in Custody*. Toronto, Canada: University of Toronto Press.
- Reiner R (1992) Policing a postmodern society. *Modern Law Review* 55(6): 761–781.
- Reiner R (2007) Media made criminality: The representation of crime in the mass media. In: Maguire M, Morgan R and Reiner R (eds) *The Oxford Handbook of Criminology*. Oxford, UK: Oxford University Press, pp. 302–337.
- Scruton P (2016) *Hillsborough: The Truth*. London, UK: Mainstream Publishing.
- Scruton P and Chadwick K (1987) Speaking ill of the dead: Institutionalized responses to deaths in custody. In: Scruton P (ed) *Law, Order and the Authoritarian State*. Milton Keynes, UK: Open University Press.
- Shilling C and Mellor PA (2013) “Making things sacred”: Re-theorizing the nature and function of sacrifice in modernity. *Journal of Classical Sociology* 13(3): 319–337.
- Skinns L (2019) *Police Powers and Citizens’ Rights: Discretionary Decision-Making in Police Detention*. Abingdon, UK: Routledge.
- Sparks R (1992) *Television and the Drama of Crime: Moral Tales and the Place of Crime in Public Life*. Milton Keynes, UK: Open University Press.
- Sparks R (2003) States on insecurity: Punishment, populism and contemporary political culture. In: McConville S (ed) *The Use of Punishment*. Cullompton, UK: Willan.

- The Harris Review (2014) Changing prisons, saving lives: Report of the independent review into self-inflicted deaths in custody of 18-24 year olds. Available at: <http://iapdeathsincustody.independent.gov.uk/wp-content/uploads/2015/07/Harris-Review-Report2.pdf>
- Unger RM (1987) *Social Theory: Its Situation and Tasks*. Cambridge, UK: Cambridge University Press.
- Waddington PAJ (2012) Cop culture. In: Newburn T and Peay J (eds) *Polcing: Politics, Culture and Control*. Oxford: Hart Publishing Ltd.
- Williams R (1964) *The Long Revolution*. Harmondsworth, UK: Penguin.
- Wooff A and Skinns L (2018) The role of emotion, space and place in police custody in England: Towards a geography of police custody. *Punishment & Society* 20(5): 562–579.
- Zachhuber J (2013) Modern discourse on sacrifice and its theological background. In: Meszaros J and Zachhuber J (eds) *Sacrifice and Modern Thought*. Oxford, UK: Oxford University Press.