

Impressions of the Penal System

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I was sentenced to twelve months' imprisonment on the 28th June, 1964 and was released on the 26th February after completing eight months of my sentence. The first three weeks of my imprisonment were at a large metropolitan prison, the remainder at an open prison.

The "conclusions" below are based partly on my own experience and observations, partly on a fairly intensive academic study of the penal system whilst in prison and partly on extensive conversations with both prison staff (at all levels) and other prisoners—many of whom had had substantial experience of other prisons. I recognise, however, that my personal experience is limited and it is, therefore, with some misgivings that I draw these somewhat confident conclusions. Nevertheless, although prisons vary in character their similarities are likely to be more important than their differences. Certainly all conform to a basic system. It is this system of which I have had some direct experience and which I now venture to criticise. I hope I do so constructively.

Introduction

THIS REPORT is mainly concerned with the rehabilitation of prisoners. I have not, however, tried to lay down a precise plan for a rehabilitative penal regime. Nor have I suggested any new forms of therapy. Indeed, I am not competent to do so and in any case, the methods already available such as the influence of staff, therapeutic case work, group therapy, education and prison work are potentially very effective reformatory instruments. But I argue their effect is now little more than negligible. I conclude it is mainly, though not entirely, the set of basic attitudes and ideas permeating our penal

thinking which militates against the effective use of these techniques. These attitudes and ideas represent what Professor Galbraith would perhaps call the "conventional wisdoms" of penology.

I have tried to show how these ideas and attitudes are of critical importance in determining not only the character and atmosphere of prison life but also our approach to the rehabilitation of prisoners. Specifically I argue that the apathetic and passive relationship between staff and prisoners, our obsession with the therapeutic value of work, the minimal educational facilities, the rigid semi-military staff hierarchy, the emphasis on "personal" reformation, our

apparent timidity towards more scientific therapeutic methods, and most important, the generally passive character of prison life, all stem, at least in part, from a preconceived set of attitudes and ideas. I also argue that these attitudes and ideas evolving largely from the knowledge available in, and the penal aims of, the late nineteenth century, however ameliorated by twentieth century liberalism, remain negative and unscientific.

The attitudes and ideas I refer to are, by definition, largely intangible and are not, therefore, easy to pin-point and criticize. Nor are they obvious from, say, official Home Office documents. They have, therefore, often been overlooked or alternatively we have sought to remedy the practical application of the ideas rather than the ideas themselves. For example, because the beneficial results of work on prisoners are not by any means apparent we devote vast amounts of time and energy to gaining more work. No one questioned whether the *idea* of work as a therapeutic instrument was valid or at least, was not exaggerated.

This does not mean that many, and now in (principle) officially accepted "physical" reforms are not necessary. We urgently need new and smaller prisons, more open prisons, more remand and observation centres, more constructive work, new earning scales, a revision of a system of rewards

and punishments and so on. But these, in themselves, will not create the "communities" for "social learning" advocated by many and notably by the Labour Party Study Group of 1964. Equally important is an objective reappraisal of the basic tenets of penal training and the methods which stem from them. And following this we must be prepared to ruthlessly rid the system of any such attitudes or methods which militate against a modern and effective system of penal training.

Such a radical reappraisal was hinted at in the 1959 White Paper when it referred to the possible need for a new "penal philosophy and practice". For unexplained reasons it was felt the time was not then ripe for such a fundamental re-examination. If it was not then it surely is now. This relatively short report does not, of course, attempt such a comprehensive review. I hope, however, it may at least stimulate constructive criticisms of some major and basic weaknesses in the present system.

Philosophy of Rehabilitative Training

Although in both prisons the conditions and treatment of prisoners was remarkably humane I feel strongly that rehabilitation requires a more positive and scientific approach. This, however, will not be achieved until the basically negative attitudes underlying rehabilitative training are changed.

Undoubtedly there exists a widespread and impressive consciousness of the need to achieve

the rehabilitation of prisoners. Isolated incidents apart, prisoners are treated reasonably and with proper respect. Moreover, considerable efforts are made to make the conditions of life tolerable. Although at the metropolitan prison the character of the buildings make substantial improvements difficult, at the open prison, apart from the relatively civilised living conditions, many extra amenities were available such as television, games rooms and discussion groups. Certainly it is accepted that prisoners come to prison "as a punishment and not for punishment" and an atmosphere of charity prevails.

But humanity is not enough. Highly desirable (and even successful with some prisoners) it will not by itself effect a change in basic attitude among the great mass of recidivists (or potential recidivists). The problems of the average recidivist are too complex for that. For, in so far as is now widely held, criminality involves a character abnormality, its treatment requires that a man should be brought to an acceptance of himself and others—technically "psycho-social maturation". This can only be achieved by systematic, sustained and expert therapeutic activity of which a humane approach is only the basis and not the whole. I feel it is of some importance to recognise this since we perhaps expect too much of the new "liberalism" which has been responsible for many of the changes in penal

methods in the past two decades.

