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Contents

Editorial	1
Non-Custodial Measures and the Criminal Justice Act 1972 . . . H. A. Prins	2
What is Happening to the Prison Service? J. Uzzell	6
Margery Fry Centenary Mrs. F. M. McNeille	8
Letters to the Editor	9
Who is the Teacher C. Williams	10
Cartoon G. Wright	11
N.O.V.O. D. Moriarty	12
The Visitors Centre, Pentonville . . Mrs. D. Butt	13
Book Reviews	23

Our cover picture shows the Visitors Centre,
Pentonville (see p. 13)



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EDITORIAL

Many offenders would like to be able to make some real reparation to their victims. There are exceptions—we have rarely encountered a bank-robber who suffered from an excess of guilt, though he might bitterly regret the waste of his own life resulting from his choice of action, and still more the effect on his family. But the extension of genuine moral feelings towards impersonal institutions such as banks and insurance companies (or even British Rail) is an academic exercise for the majority of honest citizens. Many men, however, who have behaved selfishly, callously or violently towards other individuals, experience after the event the normal human feelings of guilt, compassion, the desire to apologise and to be forgiven.

The criminal law does not encourage such foibles. Indeed, it seems to often work expressly to keep victim and offender apart, firmly fixed in their separate roles of adversaries before the court. The truth is never so simple.

It would be quite inappropriate, unproductive and even dangerous, for most victims of gross violence to be confronted with their assailants. There are some wrongs which can never be righted in the same world. In other circumstances and where proxies are used, however, much bitterness may be relieved and some practical restitution effected vicariously. "N.O.V.O." (see p. 12) is not an entirely new idea, but it is a bold and imaginative attempt to do something about this age-old problem of polarisation. Role-playing (or more accurately role-swapping) can be a therapeutic exercise. The self-image of the offender who takes on the role of do-gooder undergoes a sea-change. The delinquent *qua* social worker is one step forward in the slow reprocessing of human waste into a socially useful product.

Uzzell (p. 6) asks: "What is wrong with the Prison Service?" It is tempting to rush in. The Prison Service, to maintain the jargon of the environmentalists, is concerned in some way with the reprocessing of legal castaways back into serviceable citizens. The Service is the people who work in it, and there are currently not enough of them. Those there are, are under stress. The Prison Service has been suffering a voltage reduction for a considerable time, and until full power is restored the enormous fund of ideas and idealism which exists within the hearts and minds of those who work in it cannot be reharnessed.

Non-Custodial Measures and the Criminal Justice Act 1972

HERSCHEL A. PRINS

THIS paper seeks to examine some of the new non-custodial measures introduced by the Criminal Justice Act, 1972 against their historical background and considers their implications from the point of view of the penal treatment services.

ARE SEMANTICS IMPORTANT?

At the risk of being considered a "hair splitter", I think it is worthwhile making brief comment on the significance that people may attach to particular terms or expressions. Wootton¹ and her colleagues refer specifically to "Non-Custodial Penalties". In discussions that followed the production of their report and while some of them were receiving parliamentary sanction and also more recently, other terms have been used, such as "measures", "alternatives" and "treatments". It can be argued of course that for most people, all these terms have much the same meaning, but I would venture to suggest that the choice of terms used is likely to reflect to a greater extent than is sometimes recognised, the differences in philosophy and outlook of those concerned with the introduction and implementation of such measures. Thus, sentencers may think in terms of "penalties", academics may think of "measures", and those in the "treatment" professions may think in terms of "treatment". Lest I be thought to be too pedantic, I am emboldened in suggesting that we question some of our terms as a result of what were originally intended to be mildly provocative comments on the question of defining terms in the context of "intermediate treatment"—a subject which has much in common with many of the measures to be discussed in this paper.² Perhaps a few words are also in order concerning the expression "non-custodial". I suggest that for most people, "custody" has a strictly penal connotation (or more specifically, custody in prison). However, we should also note that one interpretation of the dictionary definition of "custody" is that of "guardianship", and it is this aspect of the definition that is most pertinent to the approach to be taken in this paper.



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BACKGROUND TO THE NEW MEASURES

It is not possible to consider in detail the events that have led to the framing of the new legislation. However, it is important to pose some questions so that we may try to reflect on the philosophy before becoming too engulfed in a welter of detail. Faced with a rising prison population and its general ineffectiveness for many of its inmates, society inevitably casts around for alternatives. The motives that promote this search for alternatives will be many and varied. These may be based on humanitarian grounds (e.g., prison is considered to be actually harmful for some people); on

economic and expediency grounds—such provision is costly—the more so when it is manifestly ineffective. This is shown very clearly when comparisons are made between the cost of keeping an inmate in prison for a week and the cost of keeping him under the supervision of a probation officer for the same period.³ Such motivating forces are understandable, and indeed important. However, I would suggest that there is another very important influence that has contributed to current trends in penological thinking and practice, which, although having its roots in the arguments of both humanitarian and economic expediency can, in my view, be seen as having an entity of its own. This influence comes about as a result of a shift in thinking in many fields of welfare—namely, that we no longer separate so significantly those who are "different", (whether they be the underprivileged, the deviant or the delinquent) from the rest of the community.⁴ To put it very crudely, there is less separation of "sheep from goats". Deviants and delinquency are seen much more as the result of reciprocal forces and influence within our society. However, as Whiteley has recently pointed out, a dichotomy still remains. "In broad sociological terms we can look at social deviance in two ways. Deviance can be seen in terms of *functionalist theory* as an expected phenomenon of any society or organisation, even serving a function in highlighting or monitoring deviant behaviour so that the organisation can develop appropriate controls and proceed unhampered on its developmental course. Alternatively, deviance may be viewed in terms of *social conflict theory* which sees the deviant as someone in conflict with society because of different beliefs and experiences and the natural progress and development in the organisation resulting from the resolution of the conflict issues by adjustment on both sides."⁵ I would suggest that recent trends in penal thinking, and particularly those in respect of non-custodial measures, reflect to some considerable extent the latter alternative as expressed

by Whiteley. It seems to me, that these attitudes are also reflected in a tendency towards the implementation of more flexible and community focused legislation in a number of fields. The Mental Health Act of 1959 reflects this trend, with its intention of "desegregation" of the mentally ill (though it must be admitted that resources have never been available to enable its laudable intentions to be fulfilled). The Children and Young Persons' Act, 1969, certainly reflects this intention also with its plans for "Intermediate Treatment". Both the provisions of the Children and Young Persons' Act, 1969 and the provisions I am discussing here seem to have as their main emphasis "social education" and re-learning; some aspects of these are the subject of discussion later in this paper. However, I would like to sound some notes of warning at this point. A number of the provisions of the 1972 Act seem to be based on what can best be described as a mixture of the "work ethic" and "social education" already referred to. I suggest that it will be very important for all concerned to try to clarify our intentions in this matter. The "work ethic" not only bedevilled poor law administration and relief in this country for centuries, but it also influenced attitudes towards offenders to a very considerable extent. If "social education and re-education" is to mean anything at all, it will need to see the inculcation of good work habits as part of and not the main focus of attention.

Whiteley⁶ reminds us that there are three very important principles involved in re-learning experiences. First, there must be a situation in which "some basic social interaction can occur free from the customary social controls, inhibitions, or repressions of everyday life . . .". Secondly, "there must be an agreed mechanism of *exploration* of the behaviour which emerges . . .". Thirdly, "there must be real opportunities for *experimentation* with new roles and methods of social behaviour in an atmosphere of tolerance with the individual trying out new modes of behaviour". (Whiteley's italics). Whiteley's principles have widespread implications for the future development of all methods of penal treatment, whether ambulant or institutional.

There are three further warnings to be given. First, experience seems to show that when new measures are introduced they tend to be applied in a somewhat indiscriminate manner (more reference will be made to this point later). This can sometimes result

in the measures being labelled as ineffective before they have been properly tried out. The second, and equally important note of warning, is that preoccupation with new measures and techniques tends to make people ignore areas that still need active intervention for change. We should be particularly concerned here with what may happen to our prison system. Interest in new provisions and developments could well detract attention from the long standing and special problems of prisons in the next 20-30 years. The problem is likely to be even more acute in future years with the increasing need to provide conditions of maximum security for long sentence men. Do we not stand in danger here of once again re-enforcing our gulfs between the "deserving" and a small but significant group of "undeserving"? This leads on to the third danger area. We should be aware of the risks which may arise through over-familiarity in merely seeing some of the new provisions (particularly community service orders, day centres, deferment and suspension of sentence of imprisonment) as just shots in the "tariff" system. There is a very real danger, therefore, that they could be used without imagination or discrimination, and there are important implications here for the training and education of sentencers.

MAIN NON-CUSTODIAL PROVISIONS OF THE 1972 ACT

I propose to comment on the provisions under two broad but somewhat arbitrarily divided headings, as follows:

(A) AMENDMENTS TO EXISTING LEGISLATION

- (i) Compensation and restitution.
- (ii) Suspended sentence and supervision.
- (iii) Minor amendments concerning probation orders.

(B) NEW, OR MAINLY NEW MEASURES

- (i) Postponement of sentence.
- (ii) Community service orders.
- (iii) Day training centres.
- (iv) Detoxification centres.
- (v) Bail and other hostels.
- (vi) Miscellaneous matters.

(A) (i) COMPENSATION AND RESTITUTION

The tidying up of previous complicated legislation that Sections 1-6 of the Act provide also reflect the impor-

tance of the reciprocal relationship between offender and society referred to earlier in this paper. There is an interesting historical point made by McLean in connection with compensation and restitution orders. He comments that ". . . Anglo-Saxon law, in common with the vast majority of unsophisticated legal systems, ranked compensation as high or if not higher than punishment in a number of instances . . .".⁷ Perhaps these new measures may help to redress the balance a little. An important innovation in respect of compensation is that orders may now be made in respect of "offences taken into consideration".

Davis⁸ makes an interesting comment in connection with this innovation. He states that police officers have told him that "they expect the Act to lead to a reduction in detection rates recorded by local forces, because of the section which enables courts to impose compensation orders on offences taken into consideration; with this change, offenders are already showing signs of being less willing to make routine confessions in order to help clear the books".

Moreover, as McLean rightly points out, the problem of enforcement in respect of compensation orders still remains and, as in the last resort, orders can only be enforced by imprisonment, this would seem to defeat one of the main objects of such orders.

(A) (ii) SUSPENDED SENTENCE AND SUPERVISION

Sections 11-13 of the Act introduce certain changes in the use and interpretation of the suspended sentence. As White indicates,⁹ they clarify the use of the term in one important respect, namely that it is in future to be referred to as the "sentence of imprisonment that has been suspended". The 1972 Act also makes clear that a suspended sentence shall not be passed unless "a sentence of imprisonment would have been appropriate in the absence of any power to suspend such a sentence". The power to order supervision is an important and perhaps controversial innovation. As I understand it, an order for supervision shall be applied in cases where at least a sentence of six months or more is passed, and that such an order shall not be made without the court having first obtained a social enquiry report. One can foresee complications from the point of view of the supervising probation officer. First, the order, unlike probation, does not require the offender's consent. Secondly, the duration of the order may be a very short one.

Thirdly, there are only two requirements that can be inserted in the order—(a) that the offender keep in touch with the probation officer and (b) notify him of any change of address. It is not possible to insert additional requirements as to work or good behaviour. Either the probation officer or the offender may apply for the order to be discharged. The sanction for a breach is a fine of up to £50, but neither a breach of the order nor its discharge give the courts power to activate the sentence. It will be important to monitor the implementation of these provisions in order to make some assessment of the work load and difficulties that probation officers are likely to meet and to suggest modifications if required.

(A) (iii) MINOR AMENDMENTS CONCERNING PROBATION ORDERS

Section 21 of the Act increases the maximum fine from £20 to £50 for breach of requirements of a probation order.

Sub-Section (2) of the same section makes provision for the courts to make an order for community service for breach of the requirements of a probation order without prejudice to the continuance of the order. *Schedule 5 of the Act* removes the limitation previously imposed by *Section 4* of the Criminal Justice Act, 1948 on requirements for mental treatment. A requirement for mental treatment may now be made "during the whole of the probation period or such part as may be specified in the order". Probation officers and psychiatrists should find this more flexible provision of value, and it should do much to lessen frustrations that have occurred on both sides when offender patients have not always been found suitable for treatment within the previously fixed 12-month period.

