

CURRICULUM VITAE Christine Morgenstern

Section 1 - Personal and Career Information

I am a lawyer and criminologist, currently holding the Chair of Criminology at the Faculty of Law, Ruhr-Universität Bochum (RUB) as a full professor (2023-).

I graduated in law (First State Exam, Freiburg, 1993) and, after completing legal clerkship, passed the Second State Exam as best graduate of my cohort (1997). Between 1997-2018, I held various positions from research associate to research fellow and senior lecturer at Greifswald University, where I obtained my doctorate (PhD, 2002). In 2008, I co-led the comparative project ‘An analysis of minimum standards in pre-trial detention and the grounds for regular review in the Member States of the EU’ (with A. van Kalmthout, University of Tilburg, NL). In 2016, I completed my postdoctoral Habilitation degree after being awarded a research grant by the German Research Foundation, DFG (2012-2015, 252.060 €). In a joint bid with the Austrian Department of Applied Sociology of Law and Criminology (IRKS), I acquired and co-led an empirical comparative research project on pre-trial detention and its alternatives, funded by the European Commission (with W. Hammerschick, www.uibk.ac.at/irks/projekte/detour.html.de, 696.243 €) 2016-2017.

After two Visiting Professorships (Freie Universität Berlin, Universität Göttingen, 2018), I was a European Research Council-funded Research Fellow under the Horizon 2020 Programme (Project ID: 679362) at Trinity College Dublin, Ireland, where I led the German part of a comparative empirical research project on prisoners’ rights (www.tcd.ie/law/research/PRILA/, 2018-2020). Before I joined RUB, I was Professor of Criminal Law and Legal Gender Studies, Freie Universität Berlin (2020-2023).

With my Habilitation, I have been awarded the *venia legendi* (formal academic teaching authorisation) for criminology, comparative criminal justice, criminal law, criminal procedure and European criminal law, which I regularly teach to undergraduates and postgraduates.

My research focusses on human rights in the criminal justice system which I study from socio-legal/criminological and legal-doctrinal perspectives, using both theoretical and empirical methods. Specific topics are pre-trial detention and its alternatives, prison conditions and prisoner rights, post-custodial preventive detention, and female access to justice.

Section 2 – Independent contributions to the generation of new ideas, tools, methodologies, or knowledge

My most recent publication is *European Perspectives on Pre-Trial Detention A Means of Last Resort?* (Routledge, 2023, 314 pp.) that I co-edited with W. Hammerschick and M. Rogan. In the introductory chapter we set out the relevant concepts, the comparative framework, and the empirical methodology the book is based on; I also wrote the chapters on Germany; on European aspects (with I. Durnescu); on foreign nationals and their overrepresentation in pre-trial detention (with A. Hucklesby and M. Boone) and contributed to the concluding chapter (the eds.). The book is based on the above-mentioned empirical comparative research from the DETOUR project across seven European jurisdictions and will serve as one starting point for the research outlined in this proposal.

Earlier this year, the article “‘One always looks for a compromise...’: Senior prison managers’ views of law, human rights and prisoner complaints in Germany” was published in *Incarceration* (4, 2023, <https://doi.org/10.1177/26326663231185898>, with M. Rogan). In this article, we explore how those who should be instantiating a culture of rights in penal regimes – prison staff – view such laws and rights, based on a qualitative study design including interviews with senior prison staff. This paper is one outcome of the comprehensive PRILA study (see above) in which I used and further developed my comparative research experience in designing comparative research instruments and analysing findings both under a national and a comparative perspective.

The centrepiece of my research on pre-trial detention is my Habilitation thesis, published as a monograph in 2018: *Die Untersuchungshaft. Eine Untersuchung unter rechtsdogmatischen, kriminologischen, rechtsvergleichenden und europarechtlichen Aspekten*. (Nomos, 880 pp.) It provides a comprehensive picture of the subject, considering legal-doctrinal and human rights perspectives from Germany and other

European jurisdictions, criminological knowledge (including an analysis of published statistics), and European law, policy and practice (i.e. the additional layer of norms and jurisprudence). It has been lauded as ‘indispensable’ source for academics and practitioners alike, in particular as a novel approach to pan-European and cross-border problems (<https://www.nomos-shop.de/nomos/titel/die-untersuchungshaft-id-77293/>).