This "liberalism" has, moreover, overlaid rather than replaced, the even more therapeutically passive Victorian penal thinking and particularly the emphasis placed by the late nineteenth century penologists on the prisoner's own personal responsibility for reformation. The idea of "self help" and the feeling that reform should be a matter between God and the man. (Thus the concept of solitary confinement as necessary to achieve "that calm contemplation which brings repentance".) This rigid viewpoint would not be defended today. We are now more sophisticated but much of its essentially passive spirit still pervades our reformatory methods. For example, Sir Lionel Fox, in his definitive work on the penal system*, argues that reform "must come from something inside the man"—which is true but a considerable simplification—and that "all the prison can do is to provide a background of conditions" favourable to reform. (My italics.) In practice this means a moral atmosphere, constructive work (both, anyway, rarely achieved) and individual help in specific welfare cases. There is a vast difference in spirit and practice between this and a system which is aggressively, systematically and scientifically

**The English Prison and Borstal System*, (p. 2) published in 1952 when Sir Lionel was chairman of the Prison Commissioners. I surmise that, in essence, it still represents the view of the Prison Board. Certainly my own experience suggests this is so.

reformatory. It is the difference between a positive system and a passive one.

It is, of course, true that in addition Sir Lionel advocates there be individual guidance for prisoners—with the cautious qualification “where necessary and possible”, he states “... some will be reached by the message of the Gospel, others by a friendly hint, a sympathetic touch. For one it may be necessary to prick a bladder of conceit, for another ... build ... his self respect”. Another view about the influence of staff was put to me by a deputy governor when he said: “We’ll help a bloke if he asks us. But he must want to change. We can’t help him unless he’s made his own mind up”. This makes two large assumptions. Firstly, that a prisoner is conscious he needs help, secondly, that he is anyway likely to cold bloodedly request help from a prison official. Both these sentiments display a warm humanity and charity. They also suggest an amateurishness of approach, a superficiality of psychological knowledge and, perhaps, even though I am sure unintentionally, a kind of paternal complacency to assume that deeply ingrained character abnormalities can be thus eliminated. Both use language more appropriate to a headmaster talking of his more difficult pupils than prison experts referring to criminals and the complexities of recidivism.

I believe these essentially amateurish and passive attitudes are

ingenuous and dangerous. Ingenuous because they expect too much from the average, perhaps inadequate, perhaps anti-social prisoner. Dangerous, because while they prevail, improvements either in buildings or staff will ameliorate rather than solve the complexities of recidivism.

Thus I feel the prison service must be imbued with a fundamentally new attitude towards the reformation of prisoners as a prerequisite of more tangible administrative reforms.

This new attitude would embody a realistic acceptance that:

(a) *prisoners require much more positive and continuous guidance.* I do not dispute that, in the last resort, there must exist the “will” to change but it should be the function of the prison to assist in creating, nourishing and sustaining that “will”;

(b) *this inevitably enlarges the function and responsibility of prison staff.* We now expect too much of the prisoner and too little of the staff. There should be a shifting of emphasis towards the staff’s role—though I emphasize the prisoner must also play a positive part. (The staff role is discussed in more detail below);

(c) *reformatory training should be more positive and direct.* Work and a moral atmosphere are important but they are essentially passive and indirect influences and therein lies their

weakness. Instead of using all the psychological and sociological weapons at our disposal we should attack *directly* the mind of the prisoner for only then can we hope to change his basic and deeply ingrained attitudes.

It may be felt that this approach raises both ethical and practical problems and these are discussed in an appendix.

These are, of course, merely broad principles. Their intention is to substitute a positive philosophy for a negative one; to introduce a scientific attitude towards the problem of rehabilitation. They only represent the foundations but they are no less important for that since without the foundations the whole structure will be fundamentally unsound.

Certainly they involve a new approach from the highest levels of the prison service and probably a new vigour also.

Staff Attitudes

Senior staff generally are conscientious and humane. They are anxious to rehabilitate the prisoner but they are limited in the knowledge and opportunities to do so. More important they are constrained by the essentially passive roles the system now imposes on them. Thus their potentially great value for good is unrealized.

Nothing is more typical of prison life than the passive relationship between staff and prisoners. At the open prison the situation is probably better than at most

prisons. Senior staff do make a genuine effort to be available and to help prisoners. Nevertheless, even here the system is not comprehensive or thorough. Some prisoners pass through prison without any contact whatever with senior staff (except their reception and discharge interviews). Some indeed are proud of this. More have an occasional brief interview but it is expected that this should be concerned with a specific family or personal problem.

Yet the influence of senior staff is supposed to be an important factor in the reformatory process. But under the present system how *precisely* can they exert any influence? Generalizations about "example" and "leadership" are meaningless under the actual conditions of prison life. In fact, we can only hope to influence prisoners through *sustained* personal relationships with trusted and expert staff and this is where the cardinal weakness lies for there are very few such relationships. Thus I believe that except for a minority of cases the influence of senior staff is negligible.

