# The Prison Service Since the War

*Sir Lionel Fox*

HAVING been invited to write under this title, I propose to take it fairly literally. I shall have the Service more in mind than the prison and borstal systems, and recall where we started from before describing the journey.

When I became Chairman in April 1942, the Prison Commission was then in academic seclusion at Oriel College, Oxford. Our fire-watchers were alert, but so far as I remember undisturbed. It was very different elsewhere. A score of establishments had been struck with H.E. or incendiary bombs, some receiving severe damage, and more was to come. There were many casualties and much heroism, and some of the accommodation that was destroyed has not even now been replaced. By the end of 1942 over 400 officers had been called up out of a total of about 2,000, and wastage then and for some years had to be met by recruiting War Auxiliary Officers from among those who were not eligible for military service or directed into industry—not in general the most favourable field of recruitment. The office staffs too were reduced to less than half their pre-war strength, and temporary clerks were even harder to find than auxiliary officers. Meanwhile the prison population was rapidly expanding, and included those difficult bodies the 18B and Alien Internees. In these conditions the major task of the Service was just to keep going, and it did so. In their Annual Report for 1942-44 the Commissioners recorded "the striking fact that in spite of every strain and stress during these increasingly hard years, the Prison Service did all that was asked of it without serious friction and with no serious breakdown."

Looking back at the Annual Reports, it seems that the impact of peace in 1945 almost did what enemy action had failed to do. "The end of hostilities, far from bringing any respite to the over-strained and under-staffed organisation, already entangled in a complex of urgent problems, brought still more problems but no immediate help in their solution". Staff shortage was more acute than ever: even if the staff could have been increased, no quarters could be built for them. The population, and especially the borstal population, was rocketing up. There was grave under-employment in the prisons due to the cessation of war-work. Overcrowding was serious, and the damming up in local prisons of borstal boys with no borstals to go to led to violent criticism in Parliament and the Press. When Brigadier Bateman, the Director of Works, came back from the Army in 1945 he found a skeleton Works Department, an enormous load of arrears of maintenance and reconstruction, and an urgent demand for at least six more borstals, five more prisons, and a large staff housing programme.

However, the spirit and morale of the Service were there, and we were not short of ideas. It is interesting to look again at the Memorandum, printed in the Annual Report for 1945, which the Commissioners had submitted to the Advisory Council on the Treatment of Offenders about "their proposals for the development of the prison system for adults during the immediate post-war years." We must remember that at that time, in spite of the establishment between the wars of the concept of "training" and the clearing away of many of the more deformative features of the prison system, more progress in the development of training had in fact been made in the borstals than in the prisons. These were still operating within the 19th century legal framework of convict prisons for sentences of penal servitude and local prisons for imprisonment. The one exception was the "training centre" established at Wakefield, with its satellite "open prison" at New Hall Camp, for selected Stars from the North and Midlands.

The 'Wakefield system' was based on the idea that, with the local prisons as they were, positive training in the fullest sense could only be given to a homogeneous group of selected prisoners in an establishment set aside for the purpose, and a staff concentrating on that purpose. Even before the end of the war, the Commissioners had taken that idea a stage further. In their Report for 1944 they said:

> "Emphasis has properly been laid on the necessity of treating those who come to prison for the first time in such a way that they do not come back, and, in fact, over 80 per cent do not come back. But the hard core of the prison problem is the 20 per cent who do come back: it is from among these that the professional criminals of the future will be recruited. The next step in training, therefore, should be to concentrate on those who return to prison after serving a first, or even a second sentence, in the hope of preventing them from becoming habitual criminals. The question what form that training should take has received very careful consideration."

The upshot of that consideration was the formation of a new category of prisoners who have since come to be known as "trainable Ordinaries", which could be mixed with Stars in a training centre on the assumption that "provided proper care was exercised in selecting the Ordinaries for training, classification need not be dominated by the bogey of contamination; on the contrary, it was more likely that the majority of decent men would influence the minority for good than the other way round."

That was the basis on which Maidstone was opened as a "training centre," and with John Vidler as its Governor it soon became so in fact as well as in name. The "five-year plan" of 1945 looked forward to the conversion of Wakefield to the new "mixed" system and the opening of similar regional centres to cover the whole country.

