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Congress on Crime

HUGH. J. KLARE

LOOKING BACK now on the first British Congress on Crime, it is, I suppose, a bit of a marvel that it happened at all. The Planning Committee did not know how many people might want to come or whether an attempt deliberately to involve people from very different aspects of practical and academic work might prove an attractive proposition or, on the contrary, something that people would jib at.

We hoped that we might perhaps get 300 applications to attend. In the event, we accepted 500 from nearly 30 countries; but only because the pressure to get in was so considerable. Many more had to be turned down because there simply was not the space. And anyway too many cooks spoil the broth.

Even so, the congress was probably too large. We had hoped to break things down by providing group lectures and discussions each day. But some of the star performers got as many as a hundred people and that is more like a mass audience than a group. People had to choose one out of a possible 10 group lectures

each day. Since most of them wanted to go to more than one group, this did produce that degree of frustration and anxiety about missing something interesting that any congress needs to liven it up. The cardinal rule here is never to allow your customers to be satisfied, for satisfaction breeds boredom.

The plenary sessions the next day, during which rapporteurs reported back from each group, showed that there was indeed sufficient frustration to make the majority want to turn up. The three-quarters empty lecture theatres which are so common halfway through other congresses were avoided. On the other hand, the reporting back, skilfully done though it was, took a bit long. And there was a real language barrier. Some jargon is unavoidable. For jargon is just technical terms which often stand for quite complicated concepts that would otherwise take a long time to explain. But perhaps there was too much of it. It must be avoided another time, not by lowering the intellectual level of lectures and

discussion, but by remembering that the main purpose of such a congress is communication.

The keynote lectures demonstrated the complexity of studying criminal behaviour. Dr. Nigel Walker, looking at casual theories of crime, criticised what he called "monolithic" theories, by which one, or a number of, rather broad assumptions are thought to provide explanations of criminal behaviour. We all know how poverty or broken homes used to be considered as one of the main causes of crime. But Dr. Walker felt that even much more sophisticated hypotheses, such as are now put forward by various sociologists, attempt to explain too much by what are in the end too simple assumptions.

Not all theories are "monolithic". There are attempts to understand crime in terms of "multiple determination". In these studies, different psychological, social and constitutional factors and the way they relate to each other are examined. It has been found, for example, that drunkenness in the father might lead to criminal behaviour in the son *if* that boy was also introverted. Introversion by itself is not characteristic of delinquency. Nor would the fact of a drunken father by itself necessarily be enough to lead the boy to commit offences. But paternal drunkenness acting upon this particular character trait in

the boy might result in delinquent behaviour.

So perhaps, theories of multiple determination are more useful than monolithic theories. But measuring the factors involved is often very difficult and can lead to distortions. What is more, it may be meaningless to ask questions in relation to "crime" itself. This may embrace too wide a range of behaviour to lend itself to investigations. It may be more useful to find out why different *types* of people commit different *types* of offences. This involves classification, as does the matching of different types of offenders to different treatment possibilities.

In the end, however, even the concept of typology is rather static; and this led Dr. Walker to develop the notion of examining *careers*. We need to know not only about psychological, social and constitutional factors but, as it were, how one thing leads to another. A heavy drinking bout may be significant; but it is less so if it occurs after the break-up of a marriage. The notion of studying careers of the gradually developing life-style of people, introduces new dimensions which may ultimately help in discovering better preventive and treatment methods.

Mr. T. S. Lodge, in the second keynote lecture, pointed to the need to look at the penal methods as well as at the offender. Overall results of prisons and borstal do not tell us very much. A particular

type of person might do well at one borstal and badly at another. In the overall result rates, the bad might cancel out the good. Yet if our classification system improved, if more were known about what type of offender responds best to what type of borstal training, if one could match different categories of offenders with different types of treatment, then better results could be achieved.

This problem of defining much more closely types of offenders and types of treatment is perhaps the central research problem. To solve it, co-operation will be required from the prison or probation service. Innovations and changes in these services are always occurring. But in order to make the evaluation of such changes possible, they should be systematised and carried out within research designs. In some places this is already being done; and it should gradually become the rule rather than the exception.

In the last keynote lecture, Mr. R. L. Morrison turned to treatment and prevention. He emphasized particularly the notion of involvement. Much is sometimes made of all the difficulties in the way of a therapeutic approach: prisoners unwilling to co-operate, officers reluctant to enter into relationships, a general feeling of apathy and an unwillingness to budge from old-established attitudes.

But experience suggests that this picture is too pessimistic. Even very marginal participation in some programme of treatment or co-operation is enough in the first instance; after that, the individual tends to be carried along, despite himself, to the point where he eventually becomes fully involved. Merely by just going on with, say, group counselling, all concerned gradually become enmeshed in the process and consequences of participation. One of these consequences is that participants can become both agents and targets of change. A group in which offender X joins with others to change offender Y may be more effective in changing X; not Y.

In prevention, too, the notion of involvement is of paramount importance. In the last resort, this means not only the involvement of individuals and groups but of the community itself, in the widest sense. For crime is not simply a threat to society. It is a problem for which society, together with the individual, must share the responsibility.

These, briefly, were some of the main themes, with sub-themes running from drug addiction to company fraud (a lecture which must have been particularly topical since it was widely reported in the specialist financial papers as

well as in the *Times*). Those who want to know more about some of the interesting and varied group lectures will eventually be able to read the gist of them. There will be no orthodox Congress Proceedings (usually abominably dull) but a small book, written in the form of a continuous narrative, in which the various subjects that belong together are grouped together. This, we hope, will result in a reasonably coherent and readable whole. It is being published by Pergamon Press.

Mrs. P. Allen, social worker at Wormwood Scrubs, writes:

Recently a man waited three days and two nights in a motor vehicle in order to be the first to cross the new Severn bridge when it opened; few of us would go to such lengths for posterity, yet I am sure we all know or at worst are able to appreciate the real personal thrill that may be achieved from being part of a new and successful venture, and the recent British Congress on Crime (first to be held in this country) was no exception to the rule.

The congress, arranged to mark the centenary of the Howard League for Penal Reform and its parent body, the Howard Association, was planned in conjunction with the Institute for the study and Treatment of Delinquency and the British Society of Criminology.

It was designed to bring together three groups of people:

those involved in research into all aspects of criminology including law, psychiatry, sociology and case-work, those seeking to apply the principles that are being discovered and taught, and personnel engaged in the management and administration of social and penal services. To quote: "the idea is to take stock of what is known and what is not known, and to apprehend the frontiers of criminology so that progress may be made beyond them".

High aspirations you may think, yet the congress achieved exactly this. From the very start an atmosphere of participation and friendly interest was apparent and total strangers anxious to share facts and views would, without hesitation launch into discussions, so that one received new and diverse opinions from sources that normally one would rarely encounter. One afternoon at the start of the lecture, I had taken my seat in the Botany Theatre (University College had generously made over certain rooms to us) and I was quietly enjoying myself with identifying various distinguished members when a voice near me said: "You're surrounded by policemen, you realise that, do you?" I turned to find a detective superintendent whose name is famous and who incidentally attended the same lecture group as

myself the previous day and without more ado we proceeded to tear apart the subject matter of that lecture in which we both had been so interested.

The menu for the week was delectable.

After the opening session delivered by various speakers of international repute, we were presented with the choice of 10 subjects for the afternoon group lectures and discussion—I personally spent whole lunch hours in an agony of indecision for there were few of these 10 subjects in which I was not interested; however, compensation came the following morning, when it was the task of each rapporteur to report back to the general assembly with a precis of every group subject, and in this way appetites were assuaged. Hypotheses backed by statistical data of a high order (though the latter unhappily limited in some cases by lack of a current research programme) were offered to us by professionals and lay workers in all fields relating to crime.

Congress members (some 460) many from Europe and various parts of the Commonwealth, were now given the day off and the opportunity to visit an institution,

clinic, borstal or detention centre of their choice. This was very popular indeed and I personally was highly pleased to be given a view into the workings of the Home Office Research Unit, they took immense pains to clarify their work and ensure that we were left without illusion or disillusion, and I could not adequately thank them.

The closing day Dr. Gibbens summed up—not as one might expect, in a repetitive, perhaps dry and statistical vein but in an address which was both human and highly relevant; we responded accordingly. Finally, Mr. Hugh Klare whom one might describe as the perfect field worker, i.e. he had been responsible, together with his most able committee, for all the planning and organising of this undertaking, spoke to us in farewell.

For me, and I know many others, this congress was a success.

There is clearly much work to be done at all levels but if we are provided with the benefits of current information and relevant working concepts such as this congress sought to impart, it must surely ease the enormity of the tasks in hand.

Look Back . . . and Forward

Changing Concepts of Crime and its Treatment is the title of a new book, edited by Hugh Klare, published, just before the Congress, by Pergamon Press at 50s. 0d. A symposium of eight essays is prefaced by a foreword from Rt. Hon. Kenneth Younger commenting briefly on the centenary of the Howard Association which in 1921 became the Howard League.

Celebration of anniversaries, particularly centenaries, may be said to be the bread and butter of diary publishers and the obsession of the B.B.C., but, in the penal world, critics of the Look Back in Admiration (or Horror) School are often heard to say how they deplore the constant reference back to Howard, Fry, du Cane, Sarah Martin, Maconochie or even the latter day saints or sinners (name your own choice), but they should remember that every day new people come into the world of prison, be they officers, social workers or magistrates, and every day someone who has never come into contact with prison in the course of his professional life does so for the first time, be he solicitor's clerk, bread delivery man, the Man from the Ministry or ministry. So it is necessary to provide newly presented accounts of the old folk lore of the world of prisons and to make them available, by direct sale or by reference via those of us "inside"

who have a teaching or showing relationship with those from "outside".

This book can bring all of us, inside and outside, thoroughly up-to-date, beginning with a look at present-day crime. Terence Morris, examining social toleration to crime, takes a panoramic view of all the crimes so popularly (and properly) denounced by Press or pulpit, and draws some startling comparisons from criminal statistics. Did you know, for instance, that more people (4.7 per cent) were found guilty of failing to take out radio, car or dog licences than of breaking and entering (3.6 per cent), or that twice as many people cheated British Rail as were convicted of violence against the person? In the final analysis, he says "crime is what the other person does. What I do, if it is against the law, is susceptible to redefinition through rationalisation".

Tolerant we may all be, here at home. How tolerant would we be in America towards some of the attitudes shown towards negro and white offenders? Marvin E. Wolfgang, Pennsylvania University's professor of sociology, on Race and Crime, maintains that the general attitude of the courts (Garfinkel's survey of ten counties in North Carolina between 1930-40) was that the slaying of a white by a negro was almost *prima facie*

evidence of guilt; of a white by a white required objective administration of justice; of a negro by a negro was just a routine affair deserving only moderate attention, and of a negro by a white probably involving some mitigating circumstances like provocation.

Criminal activity varies from person to person, place to place, and our treatment of criminals has changed. Dr. Gibbens' essay on the development of forensic psychiatry is a calming mixture of fact and opinion for those who criticise any and every theory about behaviour and treatment, while Dr. Miller's account of an approved school is an example of how progress has been made in institutional life by the introduction of practical psychiatric help.

Charlotte Banks takes a look at prison, borstal and detention centres, gives us many statistics and asks many, many questions. One of her conclusions is "if the official statistics can be relied on, or if there is no startling change in the figures for 1965 and '66 we might, then, expect the failure rates for borstal *and* prison to get rather worse". In the next breath she adds: "It is not possible to conclude anything about detention centres". No doubt she means about the failure rate.

Changes in concept, in policy, in staff bring change in the daily routine of an establishment. Paul de Berker has some fascinating things to say about the sociology of change in penal institutions.