My article “Judicial Rehabilitation in Germany – The Use of Criminal Records and the Removal of Recorded Convictions” was published in 2011 in the *European Journal of Probation*, 3 (1), 20-35 (<https://journals.sagepub.com/doi/10.1177/206622031100300103>) as part of a special edition of the journal, highlighting the surprisingly different practices and problems in six jurisdictions. According to ResearchGate, it remains my most read publication with feedback from academics and research users because of the high impact criminal records have for convicted persons. Two follow-up publications updated it and highlighted the relevance of criminological findings for penal theory (“Der ewige Makel – Strafrecht, Grundrechte und das Strafregister”, *ZStW* 131 (3): 625-665, <https://doi.org/10.1515/zstw-2019-0023>) and of a comparative view for policy solutions (“The ‘Stain of Conviction’ - Criminal Records in Germany”, in: Meijer, S., Annison, H., O’Loughlin, A. (Hrsg.): *Fundamental Rights and Legal Consequences of Criminal Conviction*, Hart Publishing: 65-80).

My PhD thesis (*Internationale Mindeststandards für ambulante Strafen und Maßnahmen*, Forum Verlag, 2002) took a human rights-based, comparative approach to exploring ‘international standards for community sanctions and measures’ by the Council of Europe and the United Nations, and examined in how far these standards are met in law and practice in Germany and elsewhere. The results of this study, introduced at the Annual Conference of the European Society of Criminology (ESC), were met with great interest by colleagues from other jurisdictions and became an important source for the European Society of Criminology’s Working Group (WG) on Community Sanctions and Measures (updated in 2009 as “European initiatives for harmonisation and minimum standards in the field of community sanctions and measures”, *European Journal of Probation*, 1 (2): 124-137 <https://doi.org/10.1177/206622030900100205>) as well as for the WG for European Policy and Practice in the COST Action on Community Sanction and Measures (see below). Both were vital for my comparative approach to criminal justice research as part of a closely-knit academic network.

Section 3 – Human Capacity Development

I have led, collaborated with, and supervised teams in several research projects, international collaborations and in my departments:

Since 2008, I have co-led interdisciplinary and multi-jurisdictional research teams in two research projects on pre-trial detention (see above). These teams included Master and PhD students as well as Early Career Researchers who could profit from the combined experiences of several experienced scholars by participating in all research and networking activities. Project funding enabled younger colleagues to participate in international conferences which is a rare opportunity in German Law Schools.

From 2019-2023, I was Co-chair of the Working Group on Community Sanctions and Measures of the European Society of Criminology. Despite restrictions brought by the pandemic, excluding in-personal meetings for two years, we managed to keep the WG alive, hosting two online meetings and expanding our membership (<https://communitysanctionsblog.wordpress.com/>). We could build on a strong and resilient working relationship with roots in the COST Action on Offender Supervision in Europe (2012-2016, <https://www.cost.eu/actions/IS1106/>, with a blog at <https://www.offendersupervision.eu/>), a Research Network funded by the European Cooperation in Science and Technology (COST), with a highly interdisciplinary group of more than 70 researchers from all over Europe. As one of the applicants, chair of a WG on European Policy and Practice and as member of Management Committee, I was not only part of the creation and coordination of the network, I could also contribute to sharing existing ideas and knowledge, developing common shared theoretical frameworks and methodologies and initiating new projects (leading to joint publications, e.g. „Der Resozialisierungsgrundsatz“ – Social Reintegration as the dominant narrative for community punishment in Germany?”, in Robinson, G., McNeill, F. (eds.): *Community Punishment. A European Perspective*. London: Routledge: 72-94).

In all my positions, I have sought to support and liaise with colleagues to enable productive working relationships. As a PhD student at University of Greifswald, I was part of the departmental team which supported researchers from other jurisdictions, mostly from Eastern European states with their language and project organisation – I still maintain close academic contact with some of them (e.g. at Vilnius University, https://www.tf.vu.lt/about_us/scientists-and-academics/sakalauskas-gintautas-assoc-prof-dr/). During my participation in the PRILA project (see above), I supported the mentoring of the project's two PhD students. Currently, I supervise five PhD students, mainly in the field of gender aspects in the criminal justice system. Two of them have successfully applied for research grants with my support.