Partly this stems from a system dominated by large numbers, a strict and inflexible timetable and administrative problems which do not afford the time or conditions for establishing these relationships. At a deeper level it is a function of the passive role the staff now play. The onus for seeing senior staff is on the prisoner. They can be seen—but on application only. The prisoner must take the initiative;

the prisoner must specifically request help. And in practice he will only do so about an individual welfare problem. The totality of his problems as a man (which perhaps even the prisoner does not recognize) never, or very rarely, arise. Thus prisoners unburden themselves to one another rather than to staff.

These are generalizations and there are exceptions but I feel it is a fair summary of a major weakness in the system as a whole.

I see the senior staff playing a much more positive and dynamic role. Every prisoner should be a personal challenge to the senior staff and it should be a primary duty of each to establish as intimate a relationship as the prisoner will allow with a specified number.

In day to day terms it means that senior staff should *automatically* see every prisoner on an informal basis regularly; that through this continuous contact a real personal relationship will be achieved and the prisoner feel that he has a trusted and respected friend.

Inevitably this implies both more senior staff and a higher degree of specialized training if contact with prisoners is not to degenerate into vague and polite generalizations. It requires a high degree of skill to evoke the confidence of men often antipathetic to authority figures and then to put this confidence to constructive use. It probably also demands a radical reorganization of the prison time-

table to afford the opportunity to do this.

But even within the context of the present facilities, I believe much more could be done. It will not be done, however, until senior staff are permitted, encouraged, even pressured towards this more dynamic role, *vis-a-vis* the prisoner. At the risk of sounding an impractical idealist, I believe senior staff should regard themselves as missionaries with all the zeal and vigour this implies.

The ambiguous function and status of the uniformed staff produces considerable discontent and frustration and requires re-appraisal.

Officially the functions of a prison officer have been enlarged and his status increased. He is no longer a mere warder, and is expected to make a greater contribution to administration and to the rehabilitation of prisoners. But there is a vast difference between theory and practice.

In practice, except for some increase in administrative responsibility, his duties are basically the same as they have always been, namely security, discipline, supervision and conveyance of prisoners between two points. It is hard to see how these largely mechanical duties afford much opportunity to do much more. (I am excluding from this analysis the minority of officers who are trade instructors.)

Moreover, his training at Wakefield is relatively short and hardly comprehensive. Thus the prison officer can justifiably ask (and

often does) how he can perform any function other than that of warder.

It is, of course, true that he is encouraged to adopt a more reasonable attitude towards the prisoner and this is a solid gain. But even here his position is ambiguous. He does not know how far he can go in befriending the prisoner and thus conversation, except on a superficial level, is very limited. Moreover he has always to balance the necessities of discipline. In both these respects his problem is even more acute than for the senior staff for he is even less likely to have the necessary skill and training. In general we expect too much from men with often limited education, minimal training and in a system where positive action and initiative are discouraged and are even dangerous*.

The result is that any sense of vocation felt by a new officer (often stimulated by misleading advertising) often turns to either apathy or bitterness. These feelings are aggravated by two further factors.

Firstly, many feel that in spite of their alleged new status they have little influence over the administration of prison. Decisions are still imposed on them without regard to the difficulties involved in their implementation. In short, that the service is still dominated by the

"officers and men" complex and that there is little dialogue between the two. For in spite of the many fine words the prison officer, both in function and status, has remained the "other ranker". He is not expected to think imaginatively or use much initiative. He is still given the mundane, the mechanical work and, most important, no one really sees the prison officer doing much more. He is, by definition as a prison officer whatever his individual ability, of strictly limited potential. (It is true a few reach the governor grade, but the very fact that only a tiny percentage do so is as much a reflection on the system as the officers themselves.)

These rigidities in the system are, it is true, only a part of a wider malaise in our social structure which, for example Mr. Crosland has described in *The Conservative Enemy* but they are particularly incongruous in an allegedly therapeutic penal system.

Secondly, the promotional structure is widely criticized. A man must now wait 17/18 years for promotion to principal officer and a further 10 years to become chief officer. The nearest comparable profession—the police—has a much more attractive promotional scale.

Basically these difficulties stem from the history and tradition of the service. The structure and hierarchy of the prison service was originally based on military lines. This may have been appropriate to a service dominated by the rigorous and repressive penal doctrines

*There have, of course, been limited attempts to overcome this difficulty (e.g. the Norwich experiment) but one gains the impression that over the service as a whole they have had little impact or effect.

of the late nineteenth century. It is, however, quite incompatible with the penal aims of the twentieth century. But it is wholly typical of our penal conservatism that while there has been a nominal or official change the reality remains only marginally affected.