This plan was prepared in the expectation that the Criminal Justice Bill 1938, killed by the war, would as soon as possible be reintroduced. The main provisions of the Bill, so far as it affected the Prison Service had been:

(1) The substitution of a single sentence of simple imprisonment for penal servitude, imprisonment with and without hard labour, and the "Triple Division" of offenders sentenced without hard labour.

(2) Eventual prohibition of imprisonment for persons under 21 and provision of alternative methods.

(3) The implementation of the recommendations of the Departmental Committee on Persistent Offenders by the modification of preventive detention and the introduction of "corrective detention".

The memorandum pointed out, correctly, that the proposals under (1) would make no difference to the actual treatment of prisoners in prison. "Imprisonment with hard labour" had long been a meaningless expression. "Convicts", as those sentenced to penal servitude were called, had for some time been kept in local prisons, or sent to training centres, if their sentences were under four years. The main problem would be how to implement the new methods for persistent offenders. "The difficulty is perhaps made most clear by stating that on the one hand there are now some 30 'habitual criminals' serving sentences of preventive detention, while on the other hand there are some 2,000 prisoners serving sentences of penal servitude or imprisonment who would qualify for this form of sentence under the formula of the 1938 Bill. If the Courts use the powers it is proposed to give them to the full, evidently the make-up of the prison population and the allocation of accommodation will be radically changed."

"Another factor making for uncertainty in planning", the memorandum went on "is the unpredictable fluctuations in the level of the prison population" and "a third factor of uncertainty is the number of years which will elapse before prisons become high enough in the scale of national priorities to enable a serious start to be made with a large-scale rebuilding programme."

Mercifully we cannot see what is to come. Ten, not five, years later the total population had passed 22,000, with over 2,000 men serving special sentences as persistent offenders, and the "large scale rebuilding programme" had not yet produced one new establishment.

The section on training and treatment accepted as basic the principles first developed by Sir Maurice Waller and Sir Alexander Paterson after the First World War. Even in the difficult circumstances of the Second War some advances had been made on these in method and detail. In 1942 conversation at exercise was allowed at all prisons, giving rise to the possibly apocryphal story of the prisoner who was charged with "not conversing on conversational exercise". Daily shaving was introduced. The enamelled disc with the prisoner's cell-number, which used to hang on the breast-pocket, followed the broad arrow into oblivion. The use of correspondence courses, intended at first to fill the war-time gaps in the educational scheme, was also developed at this time.

The stage system too had been turned inside-out, on the principle, first stated in 1944, "that in so far as the stage privileges are valuable for training, the sooner a prisoner profits by them the better; second, that in so far as they are intended to assist discipline, a prisoner is more likely to be affected by the loss of something he is actually enjoying than by the postponement of something he hopes to enjoy in the future." So library books ceased to be stage privileges, open access to the library shelves was allowed, and in 1944 all County Librarians were invited to follow the example of the Suffolk County Library.

which in 1942 had agreed with the governor of Hollesley Bay borstal to run his library as a branch of the County Library. These developments will always be associated with the name of Miss Mellanby, who pioneered and pursued them throughout. Then Stars were brought into the Second Stage, with association at meals and in the evenings, at four weeks instead of twelve weeks, and for the first time Ordinaries were allowed to dine in association at a certain point in the stage system.

But perhaps the most significant developments had been those which contained the seeds, then unrecognised for what they were, of the open prison system. New Hall Camp had long been there, and Aldington was soon to follow as a similar satellite for Maidstone; but these were for the selected men of a pre-selected population, and they were not self-contained and independent establishments. The key lay rather in various war-time necessities from which the Commissioners "had learned much which had led them to take a more generous view of the extent to which most ordinary prisoners can be trusted." At many prisons men slept in emergency huts of minimum security. At many more, parties went out daily to work on farms or other jobs of national importance with only token supervision. And at the outbreak of war the population of Wakefield (about 250) had been transported to the open institution at Lowdham Grange, while a mixed population of recidivists streamed into Wakefield. Only two men absconded from Lowdham, and the recidivists responded surprisingly well to a slightly adjusted "Wakefield system." All this led the Commissioners to propose, in their memorandum, that till the building programme came to their relief, camps and hostels should be sought as "stop-gaps" and "the possibility of setting up one or more Training Centres for men in camps or hostels should be explored." In the years between, these 'stop-gaps' and 'possibilities' have developed into the most complete and comprehensive open system to be found anywhere, an achievement in which the whole Service may take a proper pride.