(B) (i) POSTPONEMENT OR DEFERMENT OF SENTENCE

Section 22 of the Act provides courts with formal powers to postpone sentence on an offender for a period of not more than six months after conviction on one occasion only.¹⁰ Its main attraction seems to be that it removes doubts from the minds of those who found the previous and varied provisions somewhat ambiguous (e.g., common law and statutory bind over, remand on bail, respite of judgement, etc.). It may also help to remove the abuse of remands on bail for this purpose, which should strictly be used only for making social and other enquiries. An editorial in *Probation* suggests that "The kind of case in which

the section might profitably be used is where an addict states that he is willing to enter a treatment situation, but his real motivation, or the suitability of a particular type of treatment, is still in doubt . . . two months deferment in such a case might in future lead through phased admissions or trial periods either to finding the most helpful treatment setting for the particular client before any conditions are written in, or to quite a different decision being made ultimately by the court, without the necessity for breach proceedings to be invoked . . .".¹¹ It has also been suggested that these new powers can be used to test out the avowed intentions of an offender, as for example, in cases where he states he is to marry, or has the prospects of a job to go to. However, there remains some doubt as to who will normally be responsible for supplying the fresh material at the adjourned hearing. Presumably, brief information from the police or counsel will sometimes be available. One hopes that this will not be seen as an opportunity to seek information in all cases from an already over-pressed Probation Service. However, the innovation, as Blom-Cooper puts it, has one important virtue, namely that "for the period of deferment the offender is directly involved in his own penal treatment . . .".¹² This involvement would again be much in line with the reciprocal philosophy referred to earlier.

(B) (ii) COMMUNITY SERVICE ORDERS¹³

Sections 15–19 of the Act implement, initially, on an experimental basis, most of the proposals of the Wootton Committee.¹⁴ However, there are one or two important differences that deserve mention:

(a) The provisions of the Act differ to some extent in respect of the hours and time suggested by the Wootton Committee.

(b) The Wootton Committee suggested that community service orders could be made *either* as orders in their own right, or as requirements of probation. The Government chose the former course.

(c) The Act limits the application of community service orders to persons convicted of offences punishable by imprisonment. The committee cast its net somewhat wider to include other types of persons such as traffic offenders; it seems a matter for regret that these sensible proposals have not been implemented in the Act. It is envisaged that in course of time it will be possible to apply community service orders to

fine defaulters as an alternative to imprisonment. It is to be hoped that such application will not be too long delayed.

There are three important points to bear in mind at the outset in relation to community service orders. First, the offender must consent to the making of the order. Secondly, the court has to be satisfied that arrangements for such work are available. Thirdly, the court must have considered a social enquiry report before making such an order.

Recent discussion with staff closely involved in the implementation of a pilot community service scheme throws up a number of points for consideration:

(a) For such a scheme to be successful, it seems to be imperative that ample time is allowed before it is introduced. This is necessary not only for adequate liaison with the various voluntary bodies that may be called upon, but also in order to deal with the ambivalence of both probation officers and sentencers.

(b) Selection criteria must be worked out as carefully as possible. Here there are important implications for the training of probation officers in that assessment and diagnostic skills may require further development and refining, in order to match offender and form of treatment appropriately. There are also important implications for the training of magistrates—such training is regrettably still very much at the "scratching of the surface" stage.

(c) The implementation of community service orders can be seen as a good example of community involvement *both* for the offender *and* for the community. I would support entirely the suggestion that the fact that an offender can give service, and that the community can see that he can give it, may be a far more crucial factor in his rehabilitation than we have previously believed to be the case. There are further important implications for probation officers. They are not normally to be directly involved in supervising the work of the person undertaking community service. They will act more in a liaison capacity as organisers, supporters and as "linkmen". This is becoming an increasingly important new role for probation officers and contrasts with the more traditional one—one relationship with clients they have been accustomed to in the past. This development, coupled with the increasing use being made of volunteers and auxiliaries requires probation officers and those responsible for training

them to do some further thinking about their work in these new areas.

(d) The pilot schemes introduced in selected areas have been operating for so short a time that any request for information as to success or failure would be premature. However, on the basis of one scheme I have been able to discuss in detail, it would appear, initially at least, that it seemed to be operating well. Hopefully, the close monitoring being afforded by the Home Office will provide us with answers to such questions as: (a) Which cases seem to do best? (b) What are the differences in outcome in (i) cases where the magistrates follow a recommendation for a community service order; and (ii) in cases where they make an order despite a recommendation against it? (c) Are there specific age ranges that seem best suited to this type of treatment? In the scheme I was able to discuss it appeared that the preponderance of orders (some 75 per cent) were being made in the age range 17-25. (About 60 orders had been made since the scheme was introduced in January—information as at 18th May, 1973.) Offenders suffering from serious problems of addiction, frank psychosis and violence in their make-up were not considered suitable.

(B) (iii) DAY TRAINING CENTRES

Section 20 of the Act makes provision for the setting up of day training centres on an experimental basis. Attendance may be made a requirement of a probation order. The hours of attendance, number of days to be attended, etc. are specified in the Act and in the relevant statutory instruments. Bottoms¹⁵ suggests a recent history for the day training centre idea, stressing that such centres are basically for the "socially inadequate personality". I would suggest, however, that their history can probably be traced back as far as the late 1950's, when consideration was being given to experimental day training and other centres for young offenders. As is so often the case, ideas in one field are taken over in another, and as I have already indicated in this paper, a parallel theme can be seen in the provision of treatment for both juvenile and adult offenders. It would be a pity if such centres were to concentrate on remedial aspects of education only, though this might go a long way towards combating some types of recidivism. It is hoped that such centres will be able to experiment along many lines, particularly those involving group work and group inter-

relationships. It is also hoped that the staffing of these new centres will provide a unique opportunity for a multi-disciplinary engagement, particularly between those in social work, mental health, and those with industrial skills.

(B) (iv) DETOXIFICATION CENTRES

Section 34 of the Act empowers a police constable to take a person found drunk under certain specified conditions to a medical treatment centre for alcoholics. As yet, there are no centres formally operating in this way, though there are a number of units that could presumably be so designated. The intention is laudable, but one must wonder if the facilities will ever be available in sufficient quantity to meet the intention. Moreover, although police constables have power to take drunks to such centres, there are no powers so to detain them. The drunk may well discharge himself before any treatment has been effected. In addition, it will be important to clarify their purpose. Are they merely for purposes of "drying out", or will some rehabilitation be effected? Are they in fact to be a throw back to the "retreats" of the early Inebriates Acts?

(B) (v) BAIL AND OTHER HOSTELS

Section 53 of the Act enables probation and after-care committees to provide and carry on bail and other hostels for adult offenders. Such hostels will attract Home Office subsidy. It is to be hoped that the provision of bail hostels will go a long way towards keeping numbers of people out of prison who ought never to be there. An expansion of hostels for adults is also to be welcomed, but it would be a pity if this expansion took place without attempting to look at what kind of hostel provision is now required. Do we want more of the same, or should we not be thinking of differentiating rather more in hostel provision? Hostels can serve as unique "transitional communities", and can do much to foster community interest. It would be a pity if we did not use them to best advantage. With the expansion envisaged, some rethinking and rationalisation would certainly seem desirable.

(B) (vi) MISCELLANEOUS PROVISIONS

Section 23 of the Act enables courts to make orders for the forfeit of any property in the possession or control of an offender used for committing or facilitating a crime. In practice, these powers will apply to serious offences punishable with not less than two years imprisonment. (Examples of such for-

feiture would include such items as skeleton keys, offensive weapons, or a car.) Section 24 of the Act enables a Crown Court to disqualify an offender for such a period as it thinks fit if the court is satisfied that a motor vehicle was used in the furtherance of the offence (e.g. robbery, theft or handling stolen goods). Both these provisions seem aimed at bringing home to offenders the consequences of their actions in a more "personalised" way, and as such, the measures may be a very meaningful addition to other forms of disposal.

IMPLICATIONS AND CONCLUSIONS

The non-custodial measures introduced by the Criminal Justice Act, 1972 reflect trends towards diversification and flexibility of penalties, towards personalising penalties for offenders, and making them and the community more reciprocally involved. As with all new measures, there could be a tendency to see them as panaceas for all "ills" and we may have expectations of them that are unrealistic; herein lies the danger that they could be found "wanting" before being given a fair trial. Innovations such as community service orders and day training centres seem to offer the greatest scope for experimentation. However, a prerequisite of this is the need for those responsible for training programmes for both sentencers and the Probation Service to take a careful look at the demands being created by these new tasks. It is likely that the Probation Service will require a more wide-spread degree of training in the use of aides, volunteers, in group and community work, and in organising and managerial skills if the opportunities afforded by the new measures are to be fully grasped. Sentencers, too, have many lessons to learn; maybe the most important for them will be how to lose a certain ambivalence about these new approaches and how to use them appropriately. However, if the words of the Home Office are a correct indication in the matter, we cannot be over sanguine about this: "There is no guarantee . . . that the courts will use new or improved forms of non-custodial treatment for those they would otherwise send to prison . . .". (Home Office italics).¹⁶ Should this be the case then we shall only have succeeded in diluting the existing services (such as probation) to no good purpose and a useful opportunity for innovation will have passed us by.

Of one thing we can reasonably be

certain. The new measures will only succeed if we make a concerted effort to break down the "them and us" distinction. In order to do this, we will have also to break down many of our punitive ideas and aims, and also be less concerned about "public opinion". Whiteley comments: "The proposals of the new Criminal Justice Act give us the opportunity to set up an integrated system of social education into which we can build dynamic relearning situations, but it is imperative that we pay considerably more attention to the sociology of deviance than has hitherto been the case in the treatment and management of offenders . . .".¹⁷

Whether the non-custodial provisions of the 1972 Act will really mark a "turning point" in the treatment of offenders remains to be seen (and the question mark in the sub-title to this paper reflects my own uncertainty). They certainly provide *opportunity* for a break away from a more traditional and punishment orientated approach, but it will require considerable effort on the part of sentencers, penal administrators, practitioners and offenders themselves for such new provisions to make them a successful *reality*.

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2. *See my paper:* "An example of Compulsory Benevolence; Intermediate Treatment Examined". *Social Work Today*, 3 (4) 1972. 2-6.
See also: two provocative comments on my paper by North and Fitch in the same journal, 3 (7) 1972. In these, both authors suggest that my observations on the importance of definition do not go far enough.

3. For a very useful discussion of some of the forces that operate for change in this field see: DAVIES, M. "The Criminal Justice Act, 1972 as an expression of social policy". *Social Work Today* 4 (7) 1973. 195-198.
4. This is not to suggest that there are not still abundant examples of social injustice and inequality all around us.
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6. WHITELEY. *Op. Cit.*
7. McLEAN, I. "Compensation and Restitution Orders". *Crim. L.R.*, Jan. 1973. 3 6.
8. DAVIES. *Op. Cit.*
9. WHITE, S. "Suspended Imprisonment". *Crim. L.R.*, Jan. 1973. 7-11. White outlines the four steps in the decision-making process required in concluding that a suspended sentence of imprisonment with supervision is appropriate:
 - (i) The rejection of probation and all sanctions other than immediate imprisonment.
 - (ii) The decision that, in the absence of any power to suspend sentences, immediate imprisonment for between six months and two years is the appropriate penalty.