The aim must be, eventually to create a radically enlarged function and status for the prison officer. The image of the service should be as much akin to the teaching profession or the probation service as to the army or police. The prison officer should be regarded as a member of an important and respected profession. This will not be achieved overnight. It first requires a basic change of attitude and policy at the Prison Board. It also demands that the formal training of the prison officer should be much more thorough and comprehensive—and thus, inevitably, much longer. Here the prison service might well learn something from the methods used by the National Society for the Prevention of Cruelty to Children in training their inspectors. The functions of the latter, while obviously different in many respects have, nevertheless, important similarities to those of the prison officer. They both deal continuously with inadequate or anti-social adults and both are expected to achieve the rehabilitation of these as individuals (for it is often only by reaching the parents that the inspectors can hope to improve the lot of the children). In this context it is significant that all N.S.P.C.C. inspectors

receive a full year's intensive training which, while including supervised field work, is carried out mainly at the N.S.P.C.C. headquarters. The merits of this approach can be judged from the quite remarkable work done by the inspectors and by the results achieved. Yet the average inspector is probably of much the same basic ability as the average prison officer.

Finally it is implicit in these suggestions that the promotional and salary structure of the prison service should be related to responsibility in *both* training and administration and not merely to the latter as it is at present.

I emphasize these suggestions are not intended to devalue the disciplinary and security functions of the prison officer. These are and should remain their first priority. But until their role is enlarged any hope of achieving the rehabilitation of prisoners on a significant scale will remain wishful thinking. It is only in the prison service that the sheer manpower is available to have any hope of tackling the vast problems involved. In my view the prison service is composed of a very fine body of men and represents a reservoir of untapped ability. The average prison officer could, and should, do more.

Industries

The reformative value of prison work is almost certainly exaggerated. At any rate there exists little concrete evidence of its therapeutic effects. Moreover, the complex problems of achieving a

substantial improvement in the quality of prison work are unlikely to be completely soluble in the foreseeable future. An acceptance of both these facts should lead to a lessening of the emphasis now placed on work and more time and energy being devoted to potentially more constructive forms of therapeutic activity.

That prisoners should be given useful work has been a central doctrine of penology for at least the last 70 years. Indeed since the Gladstone Report it has assumed increasing importance until today the whole of prison life is dominated by a rigid work timetable. Everything hinges on work and is subsidiary to it. For the requisite number of hours each day prisoners *must* work, no matter how utterly pointless and monotonous the work is. Work has in fact, become a sort of "sacred cow" of the penal system.

This dominant position work now holds, stems almost entirely from a strong belief in its value as a reformative instrument. Indeed

it is doubtful as Sir Lionel Fox argues, whether we would have a right to compel prisoners to work except on this basis. For work and imprisonment are two separate factors and prisoners are sentenced to the latter not the former. Plainly, therefore, it is of some importance that the work theory of reform can be convincingly justified. In fact it is rarely expressed very comprehensively or cogently*. This is partly because, superficially, it seems self evident common sense.

It is also, partly, because the theory stems, to some extent, from the somewhat ingenuous views of the early reformers like Fry, Bentham and Howard. These pioneers of the theory favoured work both because they saw it as the only alternative to idleness (which it then was) and because they felt work was in some way good for a man's moral welfare—"if you make a man diligent then he will be honest". While no one would support these simplified views today it is hard to believe

*After 70 years of application one might reasonably expect to find both a convincing theoretical rationale of the theory of work as a therapeutic agent and also the results of psychological and sociological studies of the effects of prison labour on prisoners. If either of these exist they are certainly difficult to find. Indeed the arguments I refer to above were gleaned more from the odd quotation or the implicit hint than from any thorough justification (and I would certainly not know of them from my own experience). For example, the 1959 White Paper states categorically that work "must always be in some ways the basis of training". However,

in support of this very important statement it only offers the somewhat Delphic comment: "it (work) fills the greater part of his (the prisoner's) day and his response to it may well affect his response to other forms of training". Similarly, Sir Lionel Fox in a complete chapter of 25 pages on prison work hardly touches on a justification of the theory on which the whole chapter is based. It seems the perfect example of the penal "conventional wisdom" accepted but unproven. The best explanation of the theory I have seen is in Hugh Klare's *Anatomy Of Prison*. Significantly Mr. Klare is cautious in defining the beneficial effects of work.

that in a more sophisticated form they are not the basis of our thinking on the subject. What then are the arguments to support the view that prison work is a rehabilitative agent of major significance as they are now expressed? There appear to be three, all of which probably have some validity but none of which seem to me to warrant the status and enormous proportion of prison time work is given.

First, it is argued men should be given vocational training which will help them to secure and maintain employment after their release. No one would dispute the desirability of this. Since, however, in practice, vocational training is largely confined to a few of the regional training prisons, and thus only to a relatively small minority of prisoners, it is an argument irrelevant to most prison work now undertaken. In addition the vast majority of sentences are anyway too short for real vocational training to be given.

Second, to quote the Gladstone Report, prisoners should be trained in "orderly and industrial habits". Again this has some merit. Many prisoners have a long record of unemployment and it is certainly desirable they should become used to the habit of regular work. But this is surely a superficial effect. It hardly touches the often deeply ingrained character abnormality which led the prisoner to crime and which may also have been the cause of his unemployment record. The treatment of this almost

certainly requires a much more direct and positive attack on this personality.