About the employment of prisoners, the memorandum, again blind to the future, said "the eight-hour working day will be restored as soon as possible" and "no worse thing could happen than a relapse to the conditions in which machines stood idle while prisoners slowly spun out work by hand to make an order last as long as possible." The Commissioners looked forward to obtaining "greater consideration from government contracting departments of the needs and potentialities of prison industry," and recalled the wide range of skilled and semi-skilled work carried out by prison industries as sub-contractors for munition works during the war: they hoped that political and economic conditions would favour a resumption of such work for private firms. They also hoped for a continuance and extension of outside working parties on agriculture, drainage, etc., and considered the possibility of providing vocational training courses in the proposed training centres. They also touched on earnings schemes in relation to the concept of "the rate for the job".

In education they wished "to see lively development", and proposed to appoint an Educational Advisory Committee, with the possibility in

mind of basing the organisation on the assistance of Local Education Authorities.

The section on health looked forward to important developments in psychiatric research and treatment and the setting up of the "special psychiatric establishment" generally known as the East-Hubert institution. Improvements were also looked to in prison sanitation, clothing, and food, and the appointment of a Catering Adviser was proposed.

There was a special section about women which suggested that little imagination had been used in their treatment in the past. Radical changes were proposed in the nature of women's prisons, which should be of cottage-home type in minimum security and "In all types of women's prisons, the Commissioners propose drastic changes in the present style of dress, both outer garments and underwear. They do not think it helpful that a woman's appearance should be a source to her not of pride but of humiliation. They would see no objection to the use of cosmetics, if the administrative difficulties can be overcome." For the borstal girls, Aylesbury was regarded as "wholly unsatisfactory". Two new borstals were proposed, which it was hoped would be quite small.

This 'five-year plan' had dealt only with the prisons. The position of the borstals was even worse. A service which had stood high in morale and public esteem found itself in September 1939 lost almost overnight. With the immediate discharge of all senior boys and girls the tradition of over 30 years was abruptly broken. Much of the highly trained and experienced staff was lost. Accommodation was given up for other services. On this strained and diminished service, from 1945 onwards, fell an increasing flood of new committals, which by 1946 had raised the population from some 1,500 to over 3,000. The closed borstals which had been taken over as prisons were recovered; Latchmere House was opened as a second reception centre; by 1946 four camps had been acquired for open borstals and at the other extreme a borstal was put in a wing of Dartmoor. Yet the flood of boys always outran us: by 1949 it had reached 3,500 and by 1952 was nearing 4,000, with the finding, adapting and manning of still more institutions always panting behind. It was not till the pressure eased after 1953 that the borstal system began to achieve stability and maturity again.

Such then is the situation out of which our Service, a little bloody but quite unbowed, has been fighting its way these 15 years. We knew where we wanted to go, but we sadly lacked much of the means to get there, notably staff and buildings. Let us see what has happened about these, taking staff first since, as the White Paper of 1959 says, "the success of the system will, finally, depend on the quality of the staff which will administer it."

Looking first at quantity rather than quality, the adequacy of staff numbers is evidently relative to the number of inmates in charge, and the story is to be read against a continued rise in the population from some 14,700 in 1945 to a peak of over 24,000 in 1952. From there the tide ebbed to about 20,500 at the end of 1955, steadied in 1956, and then rose sharply to a new peak that at one time in 1959 approached 27,000. During the winter of 1959/60, it has been receding again: I venture no prediction

as to whether this will be a minor fluctuation or a major recession such as came after 1952.

Let us look first at the foundation of the staff pyramid, the prison officers, of whom there had been in 1938 over 2,200 men and about 200 women for about 11,000 inmates. On 1st January, 1946, there were some 1,880 men and 220 women for about 15,000. In post-war years recruitment was limited by Government directions, and increasingly full employment in the national economy did not help. Nevertheless, ten years later, this staff had nearly doubled, and notwithstanding the continued competition of full employment, had increased again to about 4,700 men and 240 women at the beginning of 1960. While this is, absolutely, a considerable achievement, it is still inadequate in relation to the needs. It is even now not possible to get back, in the local prisons, to the shift-system which before the war permitted a full workshop day for the prisoners. The bodies are not yet there on a pure staff/inmate ratio, and the over-riding factor is that whereas at the end of the war there were 40 establishments to man, there are now over 80, and still they come.