- (iii) The decision that the suspension of the sentence is appropriate and to fix the length of the operational period.
 - (iv) The decision that, taking into account the length of the operational period among other things, a supervision order is appropriate.
10. For a fuller discussion see: BLOM-COOPER, L. "Postponing Sentence". *Crim. L.R.*, Jan. 1973. 12-15.
 11. Editorial comment in *Probation*, 19 (1) 1973. P. 2.
 12. BLOM-COOPER. *Op. Cit.*
 13. For a fuller discussion of this subject see: HARDING, J. K. "Community Service—A Beginning". *Probation*. 19 (1) 1973.
 14. Wootton Committee. *Op. Cit.* P. 67.
 15. BOTTOMS, A. E. "Day Training Centres". *Crim. L.R.*, Jan. 1973. 21-23. Bottoms ascribes to Priestley the original idea of day training centres as now planned. However, he also adds (in a footnote) (p. 21) reference to Andry and West. It would be difficult to give any one individual the credit for thinking of day training centres since they seem to derive from so many strands of thinking and interest.
 16. Quoted in a letter by the Rt. Hon. Edmund Dell, M.P. to *The Guardian*, 4.4.73.
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What is Happening to the Prison Service?

JONATHAN UZZELL

WHAT is happening to the Prison Service? Staff at every level from every type of establishment can be heard saying: "This is not the Service I joined". "It is all one big mess." "Head Office don't know what they are doing." "Nobody cares." There is a great deal of unease around. Staff seem bewildered. The dramatic events of the last 14 months have highlighted some issues. The P.R.O.P. demonstrations, Gartree riot and staff overtime restrictions are symptoms of an underlying problem. Many members of staff find the problems hard to articulate and this increases their frustration. The frustration exacerbates the problem. The feeling is around that things are out of control, that we react to events

with decisions based on expediency. If these feelings are based on fact, our leadership is abysmal and our communications quite inadequate. Whether the feelings are based on reality or phantasy, they are certainly around. If we can examine the reality, or at least some of it, we might gain some perspective and understanding. This in turn might allay some anxiety and help us to get on with our job more effectively.

THE BACKGROUND

Pre-1965, the basic philosophy of the Service had been handed down from the gurus of the pre-war era, Fox and Patterson. The legacy of these remarkable men was a deep humanitarian

ethic. Their proteges followed this philosophy despite increasing overcrowding, out of date buildings and a changing society outside. The staff courses at Wakefield reflected this ethic. We were in the "people" business. The emphasis was on the development of case-work and therapeutic communities. Assistant governors were seen as the agents to pursue these aims. I belittle neither the philosophy nor the means employed. I am arguing that they were pursued regardless of the realities of the prison situation and life outside. The Service was suddenly faced with the reality by the events which culminated in the Mountbatten Report. In essence, the report, whilst not denying the humanitarian aims, gave a reminder that we were also in the law and order business. The Prison Service was forced rudely to adjust to the post-war world.

The report was a watershed. A Service, starved of financial resources for years, suddenly found itself with abundance. Most of the money was spent on hardware, buildings and electronics. Security was emphasised, economics followed. A new cry was heard: "prisons must pay". Some new industrial workshops were established and an industrial reorganisation resulting eventually in Prindus. New specialisms were required of staff: dog handler, control room operator, industrial manager. The role of the assistant governor changed from treatment agent to manager. The complexity of the Service became apparent. Regionalisation provided the first step in managing the system. The management review of headquarters was followed by reviews at regional and local levels. The Mountbatten Report gave birth to the Inspectorate, and the management review to the Manpower Control Team. (The role and terms of reference of these two bodies are still unclear in the minds of some staff; a clear example of poor communications.) These happenings are not isolated. Many intelligent and articulate men were finding themselves prisoners. Beside these qualities, some were dangerous and serving lengthy sentences. The prisoners began to organise themselves. Ex-prisoners became more vociferous, and political radicals took up their cause. Bound by the Official Secrets Act, the Service cannot answer the oft-exaggerated accusations of these groups. Inevitably staff became very anxious about these events.

The amount of change, rate of change and the pressure, both inside the establishments and from society

which began in 1965, still continues. It buffets the Service. Old traditional bearings have been lost. Staff now find it difficult to navigate the changing scene. By 1970 the Prison Service had taken its place on the jumbo jet of social change. We also share society's problems. Inflation, and the Government's economic policy to contain it, hit the Service where it hurts most—in its pocket—a further cause of discontent. The growing size of the Service's task over the period was not matched by a corresponding increase in staff. Not every man wants to work in a prison, and with such a low basic wage, who would blame him? The disturbances uncovered a need for increased staff in

Johnathan Uzzell joined the Prison Service in 1965 from a Commission in the Regular Army. He started as a housemaster at Feltham Borstal, then at Finnermore Wood Camp as the assistant governor in charge, and was deputy governor at Onley Borstal before going "on loan" to Northern Ireland as governor of H.M. Prison, Magilligan. He is married with two children

some locations. The introduction of the Crown Courts made even more demands on staff at local prisons and remand centres. Finally, commitments in Northern Ireland stretched the elastic to its extremity.

Looking back it says a lot that we have survived all this for so long. Although we have survived, we are probably suffering from Toffler's¹ *Future Shock*. Changes have come so rapidly that the senses are numbed, bearings abandoned and perspectives lost. The physical conditions in which staff live and work help to reinforce fantasy and feed frustration. The prison estate is a world almost as closed as the prison itself. It is easy to say that management is at fault. Managers are also effected and affected by future shock. Toffler believes things will get worse unless we take steps to deal with the effects of rapid change. What steps; how do we cope with change?

SHOULD THE TAIL WAG THE DOG?

The 1970 Reith lecturer, Donald Schon,² examined an organisational model which he called "Centre—Periphery". The centre is the headquarters, and the periphery the outstations. Classically, the centre was the originator of policy which it communicates to the outstations as

instructions. This was appropriate in the days of slow change. Then the centre had time to collect and digest information. Conditions at most outstations were relatively standard. Routines could be established, tested and operated. Management by exception was the rule. This is no longer so. With increasingly rapid change, most of the experience and learning is gained at the periphery. Conditions at the outstations are not identical. If outstations are to be able to act swiftly and appropriately, they cannot do so by continual reference to headquarters. By the time headquarters has been able to digest the information, the conditions at the outstation are liable to have changed. More authority to act independently is required at the periphery. Headquarters has to learn to *accept* that outstations will know more than they do, and be influenced by them. However, outstations seldom have the resources for long term planning and intensive staff training. The linking of these two activities is important if we are to deal with future shock. Such activities will have to be centralised for economic reasons.

Presently research and training activities within the Home Office and Prison Service are quite fragmented. Research is carried out by the Home Office Research Unit, various research and planning activities are located in a number of Home Office divisions, and staff training is carried out at the Staff College and by the Home Office in London. The division of training is based on the separation of treasury grades and professional grades despite the fact that both grades work together in institutions. Knowledge is gained by the Service from staff attending courses, but there is no formal machinery to ensure this experience is fed to planning bodies. Forward thinking and staff training must be linked. The linkage is recognised in the armed services and the police. Camberley and Bramshill are think-tanks and training resources. Besides helping to deal with future shock, forward thinking will help to deal with the critics outside the Service who so ably snipe at us at the moment and cause such discomfort. Their guns could be at least partially spiked. This will make staff feel more secure and less defensive. It is, therefore, vital to amalgamate the thinking and training functions, probably under one roof. The Staff College is the right place for this. Experience in the field can be fed into the system by staff attending courses and seminars.

This thinking on feed-back is neither

new nor radical. Wiener³ expounded the principles in detail in 1950. We talk about the need for feed-back all the time, but there is a feeling that this is just a public relations exercise in the Prison Service. Whether this is true or false, the feeling is there.

Management courses at Wakefield look at, amongst other theories and disciplines, the Adair⁴ model of leadership. Diagrammatically Adair links task, team maintenance (morale) and individual needs. We teach the system but do we use it? The model identifies the three elements a leader of a group or organisation has to bear in mind in his leadership function. He has to find an equilibrium between the three elements, or if need be, give priority to any one element. However, one thing is quite clear—if individual needs are not fulfilled and/or morale is low, the chances of the task being achieved are exceedingly low. I suggest this is the situation with which leadership in the Prison Service is now faced, both nationally and locally. Whichever aspect of the Prison Service's task you examine you are eventually faced with one crucial aspect—staff. We do things with people, by people, for people. We are short of staff; we give them insufficient training, support, discretion and reward. Above all we should train and expect (demand?) that staff use their discretion. You cannot establish rules stating how one man will treat another. A wrong word from an officer at the right moment can spark off a riot. The right word at the right time can defuse an explosive situation or help a prisoner to cope with his problems. This exercise of discretion is measurable. Jacques⁵ in 1961 showed how this can be done using time span. I hazard a guess that the basic grade officer's time span of discretion is much longer than we appreciate. His rewards should be commensurate. Gellermann⁶ in 1968 showed that talent is a perishable commodity. If it is not used it gradually withers. We certainly do not make full use of the talents undoubtedly possessed by our staff. We have largely prescribed very restrictive roles to basic grade staff. It makes for tidier organisation, it makes for easier control, but I have no doubt it makes many men "switch-off". Decisions which should be taken, and can be taken at one level are passed up the line, the result being that nearer the top, the staff are bogged down with issues that are inappropriate. Time is consumed, and again time for forward planning and preparation is lost. Frustration increases up the line, and decisions are taken

without proper consultation and preparation, the result being more anger and frustration.

OPEN GOVERNMENT?

I have tried to indicate briefly and in broad terms some of the problems we are facing in the Service. The knowledge, skills and tools to help us deal with the problems are available. The answers do not rest just with headquarters. It has a part to play, and perhaps the biggest part is a willingness to listen with an open mind. Outstations must relay their experience and judgements, however unpalatable they feel them to be. Trust can only be established by frank exchanges of views. Outstations must also accept their responsibilities and deal with issues that are appropriate to their functions, and be encouraged so to do. When recommendations for action are rejected it is vital that reasons are given, and these reasons reach the lowest grade staff. Notice of future action must also reach all grades swiftly. Time to adjust is vital. However, even here a balance must be struck. "Information overload" is one cause of future shock.

The need for action soon is impera-

tive. For too long the Prison Service has been the Cinderella of the law and order agencies. This has partly been due to neglect by the public and the politicians, but also partly due to our defensive attitude and inability (unwillingness?) to take the initiative in shaping our future by foreseeing problems. Small wonder every layman thinks he is an expert penologist. If our Service breaks down, then the whole law and order system is in jeopardy. The responsibility lies not just with politicians, but with all members of the Service. We will always have to live with change, conflict and stress. In dealing with it we must argue the right issues for the right motives.

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Margery Fry Centenary

Mrs. F. M. McNEILLE

MARGERY FRY, the centenary of whose birth will be celebrated on 11th March 1974, was the daughter of Sir Edward Fry, the distinguished international judge, and the sister of Roger Fry, the well-known artist. Margery always explained that her connection with Elizabeth Fry was only a distant one, and that there was nothing hereditary in her interest in penal reform.

She was educated at Roedean and Somerville, where she was librarian for six years after completing the degree course. She founded University House, a pioneer hall of residence for women students of Birmingham University, and remained there as its warden until the end of 1914, when she left to work with the Quaker War Victims Relief Mission in France.

During her period in Birmingham, she served as a governor, and the first woman bailiff of the King Edward Foundation.

After the war, she took up her life's work for penal reform, though she always maintained her interest in educational affairs, and was a member of the university grants committee for nearly 39 years. In 1919 she became the honorary secretary of the Penal Reform League and very soon showed her statesmanlike qualities in uniting the league with the Howard Association to form the Howard League for Penal Reform, whose first secretary she became in 1921, and whose guiding spirit she remained until the end of her life.

She was principal of Somerville College for five years from 1926, where her students enjoyed her as much as the earlier generation of University House in Birmingham had done. In both the universities she showed the same interest in individuals, the same quick wit, the ready response, the same freedom from mental superiority, the

same love of acting and drama. Among her many productions are specially remembered: "The Playboy of the Western World" and Aristophanes' "The Frogs", brought up to date. After leaving Somerville she was asked to go on a goodwill mission to Chinese universities, as a result of which she maintained a lively interest in Chinese students, who were frequently to be found visiting her home in London. In fact, her house became an international centre for students and friends from all over the world.

