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Justice out of Sight

BOGANMELDELSE

Pre-trial Detention across Policy, Practice, and Politics

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The PhD thesis *Justice out of Sight: Pre-trial Detention across Policy, Practice, and Politics* is an original, important, and timely contribution to criminology, socio-legal studies, and punishment research.

In her PhD thesis, Emelí Lönnqvist points to the fact that pre-trial detention has long occupied a marginal position within criminology and penology despite constituting one of the most intrusive exercises of state power within contemporary criminal justice systems. The thesis shows why this neglect is unwarranted and argues persuasively that remand imprisonment raises fundamental questions about penal power, state legitimacy, and the production and persistence of institutional harm. Against a backdrop of ongoing penal reform and increasing punitiveness in Sweden, the thesis provides a much-needed examination of remand imprisonment and its place within the broader penal field.

The relevance of the study is immediately apparent. Although unsentenced, legally innocent individuals constitute a substantial proportion of prison populations across the Nordic countries, remand imprisonment has received comparatively limited scholarly attention. This neglect is particularly striking given how the pains of remand imprisonment are intensified due to the multiple restrictions – measures limiting contact both within and outside the remand prison – imposed on 81% of individuals in 2025 (Lönnqvist 2026: 12). The thesis points to international scholarship which shows consistently striking and similar results in terms of the harmful effects of these practices: people become ill when they are without meaningful, human contact. They might develop symptoms such as nightmares, sleeplessness, loss of appetite, hallucinations, cognitive dysfunction, mood swings, depression, flattened affect and increased risks of suicide and self-harm (Haney, 2018: 372 in Lönnqvist 2026). As someone who has interviewed people previously in those situations, I can confirm how shattering isolation is for the human spirit.

The thesis consists of a comprehensive introductory framework and three peer-reviewed journal articles, all published in highly respected international journals. Together, these articles examine remand imprisonment across multiple levels of analysis: patterns of remand use in the Nordic countries, the

development of Swedish remand policy, and the legal practices through which detention and restrictions are authorized and legitimised in everyday criminal justice work. Drawing on quantitative and qualitative data, including official statistics, legislative and policy documents, and interviews with legal actors, the thesis develops a coherent and compelling account of the institutional processes through which remand imprisonment is produced, justified, and sustained.

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The thesis makes three particularly significant contributions. First, it provides the first systematic and multi-level examination of pre-trial detention in Sweden. By connecting aggregate trends, policy development, and legal decision-making practices, the thesis offers a comprehensive account of remand imprisonment that moves beyond explanations located at a single analytical level. This integration of macro-, meso-, and micro-level perspectives is one of the study's greatest strengths.

Second, the thesis advances our understanding of the persistence of penal harm. Across the articles, Lönnqvist demonstrates that the harms associated with remand detention are neither hidden nor unknown. On the contrary, they have been widely recognized by policymakers, legal actors, oversight bodies, and international organizations for decades. Yet this recognition has largely failed to generate fundamental change. The thesis makes an important contribution by showing how such harms become accommodated within legal, political, and institutional arrangements that allow their continuation.

Third, the thesis extends criminological scholarship by treating pre-trial detention as a subject worthy of study in its own right. Research on imprisonment has often focused on punishment following conviction, while remand imprisonment has remained conceptually and empirically underdeveloped. Lönnqvist convincingly demonstrates that pre-trial detention deserves independent analytical attention and that it raises theoretical questions that cannot be fully captured through existing accounts of imprisonment and punishment.

The empirical contributions of the individual articles are substantial. The first article provides the first systematic comparative examination of remand imprisonment across Nordic countries and establishes an important empirical foundation for future comparative research. In doing so, it identifies both common regional developments and growing divergences between the Nordic countries, particularly in Sweden's increasing reliance on remand detention.

The second article offers an impressive historical and political analysis of Swedish remand policy spanning more than seven decades. Through a careful examination of legislative processes and policy reforms, the article demonstrates how concerns about crime control have repeatedly outweighed humanitarian and rights-based considerations. Particularly compelling is the analysis of how reforms intended to strengthen legal protections have, at times, simultaneously created new mechanisms through which restrictions on detainees can be maintained.

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The third article shifts attention to everyday legal practice and provides valuable insights into how legal actors understand and apply the rules governing remand detention. The analysis illuminates how awareness of harm can coexist with the routine reproduction of practices that generate that harm. The article's discussion of procedural safeguards and institutional power relations is especially persuasive and offers an important contribution to socio-legal scholarship.

The thesis is also characterised by considerable theoretical sophistication. Lönnqvist draws on a wide range of criminological, penological, and socio-legal scholarship and succeeds in integrating these perspectives into a coherent analytical framework. The use of Thomas Mathiesen's (2004) concept of silent silencing is particularly effective, providing a useful lens through which to understand how certain penal practices remain resistant to scrutiny and reform even when their harmful consequences are widely acknowledged.

Methodologically, the thesis is ambitious and carefully executed. The combination of quantitative and qualitative approaches allows the author to address different dimensions of remand imprisonment while maintaining a strong overall coherence. The research design is well suited to the questions posed, and the analyses are consistently rigorous and transparent.

There are, nevertheless, aspects of the thesis that could have been developed further. The methodology chapter in the framework is relatively brief given the scale and complexity of the empirical work undertaken. At several points, the reader is left wanting more detail regarding data collection, analytical procedures, and the limitations associated with data access. A fuller discussion of the absence of detailed statistical information on remand populations and of the possibilities and constraints regarding access to administrative, register data and remand prisoners themselves would have strengthened the methodological reflections.

Similarly, the theoretical breadth of the thesis occasionally raises questions about its primary intellectual audience. The work speaks simultaneously to punishment scholars, prison researchers, comparative penologists, socio-legal scholars, and criminologists more broadly. While this breadth is undoubtedly a strength, further reflection on the thesis' central theoretical intervention and primary scholarly interlocutors might have sharpened its positioning within these debates.

Overall, *Justice out of Sight* is an outstanding doctoral thesis. It is theoretically ambitious, empirically rich, methodologically rigorous, and exceptionally well written. Lönnqvist demonstrates a remarkable command of both Nordic and international scholarship and succeeds in illuminating an area of criminal justice that has too often remained at the margins of academic inquiry. The thesis provides a powerful account of how harmful penal practices become normalized and sustained despite decades of criticism and reform efforts:



'In 2021, judicial review of restrictions and time limits on detention were introduced. It was a moment when Swedish remand practice, after decades of criticism, appeared to be changing. Work on this thesis began shortly thereafter. Over the five years in which it has taken shape, the remand population has increased by nearly 40 percent and the remand presumption has been expanded twice [...] (Lönnqvist 2026:63).

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It should deeply worry all of us that harmful remand conditions and restrictions in Sweden have remained largely unchanged despite three decades of criticism from international bodies. Although the thesis's empirical data is from the Nordic countries and particularly Sweden, I agree with Lönnqvist when she argues that its findings offer a broader account of how penal harms are recognized, muted and perpetuated in the criminal justice system.

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Reference

Mathiesen T (2004) *Silently Silenced: Essays on the Creation of Acquiescence in Modern Society*. Hook: Waterside Press