From the challenging opening statement that "it is possible to say that the essential task of the institution is to preserve itself from chaos" he sweeps boldly on, takes us behind the scenes of group life in various parts of an establishment, and concludes that while "so far most of the energy of the institution has been devoted to the engineering of new staff communications systems as instruments of management whereby a rehabilitative policy can be put into effect", the question as to what role is taken up by the prisoners themselves, in the changing situation, remains unanswered.

The last two essays are historical accounts of the men (and the buildings) in prison life from Howard to the present day; Paul Cornil, Secretary General Belgian Ministry of Justice comparing Howard's notes with the Standard Minimum Rules of the United Nations Congress, and Duncan Fairn, looking to the future, considers that following on the results of research, "administration may be founded less on inspired hunches and more on observed fact".

"New" prison people will find this book gives them sufficient background material on crime yesterday, many thoughts for today's dealing with criminals, and just enough forecasting of the future to make tomorrow worth anticipating.

M.W.

Crime and Punishment in Yugoslavia

J. K. LOTINGA and G. R. TWISELTON

WHEN WE HEARD we had been invited, together with two other members of the Prison Department, Messrs. S. G. Clarke, Assistant Director and L. J. Simpson, governor of Leeds, to join the I.S.T.D. study tour of Yugoslavia it felt a little like winning a football pool. One gathers that the pools winner is the inevitable recipient of countless letters which beg him to share his winnings with others less fortunate; and this article has been written in response to just such a request from the Editor.

Our difficulty is that, whilst in a quantitative sense we won a great deal during the tour in the form of information derived from pamphlets and sometimes hastily-taken notes, we have certain doubts as to the quality of our understanding. These doubts arise from the obvious difficulty that exists when questions of a technical nature have to be asked and answered through the medium of an interpreter. It is an exercise that is made no easier when there is not one individual but a group, many with questions of their own; so that

there may be little or no time for amplification before the first questioner must give way to others. We feel, therefore, that we should apologise at the outset, both to our readers and to our Yugoslav hosts, if errors or omissions have crept into our record.

THE OUTWARD JOURNEY

After vaccination, and in spite of the seamen's strike, the heterogeneous collection of 25 individuals who were to become "the group" arrived at Victoria on the 17th May. Led by Eve Saville, General Secretary of the Institute for the Study and Treatment of Delinquency, we crocodiled our way to a train and thence on to a Belgian boat to Ostend. There we found the 40-foot Alfa Romeo coach which was to become our travelling home for the next three weeks and, with it, its inestimable Flemish driver Josef Cammaerts, of whom more later.

On the journey to Aachen, our first overnight stop, and during the next few days we got to know one another better—though not, it must be said, as well as an

imperious little German waiter at our hotel seemed to wish when, in allocating rooms, he came close to insisting that one of us (J.K.L.) should share a room with a lady research worker.

Apart from Miss Saville, the lady researcher and the four of us from the Prison Department, there were seven probation officers, four child care workers, two approved school workers, a consultant psychiatrist, a child psychotherapist, a borstal matron, the warden of a hostel for adolescent girls, an ex-D.P.A.S. branch secretary and a retired teacher. Fourteen of the party were female and 11 male, the ages ranging from 24 to 74. We can only hazard a guess at the reaction of the natives to such a motley crew.

Our journey necessitated early starts, a minimum of stops and usually late arrivals. The second day was an example of this. We drove from Aachen in the north-west to Munich in the south-east of Germany, with an all too brief stop for lunch in the fascinating town of Heidelberg. The third day was spent travelling via Garmisch Partenkirchen and Innsbruck through the Austrian Alps which, on that particular day, were shrouded in rain. However, when we crossed the Brenner Pass into Italy the sun came out and the rest of the journey, through the Dolomites via Cortina and Pieve to Udine, was indescribably beautiful. Next morning it was an hour's run from Udine to the

Yugoslav frontier. At Gorizia, on the Italian side, the group was thoroughly entertained by an Italian frontier officer who came aboard to examine our passports. It is necessary to mention that one of us (G.R.T.) was the possessor of the only beard in the party, and that we had not noticed any examples of hirsuteness among the local populace. It was certainly a matter which seemed worthy of comment to our passport examiner. He looked at the face, looked at the passport and back at the face. Then, with masterly timing and gesture, he indicated how suitably impressed he was, "Ah!" he said, "la bella barba!" The audience rocked—and the name stuck. But he had not finished. He passed next to Mary, our 74-year-old. "A grandmother!" he said. "You have grandchildren?" "Yes", said she, and started to tell him how many. He nodded, swept his arm around the coach and said: "All your grandchildren!" But Mary, a shrewd and vigorous old lady, had the last word. She prevailed upon him to wait while she finished writing a postcard so that he might post it for her. He did so with the greatest good humour, and we all passed into Yugoslavia with warm feelings towards Italian officialdom. (We did not know it then, but our next encounter with Italian customs was to be less pleasant.)

YUGOSLAVIA

We were met at the frontier by

Dr. Alenka Selim, who is not only a charming young lady, but also a member of the Institute of Criminology in the Faculty of Law at Ljubljana University.

We were to visit the famous Postojna caves on our way to Ljubljana, and as the coach rolled along we got our first glimpse of Yugoslav peasant life; women in black shawls, men with luxuriant curly moustaches, all with tanned and wrinkled faces, women washing clothes in a stream, sparsely situated houses and farmsteads of drab appearance, often in need of repair. By contrast, the hotel at which we stayed for lunch was modern and well-appointed. Here, those of us who had phrasebooks made our first attempts to violate the native tongue. We failed to make ourselves understood and, in our keenness to try Yugoslav food, ended up in the most curious assortment of dishes. One member found herself faced with soup in which floated a raw egg, others devoured strips of smoked bacon, while one group spoke highly of something called Serbian salad. Some two days later, as we were on the point of leaving this northernmost republic of Slovenia, we tumbled to the fact that, the local language being, not unnaturally, Slovenian, our Serbo-Croat phrasebooks had been more of a hindrance than a help.

Our guide book described the Postojna caves as making the

Cheddar caves "look like a rabbit warren". We can but agree, and suggest, that, if you are ever in that part of the world, it is an experience not to be missed. It is difficult to find words to describe the extent, the scale, or the variety of these subterranean wonders. Among the incredible stalagmites and stalactites are curious creatures about the size of a lizard, half fish half mammal, of bleached white appearance, without eyes, living out their existence passively submerged in an underground pool.

Thence to Ljubljana, the capital of Slovenia, where we stayed the night in a very Austro-Hungarian hotel and, next day, began the round of institutions.

THE WORK PROGRAMME

We were in Yugoslavia for a total of 11 days. Eight of these days were spent in visiting 15 institutions. Not only was the pace hectic and the time too short to gather more than superficial impressions, but the size and heterogeneity of our party made it difficult to pursue any consistent line of enquiry. We propose, therefore, to concentrate upon those elements of the Yugoslav penal system and practice which appear to differ significantly from our own. We shall at best attempt only the most cursory, impressionistic description of those non-penal establishments we visited.

We were taken by our hosts to

four or five major groups of institutions. These were:

- (1) Children's homes, and what amounted to diagnostic and remedial centres for deprived and maladjusted children.
- (2) The administrative department, known as the social agency, which is responsible for the organisation and co-ordination of all welfare services. This body works largely through social work centres established in each community to undertake preventive and remedial action for most types of social pathology.
- (3) University Departments and Institutes of Law, Criminology and—allied to these—Research. There was, additionally, the Institute of Defectology in Zagreb where teachers are specially trained to recognise and deal with most types of physically and mentally handicapped children.
- (4) Penal establishments comprising remand and observation centres for minors (up to 18 years); two closed and one open prison for male adults; one closed prison for male minors and young adults (18 to 23 years); and a closed prison for women with a nearby open institution for minors.

It was in the University Institutes that we obtained the majority of our information about Yugoslav crime and penology, and it may be useful to provide some of this background detail before turning to our impressions of actual institutions.

LAW AND COURTS

Yugoslavia was described to us by a talented and enthusiastic young student who showed us round Ljubljana as "a country with seven frontiers, six republics, five nationalities, four religions, three languages, two alphabets and"—as he said with some emphasis—"one purpose". It is, in fact, a federation of republics, the administration of whose federal laws lies largely or wholly within the jurisdiction of each one of these. There are, of course, aspects of the law which are a reflection of the Yugoslav socio-economic system. The chief of these, in common with other communist countries, is the category of "economic" crimes which serves to distinguish crimes against social as opposed to private property. Among such crimes, one supposes, would be attempts to set up as a capitalist *entrepreneur*. Two offences against property which we discovered were the offence of "devastating forests" and that of "forest theft". We believe these to be economic crimes—as well as instances of peculiarly ambitious delinquency.

The Higher Court judges are

elected by the National Assembly. Thereafter, we were told, no political interference is tolerated by the judiciary. The decision as to whether a *prima facie* case exists lies within the competence of the Public Prosecutor. There are preliminary proceedings before an investigating judge, but no committal proceedings as we know them. There is a Community Court, a District Court and above these an Appeal Court. There is no jury system, but every type of court is comprised of at least one judge and two lay assessors or, for more serious matters, of two judges and three laymen. The courts for minors have a special panel of educationalists and penologists as assessors.

INCIDENCE OF CRIME AND PUNISHMENT

The total population of Yugoslavia is approximately 19 millions. Recent statistics show that about 120,000 persons over 18 years of age are annually convicted, and approximately 3,200 minors, aged 14 to 18. (The age of criminal responsibility is 14 years.) It seems probable that, as elsewhere, a higher incidence of crime accompanies the increase in urbanisation and industrialisation.

Of the 120,000 over 18's who were convicted the disposals were:

- 52,000 suspended sentence
- 37,000 fines
- 25,000 imprisonment
- 6,000 "remanded" (presumably sentence deferred).

Of the 3,200 convicted minors, disposals were:

- 800 probation
- 760 admonition
- 90 assigned to a social worker
- 540 sent to an educational and corrective institution
- 220 sent to an educational institution
- 130 sent to an attendance centre (run by the social agency)
- 60 (16 to 18 years) sent to a youth prison (sentences ranging from one to 10 years)
- 10 sent to an institution for defective minors.

There are also in the Yugoslav penal code certain special restrictions which may apply to persons over 18. Thus, an additional 2,500 annually receive compulsory treatment (as in- or out-patients) for alcoholism or drug addiction, have driving licences withdrawn and have the tools or proceeds of crime confiscated. We were told that, of the crimes committed by the over 18's, approximately one-quarter are against property, one-quarter against the person, one-quarter against honour and reputation (libel) and one-quarter comprising all other offences. Seventy per cent of crimes by minors are against property.

Murder and treason remain capital offences. Imposition of the death sentence is optional to the court, the alternative being a sentence of up to 20 years' imprisonment. If the capital sentence

is passed (death by shooting), a reprieve may be granted. We were told that, on average, two to four persons are sentenced to death annually. In 1965, two were shot.

Remands in custody are obligatory in capital cases, and in all instances where it is considered that witnesses may be intimidated or otherwise interfered with. We were told that approximately 10 per cent of all cases are so remanded. Although no figures were available it was thought that in two or three per cent, at most, of all cases is the accused remanded for psychiatric reports.

Young adults (18 to 23 years) may be judged by a court, after expert testimony, to be at the educational and development level of minors. Should this be so, the legal provisions for minors (e.g. probation, educational institution) may apply to them. However, due to the restricted number of experts, professionally trained social workers and others, and because of the inherent difficulty of making such assessments, this provision is little used. Persons of either sex and over 18 years of age will, if sentenced to less than one year in prison, serve their sentence in a local prison. We did not visit such an institution.