It is difficult to foresee the end of this relay race. Problems of policy also arise in relation to regulating the flow of recruitment. The Service cannot be inflated beyond its capacity to absorb inexperienced new entrants, or beyond the availability of quarters for those who are established. On one point policy is and must be firm: quantity must not be put before quality. The emergency methods of recruit training used after the war, to increase the output of the Training School, have long disappeared. So much importance is attached to the training of all grades that an Asst. Commissioner has for some years had special charge of it, and principal officers have been appointed at all establishments to supervise the first stage of recruit training and the continued training of successful candidates during their probation. Constant thought is given to improving the techniques for weeding out unsuitable candidates at the earliest stage, and improving the content of the initial training. To increase the flow, as well as the quality, new and larger quarters were found for the recruit training of prison officers, and the old school, re-named the Staff College, concentrated on the initial training of assistant governors and the provision of in-service training courses for all grades of the Service.

This in-service training has many values. In their few days at the College people are taken out of their daily grind into a fresh and stimulating atmosphere. They meet others doing the same sort of work, and under the guidance of the College staff discuss common problems and new ideas. They are in every sense 'refresher' courses.

One feature of this form of staff training derives from the increasing specialisation of staff which during these years followed our wider conception of the training of inmates. The medical side must care for the mind as well as the body, so the medical officer must be as much psychiatrist as physician, and specialised psychiatric services have developed which will culminate in the 'East-Hubert' psychiatric hospital now being built at Grendon. So too, in these years, a complete psychological service has grown up within the Service. Education is no

longer a casual amateur affair, but is conducted by professional teachers with Tutor Organisers as a normal part of the staff: so too with physical education. Industry has also developed its own range of specialists, from civilian instructors upwards. Social welfare and preparation for discharge are increasingly in the hands of professionally qualified welfare officers.

This diversity of function has led to various measures designed to ensure that, in the words of the White Paper, every member of the staff "must work together as a team inspired by a common purpose which every officer clearly understands and in the achievement of which he has a real concern." All the in-service courses have that end in view, but some more directly than others. Since 1955 new entrants to certain specialist grades (e.g., chaplains, teachers, psychologists, physical education specialists) have met in a short annual "integration" course, which enables each to appreciate what the other has to contribute to the common task and to get the feeling of belonging to a team. Another such step was to arrange for all new entrants except prison officers and certain minor grades to have a few days at the College to introduce them to the Service. Still another, though it takes us away for a moment from Wakefield, was also taken in 1955, when Consultative Committees were set up at every establishment. These bring together, in quarterly meetings, representatives of every grade and interest to discuss together either local problems of their own or general questions on which the Commissioners seek their opinions.

Back at the College, let us consider assistant governors. These are in themselves a post-war innovation. Before the war, there were on the borstal side housemasters and assistant housemasters: in the prisons a new entrant usually joined as a governor class IV, as deputy at a large prison. With the development of training centres and young prisoners' centres after the war 'housemasters' soon found their way into the prisons as well. In 1947 they were all redesignated governors V, and a training course was started for them at Wakefield. Later on, it was decided that the title of governor should be reserved for the actual head of an establishment, and governors IV & V were re-named assistant governors I & II.

All entry to the governor grades was now through the ranks of the assistant governors: direct appointment disappeared. At the end of the war the Secretary of State had also approved the policy proposed to him by the Commissioners that governors should be found from within the Prison Service to the extent that suitable candidates were forthcoming. Some vacancies continued to be filled by the direct promotion of chief officers or foremen of works through normal promotion board procedure, others by direct entry through an open competition held by the Civil Service Commissioners, for which members of the service could also apply. Main interest centres on the considerable development of the pre-war 'staff courses'. These were now designed to select and train as assistant governors prison officers of over two years service who had passed a Civil Service qualifying test, and a preliminary selection board. These six months courses, run at the Staff College in conjunction with Leeds University, were in 1955 followed by shorter and less academic courses

to pick up older officers who might have missed earlier opportunities. At first separate four-week courses for direct entrants continued alongside the staff-courses, but in 1957 this anomalous situation was brought to an end. Since then direct entrants and 'long staff-course' candidates have taken the same course together: it aims to balance academic instruction, e.g., in sociology and criminal law, with practical training which includes increasing attention to case-work and group discussion techniques.

