

Rethinking imprisonment

Chris Tchaikovsky calls for a greater awareness of the lives lived by the criminalised.

The argument that imprisonment doesn't do anything useful has been won (although there is always the danger of losing it again). But at this stage almost everyone knows that prisons don't reform, rehabilitate, tackle offending behaviour, or do anything other than contain. But prisons are full of contradictions and this makes it harder to get to what they actually do to the people they hold.

Receptions

Take the dreaded reception process. The process starts before reception, when for the first time individuals are separated from everything and everyone - if there is anyone - they know and care about, and who cares about them. The process continues when they are taken to an unknown place which frightens them, and where they are given a number, and it culminates when they are literally stripped bare in front of lay people with a controlling role. It is obvious to say that a prisoner's self esteem is at a pretty low ebb after all that and that she or he feels pretty worthless. But not worthless enough it seems, because after that process of self nullification, the negative reinforcement kicks in: rub down searches, strip searches, urine tests, isolation, lock up, rats, cockroaches, chains, surveillance, more surveillance, drugs, controlled drugs, withdrawals, suicides, sexist talk, racist talk, pornography, delusions, manipulations, screams,

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secret crying, indifference and neglect.

It is remarkable that pockets of good practice exist against this hellish backdrop - and they do - but they are not, as is sometimes claimed, raising a prisoner's self esteem, they are ameliorating the damage being done all around them.

Plans of campaign

I am pleased to report that three of the four Abolitionist groups (PROP, WIP and INQUEST) have survived the punitive atmosphere created by the Tories as they talked up crime and hence the fear of it. We didn't stop talking either, but we certainly failed to get the message across that prisons have nothing to do with reducing crime, and nothing to do with protecting the public, except, and it's a very important exception, when they hold people who have become so hurtful they have to be locked up. But now New Labour are talking about social exclusion, so what can be done to reduce our dependency on imprisonment?

More socio-biographies chronicling the early lives of the criminalised are needed, and we should keep putting the prison on the line by asking if imprisonment ever helped anyone lead that 'good and useful life'?

We know that imprisonment hurts, injures and worsens chances of ever coming back into society. Even so, most people still want the criminalised imprisoned. Maybe one reason for this is that apart from the media stereotype they don't know anything about the people in prison. This is why the socio-biographies are so important: because all the evidence leads to the unfashionable conclusion, that the early lives of the vast majority of the criminalised are terrible. We have to get the truth of this message across, and then make the case that of course this has a bearing on why they commit crimes. A principled start would be to acknowledge what has gone on in



Stephanie Heyman

Chris Tchaikovsky at ISTD's recent Conference at Styal Prison 'Imprisoning Women: Recognising Difference'

their lives before they ever commit a crime. For example, we should never tire of saying that over a third of the prison population have spent their childhoods in institutional so-called care. But we need to be very clear about what we are saying, because to many minds reasons for crime sounds like excuses for crime. Explanation is conflated with justification.

I think we should be more honest, and accept that we don't know how to stop the criminalised hurting us, except by hurting them back. But we should also accept that this reciprocal hurting arrangement hasn't worked, if what we mean by 'worked' is achieving a reduction in crime. Maybe we should argue that no matter how hurtful the experiences and circumstances leading up to individual actions are, they should never excuse nor justify hurting anyone else. However, we might properly argue that this ethical reasoning should work both ways and apply to the law abiding as well as to the criminalised.

Alternative strategies

We need to explain that there are better methods of reducing crime which do not involve punishment. Like residential drug units providing programmes based on self affirmation, group support and afterwards some genuinely positive reinforcements like a home, an education and a job. In other words we

should argue that the best - and possibly the only - way of reducing crime is to reduce the problems of the people committing the crimes.

We know we are selective about what constitutes a crime, and who fits the category 'criminal', but what flows from this is that although punishment seems just and fair to the law abiding, it seems entirely unfair and unjust to the selectively criminalised.

A case study

An example is best; a girl breaks into a young teacher's house and steals a brooch which is subsequently sold for drugs. The brooch is of great sentimental value to the victim because it belonged to her recently deceased mother. The victim has obviously been hurt and she, her neighbours, and the law-abiding public, will probably feel sad, angry, vengeful and develop a very nasty image of the girl who stole the brooch. They will want her to go to prison, because anything other than imprisonment means that she will be getting away with it, getting off, or any number of ways of saying that only the prison provides the just measure of pain required to square the hurt this girl has caused.

