

Aspects of Remand Centre Reporting

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IN PREPARATION for a mixed conference on remand centres held at the Staff College late in 1964 a report entitled "Some Comments on Remand and Observation Centres" was issued. Originally drafted in 1959 it had, by 1964, in some respects slightly historical significance rather than immediate relevance. Informing the document is an implied—and occasionally stated—assumption that courts are very jealous of their own autonomy and consequently negativistic in their attitude towards what is referred to as "unsolicited advice".

Of course it is a cornerstone of individual freedom in this country that the judiciary is independent of the executive. It is also true that all kinds of well-meaning individuals and organisations exercise themselves from time to time in telling both judiciary and executive how to carry out their functions. It may not necessarily

follow that advice offered is always good; nor that when it is well-founded it is never heeded.

It has never seemed to me proper to regard the psychologist as purveying a necessarily more important or more significant point of view about individuals than does anyone else. He represents a unique point of view certainly, along with other specialists and colleagues. There are some limiting cases where he may require to act or advise exceptionally from his own special angle; but in the generality of cases he is to be regarded as participating in and contributing to the efficient discharge of the functions of the institution he is placed in. He brings his special training, qualifications and experience to bear on this, in concert with colleagues. I think this is paralleled by another situation, namely, the relationship between the remand centre and the courts. As with the psychologist

vis-à-vis the remand centre, so the remand centre *vis-à-vis* the courts. In both cases, the two parts participate in a common, unitary function.

It has been argued that, ideally, all individuals committed to remand in custody ought to be looked at in detail and reported on. In the interests of expediting court processes this has been modified, together with some changes as to the sources of some information supplied to courts. The consequences of the Streatfeild committee's recommendations were not satisfactory in the eyes of many courts who had come to regard Ashford's work as informative and helpful; with the result that we continue to afford a reporting service on request over and above that statutorily required. Currently this requested service concerns upwards of 1,000 cases per year, mainly to magistrates' courts, but also to a number of higher courts. Changes have thus been of two kinds: restrictive, by the recommendations of the Streatfeild committee, and expansive, at the courts' request. The first kind were by official action from above, the second developed from court-remand centre interaction, out of working experience. This latter does, I think, underline the sense of common purpose already mentioned.

Courts, of course, have their own specific concerns in dealing with miscreants. Over the whole

array of varied offences and degrees of seriousness of misconduct that come before them, one can expect that at either end of the scale the appropriate actions from the courts' point of view are obvious. They may also be of overriding importance in the interests of justice or of social security. Many minor misdeeds call for application of only minor sanctions; many serious crimes call for correspondingly heavy penalties. Where there is ground for debate and differentiation is likely to be in the middle range, and one may expect that it is with these middle-ground or less obvious cases, that the courts may seek further opinion. Here consideration of the individual may loom larger in influencing the decision than simple application of community sanctions. That is to say, this is the area where, provided there are sensible and intelligible alternative grounds on which to base decisions, it is reasonable and appropriate to question habitual or automatic sanctions. Such, for instance, as the "tariff" system of awards proportionate to culpability or gravity of offence; and what one may call the "sequential" system whereby the offender gets the sentence in a series next following that which he got last time. Essentially, I think that this is what our "by request" reporting service is about. It is, of course, important

to remember the proviso stated, that the alternative grounds on which to base decisions shall be sensible and intelligible. We deal at Ashford solely with the under-21 or pre-adult age group; in itself, by virtue of the customary solicitude of our society for the young, this adds some weight to the argument in favour of taking individual considerations fully into account wherever possible.

Given this general context, the kind of report appropriate to render has, I think, three essential parts. The first is *description*, constituting an account of the person, his equipment and capabilities, intellectual and emotional, his social and other circumstances, in so far as they may be relevant, and his use of and adaptation to them. The second part is *analysis*, that is, an attempt to see the offending behaviour in the light of the description, in order to try to explain or at least understand the behaviour. This should, if it is apposite, lead naturally to the third part, namely, *conclusions for action*, given a proper end in view.

