

Social exclusion and legal safeguards: Application of the RIMES instrument

Bertha Prado Manrique

University of Malaga

bprado@uma.es

Abstract:

Comparative criminal policy studies usually analyse penal intervention based on its greater or lesser punitivism. With the intention of enriching the debate in this area of knowledge, the welfarist penal model proposes to evaluate the effects of penal intervention through the social inclusion/social exclusion dimension. This analytical dimension has been developed from its social exclusionary perspective, which seeks to identify the exclusionary effect that the penal intervention produces on suspected, prosecuted, convicted and ex-convicted persons. To do that, we apply the RIMES, a political-criminal instrument validated to measure the social exclusion of punitive rules and practices included in nine pools or dimensions of the penal system, with the ultimate purpose of creating a continuum of socially exclusive penal systems. The aim of this presentation is to discuss the results obtained in the pool of legal safeguards after the application of the RIMES instrument in six jurisdictions: four European -Spain, England and Wales, Italy, and Poland-, and two American -New York, California-.

Keywords: RIMES, social exclusion, criminal justice system, legal safeguards, criminal policy