For the rest of her life most of her energies were devoted to the work of penal reform, and in this field she was able to display the fine qualities of her mind and personality, her shrewd judgement, her deep sympathy with humanity, her capacity for hard work, her strong sense of duty, and her insight into the solution of problems. Her proposals for penal reform were based upon a close and detailed study of existing conditions and on a personal examination of new procedures and measures in other countries. For many years she spent her holidays visiting prisons and other penal institutions in all the countries of Europe, in America, and even further afield. The Home Office regarded her as an expert with her feet firmly planted in practical affairs, not as a visionary or an eccentric. A close friendship with Sir Maurice Waller, who was chairman of the Prison Commission during the 'twenties, enabled her to see many of her ideas put into practice in our own penal system. Our present system of classification in prisons owes much to her inspiration, payment to prisoners was entirely her idea, so were educational classes and radio in prisons; she was working on a scheme for payment of compensation to the victims of crime during her last illness, until shortly before she died.

Margery Fry was the prime mover in starting the Magistrates' Association and she took a leading part in shaping its policy. She was the statesman of the Howard League, and perpetually young in her freshness of outlook and in the newness of her ideas. When she found what she thought was good, she preached it with all her force, whether it was open prisons for women or homes rather than institutions for small children. Her work as a justice and as chairman of a London juvenile court made her deeply aware of the problems of the delinquent and gave her many ideas for the treatment of the law-breaker. On occasion, she would not shrink from remanding a difficult child into her own custody in her own house.



(Mrs.) F. M. McNeille was a student at University House, Birmingham, for three and half years while Margery Fry was its warden (1911-14). During the second war, at Margery's suggestion, she organised correspondence courses in prisons for five years, in conjunction with the Howard League for Penal Reform. She kept in close touch with her for the rest of her life, so on Mrs. McNeille's retirement in 1959, a short time after Margery's death, she was asked by the family and the Howard League to form the Margery Fry Memorial Trust in order to provide hostel accommodation for homeless ex-offenders in Birmingham and the West Midlands. She is still the honorary secretary of the trust

Above all things, she was one to get things done, to keep children out of prison, to get probation officers in Africa or approved schools in the West Indies. Nothing was too difficult for her to attempt, driven as she was by her fundamental hatred of cruelty, corruption and oppression and an undying faith in law and justice.

One of her outstanding qualities was her courage. She braved the dangers of the Atlantic in war time to visit the United States on a goodwill mission. She was made a confirmed opponent of capital punishment after she had the courage to visit Mrs. Thompson, who had asked to see her while under sentence of death in Holloway Prison. This was one of the greatest ordeals of her life which she would not shirk when she found she was needed by an individual in distress.

Margery Fry wanted to give happiness to others because she had such a great capacity for enjoying life herself. There were so many things she enjoyed: travel, music, including playing the flute, pictures, cats, friendships, conversation, work, even after-dinner speeches, in which she was superb with her quick wit and salty tongue. These qualities made her a popular member of the "Brains Trust" of the B.B.C., whose governor she remained for several years. She has left a lasting

impression on our penal institutions, on our university system of education, and on a very wide circle of friends.

The Margery Fry Memorial Trust was established to perpetuate her memory by founding a number of family-life homes for homeless ex-prisoners.

Seven such homes have already been started in Birmingham and the West Midlands, and many others have followed in different parts of the country under the auspices of various organisations. It is felt that Margery Fry, with her deep sense of compassion for the deprived individual, would have warmly welcomed this attempt to rehabilitate the inadequate and prevent his return to crime. Promising results are being obtained in the existing houses, where men have been resettled after many years of crime and have found enough security to enable them to live a normal life in the community as responsible members of society.

Readers Write . . .

TO THE EDITOR,
Prison Service Journal.

Dear Sir,

I read with a great deal of interest the article by Alec Dickson entitled "Delinquents into Donors" (new series No. 10, July). There has recently been reported the results of a four-year study comparing the effectiveness of behaviour modification and transactional analysis.¹

The study was called "The Youth Centre Research Project" and was funded by the California Youth Authority utilising a half-million dollar grant from the National Institute of Mental Health.²

The study was carried out at the two centres named in Alec Dickson's article, that is: Behaviour Modification (B. Mod.) at Karl Holton; and Transactional Analysis (T.A.) at O.H. Close.

A summary of the results is as follows:

- (1) Two total institution staffs were trained, each in a single treatment method, and the social climate of both places changed in conformity with the philosophy of the method.
- (2) A total institution staff accepted personal treatment as part of their in-service training. (O.H. Close

staff received training/therapy in T.A. at the Western Institute for Group and Family Therapy).

- (3) Wards in the two single system institutional treatment programmes described did better *on parole* than those released from more traditionally run institutions.
- (4) Correctional counsellors without academic degrees learned to do good treatment both in T.A. and B.Mod.
- (5) Both Transactional Analysis and Behaviour Modification provided effective procedures and techniques for treating adolescent offender populations.

On measures of enthusiasm and morale of staff and residents, T.A. had the edge. One major advantage for the T.A. staff was being able to go off to an institute for extra curricular treatment and training.

- (6) In both T.A. and B.Mod. programmes, the workers were able to describe what they did in negotiating and fulfilling treatment contracts so that others could learn the techniques.

The authors of the study end their report with the suggestion that the obvious strengths of T.A. and B.Mod. be combined, because the methods are far more compatible than the researchers originally thought.

I have been using T.A. as the central conceptual model in psychotherapy for the past three years and find it to be superior to any form of psychotherapy that I have formerly utilised. Much of the value lies in the client making a treatment contract and learning to structure time so as to achieve predetermined viable goals.

I have been using T.A. in group therapy in a maximum security prison, and in spite of the obvious difficulties that this presents, some of the inmates have made most impressive gains and reorientation of life style in a short time. A training programme is now in existence in T.A. albeit in a developmental stage.

Anyone interested is most welcome to write to me.

Yours sincerely,

ALAN BYRON.

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Who is the Teacher?

CHRISTOPHER WILLIAMS

HAVING just spent a week at the Outward Bound School, Aberdovey, on a social welfare course with four borstal trainees, I think it is worth telling how the experience converted me from amused cynicism to enthusiastic commitment. "Outward Bound" to me, until a couple of weeks ago, summoned up images of hearty young men bellying at alarmed schoolboys, murmuring about team spirit as they sucked complacently at their pipes. I knew that its founder, Kurt Hahn, had also created Gordonstoun (and we have all heard about the cold showers before breakfast).

Selecting four lads, out of a unit of up to a hundred, was both extremely easy and very difficult; easy because any one of the hundred could benefit from the experience; difficult because only four could be chosen. Initially my feeling was that we should select four of the most inadequate, but, after talking over the phone to the school, it was suggested that since the course only lasted a week the lads would need to be reasonably well-adjusted in order to benefit in such a short time. With the help of unit staff, four lads, combining reasonable physical ability, average behaviour to date, and a need for socialisation, were selected. Domestic problems were a further criterion. In selection I had to weigh up their own need for social training (which I assumed would occur) against the embarrassment of having a total failure on my hands for a week.

The school is sited beautifully on a hillside overlooking the wide estuary of the Dovey with a bluey backdrop of mountains. We were shown to our cabin, one of a row of several with names like Shackleton, Hawkins and Raleigh. Ours was Drake, a pinewood cabin with a concrete floor and bunks and beds with thin tough mattresses and unbelievable pillows. There were wooden boxes for the contents of our rucksacks. The confines of our cabin forced us to look more closely at the group we had jolted up the hill with. A dozen in number,



Christopher Williams took an honours degree in English language and literature at Worcester College, Oxford. He became articled to a solicitor and then (as he says) being unable to survive financially, worked for an oil prospecting company in Nigeria. On leave from Africa, he served in an approved school for a year, then opted for the Prison Service in 1971 and is now an assistant governor at Wetherby Borstal. He is married with one son

there were five of us, a Newcastle probation officer with three lads and a Birmingham probation officer with two.

After tea, we were introduced to the staff. The senior instructor gave us a welcoming address and outlined the few rules that he wanted observed: no loud swearing, restricted smoking and no one to leave the school. His suggestion that we would be kept busy for the week was putting it mildly. From seven in the morning until nine at night for the rest of our stay we were fully occupied. Activities ranged from rock-climbing, sailing, canoeing, hiking and camping to circuit training and map reading. The very evening we arrived the groups were presented with a 15-foot wall and were told to scale it. This was a less formal opportunity to get to know each other and to start working as a group. That was followed by attempts to span a foul-smelling pool by swinging on a rope to the other side—the ensuing chaos broke the ice in more ways than one.

Work played an important part in the week. Each morning our group had to clean out the cabin and fold up its bedding into a neat square. Extra duties included the lavatories and the showers. The inspection which followed certainly gave me an idea of how our trainees feel when criticised. When it was our group's turn to wash up, it was interesting to see how the lads sorted out those who were not pulling their weight. Interestingly, the borstal boys were always the first to volunteer for any chore that needed doing.

Physically the boys were much fitter than we adults. This meant that they excelled at the harder activities. There was a division generally on which was the best activity: the older members enjoyed the dinghy and cutter sailing, some of the younger ones were overtly bored by it. As one probation officer said to me breathlessly, "I think I can continue to live without this particular sport". For the lads, rock-climbing came second only to canoeing. Surf canoeing in particular was highly popular; to me it was a weary succession of capsizes!

In each of our favourite activities we were able to help others. The adults tended to come to the fore in the map-reading exercise for example, and were feeding their charges the answers required by the instructor. On the other hand, it was only an encouraging word from one of our lads that persuaded me to launch myself backwards off a rock in the terrifying practise of "abseiling". I think too it must have been encouraging for our lads to find some climbs that they could manage and we could not—for once it put them in the patronising position. The two-day camp and hike to 3,000 feet was probably the best illustration of lads coping with each others' difficulties. We were paired off for the hike and the borstal trainee that I was with certainly initiated me into the mysteries of the paraffin stove. Without him my meal would still have been at the powder stage. It was interesting to see another lad dealing with a young Newcastle boy who found the hike almost too much for him. The instructors' insistence the morning after camping that the last sweet paper be picked up was a totally new slant on life to many.

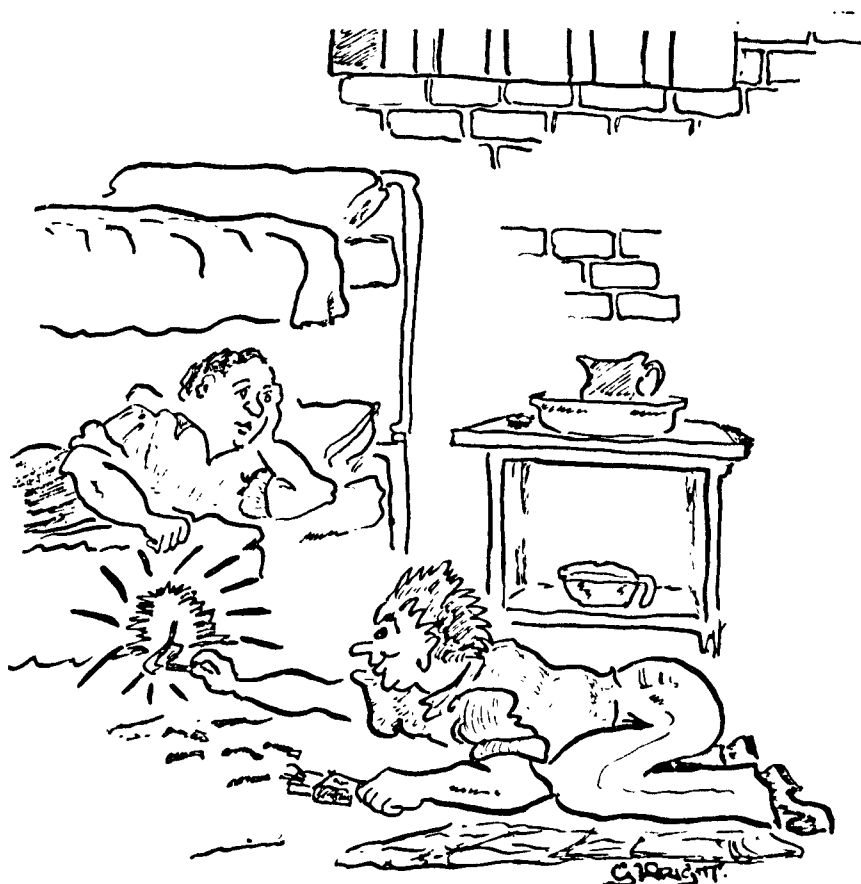
On our final evening, the "staff" members of the course met the school instructors to discuss the week. Our course was the seventh of its kind, and the school staff were still running these social welfare courses experimentally. They wanted to know firstly

how we had dealt with the abolition of our positions of authority. Had we found it threatening, particularly since we would soon be returning to our old positions? There was a unanimous cry of "not at all" to this one; on the contrary a feeling of liberation. We did bring up the point that the school staff had kept their distance during the week and were informed that this was no accident, but meant as a further incentive to force us as a group to work together. This had certainly been the case, for we (the borstal staff and probation officers), had had no opportunity to take the instructors to one side. We were simply group members.