In the matter of the end in view psychologists do not always appear to show a united front as to professional aims and responsibilities, and so perhaps sometimes confuse others. The British Psychological Society submitted a memorandum of evidence to the now defunct Royal Commission on the Penal System. It was subsequently berated

in a letter by a university lecturer in psychology for appearing "to be more concerned with the needs of the State", when "a psychologist's concern should be with the need of individuals". Truly, we are concerned with the needs of individuals; but individuals, with rare exceptions, have to live their lives within the context of a community, and so have to adapt to the community's necessary rules as the price for its protection and advantages. There is no society that makes no demands, or claims no sacrifices of individualistic whims. Consequently adaptation to the community's *mores* is as much a need of the individual as is the satisfaction of any impulse he may harbour. Undoubtedly he will suffer if he habitually preys on others' property and rights or holds their peace of mind to ransom.

For the psychologist reporting or advising in this setting ends are no different than for anyone else concerned with the erring individual's adaptation to adequate social living. He may, however, have specific proposals as regards means, and he may also be concerned to weigh the extent to which adaptation or adjustment is possible. And here he may well be concerned to urge the avoidance of contingent harm in the process of attempting good. The problem in reaching conclusions for action thus becomes: with a person

described as he has been, whose delinquent actions appear to be understandable in such terms and through such motives, what kind of disposal is best, what treatment is necessary in the interests of his personal and social adjustment?

But we must beware of interpreting "best" as "most radical". If we executed all our delinquents we would have no recidivist problem; but this is hardly appropriate. Drawing conclusions is, I think, a two-stage process: first, what *kind* of action is necessary? Second, how parsimonious can we be?

I suspect this is true for the concerns that are peculiarly those of the courts. I think it is also true for those like ourselves who are required to offer our professional views or advice for the courts' consideration. For the psychologist in particular it means first: what kind of treatment is necessary to enable the individual's adaptation—what can be envisaged as effective for the particular case? Second, the parsimony: from the social point of view how economical can we be? From consideration of the individual, how non-disruptive can we be—how little disruptive of his individual life? And, after all, the more disruptive, the bigger the resettlement problem.

Cast in these terms, it can immediately be seen that behind all reporting there must be

essentially questioning attitudes; questioning attitudes of the form: What evidence is there to indicate that such and such types of person are more likely to respond to treatment A or B or C, etc.? And, more individually, what features of this person and his circumstances are relevant pointers to his being able to respond to treatment A, B, etc.? Such questioning is clearly forward-looking, a point underlined by the Streatfeild committee in referring to "the fundamental difference between culpability and pursuing the other objectives of sentencing; namely, that where the court is seeking to reform, to deter or to protect, it is seeking to control future events rather than simply to pass judgement on past events".

I regard the psychologists at the remand centre as having basically two kinds of professional responsibility. Briefly stated, and without regard to relative importance, they are: (i) to advise and assist the community's representatives (Prison Service colleagues, the courts and other agencies) in the handling and treatment of cases; (ii) to provide what help is possible to further the individual's interest and to assist as far as we are able his processes of adjustment, adaptation, and his personal well-being.

To these ends the psychologist brings his professional skills, according to the circumstances and conditions of the individual cases met with and his own particular

bent without, necessarily, any overriding claims of expertise in the general field of delinquency and criminology.

So far I have been discussing what may be called matters of the general philosophy of remand centre work. Juxtaposed to these are what may be regarded as various problems of mechanics. I do not need to refer to all the multifarious administrative details of processing individuals through the centre. Nor, I think, is it necessary here to detail the various psychological instruments we use, except to say that we have to employ various screening devices in order to identify cases we ought to look at in more detail, and otherwise confine our specific attention to certain defined categories. This is for practical reasons of available staff and concentrating where we can contribute most effectively. I want to discuss three particular areas of general mechanics, all of which seem to me of crucial importance for the development of an effective service.