PROVISIONS OF YUGOSLAV PENAL CODE

Every member of the I.S.T.D. study tour was provided in advance with a copy of volume V of *Collection of Yugoslav Laws*

published by the Institute of Comparative Law in Belgrade, 1962. This consists of three main sections: a foreword by the Under-Secretary of State for Internal Affairs, the laws relating to the enforcement of punishment and the regulations relating to custodial sentences. We think there are items of sufficient interest contained in this booklet to deserve extensive quotation. Again, we have concentrated on those elements which differ from English provisions, while noting that the majority of the provisions are extremely similar to our own. The chapter dealing with the commencement of sentences involving deprivation of liberty allows for postponement of sentence in cases where the convicted person is acutely ill or where there is death or grave illness in the immediate family; where he is under obligation to carry out or complete urgent work that cannot be executed by other members of his family, or that might result in considerable loss to others were it deferred; where he is about to complete his schooling or take examinations; is convicted with other members of the family, (or they are already serving sentences) and, as a result, the support of minors or of old or ill members of the household would be endangered; or, finally, is a pregnant woman within three months of giving birth or nursing a child younger than one year.

Status of convicted prisoners

includes entitlement to eight hours of uninterrupted rest every 24 hours as well as one day of rest per week. Convicted prisoners who have spent 11 months without interruption on a normal job, including the time spent under medical treatment owing to injuries sustained at work or to occupational disease, are entitled to a continuous rest period of 14 days a year, during which they receive the average pay of the previous six months.

Recompense for work performed amounts to from one-fifth to one-quarter, and exceptionally up to one-third, of the remuneration payable for work of the same type and for the same yield outside. For overtime work, convicted persons are entitled to recompense in the full amount.

INTERRUPTED SENTENCES

For justified reasons, in exceptional cases, the competent State Secretariat of Internal Affairs may grant a convicted person, on his petition, an interruption in serving his sentence, which may not exceed three months. An interruption granted for purpose of medical treatment may extend until the conclusion of the treatment. . . . If an interruption is granted, the time spent at liberty shall be counted with the punishment.

There is, however, no "automatic" remission. "Decisions concerning conditional release shall be made on the basis of a petition by a convicted person or

on the proposal of the director (governor) of a Penal Corrective Institution." Such petitions and proposals are adjudicated upon by "The Commission on Conditional Release".

Disciplinary punishments include a reprimand, no correspondence or parcels for up to three months, the prohibition or limitation of the right to dispose of money for personal needs for up to three months, or solitary confinement for up to 30 days. Several punishments may be awarded simultaneously. Dietary punishment does not exist in the Yugoslav Penal System.

Legal obligation for after-care is placed upon each local community: "The special committees existing on every council of the people's committee competent for social security affairs shall be required to extend assistance to discharged convicted persons. . . . The means of a committee for assistance to discharged convicted persons shall be provided by the budget of the Communal People's Committee".

Solitary confinement for minors (under 18 years) is restricted to a maximum of 10 days.

In a disciplinary centre, minors spend their time predominantly working and learning, under the constant supervision of educators. The term "educator", given the problem of translation might have any of a number of possible meanings; for instance, it might indicate a trained teacher, or it might simply

be equivalent to a leader or supervisor.

A penal corrective house will have an adequate number of educators whose sphere of action includes becoming familiar with the personalities of the convicted individuals, raising their general education, assisting them in solving their personal and family problems, organising cultural-educational work, physical culture and sports, and other measures for the re-education of convicted individuals. An educator may propose to the administrator of a penal corrective house that the programme for the treatment of convicted persons be modified. Persons appointed as educators must have at least secondary professional qualifications and have finished a special course for educators.

By early 1962 penal corrective houses and large prisons should have had at least one educator to every 100 convicted persons. While we cannot say whether this proportion of educators to inmates has been generally achieved, it was our impression that among those institutions we visited the importance of the role of the educator was marked, and that in the institutions containing minors and young adults the proportion was more favourable than the law required. Additionally convicted persons with the necessary qualifications may be used, under the supervision of educators, to give

instruction in general and vocational education.

The director (governor) is assisted by a council as an advisory organ in the conduct of the penal corrective house. The council comprises the director, his assistants, the head of the group of educators, the physician, the psychiatrist, the psychologist, the commander of the guard and other officials among the specialised staff, as designated by the director.

As a rule, the council meets once a month, and deals with all major questions involving administration of the house and advancement of services and work of the house. In particular, the council considers proposals for the conditional release and pardon of convicted persons, and the production plans of the economic units, as well as co-ordination of these plans with re-education measures.

Disposal of prisoners' earnings means one-third is compulsorily saved, and one-third is for personal expenditure. The remaining third, plus whatever he does not spend of the third used for personal needs, may be sent by him to his immediate family or to any individual he is legally required to support. Should the prisoner have no one to send money to, this is compulsorily added to his savings.

Privileges of granting leave of absence or a partial or total utilisation of the period of continuous

rest outside an institution are awarded by the director of a penal-corrective institution on the basis of the opinion of the council. Convicted persons remaining in the penal-corrective institution for the period of uninterrupted rest are accommodated in a special place and allowed to organise for themselves, within the limits of the house rules, the utilisation of their free time. They may also be granted special privileges in the matter of receiving visits.

Convicted persons serving their sentences in open penal-corrective institutions or under a security free system, and who merit it with their behaviour, may be permitted to take jobs outside the institution, in nearby enterprises and establishments, with the proviso that they continue to spend a certain period of time in the penal-corrective institution or that they continue to report there.

The foreword by Andrija Pejovic, Under Secretary of State for Internal Affairs, contains a number of statements on aims and principles. Thus:

"The whole Yugoslav penal-corrective system is founded on principles whose prime objective is educational-corrective considerations . . . by accenting the re-education of the convicted persons and by according them the most humane treatment possible, the law attempts to give them a perception of its principles, in the end that they should adjust their acts

to the requirements of social ethics and discipline once they are at liberty again.

"The principle of individualisation of the enforcement of punishments demands that convicted persons be treated in accordance with their individual physical and mental qualities and possibilities. However, since the achievement of a particular influence on the personality of a convicted individual represents a process of gradual transformation, individualisation must not be conceived of merely as different treatment for different convicted persons, but as a form of varied treatment of the same convicted person, which is conditioned by the degree of success registered in the matter of his reformation and re-education at a particular stage of enforcing punishment and other measures of criminal law.

"Paramount importance is attached to work as a means of re-educating and reforming convicted persons. The reason for this lies in the fact that the right to work is considered as a fundamental human right . . . (The right to work is among those rights guaranteed by Article 5 of the Constitutional Law of 1953) . . . the right to work represents the basis for the realisation of all other rights enjoyed by the citizens of Yugoslavia. . . . It follows, then, that the purpose of making a convicted person work is not to aggravate his position while serving his sentence,

but to enable him to maintain or to acquire working habits and to sustain his capability for work so that he can lead a useful life at liberty, which is inconceivable without work.

"The Law relating to the Enforcement of Criminal Sanctions puts this obligation . . . 'Convicted persons capable of work shall have work ensured to them'.

"The more the activity and working conditions in a penal-corrective institution approximate the working conditions in liberty, the greater are the possible influences of work. It is therefore sought to have productive activities organised on principles of modern techniques, with up-to-date organisation and the application of hygienic-technical, protective and other measures. Of course, when work is used as a means of reforming convicted persons, considerations of economic utility must not be allowed to outweigh the purpose of re-education which is to be attained through the work. Hence, in assigning convicted persons to jobs, prime consideration is given to their state of health, their physical and mental capabilities and their propensity for particular jobs.

OVERTIME

"The working time of convicted persons is regulated by the common provisions and totals eight hours a day. In addition to basic remuneration convicted persons are entitled to full remuneration

for overtime work, for accomplishments involving innovations or rationalisation of production, for exceeding the production standards, and for other similar attainments. Overtime work is prohibited for convicted persons as a matter of principle, and may be authorised only exceptionally. Its introduction is governed by the common regulations, whereby overtime work may not exceed eight hours per week.

"Persons enjoying the privilege of having an annual vacation to spend as they saw fit were found to have appreciated it so much that they strived (*sic*) to make sure of it for the next year by their behaviour and work. The vacation had a positive effect particularly on the psychology and working capacity of convicted persons. This has been aided by the establishment of special sections for convicted persons to spend their vacations in, organised so as to approach to the maximum the living conditions at liberty, within the possibilities attainable under the conditions of a penal-corrective institution, of course . . . (This) 'together with the possibility provided for convicted persons, subject to certain conditions, to spend all or part of their annual vacation at home, (has) invested this institution with first-class value and made it into a means stimulating the re-education of convicted persons.'

It is a commonplace of experience that statements of principle and intention are frequently at

variance with their actual fulfilment. One wonders, indeed, whether it may be the case that hyperbole and euphemy tend to increase as resource provisions become less and less adequate to the discharge of readily-proclaimed tasks. It certainly behoves any enquirer in a penal setting to bear such possibilities in mind. He should also expect that he will, quite naturally, be shown the best rather than the worst, and should recognise that it will be a bold man who pretends that he has thereby perceived what is typical, for truthfully he cannot tell. Thus, the question which now arises is to what extent did the institutions which we were shown approach the realisation of the aims we have quoted? How were they organised to do this?

First call was the Observation Centre at Jarse, on the outskirts of Ljubljana. There, from the republic of Slovenia, were some 70 maladjusted children ranging from seven to 15 years of age supervised by a staff of 48 men and women. (Exceptionally, children above or below these age limits might be accepted.) They were referred by courts, schools or social welfare agencies and stayed there under observation for a period of approximately three months.

The children are assessed by a psychologist and social workers, and the advice of a psychiatrist is available if and when required. At the end of this period a joint

decision is reached following consultations as to the most suitable disposal of the child.

At Dob, also in Slovenia, and situated in remote countryside between Ljubljana and Zagreb, is a maximum security prison and allocation centre for adults, built seven years ago. There, in an institution with a farm of 750 acres attached to it, some 600 to 700 men serve sentences ranging from one to 15 years—exceptionally, up to 20 years. Despite enquiry, the figure for the staff-prisoner ratio was not forthcoming.

Following short preliminary observation of two to three days there is a second, screening phase, carried out by psychologists, social workers, educationists and others which lasts up to 30 days. The prisoners are then allocated to this or other institutions, including the open prison at Maribor. As a result of the conclusions reached at the end of the screening process they are classified into five main groups: recidivists, young adults, old prisoners, a general group and the medically unfit. There is a semi-open section of the prison which caters mainly for first offenders.

The inmates are kept occupied chiefly with agricultural work, forestry, metal and woodwork (cots, playpens), and there are no civilian factories to compete with them in the sale at market prices of their products, some of which are exported to nearby countries. Reveillé is at 5.40 a.m. and there

is an 8-hour day with two breaks of half-an-hour each, work commencing at 6 a.m. Afternoons are mainly given over to recreation and leisure. The men receive a wage equal to one-third of the normal civilian wage. Of this, a third is retained, a third sent to dependents, a third compulsorily saved. We gathered that, in certain circumstances, a sum amounting to anything up to one-half of that saved may be used as compensation to an aggrieved party. Rarely, some may earn the equivalent of a full civilian wage.

A period of 14 days' holiday in each year is granted to all good-conduct prisoners. Those approved by the governor and his staff are allowed to return to their homes during this period; others, depending on the type of offence, their personality, the length of sentence received and time already served, spend it in the institution. Most prisoners return from their holiday period without persuasion; only a small minority require further encouragement from the police.

Two letters and visits a month are permitted to ordinary prisoners, but only one of each to those undergoing "strict imprisonment". Food parcels not containing perishable foodstuffs are permitted at a similar rate. The staff includes one full-time medical officer and a part-time dentist and psychiatrist. In contrast to the neighbouring republic of Croatia there are no special hospitals for prisoners in

Slovenia, and the more severe types of mental illness are dealt with in civilian psychiatric hospitals.