It was asked whether we felt the course had worked. Had it achieved the strengthening of relationships that was intended? We all felt that it undoubtedly had, but found it difficult to define or measure this. Quite apart from furthering relationships we also felt that the course had helped us to realise some of our own limitations, as well as the trainees' strengths. The idea that we might have learnt something about ourselves seemed to surprise school staff. Perhaps they, like our trainees, assumed that we have it all worked out.

Personally, I found the experience a fascinating and rewarding one. My main task as the week progressed was to survive physically. In this, our trainees played some part. Consequently when they found themselves able to show me what to do, relationships developed. It was interesting to see how quickly and with no prompting they addressed me by my Christian name. Seeing authority figures as equals was evidently a revelation to them. One lad kept saying to me about a particular probation officer: "I wish my probation officer was like him". This was not because he possessed any magical quality but simply because he was being himself and the lad liked what he saw.

If any conclusion is to be drawn from the week, it is that relationships between delinquent and authority do improve in the face of a common problem. This is no new and startling revelation. Authority was seen by the lads to be made up of people with the same feelings and limitations as themselves. Such people can be fallible and I think that the delinquent needs to know this. The authority edifice does not crack if one admits to being uncertain—it may in fact be strengthened.



"WHAT YOU IN FOR THEN?"

D. F. Moriarty is 27 years of age and has been in the Prison Service for five years. Before joining the Service he was employed in a shipping office and immediately prior to joining was working for the G.P.O. as an overseas telegraphist. Apart from one week's detachment to both the Probation Service and to H.M.P. Grendon, his service has all been at Pentonville



N.O.V.O.

(THE NATIONAL ORGANISATION OF VICTIMS AND OFFENDERS)

DOUGLAS MORIARTY

"What about the poor bloody victims? Poor old soul beaten up, place fouled by those thugs, and what happens to the offenders when they are caught? If they are lucky, nothing at all—just probation, otherwise borstal. What sort of deterrent is that? Television, swimming pools, radio, everything they want (more than most of them have got when they are on the outside). What they want is the birch. Give them a taste of their own medicine!"

THOSE of us involved in working with the offender know these arguments only too well. We can understand and sympathise with the victim's plight. But society rationalises that the unjustified suffering of the victim can be avenged by an equal quantity of justified suffering by the offender. That way the equilibrium is supposedly restored and society made whole again. *There is no attempt made to ameliorate even some of the victim's plight.* If this could be achieved it would also obviate the need for purely negative actions against the offender.

Where does all this leave the victim? At present, once the process of law has been set in motion and the offender caught, to all intents and purposes the victim need not exist. Vast sums of money, manpower and time are spent on the offender. There is a pitiful lack of persons and agencies interested in the problems of the victim, his material loss and his psychological upheaval. After all, there are more victims than offenders; don't they matter at all? What kind of society is it that allows this appalling state of affairs to exist? Not only are the needs of the victim ignored, but often, society attaches a stigma to the victim as well, e.g. victims of violent or sexual offences

are often shunned and made outcasts.

A legacy of such behaviour and neglect on the part of society is bitterness felt by the victim. But there is another possibility of the emergence of more positive feelings. Victims *may* sometimes feel that they have become involved with another human being in a particular situation, which is (by the norms of society) a deviant situation. This may lead them to want to understand the problem and even to be of some constructive help to the offender. Equally, some offenders feel they would like to make restitution other than the cash restitution awarded to the victim.

What is needed is an increased awareness on the part of the offender of the magnitude of his offence and its effects, both material and mental, on the victim. *There is no machinery that allows the expression of this desire for mutual assistance.*

THE REMEDY

In an effort to put this right, some of us have got together to form N.O.V.O. —National Organisation of Victims and Offenders. The management structure of the organisation reflects the nature of the enterprise and includes victims, offenders and others. A soli-

citor, a police officer, a prison officer, a surgeon, a councillor, a community relations officer, are some of the members of the committee.

From this it will be seen that the committee does not consist of "do-gooders" but of people who have had many years of real practical experience at grass root level, and besides the committee there are others associated with us who are in a position, because of their expertise, to give us positive help and constructive criticism.

As will be seen from its multifarious nature, this is not a committee where individuals have axes to grind but is rather a body capable of responding to all the various shades of public opinion.

The National Organisation of Victims and Offenders consists of a trust and a housing association. The technicalities of registering a charity take a surprising amount of time and indeed it was only prior to the writing of this article that we were informed of our official registration. Moves are now afoot to obtain property on a short term basis from the councils of the Greater London area for conversion to hostels for victims and offenders.

Briefly, one way we hope to work is that on receiving a call for help (e.g. after a burglary) an experienced N.O.V.O. volunteer would call on the address, explain N.O.V.O. and offer its services in order to return the home to normality as soon as possible. This could be done in many practical ways—replace broken windows, repair doors, clean paintwork, tidy up, etc. If the work were likely to take some time, temporary accommodation could be offered at a N.O.V.O. hostel.

Out of the idea of mutual responsibility which is at the crux of N.O.V.O., we hope will emerge a group devoted to repairing some of the damage done by the offender to society and by society to the offender.

That is the thinking behind N.O.V.O. The more practical problems have also been tackled and have either been overcome or are in the process of being overcome. Property, we hope, to come from councils in London which have shown interest in our organisation. Once a property has been acquired we have a labour force from Pentonville Prison, a number of prisoners being paroled daily. Their work would be supervised by a builder and his apprentices who have offered us help. Furniture has been promised from the Antique Dealers' Association. Transport has been promised in the form of a vehicle from an ex-offender who now owns a garage.

WILL THEY MIX?

One question that needs to be answered is whether the victim and the offender will mix and be of mutual benefit to one another. Our experience so far has proved that they will. My experience in talking to victims regarding N.O.V.O. has surprised me. Most victims would like to meet their offender, be he mugger, thief, whatever—and not, as I originally thought, to punch him on the nose, but instead to find out why the crime was committed

at all. This working together of people in similar circumstances ameliorates the shock and feeling of isolation that the victim can suffer, but more important it offers the victim psychological support.

The absence of services available to the victim would indicate that N.O.V.O. is long overdue. We would be interested to hear readers' views; and to advise any like-minded persons who might wish to expand the idea in other areas.

The Visitors Centre Pentonville

DIANA BUTT

Diana Butt trained as a social worker at L.S.E. after taking a degree in London History at Oxford. She is a J.P. on the Inner London Juvenile Panel and has been secretary of the New Bridge Trust. She is married with two children

It may be refreshing for your readers to hear about a service which could not in any way be described as controversial. The needs of visitors to the oldest of Her Majesty's prisons have for long been less than satisfactorily met, though the situation is very different in the newer establishments. There are irrefutable humanitarian reasons for providing comfortable, clean and civilised waiting and visiting facilities for all those who make the effort to maintain contact with inmates. So I am glad that it is unnecessary to plead any special case in support of the visitors centre, at H.M. Prison, Pentonville, or indeed for similar centres which exist elsewhere. I can only register surprise that such centres have not long been the rule instead of the exception.

The Pentonville centre was the combined brainchild of a group of six young married women, most of whom had previous professional experience in the social services, working in close liaison with the governor and the S.W.O. from the prison, and the deputy principal probation officer for Inner London. The general principle having won support, the group set about raising an initial capital sum and finding suitable premises outside the prison. We were fortunate in that both came our way relatively easily, and that our application for charitable

status met with little difficulty because a very similar constitution had already been registered by the Winson Green visitors centre. A disused off-licence, virtually opposite the main gate and in a very poor state of repair, was rented by the group (at that time the Probation Service was not empowered, as it now is, to undertake such leases), and was rapidly converted with the help of a work party from the prison into what is virtually a purpose-built centre. A series of pinewood divisions provide a small kitchen, office, nappy-changing area and lavatory, and the rest of the room is split-level sitting and play space. Second-hand furniture was transformed with home-made covers; a cosy gas-fire, magazines, a quantity of first-class toys, completed the picture, and on 13th December 1971 the centre opened its doors to welcome all visitors to Pentonville. Now, nearly two years later, the centre has received over 8,000 visitors; there is a band of 30 volunteers working there regularly, helped in emergencies from a pool of 20 further workers. The centre also opens by appointment at 7.30 a.m. for the families of prisoners who wish to meet them on discharge, and has started, in conjunction with Gingerbread, a small evening group for unsupported parents.

There are certain crucial elements to the running of this centre. One is, of course, that we are warmly supported and helped by all the staff in the prison;

cards notifying visitors of our existence are sent out by the censor's office with every first visiting order, and are also freely available on the wings. Our volunteers go into the waiting room daily and talk to visitors there, describing to them the advantages of using the centre. We have a direct telephone link with the gate so that we can telephone through the details on the visiting order immediately someone comes into the centre, and in this way the visitor loses no valuable waiting or visiting time and can sit and relax with us until she is called—again on the telephone. Our volunteers are quite exceptional in their involvement and support, and many of them have taken their interest further by attending either our own training course or one of the N.A.C.R.O. courses; it would be true to say that we have never looked upon volunteers as "bottlewashers", but as committed people with a real contribution to make. From the outset, the welfare department in Pentonville saw our group as one which could usefully augment its own role and we have a mutually helpful relationship based on professional respect. The centre is currently financed by a generous grant from the Home Office, but remains an independently organised and administered body with its own policy-making mechanism.

What is special about a visitors centre? The physical advantages are obvious. For many visitors, especially those with young children, it is a great relief to be able to wait somewhere outside the prison where the strain felt and created by children with their ceaseless fretful anxious activity and questions is minimised; to be able to feed a baby and change its nappy in warmth and privacy; to have a quiet cup of tea whilst the worker plays with your children; to unwind from the journey as well as to prepare yourself for the visit itself. All these things must be enormously supportive to anyone visiting a prison. Sometimes, when a visit is likely to be particularly difficult or when there is a need for private discussion, the children can be left at the centre to be cared for by our volunteers. Occasionally, warm friendships develop between visitors who meet regularly at the centre and who find that they share common difficulties of loneliness, financial worries, or trouble with their children, and this can be very comforting. A first visit can be upsetting, and simply to have a volunteer who walks over with you to the gate and shows you in can make a vital difference to the way in which the whole visit goes. Naturally, the tensions felt by those of our visitors

with children is invariably communicated to the children, and we can do a great deal to ensure that these younger ones, if they do visit, go along in a calmer and more relaxed spirit than if they had been hanging about in an overcrowded waiting room with no special facilities.