First, and in some respects simplest, is the practical problem of trying to reach an overall notion of what our population comprises and what happens to it. If one undertakes a simple population analysis, breaking down the population into types that may be administratively different, for instance, suitability report cases, previous custodial sentence cases,

SOM cases, one can arrive at important work load categories and, particularly, discover whether given categories are increasing or otherwise. This can, on occasion, provide data for forecasting if, for instance, it is linked with a parallel analysis of disposals or sentences. Thus, knowing the approximate contribution of the Metropolitan Police area to borstal historically, we ought to be able roughly to predict future borstal place requirements from trends in Ashford's population and trends in sentences awarded. We have in fact found fairly consistent characteristics in such simple population analyses. A little more remotely, and making certain further moderately safe assumptions, we tried to predict the number of cases that will be recalled to borstal annually under current conditions—a prediction relevant to our undertaking reporting for possible recall whilst on borstal licence—a function that the centre has recently taken over. It remains to be seen how inaccurate this turns out to be. This might be regarded as a simple application of data processing to immediate administrative or management problems; and obtaining the basic information from day-to-day material is quite within clerical competence under a little research-worker guidance. Process studies of this kind can often answer relevant practical questions. Of course, as we know, any service

provided tends to get fully used, e.g., detention centre places always seem to be in short supply; and perhaps there is a sort of Parkinsonian law at work here that may upset calculations if the centre provides more and better services. But I do not think this refutes the general point.

Again, we have checked our recommendations against what the courts have actually done in the cases concerned, and found in nine months of 1964, for instance, a 61 per cent agreement, with a slightly higher proportion of agreements (64 per cent) for those cases numbering 521, for whom the courts asked for our views. This proportion has tended to increase. One may regard this either as the extent to which our views are acceptable, or as a measure of the realism of our recommendations, according to one's viewpoint. I would guess it is an amalgam of both.

In another context, we have periodically reviewed the numbers of innocent cases that have suffered a period of remand at the centre. Obviously this can be a matter of serious social concern. A number of samples reveal reasonably gratifying results on this, proportions varying in discrete samples from 0.8 per cent to 2.7 per cent. In each sample the figure includes those where the case against the inmate was dismissed (presumably for lack of evidence) and those

actually found not guilty, who are usually a minority of the proportion.

Second as regards these areas of mechanics, we have, I think, a more general research responsibility, even though as yet we are very far from being able to meet it. I mentioned a little earlier that behind all reporting there must be essentially questioning attitudes. Researches, mostly of an operational kind, are the means of answering, so far as they can be answered, the questions involved. Provided careful collection and collation were done of data arising from examination of individuals, it would be possible through follow-up arrangements to facilitate better understanding and identification of, for instance, cases where detention centre treatment might be suitable, and where unsuitable. No doubt there are other equally significant questions we should be posing for enlightenment through research studies. But such activities presuppose careful collection of data and its subsequent scrutiny, calling for staff additional to those we already have. The remand centres, particularly the larger ones, are suitably placed in the system to undertake such work, and this might in due course yield valuable information as to the effectiveness of sentencing, particularly on different sorts of individual. Such research findings would still need

to achieve compatibility with considerations of justice in their implementation; but the basic research requirement is still almost wholly unfulfilled and belongs here, within the system. Psychologists clearly should be involved in this research function, as and when they are available, because some at least of the essential data needed would be obtained by the application of psychological instruments. Clearly, however, we can only meet this research demand if we have more people, because the aim would be defeated if we attempted it merely by switching staff from studying individuals, so reducing the amount and variety of information collected.

My third area of practical problems concerns communication. In slightly more leisurely days, both in borstal allocation work and in remand work in local prisons, it used to be regular practice to obtain reports on inmates from various sources before reports to court were prepared or allocation decisions finalised. As the volume of work pressed more and more heavily this practice gradually—or perhaps ultimately precipitately—fell into disuse.