There is no remission provided for in the Yugoslav penal system, but conditional release following the serving of three-quarters of the sentence may be granted in certain circumstances. One gathered, however, that this was very much the exception rather than the rule, the prisoner commonly serving the whole of his sentence. Sanctions do not include dietary punishment, and cellular confinement is limited to a maximum period of 30 days. Prisoner councils are permitted in the workshops, and prisoner committees may make suggestions to the governor who will explain his reasons for rejecting or accepting them. So far as security measures were concerned we noted observation towers with floodlights and an electrified fence. Guard dogs are made use of, and officers are armed with batons inside the perimeter and revolvers outside it.

Prior to his release, arrangements are made by the social welfare worker for the prisoner's future employment. Sadly, it was admitted that, in Yugoslavia too, public prejudice against the ex-prisoner is by no means the least of the handicaps he must face on his return to civilian life.

Zagreb, a city of half-a-million inhabitants, is the capital of Croatia, a republic with a population of four-and-a-half million

people; and here we were introduced to the very genial Professor Markevic, Director of the Institute of Criminology in the Faculty of Law, and to the Director of Penal Administration for Croatia, Mr. Sobotincic, and shown the hospital catering for the penal-corrective institutions. It is a most impressive building containing 80 beds, (maximum 100), built approximately 10 years ago and incorporating a more recent extension. There are patients of both sexes here who require both surgical and medical (including psychiatric) investigation and treatment. Of these, a third are psychiatric cases, two-thirds medical and surgical. One in 10 patients are women, and the average length of stay is two to three months although the T.B. and psychiatric cases may, of course, remain for considerably longer periods. They are treated in small wards of three to five beds, and a brief inspection of these and of the laboratories, X-ray room and operating theatre gave us a picture of an extremely well-equipped and impressively clean and modern hospital such as our own prison service would be delighted to own. We saw no padded rooms, but three beds surmounted by a roping netting superstructure are used to contain violent patients.

We were impressed by the electronic door control operated from

a small, centrally-situated security room. We were even more impressed by the sense of purpose compounded of an attractive mixture of enthusiasm and light-heartedness, shown by so many of the staff, and by their easy and friendly relations both with us and with one another.

In Zagreb, too, is the Institute of Defectology, an integral part of the University. This might be better termed a high school for special education, catering for 600 students of whom 200 were extramural. These are individuals over the age of 19 who have a secondary school education behind them and whose aim is to gain a diploma in "defectology". The subjects under this heading comprise the study of the following groups of handicapped individuals: 1, the blind; 2, the deaf; 3, the sub-normal; 4, the physically handicapped; and 5, the socially underdeveloped and maladjusted (i.e. the delinquent).

The aims of the Institute were outlined to us by Professor Spoliatomislav, Dean of the Institute.

We visited a social welfare agency dealing with a wide range of problems normally catered for in this country by the probation service, marriage guidance clinics, children's department and, perhaps, citizen's advice bureaux and housing department also. Frank admission was made that

the problems encountered were very similar to, if not identical with, those of the West. The shortage of housing, due to the appalling depredations of the war years, constituted a formidable obstacle to social advancement and the raising of living standards. The illegitimacy rate was increasing, and prostitution was another problem that was met, particularly in the large cities and ports. As in the rest of Europe, earlier maturation of adolescents was taking place, and large numbers of children had been brought up in fatherless families, again due to the war. We were intrigued to hear that, following the arrival of television in the homes of people living in the innumerable small and remote islands off the Dalmatian coast, crimes had appeared of a type that apparently had not previously been experienced in those parts.

To the south-west of Zagreb lies the small provincial town of Karlovac, and thither we proceeded for the purpose of inspecting a children's observation and discipline centre, having been royally entertained beforehand—as indeed we were wherever we travelled—by the mayor and other local notables. These included a television camera-man who, in his anxiety to obtain good pictures of the English travellers—and especially of the possessor of the *bella barba*—for

the local network, displayed impressive agility as he climbed over the furniture in the crowded room, all but succeeding in distracting our attention from the flow of compliments and good wishes that emanated from the mayor during the course of his official welcome.

The centre, one of eight that are in existence in this republic, is a comparatively small one, providing for a total of 36 boys and girls. It might be described as a remand centre with a hint of the detention centre thrown in. The length of time the children spend there before a decision as to the type of disposal is reached is a month. Ljubljana is a considerably larger and, one supposes, much wealthier town than Karlovac, and this seemed to be reflected in the size and modernity of its centre at Jarse as compared with its Croatian counterpart.

Last visit in Croatia was to a women's prison at Slavenska Pozega which receives those sentenced not only within the boundaries of that republic but of Bosnia and Herzegovina also. There is accommodation for 400 inmates over the age of 18 whose sentences ranged up to a maximum of 15 years (as opposed to 20 years for men). Those serving less than a year are completely separated from the rest. There is a hospital of 26 beds and a comfortable self-contained unit

of 12 beds for pregnant women, the children remaining there for a period of a year before being transferred to the care of the mother's family or to a children's home. In addition; a small corrective institution for minors (63 inmates), is situated in the same locality. This might be described as a girls' open borstal for the 14 to 18 years age group. As yet, there are no open prisons for women.

As in the men's prisons, considerable stress is laid on the value of work, both theoretical and practical, as one of the most important instruments in the rehabilitation of prisoners. Here there were facilities for horticulture and, in the workshops, for lace-making and the manufacture of clothing such as shirts and underwear. Again, as in the men's prisons, a holiday period of 14 days in every year is granted to all inmates who work uninterruptedly for 11 months of that year. Those without families to return to spend this period in a rest house, and, socially dangerous individuals also take their holiday within the walls of the institution itself.

We were informed that 27 per cent of the inmates were recidivists, and that out of a total of 32 per cent who had been convicted of crimes of violence the remarkably high figure, by our standards, of a quarter were serving their

sentences for murder. The figure for illiteracy stood at 19 per cent. Some sections of this prison were most impressive. We were shown a beautifully constructed and artistically decorated theatre of spacious proportions, and noted chairs and tables whose designers would have had high hopes of winning a Duke of Edinburgh award in this country. In somewhat stark contrast the dormitories (24 beds in each) looked overcrowded, and the ablution troughs and showers somewhat inadequate and a little primitive.

Conjugal visits for the well behaved amongst the legally married have been introduced, but we received the impression that this was a very recent innovation, and that those who had benefited from the concession were, up to the time of our visit, very few.

As in all the prisons we were shown, each group of prisoners is advised or guided by a "pedagogue"—individuals with some experience of social welfare work who appear to fill the role of group counsellor and tutor organiser combined, and who compile final reports on release and attempt to place the prisoner in employment.

Next we travelled south-east to Belgrade, chief city of Serbia, and, of course, capital of the

federation of republics that constitute Yugoslavia. There we were taken to a social welfare agency, one of nine that attends to the needs of the nine administrative areas of a city of 700,000 inhabitants. In this far from spacious building 10 social workers and a psychologist, supported by a small clerical staff, appear to act as Citizen's Advice Bureau, D.P.A. Society and N.A.B. combined, tackling such widely differing problems as the care of the handicapped and educationally neglected children, abandoned babies, abortion (it is not a crime in Yugoslavia), and divorce, submitting reports to the courts when required. With the limited resources available the task appeared to us to be a herculean one, despite the level of enthusiasm of the staff which, in some cases, probably amounted to almost complete dedication.

We visited Mosa Pijade Children's Home. During the war some 300,000 children became parentless, and homes such as these have done and continue to do what they can to remedy the appalling handicap facing these future citizens. This particular home, named after one of the founders of the modern Yugoslav State, cares for 150 such children with a staff of 16 who depend heavily, of necessity, on the help of the

older children in getting through their daily tasks. Included amongst those accepted into the home are "minor mental defectives" (dullards presumably), and the maladjusted. The children live in charming self-contained flatlets of four or five rooms, each with three to four beds in them. Once again, one observed the surprisingly high quality of the furniture and the taste shown in the furnishing designs. The atmosphere was undeniably homely, and the young inhabitants had an air of cheerfulness that was very heartening to the visitor.

The third of our Serbian visits took us to a large men's prison at Sremska Mitrovica which contains between 1,000 and 1,200 inmates, (maximum 1,500). This institution comprised an extensive and miscellaneous collection of buildings, some dating back to the 19th century, with pre-first war, inter-war and post-second war additions. Here was housed every category of prisoner over the age of 23 whose sentences ranged between one and 20 years. Some miles away, in the heart of the countryside, was a small satellite which had been in existence for five years and which took approximately 100 prisoners living in open conditions and engaged in agricultural work and the maintenance of agricultural machinery. Ten per cent of all receptions into

the parent establishment, we understood, were selected for the open prison after screening, and there were perhaps 20 per cent in all who, sooner or later, were ultimately transferred there.

The administrative block in the main prison was a dignified and quite imposing building with a most impressive interior, the grounds of the prison itself pleasant and spacious. The workshops, provided with radio, were large and seemingly well-equipped; and we watched the men in the wood-work shop making beds, chairs, bookcases, wardrobes, furniture units and window frames; those in the metal shop automobile fans, hub caps and wheels for cars and lorries. There are two eight-hour work shifts in this prison, the first between 6 a.m. and 2 p.m., the second from 2 p.m. to 10 p.m.

The dining-hall was as attractive as the best we have seen in our own prisons; the kitchen, on the whole, cramped and a little out-of-date. The hospital, built between the wars, appeared to be reasonably modern design, clean, pleasant and comfortable within, with small wards of three beds and pharmacy, X-ray and dental rooms. There was no time, however, to examine the place or the equipment provided in any detail. The rest house set aside for those taking their 14 days' holiday inside the walls seemed

unusually well-equipped. Built after the second war, it was bright and cheerfully furnished, with attractive curtains at the windows. Television and table-tennis were amongst the facilities provided for the men's entertainment. In the main block we noted an excellent library (one of several, it seemed), television and facilities for showing good films in the large theatre which was equipped with a Tannoy system. Prisoners edit their own magazine, and provision is made for the teaching of basic educational subjects and for both occupational therapy and group psychotherapy, as the case may be, for the senile, the alcoholics and the psychopaths.

We were shown no individual cells whatever, and the surprisingly large dormitories which were furnished with double-tiered bunks each provided accommodation for 94 men—nearly five times as many as at Dob. Prisoners were lounging or sitting at tables during our inspection. The recess contained two w.c.'s, a small urinal and the usual, rather primitive, washing troughs. We had to remind ourselves of our own "slopping out" procedure and to recall that the two-shift system halved the number of men in the dormitory at any one time up to 10 p.m. The arrangements appeared wholly inadequate, nevertheless.

There followed a visit to an educational institution for minors at Novi Sad which we should describe as an approved school. These children, whose ages ranged between nine and 16, were sent to the institution by social welfare agencies or by the courts. We found the atmosphere to be homely, modelled as it appeared to be on the ways of family life. The children attended the local schools and returned to their own homes during the holidays unless there was some special reason why they could or should not do so. Those who showed themselves unable to respond to such measures might be transferred to one of the stricter educational and corrective institutions.

Our final visit in this republic took place during the course of a memorable journey south-west from Belgrade to Sarajevo. On the way to our destination we spent some time at a closed prison for minors and young adults at Valjevo. This institution, one of two in Yugoslavia, was built to take a maximum of 250 inmates whose ages lay between 16 and 18 at the time of their conviction. At the time of our visit, however, there were only 170 in residence, with a staff of 68, supported by 20 guards or disciplinary officers, to supervise them. Sentences of up to 10 years were to be encountered, and those reaching the age

of 23 without having completed their sentences were transferred to an adults' prison.