SYMPATHETIC APPROACH

There are, of course, other and less immediately obvious advantages to a centre such as ours. The families of prisoners are naturally amongst those in our society who are most at risk; financially precarious, emotionally unsupported, often socially isolated; undergoing all the strains of separation, and facing the future tensions of reintegration into the family of the prisoner when he is released. Often there is a correlation between the imprisonment of the head of the family—however "inadequate" he may be by society's standards—and behavioural problems in the children both in the home and at school. There is an observable link between the existence of nervous disorders varying from the mild to the very serious amongst the wives and near relatives of prisoners. The centre is undoubtedly a vital safety net for many of the visitors who use it. For some,

simply to relieve loneliness by an informal chat is sufficient to carry them over the next few days; for others, their relationship with the worker at the centre may be the only experience they have of someone in a helping role who is not unmistakably stamped with a bureaucratic persona; no uniforms, no official papers, no probing personal questions, no divisive official desk. We do not wave magic wands or undertake any long term casework; our volunteers simply have very sensitive antennae, a warm and sympathetic approach, some expertise and a knowledge of the appropriate referral agencies. With this combination, it is to be hoped that the centre can detect and help with problems before they become disasters. If prisoners are not to become both social rejects and in their turn, rejecting of society, they must be enabled to retain contact with the outside world during their sentence, and it is here that the support and loyalty of their families and friends is a vital factor. Thus we have a responsibility not just to tolerate but actively to encourage visitors to come to our prisons; the family unit remains the basic cornerstone of our society and we should strive to build it up when extra strains are placed upon

it and to treat it as a going, viable concern even when one member of it is absent. We cannot claim that visitors centres are able to do more than contribute a fraction towards the massive difficulties confronting a prisoner and his family, but our experience at Pentonville has certainly shown that a sympathetic approach combined with practical advice and referral can at the very least contribute something towards the task of conserving vital family bonds and diminishing hardship.

No prison officer is happy with an overcrowded waiting room and children running round creating chaos; or worse still, with a pathetic crowd standing in the rain outside the gate; a centre such as ours, using volunteers with some understanding of the problems on both sides of the wall, can take the pressure off the staff at visiting time and play a part in smoothing out difficulties and frustrations. We hope very much that this idea will gradually spread to all those prisons where visiting facilities are such that people are actually deterred from coming or, if they brave the difficulties, where they come away feeling more disheartened, humiliated and alienated from us than they may already be.

Book Reviews

YOUNG OFFENDERS AND TREATMENT

CRIMINALS COMING OF AGE

A. E. BOTTOMS and F. H. MCCLINTOCK

Heinemann Educational (Cambridge Studies in Criminology) 1973. £6.50

THIS book is the account of what happened at Dover Borstal as a result of decisions to introduce a modified form of training. In great detail it described the characteristics of the trainees sent there and compares them, for example, with trainees at other borstals. It shows the complexities of institutional change in the face of new thinking about treatment. It looks at the results of the change and helps us to assess how these came about. There are descriptions of the assessments made by the staff and also of those made by the inmates about themselves. Roles played within the inmates' culture are examined and their significance brought out in relation to

other variables; varying experience of after-care is also considered and throughout there are numerous useful tables containing the data.

It takes a long time to complete a piece of institutional research of this kind from the original conception to final publication. The changes to be made in training have to be thought out and gradually introduced into the institution. An adequate sample of trainees passing through the institution has to be taken and progress observed for a time after release. Ten years or more, then, may seem a long time but it is difficult to see how it could have been done more quickly. However, inevitably the scene must change in that time in many ways and it is wrong to complain if results at the end confirm what most people might now expect, but which no one predicted or could predict at the start of this large project. For example,

this was a research project begun at a time when it was fair to anticipate that a positive result (in terms of improved success rates) might be forthcoming, yet published a decade later, by which time no such optimism seems to exist.

It is a relatively large book with 400 pages of continuous reading plus notes and appendices. Most of it is clear and allows for ready understanding. It is best to take some of the chapters containing data fairly slowly and carefully (notably chapters 4 and 11). This reviewer found frequent references to notes at the back of the book a little tedious and would have preferred footnotes but otherwise it is well laid out for the reader.

The book sets out to give a full account of the research from a number of different angles. It is both a factual presentation and a narrative—the story of what the research meant to everyone involved.

Many people in the Prison Service will have some association or acquaintance with the Dover research. It took time to set up, it had a great deal of effect on the institution and there must be a number of people in the Service who see their involvement with it as a landmark in their careers. This reviewer remembers as a visitor the impact which Dover Borstal was capable of having as a very different kind of regime from other closed borstals at the time of the experiment. It was a piece of participant research in which the research workers aimed for maximum interaction with the institution concerned, helping to bring about the required changes rather than standing back and merely observing change.

It is an investigation into a set of beliefs that borstal training needed to be moved in a

direction of more individualised training. This had a number of implications for the traditional institution. For example, it required much more careful documentation of cases, it required the explicit statement of individual training plans, the modification of the institutional structure for setting up and reviewing the effectiveness of plans, it needed a change in the kind of "contract" between staff and trainees involving an understanding about the relationship between satisfactory completion of the training plans and release from borstal training. Inevitably, there were struggles within the institution and there were strong feelings about the extent to which support and lack of support were forthcoming from headquarters.

As has already been suggested, this book gives a full dynamic account of this development. It is not easy to show exactly how a modified regime differs from the old traditional approach. There are so many variations contained within the total philosophy of the old order and little survives in any completely documented sense; naturally the authors are enthusiastic about the changes introduced and at times one wonders whether the contrasts are sharply drawn for the sake of clarity. Individual readers with long experience of the borstal system will want to use that experience for themselves in tackling the traditional and modified regimes as described in the middle sections of the book.

Inevitably some will feel that what the research was trying to bring about was what had been successfully achieved at least at times in the past. It is because we never go far enough in defining the essential characteristics of a training regime in terms of the differences in what actually happens to the inmate that such conflict is likely to occur; and so, when the experimental period with the modified regime was over and further changes occurred, there must have been many misunderstandings about whether a particular change being made was a crucial factor in the reversion of Dover to a more traditional regime or whether it was merely incidental. This, then, is the narrative part of the book—the story of a research project. It contains attempts to reflect the complexity of institutional life. It gives personal reactions, there are even testimonials; it is an account of a number of people involved in something which was very important to them.

We can now turn to the factual side of the research and try to discover what the book actually teaches us about the effects of training—and here we can ask questions such as: what do we know as a result of this research; what implications does it have for our future management of training institutions and research into them?

Let us consider the formidable list of things which must be right in order to achieve a successful piece of institutional criminological research from conception through to execution.

Underlying everything, there must be a hunch that some particular training approach will be more effective. Criminal behaviour is seldom, if ever, treated directly and therefore such a hunch is almost always of the kind that if some intervening related elements are improved, then the success rate will improve. Clearly, there have been many suggestions for type of intervening factor—educational classes, vocational training, case-work, good manners, discipline, groups, personal relationships—such that the more that an inmate gets of this particular treatment the more his chances of success will increase. More sophisticated, though not necessarily more substantiated,

theories may suggest that all inmates of one kind need one sort of treatment and all inmates of another kind need another treatment and so on.

Having defined the theory one wishes to test, one then has to find the means of making a controlled, valid comparison. One can compare two or more groups at the same time where the particular treatment concerned is given to one but not the other(s) or one can make comparisons over time on a before/after basis. Each has its snags and ways of overcoming these.

One then has to find numerous ways of measuring the population subjected to the treatment, quantifying the treatment actually received and then adding up the results by looking at the final success rate and hoping that one has allowed for all the possible snags which can arise. In the end, if the results show a significant improvement, then this can generally be taken to mean that one's initial hunches about the required treatment were correct, although it is always possible that something unforeseen has intervened to account for the results—the connection is not one of logical necessity. If, on the other hand, the results show no obvious improvement, one cannot easily know whether this was because all one's initial hunches were wrong or because somewhere along the line, although one's hunches were right, some failure in execution prevented their having any effect in the end.

Let us now consider the Dover research in the light of this somewhat simplified scheme. It is important to recognise that first of all the Dover research was based on a single hunch about treatment only in a very general sense indeed. This was that training plans should become much more explicit and individualised. At this stage it is no more than a policy aim: it conveys that approval is being given to the idea that only those elements of training will be included which seem to be related to an individual's needs; at the same time, one will do one's utmost to dispose of those elements of training which seem related to uniform requirements of whole populations, universal prescriptions for total institutions. Now we can see that in detail what was going on was an absolute multitude of separate experiments. For example, one individual might *previously* have been given vocational training because he was bright, because there was a place on the course offered by the institution, or because it was part of the scheme of training (V.T. is perhaps a bad example because it always has been an element of training for which there has been an attempt to individualise). The same individual now might still get the same V.T. training course, but because it was seen to match his individually worked out training plans. What is common to all the modified training is that each individual has an explicit training plan; thereafter each individual may go his own separate way according to individual needs. Some may get the same training as they would have done under the old order, but for different reasons. New elements creep into the total training opportunities, whilst other elements from the old order subside and get less mention. What is impossible to distinguish is which individuals are receiving something dramatically different from what would have happened before and which individuals might be receiving something very similar. Even if one makes the assumption, as one must do to embark on a venture of this kind, that many of the elements in the treatment are likely to improve the chances of success afterwards, it seems highly improbable that each of the elements is equally likely

to be effective in this way. What is needed in future then is a much more detailed way of monitoring the effects of all the separate individual elements of training changes, as well as the investigation into the global efficacy of the change in policy.

A problem which now must always arise concerns the adequacy of one's underlying assumptions about how people can change even when significant areas in need of change have been identified. Let us suppose that one has proved that a trainee's hostility to his probation officer, or his underlying feelings of inadequacy are significantly related to his criminal behaviour. One still has to find a way of overcoming these features. It may well be that increased awareness of a problem or the opportunity of discussing a difficulty with a member of staff have no significant effect either on the problem itself or the criminal behaviour to which it is seen as having some relation. Inevitably the proposed action arising out of the individual training plans was frequently pitched at this level, and one is *now* (rather than *then*) forced to wonder how it was ever believed that significant inroads might thus be made into failure rates.

The researchers chose a before/after model for their comparison. This involved them in the difficulties of trying to establish whether the populations significantly changed between 1962 and 1966 so that any changes might be attributed to the treatment, rather than to, say, allocation or a general change in the nature of borstal trainees. Two separate things which they did had a bearing on this problem. On the one hand, they established their own prediction tables. Simply, this involved examining the association between success rates and a number of separate factors relating to the 1962 population: any such factor which is discovered is said to help us discriminate between future successes and future failures. Having established in this way a number of factors which are related to success/failure, these are so combined in order to produce maximum discrimination by giving different weights to the different elements, according to the amount of extra discrimination each contributes. It is then possible to examine the modified regime population in relation to these factors to see whether it has improved or deteriorated. On the other hand, the researchers also developed a more intuitive assignment of scores to the population of the modified regime in relation to a number of factors known to be or believed to be related to likelihood of failure. This meant the development of a penal problem score (which attempted to stress the contribution to the problem contributed by amount of criminality, early start of criminality and extent of institutional experience) and a social problem score (which reflected the extent of family problems, marital problems, employment problems, leisure time problems and items of individual pathology relating to psychiatric history, drink, drugs and sex). One intended advantage of assigning this kind of score was to help direct the staff's attention in some consistent way towards examining and recording problem areas. It would also enable a comparison to be made with the old 1962 population, although the authors admit a number of shortcomings in this comparison.

In fact the authors showed that by taking their first measure, the statistically established prediction tables, the trainees of the modified regime had slightly better chances of success afterwards, whereas, in relation to the penal and social scores, the population of the modified regime seemed to have slightly

worse chances of success. Some of the most difficult problems in reading this book are encountered in trying to unravel just how much discrimination is contributed by all of these individual elements. In fact the authors claim that the penal and social problem scores add discrimination to the initial predictions and would have improved the prediction scores had they been available at the time of working them out. It is difficult to see this. The improvement in most instances seem to be so slight that it is doubtful whether they can be significant and, therefore, one would not necessarily expect them to be repeatable. This is a rather crucial issue which is worth developing further.

But first we must come to the main result. It clearly is a disappointment to learn, after all the effort put into this research, that the post-release results were virtually unaffected. The success rate for the modified regime remains substantially the same. The most successful predictors of future criminality remain factors already firmly established prior to the borstal conviction (it is unlikely that training effects will make any inroad on post-release behaviour without also reducing the extent to which that behaviour can be predicted by objective factors relating to pre-borstal behaviour). The result fits with other studies and a more positive outcome would have been hard to explain in the present context of doubt as to whether institutions modify the probability of future offending in either direction. Naturally, the authors wish to try to salvage something by wondering, for example, whether Dover might have been achieving roughly the same result with possibly worse training material and they dwell a little on this, but not unreasonably or tediously before realistically abandoning it.