So the girl goes to prison and attends that tackling offending behaviour group. Speaking personally, I think it is asking rather a lot of the girl who has been in and out of State institutions all her (short) life, before living rough on the streets from the age of 16, when social services took no more responsibility for her, to think about the consequences of her actions, to take responsibility for her crime, or to think about the hurt she has caused her victim. If you strip away all the gloss about cognitions and behaviours - what have you got? The one: no mother (or not one she can remember), no qualifications, no job, no money, no home, and not very well formed views on punishment, fairness and justice. The other: an education, a job, a home, no mother now, no brooch, and very well formed views on fairness, justice and punishment. The lived realities, hence the thinking, of the burgled and the burglar are so very different that neither of them can see nor hear each other. As far as the one victim is concerned she has been hurt by the other who has done wrong and therefore she should be punished. As far as the other is concerned, victimisation has hitherto been a fact of her life, and punishment is always on the cards. So she takes her punishment (again) but

she does not think there is anything just or fair about it.

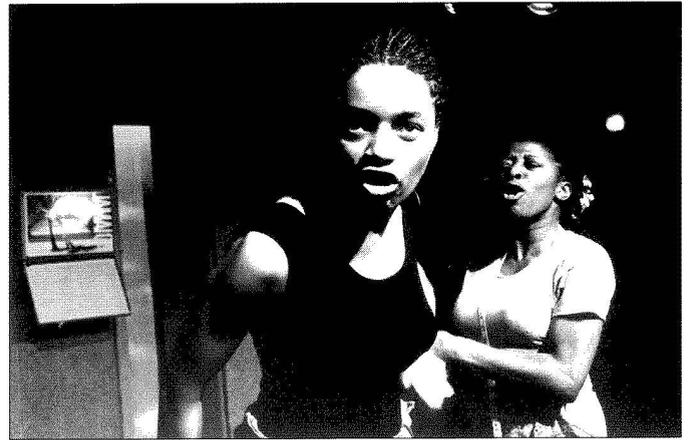
A plea for awareness

Generating a greater awareness of the lives lived by the criminalised before they ever commit a crime may help reinstate all those probation officers who have been saying for years that their job is to reduce crime by trying to solve, rather than exacerbate, the problems of the troubled individuals committing the crimes. There are some signs of a change in thinking: Nottingham Police for example are treating girl prostitutes as victims of child sexual abuse - and hopefully this approach will be replicated nationally; the Rainer Foundation has produced an excellent research-based publication entitled "Is the Persistent Offender a Child in Need?" (no prizes for guessing the conclusion). There are Trustees who fund front line groups working with prisoners because they know that poor means poor and deserving or undeserving has nothing to do with it. And there are all those people in the Prison Service who keep trying to limit the damage imprisonment does.

There will be scope for re-thinking imprisonment when New Labour incorporates the European Convention on Human Rights into British law. When that happens, (using Section 3 of the ECHR; [no one shall be subject to] inhuman or degrading treatment), New Abolitionists should be able to raise legal challenges against: chaining, strip searching by lay people, dangerous transportation methods, and inhumane containment in those 86 tiny cubicles at HMP Eastwood Park.

However, as far as I can tell, the framework of the Convention leaves the Official Secrets Act as it applies to prison staff, and the peculiar arrangements which apply to the professionals working for the Prison Service, unchallengeable. This means that the Home Office, rather than the National Health Service and the Church, will still employ silence, and render unaccountable the doctors, psychiatrists, nurses and priests who work in prisons. It seems therefore that even the legislation on human rights may not apply to prisoners.

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Clean Break Theatre Company

*We have survived, silence
such as may fall on us again, for years
Together we have won this battle
These poems, the remains
The tools that may sustain us
When the silence comes again*

*Rose
from the Take Five Project*

I DIDN'T KNOW

*I didn't know what married life was about!
I never had a Dad around me;
Mum was never there, for she was always out -
Never there for me,
I taught myself to survive - then I got married.*

*I didn't know what married life was about!
I only knew how to survive;
A fist in the face,
A shining eye,
One thick lip, and a broken nose.*

*I didn't know what married life was about!
A swollen tummy,
A pain in the rib,
Two hearts beating,
Then a child was born.*

*I didn't know what married life was about!
Now I'm inside
Doing my time
No husband or child;
All I knew was how to survive.*

*So don't blame ME!
I didn't know what married life was meant to be!!!
The marriage vows never said
About the battering to hell -
As my husband's way of greeting me as I fell!*

From the Take Five Project