It was stressed that the prison was only eight months old and that it was far from complete structurally. The day was a wet one—indeed, typical English weather had greeted us throughout most of our stay in Belgrade—and the unfinished appearance of the place doubtless gave a somewhat exaggerated impression of forlornness that would be largely dissipated by sunshine and the arrival of equipment still to be delivered.

The boys slept in small dormitories of four, eight and 10 beds, with large unbarred windows. The dining and assembly hall was quite spacious, clean but unheated, the kitchen tiled and equipped with extractor fans, but nevertheless unfinished. A sports ground and swimming pool were planned for the future.

Education is compulsory and organised by a headmaster and 16 teachers, of whom approximately one-third were on the permanent staff, the remainder on a part-time basis from the nearby town. The curriculum allows three or four hours a day in the, at present, unfinished workshops, the same amount of time in the classrooms (including the promising looking science laboratories), the boys having been duly assessed by the ubiquitous pedagogues and the

psychologist. Disciplinary measures included the loss of letters, home passes, visits and pocket money; rarely, withdrawal of the privilege to smoke. The maximum period for solitary confinement was 10 days and, in accordance with the general policy, there were no dietary punishments. The benefits in the shape of good discipline that accrued from a considerable measure of self-government were repeatedly stressed by the authorities in the subsequent discussion. We had the uneasy feeling, however, that for once "communication" was not at its best; and our questions as to how the violent or aggressive behaviour of the psychopathic element was met received answers that left us wondering dubiously whether Yugoslav delinquent youth could be so very different from our own.

Apart from the visits described above three others took place which can be referred to only in passing. These were to the Institute of Criminology at the Faculty of Law in Ljubljana; the Institute for Criminological and Criminalistic Research in Belgrade; and the Faculty of Law at the University of Novi Sad. The first and third of these provided us with excellent and illuminating discussions. At the Institute in Belgrade we were in some danger, perhaps, of becoming a little submerged by the difficulty of having rendered into English the highly technical

terms used by the various speakers.

THE ROAD HOME

We came in due course to the mountainous region of Bosnia. Josef, our phlegmatic driver, and his indomitable Alfa-Romeo, soon discovered that the narrow, poorly-surfaced roads and hairpin bends, not to mention the frail-looking bridges spanning deep and ominous ravines, had not been constructed for the purpose of taking such loads as ours. The pace slowed, the inclines grew steeper, and it became obvious that darkness would blot out the magnificent scenery long before we had ascended the final mountain range and dropped down into the last valley in which lay Sarajevo.

By midnight we had reached the crest of one such range when a gigantic sigh from the now weary monster signified to us that the road had taken its toll of one tyre of the rear pairs—the inner one of a pair, it goes without saying. The wheel having been changed, we trundled on, stopping to reverse at every U-turn to allow the Alfa's lock to take the bend. In the surrounding darkness precipitous cliffs appeared to be falling away within two or three feet of the slowly revolving wheels, and it was entirely due to Josef's imperturbable skill and unceasing care that our fate was not recorded in the English Press under some such

doleful headlines as "another Belgian coach tragedy". At 3.30 a.m. the sight of a few scattered twinkles of light told us that we might be near the end of our day's journey. Quite suddenly the dawn began to break, and ahead of us, and perhaps another 1,000 feet below, lay Sarajevo. A little after four o'clock in the morning, following a 20-hour day, we tumbled into bed, far too tired to be disturbed even by the assassination of another archduke.

The following day after an all-too-hasty exploration of Sarajevo, we set out for Dubrovnik, staying overnight at Mostar. The very different type of scenery we now encountered was as impressive in its way as the more austere magnificence of the jagged Dolomites, and the road along the coast to Dubrovnik gave us delightful views across innumerable bays and our first sight of the blue Adriatic. From this fascinating port, a mixture of ancient fortress town and comparatively sophisticated holiday resort, we embarked on the S.S. *Partizanka* and, for the next two days, steamed peacefully up the Dalmation coast to Venice. In Venice, unfortunately, we had time for little else than an incipient argument with the Italian customs—whose officials at first looked prepared for a general emptying of suitcases until reassured by a few bland words from the sole Italian-speaking member of the

group—and an evening under a full moon in St. Mark's. (It might perhaps be maintained that this alone sufficed to make our journey worthwhile.)

Now, indeed, we were approaching the final leg of our European circuit. The faithful Josef, whom we had left behind on the quayside at Dubrovnik, was encountered 48 hours later, waiting for us in Venice. He drove us through Bergamo, past Como and Lugano and, next day, over the St. Gotthard and across Switzerland and eastern France into Luxembourg. The following afternoon we were saying goodbye at Ostend and boarding the cross-Channel steamer for home.

CONCLUSIONS

Travel, one can say, broadens some minds, though by no means all. When it is combined with the pursuit of factual knowledge in such an out-of-the-way State as Yugoslavia, one hopes it is not mere presumption to assume that, in our case, the process of broadening has at least begun. Solely from the point of view of the real purpose of the trip—a study tour—we found the period spent in being shown something of the workings of the Yugoslav penal and judicial systems eminently worthwhile.

In this communist country the beliefs lying behind the stated aims of those who seek to promote

a just execution of criminal sanctions lead to repeated stress being laid on the importance of reintegrating the individual within the community. And it is the good of the community—rather than, as in this country, the freedom of the individual—that appears to bulk large in the mind of the promoters of these aims. Despite this, we were told that the imposition of a deterrent sentence is held to be unjustified in that it penalises the individual offender *pour encourager les autres*. One presumes that this concept may not hold good for the political offender. For obvious reasons this situation was neither discussed nor defined for, as yet, there is no Hyde Park Corner in Yugoslavia.

What of the institutions themselves? In those prisons shown to us we were impressed by a number of things—the amount of new, post-war construction, in the majority; the extent of the workshops in one or two; the care that appeared to have been exercised in the choice of certain amenities; a dining-hall here, a theatre or hall of assembly there, and the high quality achieved; the conception of the rest house where those inmates disqualified from returning to their homes during the course of their sentence may, for a couple of weeks shake off the somewhat dreary routine that exists in all institutional life; and

the wholly admirable standards set by the Grendon of Zagreb. On the other hand, the sleeping accommodation and sanitary arrangements in some of these institutions failed to reach such levels as we ourselves were wont to deplore in our own local prisons 10 or 15 years ago.

Outside this field we noted that the absence of a probation service for the over 18 offenders constituted a considerable gap in the provisions of the welfare services; and that the workers in the social welfare centres appeared to be overburdened by problems which would tax the abilities of a much more numerous and highly-trained staff, despite the obvious devotion to their work of those we met.

Twenty years ago Yugoslavia was a war-shattered land. Moreover, the great majority of her inhabitants had never enjoyed a high standard of living, and her peasantry, particularly in the south, has continued to live at a comparatively primitive level of existence. It is in this socio-economic context that the progress that has been achieved in the field of penology can be seen to be an extremely impressive one. It would appear certain that the combination of enthusiasm and self-criticism which so many of these workers showed will rapidly carry them further along the road they are now travelling.

CONTRIBUTORS

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FIRST DIRECTOR FOR N.A.C.R.O.

THE Council of the National Association for the Care and Resettlement of Offenders has announced that Mr. R. L. Morrison has been invited to take up the post of its first director.

Mr. Morrison was educated at Camphill School, Paisley and Glasgow University where he graduated M.A. with first class honours in English, and Ed.B. with first class honours in psychology and education. From 1941-46 he was a member of the Army's personnel selection staff being demobilised in the rank of Major.

He acquired his first regular personal contact with offenders when appointed as psychologist to H.M. Prison, Wormwood Scrubs in 1946, being promoted to principal psychologist in 1950. He also acted as visiting consultant to various training borstals.

From 1961-1963, Mr. Morrison was attached to the Council of Europe first as criminologist to the European Committee on Crime Problems and later as head of the Criminological Division being responsible for administration, criminological enquiries, operational projects, and co-ordination of research within the 16 member countries, and for representing the Council at international seminars and conferences.

In July 1963 he was appointed to his present post of deputy director of the Institute of Criminology at the University of Cambridge where, in addition to teaching functions, he has been concerned with selection of students, research planning, general administration and some of the public relations work of the institute.

The Blenheim Project

PETER HUGHES

*An Experiment in Social Work
with Young Provincial Drifters in London*

LONDON SEEMS to have been an attraction for young people seeking fame and fortune over many generations. Perhaps the same might be said of any "big city" the world over. This constant pattern of migration from the provinces to the capital is well known in the traditional tale of Dick Whittington. However, it is a story which does not tell the whole truth. It leaves out of account the story of those who do not succeed. It does not tell the story of those young people who come to London not to seek their fortunes but to avoid problems elsewhere or to escape from difficult situations at home or simply, in desperation, to become lost in the crowd. It is a story which does not tell of the youngsters who succeed in establishing themselves but who had narrow escapes on the way. The story of the

Blenheim Project is the story of Dick Whittington gone wrong; the story of the youngsters who come to London, for whatever reasons, and who do not survive the pressures of city life.

HOW THE PROJECT STARTED

Over the past 10 years the statutory agencies such as the local authority children's departments have become increasingly aware of the substantial number of young people living in central London whose parents are in other parts of the country, who appear to do no work, and to be in need of some sort of help. They have become known as "out-of-town drifters". The former London County Council wished to make an organised attempt to reach out to these youngsters and to provide them with acceptable help. It was felt that the work could more appropriately be undertaken by a voluntary body

with the backing of the local authorities and in 1964 a grant was made to the Notting Hill Social Council to enable them to employ a social worker. This experimental social work became known as the Blenheim Project and its specific aim is to provide an informal social service for the young out-of-town drifters between 16 and 21 years old. The specific method of the project is to go out into the wider community and to contact these youngsters where they are to be found. The worker would consciously detach himself from the community in an effort to be among the drifters and to present the possibility of a way back to a socially stable life. This kind of social work which has already been attempted in the United States is known as detached social work.

STREET WORK

I began my work "on the streets" and my main object during the early months was to make a general survey of drifters' haunts and to establish a number of primary areas for observation and participation. It was a much more formidable undertaking than I had imagined even in my most realistic moods but moments of discouragement were often relieved by the humour of situations. After six months regularly using one café, a youngster eventually enquired about my occupation. When I told him I was a social

worker he replied: "Well, best of luck mate, I'm off". Another reacted by expressing the wish that he too could be paid for hanging round coffee bars all day. Most youngsters displayed a prudence born of bitter experience of many adults in Soho. They suspected that I might be a drug pusher, or a homosexual or an adult recruiting for criminal groups. When they eventually accepted that I was a social worker that was even odder!

After six months' work there was sufficient factual evidence to suggest the working hypothesis that the provincial youngster in London tends to move through three stages. The first stage of arrival at the railway station and the settling of very short-term accommodation. A second stage characterised by a natural tendency to wander about the West End and the "sights" of central London, as an awareness of these generally constitutes the provincial youngsters' existing knowledge of London. The third stage is marked by the drift to such places as North Kensington either by sheer force of circumstances or on the basis of recently acquired knowledge of suitable areas peripheral to the West End. Furthermore, it seemed to be a marked characteristic of the drifting youngster that he cannot

be absolutely identified with any of these stages—drifting back and forth from one to the other. With this hypothesis as a framework I was able to undertake the field-work in a systematic and productive way. Since that time I have regularly visited three places in Soho and one of the main line railway stations.

MAKING CONTACT

It is one thing to establish which pubs and clubs in Soho are most frequently habituated by young drifters; it is quite another matter to establish the kind of relationship with an individual drifter which will enable him to accept more consistent and constructive help. As time passed it became clear to me that the quality and efficacy of the helping relationship depended on my being known from the start as a detached social worker. I have already shown how this sometimes brought meetings to an abrupt end yet it remains the only firm basis of a social work relationship. Most of these boys and girls have had good cause from childhood onwards not to trust adults and they would be quite right to suspect an adult who seemed, for example, to delight in the pleasures of the juke-box or who behaved in an adolescent way. I am not in the clubs as a rather odd adult interested in what may appear to be anti-social teenage behaviour but as a dependable adult with social service resources.