So we have sought through these years to build up a diversified staff of sufficient numbers and good quality. To attain these ends it is necessary first to ensure that the pay and other material conditions of service will attract and retain the right men and women, and this led to the setting up in 1957 of a Departmental Committee to make a comprehensive review of the pay and conditions of service of prison officer and governor grades. But even more important is to try to make the work rewarding and satisfying in itself. This means continued attention to in-service training, so that the Service may feel that it is being given the necessary techniques for the increasingly complicated calls made on it. It also means the provision of buildings and equipment which are not, as the White Paper says, "a monumental denial of the principles to which we are committed". And particularly for the ordinary officer at the grass-roots of the whole system, it means ensuring that he feels as much a part of the 'training team' as anyone else in his establishment.

What has been and may be done on the last of those necessities we shall see when we come to look at the training of our inmates. Let us now turn briefly to the buildings in which the work has to be done.

Again, one has to think in terms of both quality and quantity. I do not propose to spend time on the notorious deficiencies of our 19th century buildings. The Service has to work in them, and knows. The public has been told in the White Paper. I must however recall how much has been done to them since the war. By 1955 we had provided over 160 more workshops, and those since completed or now in hand or planned will bring the total to around 200. Ranges of class-rooms have been built at many prisons, and new libraries at some. Pleasant modern visiting rooms for prisoners' families and friends are coming year by year. Many new chapels have been provided, and most old ones made to look more worthy of their purpose. Gas has been completely replaced by electricity—no less than 35 establishments were still gas-lit at the end of the war! Modern central heating systems have been put into many establishments, and are going into many more. Most kitchens have been modernised and re-equipped. And now a great drive is being made on sanitation. The revolting old open W.Cs. on the exercise yards are rapidly giving way to decent ranges in brick-built structures, and bath-houses, internal sanitary recesses, and workshop sanitation of a high standard are removing some of the most offensive aspects of our prisons. Above all the cheerful new colour schemes have done as much as anything to make them less dreary places to live and work in. The White Paper looks forward to a time when the local prisons at least can one by one be emptied for complete reconstruction as modern training units.

As for quantity, our increase from 40 establishments to over 80 of all kinds still leaves over 6,000 men sleeping three in a cell in local prisons, and if two-thirds of those had gone the prisons would still be too full. Some more relief, but not perhaps very much, will be found by getting more open prisons: for the rest, unless the crime wave goes steeply down and stays down, we can only look to the gradual unfolding of the new building programme. To deal adequately with this would be matter for another article: it has been fully described in the White Paper. We have its first-fruits at Everthorpe, built as a prison but pressed into the borstal service. That is good, its fellow now coming up at Hindley will be better, but our full conception of a contemporary prison will only be seen in the third, which is about to start at Blundeston.

Now let us turn to the end in view, which is the treatment and training of the offenders in our charge in such a way as "to establish in them the will to lead a good and useful life on discharge, and to fit them to do so." It may be that the inclusion of that statement in the new Prison Rules which followed the Criminal Justice Act 1948 was the most significant result of that Act for our Service. True, it followed the Bill of 1938 by clearing away a lot of 19th century deadwood and so simplifying the framework of our job, and also by providing new types of sentence for dealing with young offenders and persistent offenders. These changes were rather of the structure than of the spirit: but the Prison Rule above quoted, and certain others declaratory of principle rather than practice, followed the quiet introduction into the Act of the word "training" as one of the purposes for which Rules should be made. So, with the authority of Parliament, the principles for which our predecessors between the wars had been forced to fight so hard were now placed above the range of controversy.

The 'five year plan' of 1945 had already shown how the Commissioners meant to set about implementing these principles, and the story from 1949 becomes one of first providing the framework, and then developing the necessary techniques. On the prisons side, from the simple pre-war system of 26 local, four convict, and one preventive detention prison, there developed the pattern of central prisons for long-term imprisonment and preventive detention, regional and corrective training prisons for the training of prisoners with sentences of medium length, and local prisons forming a sort of sub-structure out of which the training system emerges. That at least is the pattern, but simple lack of accommodation has in fact kept many men of many categories in the local prisons who ought not to be there at all. To that extent overcrowding still defeats the main purpose of this system, which is to try to send every prisoner to the type of prison most likely to provide the training that he needs.