There are some quite important problems of communication here. When Ashford was being planned we reverted to the practice of getting reports from the various

sources covered by the pages of F.1150, until the changes introduced following the acceptance of the Streatfeild committee recommendations. As our reporting functions increased, however, we would clearly have been left reporting largely in a vacuum had we not attempted to resume such report contacts. Time in itself poses a problem here, as even the postal service is not always what it used to be. And clearly it would be undesirable to try to get extra remand time in large numbers of cases for such a purpose. However, for those cases where we report we have reinstituted the system in a rather more limited way, so that we hear at least from police and probation service as far as possible. The study of the individual is then conducted in the light of background information and some details of the offence charged. Probation service opinion, too, is sometimes more informative via the telephone than by written report.

In contrast to having too little information, it is also possible to have too much. The trouble then is to try to reconcile contradictions, vastly different judgements about the same person or situation, and to decide how far, if at all, some early experiences are still relevant to the individual one is examining. These kinds of discrimination call

for judgement that comes only with experience, and this new staff have to acquire. It is clearly no help to relay to the court in a report a lot of detail and varied or contradictory information, when what it needs is the considered opinion of experienced people expressed in terms it can readily grasp and apply. This must clearly determine to a large extent the form in which conclusions and views are forwarded, and simplicity is probably the safest keynote.

We have been very conscious at Ashford of being the recipient and user of other people's information and views, and I think a little guilty in that this has largely been a one-way process. We have attempted to make a little recompense for this in at least one respect, although pressure on the clerical staff has interrupted the process at the moment. The Staff College report on the mixed conference late in 1964 referred to the lack of means of passing information to the probation service, whose members might well be able to make good use of it. Since a quarter or more of our inmates are placed on probation, it seems very reasonable to pass on any relevant and perhaps useful views there may be about them. We accordingly began the practice of forwarding to probation officers, for such cases, psychologists' reports where they had been prepared. This was in line

with the old established practice that probation officers receive psychologists' and social workers' reports from the allocation centre for cases they are to receive under borstal after-care supervision in due course.

Court personnel are also key people with whom we ought to have considerable two-way communication. Those who visit us seem favourably impressed by what we are trying to do and appear to appreciate our work. There is probably, however, a good deal of room for more liaison of this kind and for other methods of getting together. One would like to see some contacts by way of study groups, the sentencing conferences that are a developing practice, and so on. But all these things involve time which, though it is not in short supply in all prisons, is at a premium at the remand centre.

I have referred, though only rather sketchily, to these three practical aspects because they seem to me to underline something important. And here we really return to the general philosophy of remand centres. Besides achieving what is deemed to be the socially desirable end of separating the remand population from those people undergoing penal treatment, the remand centre should, I think, be considered in its func-

tional relationship to other social agencies dealing with the same population. The general reporting function of the centre is directed towards the courts, towards other penal (receiving) institutions—prisons, borstals, detention centres—and towards certain other social agencies, particularly the probation service. With the exception of borstal, these agencies are all associated with a region: probation officers serve courts, detention centres accept primarily from courts in their areas. Even in the case of borstal the local, regional feature retains its significance since the trainee usually returns after his training to be a responsibility of the local probation and after-care service. The link between detention centres and remand centres is as yet only tenuous, but exists in the sense that any reports prepared go forward to the detention centre with the inmate; and response to training received has to be considered when we have to report to court under the statutory provisions for previous custodial sentence cases.

Now it is the coming back of individuals to the centre from time to time that impresses on one's mind the fact that the remand centre in a particularly significant way also serves the region. A

sizable proportion of our population is not new to us, and it may be a still growing proportion. Of our 1964 total, 26 per cent had been with us before; in 1966, for a population which was itself 29 per cent greater, the proportion was 28.7 per cent. There are individuals who have come to the centre no less than five times in connection with successive offences, i.e. post-treatment reconvictions; and the number of those who have been twice with us must be quite considerable. With this kind of thing happening, one begins to feel that the centre is not just another institution of the Prison Department, but also has its roots in the local population. Area service is, I think, of the essence of the remand centre concept, and there is need for the establishment of more enduring links among the agencies of the area served. A felt and real cohesion that reaches beyond the Prison Service itself to courts, probation and other social services of the area would develop the relationship between the court and penal sides of the way society deals with its errant members. For indeed, the heart of all this is the people who inhabit the area—these are those whom all the social agencies exist to serve.