The third, and most important argument, can be summarized thus: unless a man is doing "constructive and purposeful" work he will have no status, no role, and thence no self respect. It is unlikely, therefore, he will respond to other forms of treatment. Implicitly this argument is negative—it makes no pretence that work *itself* will remove criminal tendencies, only that it should improve a man's psychological attitude to other therapeutic influences. But even if one accepts this its validity depends on the premise that work is "purposeful and constructive" and as everyone knows this is very rarely the case for, except perhaps at regional training prisons, most prison work now carried out is dull, monotonous and sometimes even degrading. Thus it would be perfectly fair to say this argument is irrelevant to conditions which exist today. More important this premise is unlikely ever to be realized completely. At best the quality of prison work is only amenable to very gradual improvement. We should surely be only putting our heads in the clouds to pretend otherwise. Indeed some of the problems of giving prisoners good quality work are intrinsically insoluble. Others which relate to the breaking down of prejudice among both employers and unions will only be solved very slowly after years of patient negotiation. In this context it is worth noting, and is perhaps

significant that no other country, even those with ostensibly more enlightened attitudes than ours, has solved this difficulty. Thus this aspect of the argument for work as a reformatory instrument rests on a situation which does not exist now and is unlikely to exist for generations of prisoners in the future.

However, even if in some miraculous way, prison work did substantially improve in quality the theory still largely rests on the rather dubious assumption that prison work has, or at any rate could have, the same psychological significance for, and effect on, prisoners as does outside work for free labour. But even in ideal conditions the character, the atmosphere, the incentives for prison work would, by definition, remain remote from those outside. We may eventually have prison workshops which superficially resemble a factory workshop, but I don't believe many prisoners will ever think of them as factory workshops. Particularly for those with shorter sentences, prison work will remain a transitory but unavoidable bore.

All this does not mean that prison work has no value, for as already noted there is merit in all three of the arguments I refer to. But it seems to me that none justify the major part of every day being devoted to it, to the inevitable exclusion of everything else. None claim that work has any direct relevance to criminality and only one really applies to the actual

conditions of prison life as it exists today—or even tomorrow.

Thus, I believe, the myths surrounding work should be demolished. We should accept that work, while having a useful role, is unlikely to be worth the place and status we give it today. We should stop regarding it as the single, most important element in prison life around which everything else must turn. An acceptance of this would have far reaching consequences:

1. The working day could be deliberately reduced from six or eight hours to say, three or four hours.
2. Vast amounts of staff time and energy could be channelled from the monotonous supervision of work to more rewarding activity notably to building and to sustaining personal relationships with every individual prisoner.
3. The remainder of what is now the working day could be devoted to activities like education, therapeutic case work, group therapy, group discussions—for all of which (except possibly education) there is, at least some evidence of therapeutic efficiency.

I am, of course, aware that these suggestions imply a more highly trained staff and far better facilities than exist today. To that extent they represent an ideal rather than an immediately realisable proposition. But if the ideal is the right one there is no reason why that ideal, or at any rate something approaching it, should not be

gradually achieved over say 10 or 15 years.

I must refer, finally, to one other aspect of the work problem. It is said that provided work is regarded primarily as a reformative instrument it can have the useful secondary function of allowing prisoners to make a contribution to their upkeep. When in practice work productivity is minimal and gross inefficiency tolerated it is difficult to take this argument seriously. Nevertheless it should not be ignored for it is both just and desirable that prisoners should make an economic contribution. I emphasize, therefore, that I do not regard a fall in productivity as an inevitable consequence of the suggestions I have made. Provided work was more efficiently organized I am convinced that most, if not all, the work now accomplished could be completed in say, half the man hours now devoted to it.

Education

I believe the potential value of formal education as one of the instruments of rehabilitation is underestimated; that within the context of a comprehensive rehabilitative training programme it should have an important status and more time devoted to it.

Education is not a rehabilitative panacea. Indeed, by itself I doubt whether it would have much value. As already noted, the perhaps painful process of psycho-social maturation for many criminals can only be brought about through the positive and personal influence of

expert staff (to which I have already referred), sustained case work, group therapy and in a minority of cases specialized psychiatric help—and all this in an atmosphere conducive to this type of treatment.

Certainly education is no substitute for this. It is also true that many prisoners would be totally unreceptive to education. But I believe it could play an important complementary role in improving the values and broadening the horizons beyond the narrow world of criminality of those who were benefiting from the type of treatment I refer to and who are therefore more likely to be receptive to formal education than they have ever been before. (I hope this applies particularly to younger prisoners.) In a sense, I hope education would take over where other forms of treatment have left off. Ideally it would reinforce and make more resilient a new found maturity and produce an awareness of, and a desire for, the "good life" (in the platonic sense). In addition it could affect a real sense of achievement and a building of self respect (this, of course, is one of the aims of prison work but I think education, operating as it does directly upon the mind of a man, has a better chance of achieving it). Finally, on a less elevated level, it may give a man a specific qualification—for example the new secondary certificate of education or even in some cases the G.C.E. This would have the very material advantage of opening new career

prospects. At worst it would be valuable in convincing a prospective employer of the genuineness of an ex-prisoner's desire to reform.