It is very difficult to make a relationship with young people who are not sure of their own identity and in conditions which are not settled. One girl remarked that she "was phoney half the time but then, most people are to some extent: the trouble is that some people's extent is greater than others". While the worker, from his side can consciously develop his understanding and methods, the out-of-town drifter is more likely to become less well defined to himself as well as to others. A drifter will be moving from place to place, visiting none with a regularity that can be foreseen by the worker. One boy said that he was frightened to stop travelling. Although the drifting youngster responds or succumbs to the chance dictates of his environment, it shouldn't be overlooked that there is a more positive aspect to his drift, often unrealised by himself.

This positive aspect is the anonymity of drifting, the exchange of a life directed by personal decision for one entirely directed by circumstances, and the weakening of social communication. An Irish lad said that he couldn't understand anyone else and he didn't want to be understood: "People just don't know". These factors are described as positive because they not only enable the drifter to avoid facing the problem, whatever that may be, but also to avoid making decisions in relation to

the problem. The longer he drifts the less chance there is of stable contact and communication.

THE KIND OF WORK

My working predicament is twofold: first my use of occasions must be urgent and complete in itself. I must be able to offer a definite solution to an expressed problem. If a young drifter urgently needs a bed or a job he wants practical action at that level rather than an interpretation of his predicament. Yet, at the same time, the very urgency of his situation can make him more susceptible to an interpretative comment. Take Jimmy, a schizophrenic boy who had discharged himself from a mental hospital and who had become a homeless drifter. He had left the hospital because he "wished to try and cope with real life". Every effort to arrange work and accommodation came to nothing because Jimmy just could not keep to arrangements without being taken by the hand. This was not always possible because of the demands of work with other clients. On one occasion he was five hours late because he had "been looking at the lights in Leicester Square" and a bed was lost. On another occasion he failed to arrive at work after definitely being offered a job. It was possible to use his distress at being without a bed and a job to point out that as

much as one respected his attempt to cope with life "outside" his pattern of behaviour really indicated that he needed to continue his treatment.

The second aspect of the working predicament is that my use of occasions must produce further occasions. More often than not my approach has been so direct that this may well play into a young person's problem and incapacity to use supportive relationships. One youngster responded to the offer of help in finding a job with the comment: "God! If I told anybody that I depended on someone else to get me a job they'd think I was in a pretty bad state". Although some youngsters have been scared off by such a rapid, direct and open offer of help, others have been relieved to accept. The knowledge that a resourceful person is drifting around at least gives them a link with the possibility of getting help. They are placed in the position of choosing to act constructively or on an avoidance basis. The choice properly remains with them. Presenting this choice is one of my main functions.

This is well illustrated by the instances in which youngsters do not feel able to accept my offer of help until they have reached the end of their tether. The third or fourth night without a bed, or the second complete day without

food, may well be the final motivation that helps them to overcome their natural suspicion of "that guy who offered me a bed". I always leave with each youngster a small business reply card which briefly states the function and resources of the Blenheim Project and which gives my telephone number—for use in emergencies. A number of boys and girls have 'phoned for help quite some time after the first, often brief meeting. Some of these young people, when we first met, have told me to "get lost" in no uncertain language! The point that I am trying to make is that I leave them with a possible "life-line" which they can freely decide, in their own time, to use or not.

I first met Ann on King's Cross station where she had arrived after leaving her home in the North West. The police had picked her up and ascertained that she was over 17 and that her parents did not wish to help her. She had been placed in an emergency hostel but this couldn't go on indefinitely and she was having difficulty in finding work. She agreed to meet me on the next day but failed to turn up. A week later she 'phoned from Trafalgar Square and said that she was homeless again and that she had a girl from Scotland with her who was in a similar predicament. "Could you help us, please?" Work with Ann included

the finding of suitable accommodation, work and liaison with the Magistrates Court at home. She is now just about managing to survive in London and progress is being made in effecting some reconciliation with her parents.

People often say to me how difficult it must be to go out into the clubs and to make contact with young strangers. The fact is that the making of contacts is not too difficult, is often a matter of chance, is frequently a matter of time, and is not basically a problem. The crux of the work is nurturing such contacts and this is where the real problem and difficulty of the work lies. The fullest use of the spontaneity of these first meetings with young people is an essential objective but the reality of their situation is what they most want to avoid. Drifters are often either brooding over or living in the past or they are wandering in a future of fantasies. Another boy explained how he started petty thieving at nine years old said: "I've tried so hard, it's no good, I'll never be like James Dean. I always get nicked for small things". Young drifters often cannot stand the present and what it really means in personal terms. If one makes it real one is always likely to be rejected rather than accepted. Nevertheless, to present reality sometimes results in a contact

where communication and action are precipitated. One young girl who spends her spare time "conning" in Soho was bemoaning the fact that other people don't understand what "the rest of us have to put up with". When asked what she found most difficult to tolerate, she replied: "Reality". At least it is possible for her to talk about her "reality" with me and to come to some understanding of what it means.

HOW THE PROJECT WORKS

The functions and resources of the project can be clearly seen in my work with Jack, an 18 year old boy whom I met in a club in Soho. He looked as if he had been "on the road" for some time and he was very talkative as a result of a recent dose of "pep-pills". I sat next to him and it required no prompting from me to elicit his story. As a homosexual prostitute he had become used to talking to strange men. This was his first visit to London and a week previously he had hitch-hiked from South Wales where he had done some casual labouring work. He had no money and seemed to have very little idea of how he could best use the appropriate social services. Some older men had told him how he could make money by "rolling queers". This is a technique whereby boys make dates with men and then demand money not to tell the police. In short the

blackmail of homosexual adults. I explained why I was at the club and that if he agreed I could provide him with emergency accommodation for a few days while we tried to sort things out together. He wouldn't accept the offer until he was satisfied that I was not an "official" of some kind and that I had no statutory powers.

One of our initial tasks on the project had been to establish a list of private householders who would offer free accommodation at my request without prior notice and "no questions asked". A tall order but we have a list of a dozen such people. I took Jack to one of them and he was accommodated and fed. I arranged to meet him the next day. We first went to the N.A.B. where I was able to authenticate his claim and he received sufficient assistance to survive for the next few days. As his story unfolded it became clear that he had been very deprived as a child, his father had left home when he was two years old and his mother had died when he was nine, and until a few years previously he had lived with an uncle at his home in the North of England. He had been in a number of jobs since leaving school at 15 and six months previously had illegally obtained a British Visitors Passport at one of the Channel Ports and gone over to the continent. He

eventually found his way to Sweden where he formed a close relationship with a girl of his own age. In telling this part of the story Jack insisted that the girl was pregnant by him—"three's a family, isn't it?"—and that at long last his "search for a family had ended". He had made a family for himself in Sweden and this was where he intended to return when he had some money. This was the myth that gave point to his present life and we even obtained legal advice about his passport irregularities. It came out that the authorities had expelled him from Sweden because he had exceeded the legal period of residence and he made his way to Germany. There he was arrested for trying to illegally cross the border into Denmark on his way back to Sweden. He was classified as a vagrant and formally deported to England. He spent an uneasy Christmas with his uncle, had a row, and drifted to South Wales where he had been before I met him in Soho.

He did not wish to return to his uncle's home and had agreed to let me find him a suitable hostel until such time that he was sufficiently established to find a room of his choice. I helped him to find work and although he failed two appointments as a result of pill-taking jaunts in Soho,

I was able to persuade the personnel officer to keep the job open for him. Eventually he started work and settled into a hostel. During this time I was able to ascertain that he was becoming habituated to pills and making extra money by soliciting homosexuals in the West End. Taking this together with his childhood experiences it seemed appropriate to suggest psychiatric advice. I suggested this to Jack and he eventually accepted the idea. As we have a consultant psychiatrist to the project it was possible to arrange this quite quickly. I received helpful advice in handling Jack but he gave up his job without warning and left the hostel after telling the warden that I had arranged other accommodation for him.

Jack disappeared for a month and the next I heard of him was when I received a telephone call from the police saying that he was in custody on a charge of larceny. He had asked the police to inform me and I was able to liaise with the probation officer who was preparing the court report. Eventually I attended court when his case was heard. I told the magistrate that I wished to continue working with Jack as our relationship had continued through all his failures to use the help offered but that some form

of statutory supervision would be useful. He was placed on probation with a strong admonition to keep in touch with me. He was assigned to an officer based near me. It was agreed between us that I should continue the day by day work with Jack on account of the relationship that had already been established and the probation officer would, in this case, use his function to represent the court as and when necessary and to remind Jack of the terms of his probation.

I brought Jack back to London and the process of finding suitable work and accommodation continued. After a while Jack disappeared again and just before the probation officer applied for a warrant he 'phoned me from another part of the country. He had found work and lodgings and he wanted me to arrange for his supervision to be transferred to the local probation officer. This was done and since then he has kept in touch to say how he is getting on. He seems to be managing reasonably well. The one thing that keeps him going, so he insists, is the thought of returning to his "family" in Sweden. He cannot accept that I have verified through the appropriate Swedish social service that the girl is not pregnant and that she does not wish to see him again. To this he replies: "It will be

different when she actually sees me on the doorstep". It certainly will.

I think that the story of my relationship and work with Jack demonstrates the variety of resources, whether it be, for example, medical, legal, accommodation or employment, that can be readily made available to young drifters by the Blenheim Project. It also shows how one must accept the false starts and how this acceptance is expressed in the readiness to provide second chances. The young drifters really are free to choose and this goes some way towards strengthening their feelings of independence and allows them some scope for initiative. I appreciate that not everyone would agree to this approach but it is a technique fundamental to the Blenheim Project. In the end Jack himself solved the short-term problem by removing himself from the anti-social pull of London. One cannot tell whether he will ever find a home where he is accepted as he is.

USING SITUATIONS

With young drifters one is generally working in crisis situations which cry out for urgent practical measures. Often, one is left "holding" a difficult youngster while expert advice is being sought or more adequate permanent arrangements are being made. This is a difficult

situation which, I imagine, many prison staff have experienced and with which they will probably sympathise. It seems to me unfortunate that the proper emphasis on the professionalism of social work has often tended to cloud the good case-work possibilities inherent in urgently providing a practical solution to a practical problem of existence.

My experiences with these young drifters have confirmed that acceptance, practical assistance with "existence problems" and support must come first and serve to authenticate for the drifters my capacity to respond to any need for counselling if this is eventually expressed. This practical and immediate assistance has often led to a more regular contact which has enabled me to meet a young person regularly. It is sometimes possible to point out the meaning of a drifter's predicament and perhaps lead him to an awareness of an underlying problem and the possibility of specialised help. At this stage I am sometimes able to act in an interpretative role between the youngster and the community with its facilities for more specialised help and to support him when seeking this help. In this sense I may be seen as a wandering representative of the community's concern and I present to the drifter a point of contact with the community's resources. My primary function is

simply to be around "holding the door open". In the daily life of prison staff I expect there are many similar social work opportunities waiting to be taken.

In so far as the Blenheim Project may help young people to resolve critical situations in their lives, it may make a positive contribution towards developing personal stability. The resolution of a crisis can be turned into an experience of success which will help some youngsters confidently to face the future problems which will almost inevitably arise. In this sense it can be seen as educational in facilitating a young person's innate capacity to overcome other predicaments. I am not saying that it is always so or that it is an advantage for them to be at the risk of the type of crisis I have described. I am simply suggesting that as these youngsters are already in such critical situations, they ought to be used with constructive spontaneity.