The system of classification, which is the instrument, intended to serve that end, has also, through the pressure of events, remained notably defective. If we are really to provide positive training on an individualised basis, it does not begin to be enough to divide prisoners into Stars who have not been in prison before and Ordinaries who have, even if on a very undetermined sort of basis we pick out some 'trainable Ordinaries' to go

along with the Stars. We all know what varieties not only of personality but also of criminal sophistication can be covered by the word Star. In 1956 the Commisioners set up a Working Party to consider how classification might be based on a real assessment of individual personality, but the sharp increase of population that followed made it necessary to put their proposals, with many others of that hopeful interlude, into cold storage. There, on the whole, they seem likely to remain until we have the remand and observation centres foreshadowed by the Act of 1948 and the Prison Rules 1949, with their specialised diagnostic staffs, to relieve the local prisons of their tasks of dealing with the unconvicted and classifying the convicted. The first of these is now being built.

It seems unlikely that before we have these centres, and the new training prisons promised by the White Paper, the Service will be able to tackle effectively the basic task set before it in 1945 — to stop recidivism. It cannot be done, as we have been forced to try to do it—except for the comparatively few sentenced to corrective training—between Dartmoor and the local prisons. We must have a number of small units which can become "therapeutic communities" in the sense that they will not only try to affect the states of mind and social attitudes of offenders, but will be equipped with the techniques to do it. Here in recent years it has been possible at least to sow some seeds of ideas which may bear fruit in proper soil.

Research, on which so much emphasis was laid in the White Paper, is being brought to bear directly on our own problems. The direct value for training of the science exemplified in the Mannheim-Wilkins borstal prediction table has yet to be developed. In other directions studies which should be of great practical value are under way. Teams of sociologists have studied the make-up of the prison community, so that we may better understand how imprisonment affects the prisoner and what are the inter-actions between the prisoners themselves and between them and the staff. Our psychologists, in conjunction with the Home Office Research Unit, are engaged on a project which seeks to identify the factors and personal characteristics which bring back to prison that 20 per cent or so of first-timers who do come back: then perhaps we shall be able to pick them out when they first come to us, and if they still come back we shall know better how to treat them so that they don't come back a second time.

New methods have also been developing. The 'Norwich system' in small local prisons, and experiments in the larger with special wings on the lines of 'H wing' at Pentonville, with 'induction units' in some others, are pointing the way to a training atmosphere involving the whole staff even in the local prisons as they are today. For the longer-term recidivists the hostel scheme has now spread, from its P.D. origins at Bristol some years ago, to a growing net-work providing each year, for a lot of men who had virtually written themselves off, a new hope and a real chance of establishment in normal life which most of them seem to be taking to heart. Group counselling, our newest technique, has yet to prove itself. It started at Wakefield and Pollington, but is now passing to a more generalised

basis with instruction provided at the College. Several prisons, including Dartmoor, report that, using prison officers for the most part as counsellors, they are finding most helpful results not only in changing the attitude of inmates towards themselves and towards authority, but in giving the staff greater insight and confidence in their work.

For young offenders too the scene has changed and is changing. In these years the Service has established the system of detention centres, and pioneered a senior attendance centre. Borstal, in spite of its constant struggle with too many boys in too few institutions, has added to its pre-war equipment fine systems of vocational training and general education, with a whole range of adventurous and character-forming activities outside the borstals, and is now beginning to seek ways to deepen its 'case-work' approach to the more disturbed and difficult of its charges. For those who have still come to prison, we have set up separate young prisoners' centres largely inspired by our own borstal training. For the free interchangeability of the two sides of the service has throughout been one of its strengths.

The White Paper confirms the value of what the Service has done for young offenders by projecting its work into the future in a new framework.

So, in whatever grade or part of the Service we find ourselves, we shall still go forward with that "constant heart-searching", and "tireless efforts to find curative and regenerative processes", which fifty years ago, in a famous passage, Sir Winston Churchill put among the first of our duties.