It might well be argued that virtually all prisoners have already received a formal education. But there is evidence to suggest that whatever the level of *intelligence* among prisoners the level of *education* is well below average. Certainly my own experience confirms this. I did not find prisoners stupid but I found widespread ignorance. There is also evidence to suggest a high level of truancy among future delinquents.

But the atmosphere—the “climate”—must be right. Thus it would only be effective as part of an integrated and dynamic rehabilitative training programme. For the same reason I envisage full-time teachers and classes taking place in what are now working hours—for perhaps three hours a day. This is a radical suggestion, but the alternative of exclusively *evening* classes conducted by part-time teachers (as is now the case) is fundamentally inferior. Firstly, they inevitably seem to be extrinsic—“tacked on” to the more important activities of the day and thus lack major significance for both teacher and pupil. Secondly, the teacher is often tired after an already full day's teaching and the work is often only accepted for financial rather than real vocational reasons. Thus evening classes tend to be apathetic and undynamic; there is an absence of the

friendly personal relationships and influence typical of good education and which would be of critical importance in dealing with prisoners.

I am aware that these suggestions involve considerable practical difficulties in terms of faculties and staff. I also appreciate that, at best, they only represent a theory. For both reasons careful research and experiment on a small scale would be necessary before widespread implementation.

Open Prisons

Open prisons are desirable because they are more humane and because their atmosphere is more conducive to the reformatory process. They have, however, not realized their potential for reform because their basic attitudes and methods are the same as in closed prisons.

Certainly at the open prison there was a striking sense of freedom and an atmosphere of tolerance and a respect for human dignity. Moreover there existed a greater, but still inadequate, sense of personal responsibility for the prisoners in maintaining discipline, work and civilized living standards. The prisoner is treated less like a child and generally he responds to this (although there was inevitably a minority who exploited it). In addition there was a genuine attempt to eliminate the we/they relationship and replace it with a mature respect for proper authority. Finally, in every open prison every prisoner must take the responsible decision not to abscond

(which is easy). The importance of this can, however, be exaggerated since the decision not to do so is usually prompted more by an awareness of long term self-interest than by mature consideration of what is socially right.

Thus in many ways the "climate" of an open prison lends itself more readily to the "community" ideal and the process of "social learning". But it is a mistake to suppose they are in *themselves* the complete answer. They provide a good background for a dynamic training programme but in their training methods, their routine, the attitudes they embrace and in their passivity, they have the same basic weaknesses as the system as a whole. The staff are more accessible and probably more anxious to help but only in degree, for their rehabilitative role remains a passive one. Work is more plentiful but hardly less monotonous. Education still is treated as extraneous rather than an integrated part of a systematic training programme. Welfare work almost entirely concerned with specific personal or family problems and there is virtually no sustained therapeutic case activity.

Although, therefore, open prisons are a considerable advance their current capacity for good is restricted, their potential unrealized. They represent only the beginnings of the more positive and dynamic system to which I have referred.

They have, however, one further not inconsiderable advantage, which is, perhaps, not always re-

cognized. I refer to their value in training staff—particularly uniformed staff whose formative years in the prison service may have been restricted to the more authoritarian and oppressive atmosphere of the closed prison. At an open prison they see prisoners in a new light, less as numbers and more as human beings. Thus they become more relaxed and flexible. It is sometimes a long process (one governor told me it had taken him five years to satisfactorily change the attitudes of some of his officers) but when they eventually return to another closed prison it is likely that their capacity for constructive good has been significantly increased.

The Prisoners

The majority of prisoners at the open prison were of the C3, D, E socio-economic classes (though there was a significant minority of C1/2) and were under 30. A substantial percentage appeared to have had a disturbed home background and/or to have lived in a criminal environment. Most seem to have at least average intelligence but the level of education was poor. Although the majority were technically first offenders, many had committed previous crimes for which they had not been "found out" but all except a small minority claimed they had been deterred from further crime. However, few of these regarded themselves as reformed and had no "conscience" about their crime—they merely feared the consequences of further crime

on their families. The most striking characteristic of the average prisoner was his emotional and social immaturity which, in some respects, the system accentuates. There is some evidence that prisoners are responsive to trust and responsibilities and this should be investigated further.

These conclusions are based partly on my own subjective observations but also on a research survey I carried out at the open prison in which I conducted a lengthy interview with 90 prisoners. This research has little scientific validity both because of the conditions under which it was conducted, the inadequate size of the sample, and the lack of controls but it probably gives a reasonably accurate picture of those in the prison. In general the results correlate fairly closely with similar research which has been published.

Fifty-six per cent of those interviewed were of the D/E socio-economic classes; 24 per cent C3; the remainder C1/2.

Seventy-eight per cent were under 30 and a further 15 per cent under 40. (It should be noted here that there was a separate "compound" for prisoners over 50 and none of these were interviewed. It would, nevertheless, be true to say young prisoners predominated—as, indeed they do throughout the penal system.)