This is well illustrated by Marlene, a young German girl who had originally come to this country as an *au-pair*. When I first met her she was depressed and incoherent as the effects of large and regular doses of pep-pills were wearing off. She could give no exact account of herself or where she lived but kept repeating: "I must get out of this". She didn't seem to understand explanations of my work and

facilities, not because of any language difficulty but because of the drugs. She came readily enough when I suggested that we should go back to my base for coffee. She hadn't eaten for three days nor slept. I found her an emergency room where she was properly cared for and she slept for the best part of three days.

Once she had recovered from the drugs she was rather resistant to any further help but it was possible to encourage her by frequently contrasting her serious predicament in Soho with the "normality" and security of her life in Germany. Her *au-pair* arrangement had fallen through and she had drifted to the West End where she had become a prostitute. She said that she would not have come away from Soho with me unless she had been in the state I have already described. At a superficial level she found her life satisfactory in so far as there was a steady return of money with which to buy expensive clothes and so on. All her personal property and travel documents were in her Soho room which she shared with another prostitute. She was afraid to go back there to collect them on account of the ridicule and hostility she expected to meet as someone who had "given up the game". It may be that in so far as she felt the pull of her life as a

prostitute, my assertive use of the crisis in which I had found Marlene had effectively removed her from Soho. Sometimes the best solution is to run away from the problem but I felt in Marlene's case that she would be better helped to stay away from Soho if she could, with support, be brought back to face the realities of life there. Accordingly she was encouraged to go back and fetch her property and I accompanied her to the room in Soho. She gathered together her belongings and the all-important travel documents while holding a very acrimonious conversation with her former partner.

Her successful participation in this task was courageous and considerably boosted her self respect it marked the beginning of real co-operation in the help provided and arrangements were made for her return to Germany before her landing condition expired. It emerged that contrary to advice she had discontinued psychiatric treatment in Germany just before coming to this country. It was possible to help her to see that her present difficulties arose from her attempts to avoid her personal difficulties in Germany. She agreed that I should write to the psychiatric clinic in Bonn and in this way it was possible to carry over her constructive attitude from the London situation

to the provision of a more fundamental help in Germany. She returned to Germany five days after I first met her.

WHAT SUCCESS?

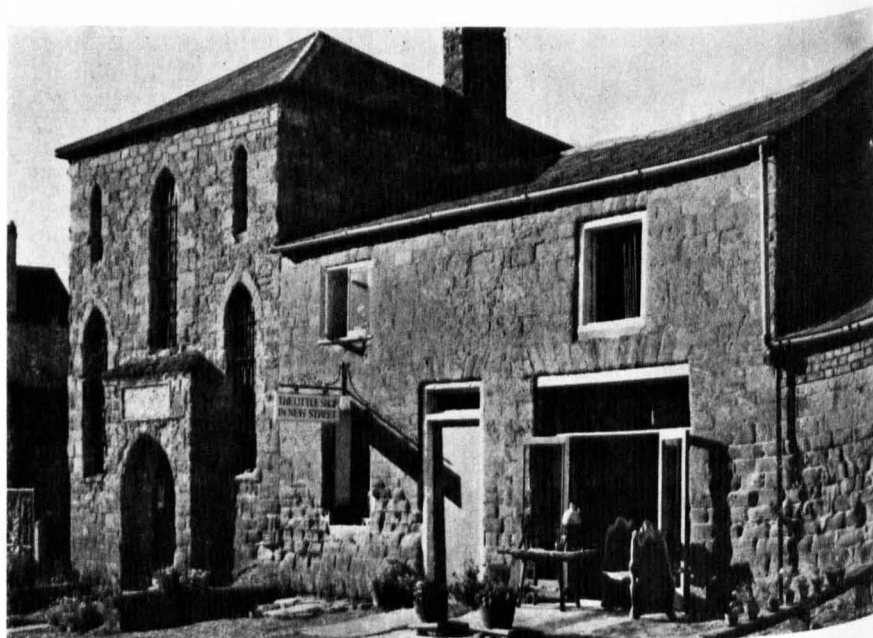
The Blenheim project has been running for two years and I have attempted to give a descriptive account of how its function and methods have been developed. Of necessity I have left some aspects out of account but perhaps I have indicated that the main needs of the out-of-town drifter who arrives in London are practical help with accommodation and work, supportive friendship, and help with what might be called orientation to the metropolitan environment. The key lies in extending the network of contacts in the fieldwork areas. We generally refuse referrals from other agencies and so far 95 per cent of youngsters have been met in the clubs or referred by other young clients. It is difficult to measure success in individual cases as people have such different expectations. Some youngsters settle into a socially stable life in London; others can't cope in London and are forced to return to an unsatisfactory home; others keep returning for help in recurrent difficulties; while others may derive information about social service facilities or work from a single fieldwork conversation but seek no further help from the project.

Perhaps this description of the Blenheim Project has shown how

one sets out to find and use opportunities for helpful social work with young people. I am usually in the position of referring myself as a social worker to the youngsters—initially they didn't choose to come to me. Prison staff who accept their social work role may be in the same position in so far as the inmates did not choose to be open to the officer's social work possibilities. We both work in situations very dissimilar to that in which social work is usually conducted and our potential clients don't turn up by request or invitation! I expect many other comparisons could be made.

No firm conclusions can yet be drawn but already the Blenheim Project has been able to make social services and adult support available to a group of young people who would not normally be reached. In a project of this kind the first years are inevitably a time of assessment and we are confident that the task has been sufficiently well defined to proceed with the development of an appropriate service to meet the needs of young drifters. This account of the background and progress of the work may be seen as representing a significant step towards an accurate and concerned appreciation of their predicament.

FOR SALE—JAIL



THE OLD HOUSE, New Street, Ross-on-Wye, Herefordshire, a medieval house with a picturesque tower is for sale. Known locally as the "Old Jail" it was probably used as a town lock-up about a century ago. It belonged to the Church for some 600 years before being sold in 1906 for less than £100. Comprising nine rooms, with usual offices and all main services, it has a large garage, a long garden well stocked with fruit trees, shrubs and rose bushes; the property is protected by law as a house of outstanding architectural interest and has been the subject of radio and TV programmes. The present owners are Mr. and Mrs. P. de la Cherois Crommelin.

The Place of Prison in a Modern Penal System

ALAN BAINTON

I HAVE BEEN invited to read this paper* on the place of prison in a modern penal system. What follows are my thoughts on this subject, and while they are based on many years of work in penal institutions they do not necessarily represent the views of the Home Office.

I shall resist the temptation to ignore the complexities of this question by assuming some ideal society where all negative attitudes to the offender have been removed if only because if one can make this assumption it would be as easy to assume the possibility of an ideal society in which crime ceased to exist, or the availability of unlimited money and an abundance of devoted people with the skills to deal with obdurate problems with the assurance of success. I am aware that to deal with the reality of the problem will be to appear unimaginative. I shall concern myself with an

analysis of the situation and that which is possible.

A prison, quite shortly, is a place where people are kept in captivity and to which they are committed by due process of law. The process serves a number of functions; it ensures the appearance of offenders for trial, protects the interests of the prosecution and less obviously in some cases the accused; it is an expression of society's indignation at an act which is inimical to its interests or an affront to its code of morals, and as such is a reinforcement of society's values. In that it punishes it is an act of revenge; if it deters the offender from a repetition of his criminal behaviour and others from similar acts this is a social gain; if for the period of his imprisonment it prevents a persistent offender from committing crime it may appear justified; if it reinforces anti-social attitudes it is seen to be harmful; if it were to reform we

*At the British Congress on Crime, September 1966.

might argue for an extension of its use.

The aims then are in conflict. The conflict originates in society at large; the confusion which this produces bears hardly on those whose task it is to administer prisons.

The emotional need to punish expresses a rejection of the act of the offender; the need to forgive an acknowledgement of common frailty; they are not equally balanced and some offences produce outright and continuing condemnation and others general compassion. However, the two elements produce a condition of guilt which is projected on to those who carry out the penalties imposed by the courts. This was seen most clearly in society's attitude to the public hangman and the duty formerly imposed on the prison service in conducting executions. It exists noticeably in the confused attitude towards those offenders recently sentenced to terms of 30 years' imprisonment, and is an element in the consideration of all penalties. This equivocal attitude implies an inability to define the task of the prison and attracts to its performance contradictory criticisms which inhibit the development of those aims which the prison service is in process of developing within itself.

There have been attempts to simplify the task. The introduction

of special forms of custodial treatment for young offenders, the use of probation, the imposition of fines, the recognition of conditions of reduced responsibility leading to alternative forms of treatment, have kept offenders out of prison but have underlined the use of imprisonment as the ultimate sanction available to the courts.

The resolution of the conflicts which divide any community in regard to the commission of an offence has been made more difficult in the increasing urbanisation of society and the atomisation of groups and individuals within it. The offender may, for his immediate family and friends, represent one whose virtues outweigh his shortcomings, but to society at large, he is categorised by his offence. The failure of individuals and of groups to identify with the community, facilitates the commission of offences, enables offenders to reject the judgment of the courts and leads to an exacerbation of the conflict which exists between those who are responsible for the execution of the judgement and the offender. The larger question as to how we are to deal with the prevention of crime by the inculcation of more acceptable social attitudes is beyond the scope of this paper, but if, as is often the case, committal to prison is an act of despair in a failure to deal with this larger problem, it would be unrealistic to

expect of prisons any simple success.

The task is difficult and enormously varied. Those who come to prison range from those who are an embarrassment to society and for whom there is no obvious alternative disposal, to those whose activities constitute a war on society and whose callous and purposeful acts provide little indication that the process of penance followed by amendment of conduct can be expected. Whilst numbers of those who come to prison are young healthy adults whose offences are casual and determined largely by occasion and not by any pre-determination of the crime and respond to an unpleasant experience by avoiding further committals to prison, there are amongst them those who exhibit the whole range of physical and mental disabilities, and although those who can be dealt with under the Mental Health Act are removed to mental hospitals the disposal of the psychopathic offender is made difficult by the liberal treatment which now characterises mental hospitals so that they have difficulty both in ensuring safe custody and the protection of staff and other inmates from the excesses of behaviour of this type of offender.

Whilst diagnosis of the offender in psychiatric and social terms has reached some point of sophistication, treatment poses considerable difficulties. It is known that

offenders who are able to recognise and accept the need to change can be helped, but many are unable or unwilling to recognise this and it is often clear that the pathological adjustment of the offender to the totality of his defects and situation present such a delicate balance that any assault on the condition is not to be attempted without regard to the possibility of contriving a worse result. There are those who belong to sub-cultural groups whose ethos is not that of the larger community and who are sustained in the commission of offences and in enduring the penalty by the acceptance of the group and its continuing approval. Even in those cases where treatment is desired and possible, there is no matching of the period spent in custody with the needs of treatment, so that the sentence may be too short to enable treatment to be carried out or so long as to destroy its good effects.

Finally, this confusion is dealt with for the greater part in buildings which were designed for a system which served a much simpler society in the performance of a much simpler task and which have outlived their useful life.

The positive elements in imprisonment—the enforced recognition on the part of the offender that he has offended and the encouragement that should normally follow—that by an act of expiation he may regain an accepted place in society—are vitiated by the

collective attitudes of society towards the convicted criminal and the adverse factors that are to be found in imprisonment itself. These are the antagonisms that exist between inmates and staff in the efforts of the former to resist the depersonalising effects of imprisonment and the solidarity of the inmate culture in preserving their identity, and the contradiction that the defective socialisation which has produced the delinquent is confirmed by his isolation. Where criminal acculturation is not a pronounced factor and these antagonisms are absent and are replaced by dependence, the offender is robbed of initiative, and the consequent institutionalisation unfits him for life in a free community.