During my appointment at Freie Universität Berlin, where I held a professorship for Criminal Law and Legal Gender Studies, the first (and only) one of its kind in Germany, I built, managed and supervised a team of five staff members. I introduced several new elements to existing courses, dealing with gender aspects in criminology, prison law or criminal procedure. With my team, I developed a new module 'Feminist Perspectives on Law and Legal Practice', applying new (or at least unusual for a Law School) teaching methods such as blogpost writing, role play etc. The fact that there will be no replacement for my position led to significant student protest, including an online-petition to the University Board and Berlin Parliament (<https://www.openpetition.de/petition/online/fuer-den-erhalt-der-professur-strafrecht-und-geschlechterforschung-am-fb-rechtswissenschaften-der-fu>).

In Bochum, I am director of the Master Program in Criminology, Criminalistics and Police Science (<https://www.makrim.de/>), which is one of only three programmes in Germany (usually, Criminology is part of the curriculum of Law Schools, or Psychology or Sociology degrees) and is taught using a blended learning approach for part-time students. I have negotiated with the University Board to strengthen this programme by introducing international and comparative elements that are key to the current and future work of judicial and police practitioners.

Section 4 – Scientific Impact

Within the collaborations mentioned above, I have initiated and participated in a range of projects, working together with persons from diverse backgrounds (academic; public, NGOs), that resulted in five books and two special journal issues. I regularly publish in journals, handbooks and commentaries used by scholars and practitioners, for example on the legal regulation of preventive detention (Sicherungsverwahrung, Münchener Kommentar zum Strafgesetzbuch) or the imprisonment of women (www.degruyter.com/document/doi/10.1515/9783110536577-014/html).

As a lawyer, I informed and supported the ethics applications for all parts of the PRILA project (see above) for the Research Ethics Committees in Ireland and Germany as well as drafted and supervised the respective Data Management Plans.

I am an Ethics Advisor to the ERC-funded Project RECEDE (REgulating Criminal justicE DEtention: glocal prospects for improving health and safety in detention and society (PI Phillipa Tomczak, University of Nottingham).

I regularly review research grant applications for the German Research Foundation (DFG) and have done so for the Research Foundation – Flanders (FWO) in Belgium and the Polish National Science Centre.

I also regularly review submissions for German and English-language journals (*Monatsschrift für Kriminologie und Strafrechtsreform*, *Criminology & Criminal Justice*, *Rechtswissenschaft*, *Probation Journal*, *European Journal of Probation*, *Howard Journal of Criminal Justice*) and I have been a member of the Editorial Board of the *European Journal of Probation* (www.uk.sagepub.com/journals/Journal202239) since 2010.

Section 5 – Societal Impact

Many of my research activities are policy- oriented. As the European Commission has funded some of my research, I have regularly been invited to discuss findings with policymakers at the European level (for example by the European Commission, by the CEP (Confederation of European Probation) or organisations within the Council of Europe). I was appointed as an expert in the priority field 'Criminal

Justice' in the 'Database of independent experts able to assist the Commission of the European Union in the fields of justice, freedom and security' – call 2007/S 140-172522", 2008-2011.

Drawing on my expertise as a prison scholar, I was asked by parliaments of the German Länder (Federal States) to contribute when prison legislation was overhauled between 2010 and 2016, and for more recent reforms. I am also regularly invited to discuss reforms by the German Defense Lawyer's Association and its counterpart on the European level, the European Bar Association (for example recently at a seminar on the 'Need of further Minimum Standards in Criminal Proceedings' where one panel was dedicated to problems of pre-trial detention). These contacts, in particular with judges and defense lawyers, ensure that research findings are disseminated and impact upon practices. They are also useful for research planning and to facilitate access.

I am a scientific advisor to the historic site and memorial place 'Keibelstraße', a former remand prison in the German Democratic Republic, where prison practices under the communist regime are documented (www.keibelstrasse.de).

I am currently serving as expert to provide advice to the German Government's "4. Periodical Report on Crime and Crime Control in Germany" (3rd edition at www.bundesjustizamt.de/DE/Themen/WissenschaftFortbildung/Kriminologie/PeriodischerSicherheitsbericht/PeriodischerSicherheitsbericht_node.html) in its section on pre-trial detention and short prison sentences. My involvement will facilitate discussion about the limitations of current statistical publications in the area which currently do not contain all available data and on the need to collect and publish better data on pre-trial detention and bail in the future.