Few prisoners I interviewed were highly intelligent but equally few seemed to be below average intelligence. In striking contrast with this was the low level of edu-

cation. Of those interviewed 88 per cent had been educated only up to elementary/secondary modern standard and had left school at 14/15. (This is well above the national average.) Further probing suggested that a substantial number of these had had a somewhat desultory schooling with considerable truancy. In fact 30 per cent of those interviewed said they disliked school and tried to avoid it as much as possible. This lack of education was clearly apparent from their attitudes and conversation. They had little or no interest or knowledge of current affairs. Although newspapers were given daily to each hut few gave them more than a cursory reading (except for the sports page or reports of criminal proceedings). Equally, few watched anything of a serious nature on television and it was significant that the B.B.C. TV hut was often empty and the I.T.V. hut generally packed. Interest in say, the general election or Sir Winston Churchill's death was negligible. Indeed the latter falling as it did on a Sunday was regarded only as a "bloody nuisance" in that it meant cancellation of the pop show "Ready Steady Go".

This apparent unreceptiveness to their original education and their narrowness of outlook is partly a reflection of their immaturity. Nevertheless even with a greater maturity this educational inadequacy will remain a serious weakness in their lives. In this context one again wonders whether a

system which devotes about 40 hours a week to pointless and monotonous work and perhaps, four (about the average for the open prison) to education, has got its priorities right.

Seventy per cent of those interviewed were technically first offenders and 85 per cent of those claimed they would not commit further crimes. This figure correlates closely with the known number of first offenders who are not subsequently reconvicted. Nearly always, however, this resolution appeared to spring from fear rather than from any basic change of attitude. For those who claimed they had been deterred, 80 per cent said they would commit further crimes if it were not for the fear of detection. Significantly, however, this deterrence was not based on a personal fear of prison. The main worry was almost invariably the effect on their family of another reconviction and imprisonment. Of those "deterred" 72 per cent gave family disturbance/unhappiness as their main reason. In all but a few cases I believe this was genuine.

Only 25 per cent of those interviewed felt they had done anything wrong (though in a sense, paradoxically, 65 per cent claimed some sort of religious belief). In general I gained a strong impression of a lack of "conscience" and a perverted sense of moral values. For example, it was commonly held that everyone had a right to take anything he could for himself—and that was, in fact what everyone did.

The only difference was they had been caught.

Certainly many prisoners, even the more intelligent ones, displayed emotionally immature attitudes. This was manifested not only in the examples I have given but in other ways too. For example, although hostility to staff was not obvious (and there was a degree of superficial friendliness in staff/prisoner relations probably not common to all prisons) there was, nevertheless, an undercurrent of latent hostility to authority. In private, "screws" were often given a blanket condemnation as "ignorant bastards" . . . "they must be, or they wouldn't be 'screws', would they?" Again a lack of emotional balance was shown by the extremes of kindness and selfishness displayed by some prisoners and by the irrational hysteria which could sweep through a group of prisoners—say as the result of some trivial incident in the dining hall.

This apart, the prisoners were remarkable for only their normality. They were not noticeably vicious. They sometimes displayed loyalty and courage in defending other prisoners. And many were extremely generous in tobacco and food towards those who were less well endowed (i.e. had no illegal source).

In certain circumstances many could show a high degree of responsibility. This was particularly apparent when they were trusted and *treated* as responsible. For example, it was striking how hard and conscientiously they worked

when on "outside party" as compared to their standards of prison work. Nor when working outside the prison, even without supervision from an officer, did they take any undue advantage. This is not a reflection of a better type of work; for outside work is no less monotonous than prison work; if anything, more so since it can only be given if there is no demand by free labour. Thus this positive reaction to responsibility that may well have some significance. Certainly if we hypothesize that prisoners tend to be socially irresponsible it can be argued the present system accentuates this weakness. For probably the most responsible decision that prisoners take during their entire imprisonment is whether to buy food or tobacco from their earnings! This can hardly engender a responsible and realistic attitude to life. The admittedly small indication I have given of what an alternative approach might yield does, I think, suggest that further research in this direction may be profitable.

Appendix

I have suggested the main function of the penal system (after security) should be a deliberate and systematic attempt to reform convicted prisoners. It may be felt this raises an ethical problem. Has society the right to consciously seek to "change" a man—even though he has transgressed against it?

I believe it has, provided the methods used do not infringe the dignity of the individual and that this right has, anyway, been accep-

ted at least since the time of the Gladstone Committee of 1895. This, of course, recommended reformation as one of the "primary and concurrent objects" of prison training. The recent modified Rule 6 stated clearly the object of training was to "instil the will to lead a good and useful life". The new rule (now Rule 1) is, perhaps, less ambitious—"to assist and encourage"—but is in much the same spirit.

Moreover, these statements imply not only a right to attempt reform, but also a duty. And indeed, it can well be argued that if we assume the right to deprive a man of this liberty we have a complementary duty to seek to rid him of the character abnormality which led to his imprisonment. If this is so it cannot be seriously contended society is fulfilling that duty.