The efforts to maximise the positive elements in this situation and to minimise those that are harmful are to be seen in the improvement in prison conditions, the establishment of educational and recreational activities in all prisons, the engagement of the prison staff in methods of treatment, the retention as far as possible of prisoners in prisons near to their homes, the determined attempts to provide better work and the preparation for discharge in the introduction of pre-release hostels and working-out schemes.

Perhaps the greatest barrier to the effective application of treatment is the finite nature of the

sentence. Since discharge is predictable, unless delayed by some overt act of indiscipline, the prisoner is enabled to avoid full participation in those provisions intended to aid his reformation and indeed is often sustained in his opposition to such processes by the collective attitude of the prison population. Whilst an element of indeterminacy may produce in prisoners a compulsion to offer a superficial acceptance of treatment programmes which may be seen as an argument against such a principle, it can be argued that the growing awareness in prison staff of the institutional situation and an increasing understanding of the complications of their task would enable it to be used positively.

The inadequacy of after-care in that no sufficient means exist, as yet compulsorily, to sustain most prisoners through the difficulties of the post-release period is matched by the lack of adequate physical provision for those who, left to their own inadequate resources, are likely to fail.

Finally, the prisons are grossly overcrowded. The result of this has been to aggravate prison problems and to reduce for lack of space and staff, the effectiveness of what has been attempted, and to attract attention more to the state of the prisons than to the factors in society which have produced the increase. And since there is an awareness that those

qualified under the law for admission to prison vastly exceed those for whom, for a variety of reasons, it is thought justifiable, it may be necessary to restrict even further those who are committed to its care

I have set down, necessarily in simple form, what must seem a depressing catalogue of the difficulties because no one who works in prison can be effective without conscious recognition of them, and those who are concerned with the place of prison in a modern penal system will need to consider the whole situation. Too often consideration of the question proceeds on the assumption that society is devoted quite simply to the treatment of the offender, and that if only we were able to devise effective treatments for what is only rarely a specific condition, we might abolish imprisonment and institute treatment centres and with reluctance concede that treatment would have to contain some element of compulsion and often have to be custodial to ensure its effectiveness and the protection of the public.

It will be sufficient to quote the Lord Chief Justice as reported in the *Manchester Guardian* on 18th June, 1966. Referring to an outcry in the national Press when a savage assault on the police resulted in the offenders being fined, he said: "With assaults on the police it has been said over and over again that magistrates

must depart from their old ways and say 'this has to stop'. Some form of detention whether it be a detention centre, borstal or imprisonment, must be meted out in all cases, regardless of whether they have a good character or not".

Let us turn to what may be done.

It has often been said that many offenders are sent to prison unnecessarily. In the sense that this has not demonstrably done them any good, that where they have not returned this has been in spite of their prison experience and not because of it, and where they have returned the system may be regarded as having failed, that other methods of treatment would have done as well are observations that might well puzzle the court in dealing with the individual offender in whose case it is not at all clear which particular remark would apply. The proportion of offenders who appear before the magistrates' courts and who are committed to prison is small, and I suspect the feeling of magistrates is that they exercise considerable leniency. A simple exhortation to reduce the number of offenders sent to prison in the absence of the provision of acceptable alternatives is hardly likely to produce any significant result. Where the inappropriateness of committal to prison is disclosed on examination after sentence, this points clearly to the need to make available to

the courts some adequate diagnostic function and the evaluation of forms of treatment. Neither is generally available. The usual course is to use forms of treatment in progressive severity as each one fails and, indeed, in the absence of any clear indication as to the appropriate treatment this is clearly the most humane approach. But we have seen that even this approach is conditioned by overriding considerations of the need to satisfy public opinion both with regard to punishment and the need to deter.

The restriction in the number of people committed to prison would be possible by the provision of alternatives which would both express society's condemnation of the offence and lead to amendment in the offender. The use of fines as penalties might be more flexible in their application in that the ability of offenders to pay varies with their circumstances. However, where an offence has been committed partly or wholly because the offender has insufficient to support his needs, the imposition of a fine will serve to increase his difficulties, and since such a situation will tend to enlist sympathy rather than to incur condemnation, the action of the court may be to provide assistance rather than to impose penalties. This, however, assumes that full information as to the nature of the difficulty is available to the court. Where an offender is so well

provided for that the imposition of a fine is regarded as little more than an inconvenience, we are reduced to the dilemma of providing a sufficient sanction, and here, as perhaps in other cases, the suspended sentence may prove effective.

There is nothing reformatory as such in the provisions of deterrents of this nature, and it may be fairly observed that not all offenders are in need of reformation. There are many in need of treatment, if by that term one refers to a whole catalogue of ill-defined physical and mental defects which are both a product of poor socialisation and a contributory cause of it, and there are some who are a clear charge on the mental health services but who, with the establishment of the open-door principle in mental hospitals, can no longer be detained. It is true that the short sentences of imprisonment in such cases are not useful since they contribute to the crowding in prisons that makes the individualisation of treatment impossible and the lack of after-care and supportive services confirms their condition.

The most helpful general observation is that by and large the magistrates' courts deal with less serious offences and the less determined offender. There is every reason why, in the interests of institutional treatment where this is considered necessary, these petty

offenders should be separated from the more serious offenders, both in the eyes of society for whom imprisonment is a general term about which it is ambivalent and unable to make valid distinctions, and because this inability imposes on a great many petty offenders the rigours of close custody in traditional security prisons. The separation of this problem, which is characterised by offenders who constitute no great danger to society, and who, in that their terms are short, will shortly be restored to freedom, would enable them to be housed in conditions of reduced security and enable them to profit from increased social experience and place them in an institution from which the pronounced ill-effects of the prison sub-culture would be removed. Since if they are not received into the ordinary prisons, where they constitute nearly three-quarters of the committals and a third of the standing population, the task of the prisons would be considerably simplified. Further, it would be possible to isolate groups of offenders who are now committed to prison in the absence of suitable alternatives. Those whose chronic inability to deal adequately with the complexities of modern life would be more humanely and not more expensively dealt with by institutional care which, by its acceptability, would not need the compulsory element of imprisonment or a court order. For those

offenders who have surrendered to bail and pleaded guilty, and in whose cases the courts nevertheless find a period of custody the appropriate sentence, there is much to be said for a stay of execution, first because this would reduce to a large extent the painful embarrassments which attend the forceful removal to prison and the mess of disrupted relationships and obligations which this entails, and secondly because this would remove from an overburdened welfare service the execution of simple tasks which at present fall to them.

We are left with problems in the difficult area of reduced culpability and the need for treatment. Whilst it is easy in the extremity of cases to find the existence of reduced responsibility there are many cases where only too obviously the selfish disregard for others merits the discouragement of penalties. In the absence of accurate diagnosis and the devising of appropriate treatments the advice to the courts will be too general to be of particular use.

In the absence of a complete diagnostic service to the courts it is incumbent upon prisons to establish their own diagnostic procedures, certain that this will be by far the smaller part of the problem, and by the particularisation of treatment evaluation procedures.

With the establishment of particular treatments in prison or, in

the case of short sentences, the appropriate institution, adequate supportive services will be needed on discharge and, for social derelicts, an attitude of acceptance which precludes punishment and expresses an intention to relieve suffering.

For the more serious offender for whom imprisonment may still be the appropriate treatment a measure of indeterminacy in the duration of the penalty, offering the inducements to co-operation in those who are trainable, and the prolonged detention of those who are an active danger to society, would do much to raise the response of prisoners to training programmes, although it must be admitted that the necessary skills to make a fully meaningful assessment are yet to be produced.

The holding of prisoners on remand or for trial is a function not to be confused with the imposition of penalties, yet the general conditions under which they are held, the increase in the work of the courts, the subordination of the organisation of the remand prison to the convenience of those courts, produce an effect far from the intention. Here the solution must be the removal from the local prison situation of the bulk of convicted prisoners into establishments offering a variety of treatments, since without this necessary simplification of task, progress will be impossible. It need hardly be said

that an improvement in the physical conditions under which trial and remand prisoners are housed is urgently necessary.

May I sum up. The conflicts which a developing society finds within itself are mirrored in its laws and institutions. The growth of understanding of the difficulties which face individuals in adjusting to the increasing complexities of modern urban life have led to a more sympathetic approach to the offender; at the same time the decay of the formerly strong supportive influences in society have led to an increase in crime. This has heightened the essential ambivalence which society reveals in its attitude to the offender. We are required to treat and punish, and whilst these are not invariably incompatible, the combination presents great problems. Where a need for treatment can be clearly established and the means exist, such as in mental conditions likely to respond to clinical treatment, the course is clearly indicated, but for the greater part we follow a course of awarding penalties of increasing severity as each fails, only interrupting the process when its inappropriateness becomes obvious. The ultimate sanction for those who have been dealt with in society and those who have experienced custodial treatments which are an alternative to prison, is prison itself. There is every reason why the use of the ultimate sanction should be delayed, but considerations other

than the treatment of the offender will often dictate otherwise; the seriousness of the offence, exemplary punishments in the interests of deterring others, and the need to protect the public are considerations which cannot be ignored. Prisons will, therefore, continue to exist. At present their purpose is confused, both by the society's conflicting demands upon them and by the numbers which overcrowd our out-of-date buildings. It is necessary to simplify the situation. The prisoner's ability to avoid meaningful participation in

training programmes is both a reflection of the prison sub-culture, and a result of the system which secures his automatic discharge by efflux of time, and if training and treatment are to have their full effect it will be necessary to alter this by introducing an element of indeterminacy, establishing adequate diagnostic services, and particularising and validating forms of treatment: and since treatment in a restricted environment cannot be completed will be necessary to provide supportive services on discharge.

WELFARE OFFICERS AND THE STAFF

To the Editor, P.S.J.

Sir,
In the January edition of the Journal, the letter published from A. J. Marshall mentioned that there was "no link up between themselves (Welfare Officers) and the staff around them".

Surely this is a matter for local management. At my establishment we have co-opted the work of the Welfare Officer into our in-service training programme. Officers will spend, over a three-month period, a set number of hours each month with the Welfare Officer, to observe, comment and understand the role expected of the Welfare

Officer. We find that this two-way flow of information is working well and a much better relationship is already developing.

In return the Welfare Officer will spend time with the discipline staff on the same exchange basis; this in turn sets up a team.

It would appear that such an arrangement can be modified to suit most establishments and would therefore alleviate some of the disappointments expressed in A. J. Marshall's letter.

Yours etc.,

M. J. TERRY,

H.M.P. FORD

NEW BOOKS

to be reviewed in later issues

PRISON PEOPLE by NICHOLAS TYNDALL

Illustrations by GARETH FLOYD

Published by Educational Explorers in their "My Life and Work" series, this is an account of the Prison Service by a writer well-known to our readers for his book reviews and to many members of the Service through his work as head of the Management Studies Department at the Staff College, Wakefield.

Hardback library edition, 16s.; Paperback, 8s. 6d.

WHEN THE GATES SHUT by Mrs. J. E. KELLEY

The writer, now assistant director in charge of women's establishments, formerly Governor of Holloway and Askham Grange, looks at our attitude to our work; this is another book about "people" rather than "places" where they are to be found.

Published by Longman, 25s.

MARGERY FRY, THE ESSENTIAL AMATEUR by ENID HUWS JONES

According to Margery Fry, destiny pushed her towards penal reform as a ju-jitsu expert overcomes his opponent, by a series of taps. Inclined by nature to devote herself to the visual arts, like her brother Roger, she felt obliged by her own privileges of birth and education to speak for those whose voices were still unheard. At Birmingham and Oxford she influenced two generations of university women. She worked for civilian victims in two wars. was one of the first women magistrates, an original member of the University Grants Committee, and a governor of the BBC. But it is as an expert in penal affairs, and also for the warmth and lustre of her personality, that she is chiefly remembered.

Oxford University Press, 42s.