In terms of practical implications, there are basically two possible interpretations as a result of this failure to get an improved success rate. On the one hand, there is the possibility that none of the propositions in the sequence from initial hunch to final outcome is correct. As has been suggested earlier, in doing this kind of research, one sets up a series of linked propositions and one is really dependent on the final outcome to confirm whether one was on the right lines at all. The second possibility is that, although the final outcome failed to prove anything, it may well have been that all the thinking up to that point was on the right lines but that the resources and the implementation fell short of what was required in order to get a practical pay-off. Clearly it would be nice if the authors could show the second of these alternatives to be true and they seem to try to establish this. The way to do this is to show that many of the supposed discriminations made are meaningful in that they help us to distinguish between potential successes and potential failures.

If, for example, one shows that trainees with one particular kind of problem (e.g. homelessness or drug addiction) do worse than trainees who do not have these problems but are the same in all other respects, then this is proof that one is making meaningful discriminations, even if one falls short of modifying the outcome in practice. This distinction between the two possible interpretations of the main results of this study is, as has already been suggested, a crucial one. On the one hand, there is the implication that the research was an enlightening one in many ways but not one that tells us very clearly what to do next time; on the other hand, we have the proposition that the same kind of thing ought to be done

again only with greater impact, more resources, both in the institution and particularly in after-care, and more of a sustaining hand from headquarters in terms of continuity of staff, policy and so on. Now, in so far as they propose the latter, the authors depend on showing that the institution was making significant discriminations over and above the predictions generated by their prediction tables. There are difficulties in following the authors' assertions about these additional significant discriminations. Sometimes (e.g. table 11-13, p. 287), the separate classes of the prediction tables are grouped together thus allowing the possibility of the extra significance to arise out of discriminations conceivably already contained within the prediction tables. There are inconsistencies too in attributing different meanings to very similar values of correlation coefficients. A correlation of .17 (p. 98) is described as "only a slight correlation"—whereas two variables are said to be "strongly correlated" when a figure of .18 (p. 285) is quoted; these elements are crucial ones in the argument. It is here that this reviewer maintains a sceptical position. It could well be that the total available data prove the authors' point, but the data available in the book do not, and there is no way of finally resolving some of one's doubts. When one sets out to predict any outcome which seems to depend on a number of complex variables, there is always the problem of whether two or more variables which are related to outcome are in fact measuring different bits of the variation or whether in some way they are both overlapping and in fact measuring the same thing. In order to remove one's doubts in this area, it is necessary to keep all one's variables separate and measure them singly as accurately as possible. It is then possible to submit them to the most appropriate multivariate technique and thereby establish the true extent to which items other than those in the prediction tables are contributing some separate discrimination.

Now this Dover study having established statistically determined predictive factors, each with their own weight, also employs a collection of a number of factors under the headings of "Social Problem Scores" and "Penal Problem Scores". From the book it seems that these latter scores are at least equal to the statistically determined predictions in their discriminatory power. What this means, for example, is that, using the combined penal and social problem score, it is possible to distinguish at one end of the scale 45 of the 306 offenders where the ratio of failure to success is 39 to 6; at the other end of the scale, 38 offenders can be identified where the ratio of reoffending will be 10 to 28. For the remaining 70+ per cent between these two extremes, the discrimination is more modest. Now, in a way this is impressive and in a way it seems to compare nicely with the effectiveness of the prediction tables, but if one is asked whether it shows that discriminations could be usefully based on this sort of factor in future, one is bound to say that one does not know. The evidence is not there. The action which the administration should take, therefore, is also not clear, much as one would like to see something comparable to the Dover research repeated, perhaps with enhanced facilities, resources and administrative backing.

However, there is a host of other things which this book contains which takes one's interest. There are measures of the staff's perceptions of the trainees during their training; there is an account of the kinds of roles that the trainees play in their community the

implications of these for the future. The inmates' problems prior to conviction are compared with those arising during after-care. It is possible to see how far a particular problem area has implications for specific problems later.

One might give just a short sample of interesting findings which can be gleaned from this study. Current violent offenders are less likely than current property offenders to have more than three previous convictions. Violent offenders are more likely than property offenders to come from complete homes. Serious property offenders have very high scores measuring previous penal institution experience. Violent offenders are no more likely to be violent afterwards than hitherto non-violent offenders. Perhaps these pieces of the jigsaw can be put together in various ways. However, it does occur to one that if the amount of serious property offending is closely related to amount of previous institutionalisation and these things go together to help predict who is most likely to get into trouble afterwards, and if there is nothing specific about a violent offender in Dover enabling one to say that he is more likely to be violent afterwards, then really one must do some very careful questioning of why it is we particularly make sure that we lock up the violent offenders, even though others may be just as likely to be violent. One needs more information, particularly from other borstals, before one can give a fuller answer to this question than the book can give. This is just one example of important questions raised by this work.

In summary, then, this is a work which contains a wealth of detail describing an attempt to bring about a particular kind of change in a training institution. It carefully describes problems and frustrations in doing so and sets a profusion of information about the trainees themselves, about the plans for their training, about their experiences in the institution and following them up in great detail afterwards. This review has fastened on to a number of features about the specification of the project and the treatment of some of the data which, it was felt, needed to be criticised carefully if we are to learn the right lessons for the future; it is perhaps easy to offer comment after the event which, at the planning stage of this long venture, was not available. There is no doubt that all those involved in the treatment of offenders and the bringing about of desirable changes in institutions must read this book—and learn from what it has to offer.

VERNON HOLLOWAY,
*Vernon Holloway is principal psychologist at
Wormwood Scrubs Prison.*

The authors of this book have made comments on this review which will be found at the end of the reviews section.



CRIME OR DISEASE

ANTONY FLEW
MacMillan 1973. £2.20

FLEW seeks to identify essential and characteristic features of physical disease and to examine how far they are present in conditions described as mental disease, in order to establish broad principles for the use of terms such as mental illness. His over-riding concern is the possibility of diagnosis of mental disease being used improperly to excuse an offender from blame or punishment, to justify social control

in the guise of treatment, to discount the statements and actions of people who are socially or politically deviant, or to permit operations or the administration of drugs against a person's will to change his habits, tastes or behaviour. In these situations the relevance of mental disease depends on the assumption that certain characteristics are present that are typical of physical disease, e.g. that the sufferer is a victim who cannot help his pathological condition, that this condition is recognised by the sufferer as bad for him and that the treatment is indubitably in his interests. But mental disease may be diagnosed in cases which are not analogous to physical disease in these respects, and indeed where there may be no condition of mental illness definable by criteria independent of the actual behaviour to be explained, excused or treated.

Unlike Szasz, Flew is prepared to admit the existence of mental diseases that have no known organic basis and, indeed, the possibility of disorders that are not distinguished from health by any structural difference, known or unknown. Nor does he insist that it is an essential of mental illness that the sufferer should recognise the condition as bad for him, but he very properly draws attention to the fact that where this is not the case, the relationship of doctor and patient, the issues of civil liberty and the definition of the interests of the patient are very different from those that apply in the case of physical disease.

Flew finds the essential feature of physical illness in malfunction of an organ whose function is not normally subject to the individual's control and finds the essential feature of mental illness in a condition which incapacitates the individual in his choices and actions. To be relevant to the court room, the condition must be disabling in a way that is relevant to the offence. The mere presence of mental disorder does not necessarily mean that an offender could not have done other than he did. Nor does it necessarily mean that he is unable to give or withhold consent to treatment.

Assisted in part by object lessons from the history of forensic psychiatry Flew warns against regarding mere deviance as mental disorder, and against treating as necessary or sufficient conditions imprudence, the absence of motivation readily intelligible to other people, "uneasy sensations", delusions (unless they can convincingly be shown to be without foundation), or the fact that the disfavoured behaviour can be eliminated by an operation or by drug therapy. He acknowledges a normative element in deciding what constitutes malfunctioning in physical disease and comments on a cross-cultural consensus that is absent with respect to the definition of mental health and mental disease. He does not, however, discuss the criteria for deciding in practice when a person's mental and psychological functioning is incapacitated, an exercise that might well show that Flew's analysis is of little real assistance in distinguishing between deviance and disorder.

The central argument is preceded by a section intended to show that crime and immorality are commonly and mistakenly viewed as symptoms of mental disorder. Quoting from D. J. Rees, Menninger and advocates of mental hygiene, Flew insinuates that criminologists in general regard criminal behaviour in this light. Sociological theories are briefly characterised as attempts to explain and excuse crime as "social disease". Other references to criminology suggest that the author has little knowledge of the subject and no acquaintance with theories that stress the

normality of crime. There follows a critique of philosophical views that treat the breaking of moral rules as analogous to disease. This consists principally of an analysis of the fallacies in the platonic arguments that virtue must be in a man's own interest and that wrong doing may be regarded as an illness of the psyche.

In defence of the philosophical standpoint from which the major thesis of the book is argued, Flew closes with a carefully argued assertion of the impregnability of the concept of free will (in any sense relevant to the ascription of blame or punishment) against inferences drawn from deterministic models of behaviour, that it must be illusory.

S. G. NORRIS,
Principal Private Secretary to the
Home Secretary.



CONSUMER'S GUIDE TO THE BRITISH SOCIAL SERVICES (Third Edition)

PHYLLIS WILLMOTT

Pelican 1973. Paperback 50p

THIS is a revised edition of the guide first produced by Mrs. Willmott in 1967. Whilst it has not altered greatly in form, a good deal of rewriting has been necessary to take account of the quite considerable administrative developments that have taken place in the social service field since the last edition in 1971. Indeed, one of the problems with this kind of book is the pace at which the information becomes dated, and Mrs. Willmott has attempted to include references to probable changes arising out of next year's Health Service reorganisation.

The book remains a very comprehensive and detailed survey of the social services and their personnel, and is packed with useful information for the would-be consumer. Here, however, lies the difficulty, for it may be so informative and so much at pains to cover all eventualities as to make the information inaccessible to the people who need it most. So although the title indicates that it has been written for the consumer it seems likely that it will be more useful to many practitioners and administrators in social service departments and allied agencies as a reference work when seeking information about specialist services other than their own.

R. R. TILT,
Tutor, Prison Service Staff College.



ORGANISATION DESIGN

DEREK NEWMAN

Edward Arnold 1973. £3

DEREK NEWMAN introduces his book by saying that from his work as a consultant and teacher with organisations (he has, for example, lectured to most senior grades of the Prison Service) he has found that many of the problems met in them are organisational in their origin, even if they show themselves in a personal or behavioural way. He emphasises that "the notion that we can get the organisation right and then get on with some work is wrong, and dangerous, for organisation is a process, not just a situation, and a process that evolves or degenerates through time, often in a highly dynamic way"

The author believes that in many situations it is becoming apparent that we are approaching the end of the possibility of improving effectiveness by making further detailed improvements in existing organisations or the techniques used in them—the next stage of development must be one of organisational design, initiative and innovation. He states that "too many people do their work in spite of the organisation rather than as assisted or enabled by it". He has a rather revolutionary, yet sincere message, that the stage has been reached in some situations where the organisation will have to be changed, away from what is *desirable* in purely organisational terms, in order to enable real human managers with their fallibilities, their limitations, to be relatively competent and relatively effective in their work.

What Professor Newman offers in his book is not a comprehensive thesis of organisation design, but a *practical* one, based on experience and observations in different kinds of organisations in various fields. It enables effective decisions about design to be made, it does not itself make them. It does show a methodology of design, a way of recognising and thinking about those features whose presence is inevitable because they are basic to all organisations. The first part of Professor Newman's book deals with the *basic features* of organisations and the second part of his book concentrates on the broader questions of organisation design.

This book recognises that one strong pressure towards better organisation design comes from the recognition that the real source of effectiveness and the real limit to effectiveness is *people with organisation* as the vehicle for their efforts. People are becoming more educated, more demanding and in a sense more powerful, more capable of identifying organisational faults and criticising them. Staff now expect better organisation design. Professor Newman highlights that *change* is being experienced in many organisations as the *normal and continuous situation*, not the occasional or abnormal. This means that *organisations must be deliberately designed for change*. They should not just respond to change but take the initiative in meeting and steering it. This message may be the most important one from Derek Newman's book. Although he discusses design considerations in terms of organisational tasks and style, fundamentally he makes it clear that organisation design means design for change.