Certainly, however, there can be no doubt we have accepted the *right* to reform. Why, then, should an ethical problem arise? It is true I give reformation a greater emphasis and urge the widespread use of more aggressive and positive methods. But here again these methods are not, in principle, different from those already in use. Indeed, as noted in the "Introduction", I have not suggested any methods which have not already been used. For it is already considered desirable that staff should have an influence for good on prisoners, casework and group therapy are practiced even if on a minimal scale, and educational

classes are already available. I have argued that these are not pursued vigorously and positively or on a scale on which they would have significant effect. I believe this is a cardinal weakness but the scale or vigour of their application is irrelevant to the issue of whether we have a right to use such methods. If we accept them in a small way we must accept them for universal application.

I must again stress I would strenuously oppose any methods which infringed the dignity and liberty of the individual; that is, methods which were imposed without the prisoner's knowledge, against his will, or which impaired his physical or mental faculties. Thus I would abhor any form of "brain washing", the compulsory use of drugs (as does Professor Eysenck) or surgery (as has been suggested by Dr. Knight).

I cannot therefore, accept that an ethical problem occurs and the suggestion of one only arises because although we have accepted the right to reform in theory our acceptance of it in practice is decidedly equivocal. We still seem to have a nagging doubt, almost an embarrassment, about a systematic and scientific reformatory regime. This is one reason why indirect influences such as work are universally accepted whereas more direct

therapeutic case activity is still an esoteric rarity.* Unfortunately, as I have argued, this nice distinction is both illogical and unlikely to be effective in practice. Having accepted the right to reform it follows we should do so wholeheartedly and unequivocally.

It might well be asked, however, how will the prisoner react to such an approach. Will he not resent it and thus be unwilling to co-operate? Provided he is not coerced into doing so this argument is irrelevant to whether we have the right to *try* and reform him. It is an argument about the practical application not the principle. Nonetheless it is important for a reformatory regime will not work without the prisoner's co-operation. I accept this will not always be easy to obtain. Certainly there exists in prison a hostility to so-called "do gooders" in the prison service such as chaplains, psychiatrists and welfare officers and it is significant that books by ex-prisoners are often scornful of attempts to reform them. But this is not surprising in the context of the present system wherein reformatory activity is not only amateurish, but often appears more a somewhat clumsy charity than the natural expression of a sincere, dedicated and highly professional regime.

*I acknowledge there are also technical difficulties in the widespread application of these techniques. But, by now, these could, to a substantial extent, have been overcome. In addition, since I wrote this a new experiment in "group therapy treat-

ment" has been announced for "selected" young prisoners at the new Brockhill Remand Centre. Welcome though this is, since it only involves 10 prisoners it does, if anything, support my argument.

Certainly a high degree of skill and even subtlety (though not deviousness) will be required. For example, the prisoner will not be confronted in his reception interview with a crude statement to the effect that he is going to be "changed"! But in a prison where specifically therapeutic activity is regarded as a perfectly normal and everyday occurrence (in the same way as work now is) and where the atmosphere, the "climate" is

right, I believe many and probably a majority of younger prisoners, would co-operate. This would not always occur immediately for there might well be an initial period of reserve and mistrust. Only after a prisoner has learned to trust the staff and respect the system and also after he accepts that in the context of his position, therapeutic activity is both natural and general, will his doubts be resolved.

PETA*

HER SLEEK black hair, keen alert eyes and general smart appearance caused much admiration amongst the gathering of people at the Home Office recently, one evening. A lady was heard to exclaim "Oh I thought she was bigger than she is—but she does look rather nice I think". The subject of these observations stood silently appraising the company present; then, with supple grace and agility she took her seat.

A lady in the seat immediately behind just could not resist leaning over to stroke the sleek black hair—this seemed to be greatly appreciated, for, turning her head she looked straight at the lady without blinking an eyelid. This was a fine opportunity of getting a good look at her—her eyes I suppose, were really the most outstanding feature—they were very bright and shining and of a beautiful green colour. Her face was small with a very attractive nose and her coat—it was superb—the glossy blackness of it sparkling and reflecting the light.

She appeared to be very satisfied with her environment. Presently she turned her gaze away from her admirers and settled down on her chair in a more relaxed manner—stretching herself out to her full length before tucking her dainty feet under her chin! Then she changed her position again, apparently with the intention of settling down for the night.

Someone wondered if she had paid for admission (for we had all paid 2s. 0d. for the privilege of listening to a concert given by the Home Office Musical Society). Another suggested that a lady of her position in the Home Office did not need surely to pay—for was it not her privilege to be present at all the functions. After all had she not taken up her post in the Home Office in May 1964 at double the salary of her predecessor? It was not difficult to forecast that her term of office would be appreciated by all concerned and as she got on in years she would gain even more attention than her predecessor.

Possibly by now any Home Office people reading this will perhaps have guessed the identity of this gracious lady—it was of course PETA the Manx Cat, which was presented to the Home Office by the Governor of the Isle of Man, to succeed Peter who died.

*Reprinted from *Lightship* a monthly magazine edited by A. L. J. Matthews who is a clerical officer in the Prison Department of the Home Office.