Organisation Design is a follow-up from Professor Newman's *Organisation Analysis* and is, in my opinion a far more valuable and important book. Although parts of his new book are extremely analytical, I strongly recommend this book to all who are interested or involved in design for change. This book has much to offer to those connected with prison management and the treatment of inmates.

J. J. CHILDS,
Deputy Governor, Leeds Prison



DRIVERS AFTER SENTENCE

T. C. WILLET

Institute of Criminology, Cambridge
Heinemann 1973. £3.25

THIS book is the sequel to *Criminals on the Road*, by the same author. Intimidated, at first, by the wealth of statistics and tables in

it, I fled to the last chapter "Conclusions"—and felt reassured by the opening words "Having presented this mass of rather indigestible data . . .".

You may feel that the subject matter deserves your attention, speculating that Britain is destined to go the way of some other countries in making more constructive use of sentencing powers for motoring offenders. If so, you really ought to read this book, after you have tackled *Criminals on the Road*. You will be able to test out your own ideas about traffic offenders, from theories about the underlying aggressiveness of this sort of offender to prejudices about women drivers or male chauvinism.

The central message of the book is that the drivers view the sentence of the court as either unjust or irrelevant. The sentences of fining, disqualification and—in severe cases—of imprisonment are criticised not simply because they are used but also because they are allegedly misused. Constructive alternatives, like probation orders and retraining for drivers are advocated. But, in most cases, perhaps because of pressure of work, the courts are not provided with sufficient information about the offender to give proper consideration to his sentence. Yet this information is normally readily available for other types of offender.

This is not to suggest that other types of offender are necessarily dealt with very much more appropriately. In the course of the book, the author hits on points of general relevance to crime and punishment which could be applied to a wider range of offenders than motoring cases. In chapter 2, for example, the author puts forward 12 hypotheses he proposes to test. The third of these is as follows: "The offender convicted of a serious motoring offence does not think of himself as a criminal, nor does he think himself to be regarded as such by the rest of society".

Here, Dr. Willett uses ideas which are only recent additions to "traditional" criminology. He queries the extent to which motoring offenders feel labelled as criminals or deviants, using concepts of primary and secondary deviation and other interactionist ideas developed by Lemert, Becker and Goffman. He stresses the importance of increasing the understanding of the offences by paying attention to the accounts of what happened which may be provided by the various people concerned. Rather than speculating about the motivation for the offence, Dr. Willett would prefer to consider the attitudes which the offender displays in his description of the circumstances in which the incident occurred.

In discussing the more serious offences, Dr. Willett draws attention to the conflict between the standards by which an incident may be judged. On the one hand is the inadvertency of the behaviour leading to the offence while on the other is the effect of the behaviour or the legal description of it. Yet another factor is introduced by the degree of contrition shown by the offender. It seems that the most "accidental" offence is the most seriously regarded in terms of legal definition and sentence. One wonders how much this paradoxical situation affects men in prison who have been committed for other types of offences.

Another issue which arises is the bluff of punishment as a deterrent. After the initial period, the recipients tend to adapt to the system so that it ceases to be a deterrent. But as the system is intended to deter potential offenders as well, it would not be seen as sensible to reduce the period of the sentence to prevent the process of adaptation because

potential offenders might then view the shorter sentence too lightly.

Concern with the victim, particularly the victim of offences of violence, arouses strong feelings in many people. Dr. Willett acknowledges the case for making the situation of the victim the subject of close consideration in further research, but does not elaborate on the theme himself.

Between the masses of facts, there are a number of other issues about which astute and interesting comments are made. It is almost as if the author all but exhausted himself with the sheer accumulation of facts and occasionally surfaced to indulge in some recreation by way of novel speculation before immersing himself again in the "rather indigestible data". It was the speculation and argument that I most enjoyed, though I would not want to denigrate the solid evidence of painstaking and thorough research.

Beside noticing the heartening evidence that the police emerge rather well from this study, I cannot resist quoting a comment about the difficulties the author experienced in interviewing offenders who had landed up in prison. "It was difficult also to establish one's independence of the authorities in the brief space of one interview, as one could not be anything but polite to the helpful officers, nor could one avoid being invited to see the governor or deputy governor before or after the interviews".

J. W. T. CAPE,
Deputy Governor, H.M. Prison, Leyhill



GETTING BUSTED

Ed. ROSS FIRESTONE
Penguin 1973. 50p

THIS is an anthology of personal experiences of arrest, trial, and imprisonment in the United States. Those whose experiences are recorded constitute a remarkable cross-section of American dissent over a period of about 20 years. They range from Joan Baez to Caryl Chessman, Dick Gregory to Abbie Hoffman, with Bertholt Brecht and Wilhelm Reich thrown in for good measure. The sum of these experiences is a melange of the tragic and embittering, and the insightful and poetic. Such a venture rarely comes off, one being left very often with a feeling of bitterness, or inconsistency. However, Mr. Firestone has succeeded in maintaining the focus (with a few digressions) on just those crucial pieces of experience which convey both the impact on the individual and the wider significance of the situation.

The unique feature of this collection is that it is a record in the main of the middle classes in conflict with the law. In the United States in the '60s with civil rights campaigns, and with the cancer of Vietnam, conflict with the law provided a common bond between white radicals, the black militants, student pot smokers, and those traditionally repudiated as criminal. Loose coalitions of these groups have had a significant effect on American society and its institutions, political and otherwise, in the last decade, and here we have a book which helps us to see some of the experiences at first hand which helped to shape the coalition. The ghost of Attica hovers in the background.

A piece which best illustrates the tone of the book is entitled "Policemanship—A Guide for the Arrested" by Doc Stanley. It is a

beautifully understated manual on how to handle yourself (or allow yourself to be handled!) by one of "New York's finest"—or one of his comrades in arms: "welcome arrest, be happy about it; get to jail . . . and the less chance you give a police officer to beat or shoot you, the better off you are".

Johnny Cash, recounting his Folsom Prison Blues, strikes a chord which is echoed by many who have experienced incarceration. Seeing a cockroach in his cell . . . "You don't kill it. You envy the roach as you watch it crawl out under the door". The mind boggling enforced inertia of prison creates only bitterness and frustration.

For at least one middle American the experience of being arrested and imprisoned almost casually when walking peaceably in the vicinity of an anti-war demonstration proved an embittering and profoundly puzzling experience. Jesse P. Ritter's account of his humiliation is a masterpiece in its meticulous, almost scientific attention to detail. One senses that it is engraved on his soul.

From Wilhelm Reich there is a defence of his freedom of thought from the depredations and persecutions of the Federal Food and Drug Administration, which is at once funny, tragic, and inspired. Here is puritan America at its most small-minded.

In his introduction Martin Garbus, formerly of the American Civil Liberties Union, expresses a conviction that despite "the gross inequalities of the (American) legal system, I still believe that it is the best forum for confrontation between those in and out of power". Quite how this squares with British experience is arguable, but I suspect that it does not hold for Britain. However, this is not to say that there is anything in the book which would justify a smug and self-satisfied "it couldn't happen here" type of attitude. Only too often is one aware of how much common experience the two countries have. Change the names and locations and . . . ? What he does not make explicit is his assumption that the basic framework of American law—the constitution?—is equitable, whatever the system which has been constructed on top of it. This is an assumption which is met head on by many of the contributors: people like Abbie Hoffman, Rap Brown, Eldridge Cleaver, Timothy Leary and so on. They question the whole basis of the charades to which they were subjected and draw the inevitable conclusion.

My only real disappointment was that the book was published too early to include contributions from Spiro and Dick—volume II?

JIM DICKIE,
New Careers Project, Bristol.



POLITICS AND DEVIANCE

Papers from the National Deviancy Conference
Edited by IAN TAYLOR and LAURIE TAYLOR
Pelican 1973. 45p

THIS book has at least two purposes. The first is to bring to your attention the eight articles included. The other is to plug the National Deviancy Conference (N.D.C.), a loose association of people who meet a few times each year to exchange ideas, essays and lectures about the behaviour of criminals and those who deal with them.

First formed in 1968 the N.D.C. became more widely known through the publication in 1971 of *Images of Deviance*, a collection of seven papers from the early conferences.

Politics and Deviance is its direct successor and all eight articles deal with the questions implicit in the title: (1) To what extent is deviant and criminal behaviour a consequence of your position in society and the way you got there? (2) How do these same factors affect the behaviour of representatives of authority—policemen, magistrates, probation officers, prison officers and others.

Their reply is that a significant proportion of deviant or criminal activity is a consequence first, of the fact, and secondly of the deviant's or criminal's conscious and reasonable reaction to the fact that our society, in the allocation of social positions, is not as just as it could be. The deviant or criminal sees himself as the victim of such injustice. Representatives of authority tend to be more secure—financially and psychologically—from the effects of such injustice. They see their own success as the consequence of having taken legitimate advantage of the opportunities British society offers. The conflict between these two communities is for me a great deal of what the Prison Service is about.

This book is particularly useful because it contains brief accounts of a variety of different types of people we, as prison staff, might have to contend with.

The topics covered are fraud, Glasgow gangs, squatters, student demonstrators, spies, the Weathermen (America's Angry Brigade), British hippies and lazy Cuban peasants. If you are interested in any two the 45p will be well spent. However, there is an added bonus, for each article tackles its subject in a different way. Two examples of this are the articles by Ron Bailey and Jock Young, which both deal with the history of now respectable mid-sixties revolutionaries: squatters and hippies. Whereas Bailey was involved very early with the legal battles of the squatters' movement and his essay reflects this by concentrating on how the exploitation of the law by property owners and councils was challenged in the courts and how judicial decisions were then implemented by the squatters, Jock Young's article is less the work of a participant than of an observer. His sub-title is "the politics of leisure" and he gives a brief account of the place of hippies in British society. He talks about the social origins of the beats, or the pop aristocracy; he considers an American view that "heads" are middle-class but "freaks" are working-class and finally points out that although hippies are supposed to be against technology they don't seem to mind record players or electric amplifiers. Although at times I disagree with him I still find Jock Young the best observer we've got of switched-on youth in the seventies.

Finally the articles by Paul Walton on the Weathermen and by Gail Armstrong and Mary Wilson on Glasgow gangs complement each other quite nicely as they illustrate two distinctly different ways of looking at the world. Walton loves playing around with theories and he has used the Weathermen only to illustrate his conclusions. Armstrong and Wilson prefer playing around in the grass roots. Being in Glasgow at the time of the Frankie Vaughan, Easterhouse gangs affair they read their local papers and listened to the local people. The article presents their conclusions about how the motives of politicians affected their public comments and how the reporting of these comments by the local papers affected the behaviour of the readers. What is interesting is that their very clear and simple article confirms the rather deep reasoning of Walton and demonstrates, in other ways than those mentioned here, that theorists

and practitioners need each other. Practitioners—prison staff for example—may find theories useful in pointing out possible changes of practice. Theorists need practitioners to either confirm or reject their ideas.

I find this book useful in suggesting that offenders may be no less conscious and no more irrational in their behaviour than anyone else. It is perhaps a measure of the truth of this suggestion that although it seems to have widespread acceptance in the Prison Service it is difficult to see where this acceptance is getting us.

RANNOCH DALY,
Assistant Governor, Gaynes Hall Borstal.



THE FELON

JOHN IRWIN

Prentice Hall 1970. (Paperback) \$2.45

JOHN IRWIN is Assistant Professor of Sociology at Sonoma State College, Rohnert Park, California. He is a co-author with Donald Cressy of *Thieves, Convicts and the Inmate Culture* and his intention in writing *The Felon* was to concentrate on parole. But in his introduction he claims that almost immediately he found this impossible and it became necessary to describe the whole compass of a prisoner's career from the time of his arrest through his experience in prison on to his experience on parole. This change has unbalanced the book, which is not long, and whilst almost two-thirds are devoted to aspects of post-imprisonment behaviour, the remaining part suffers in comparison by seeming glib. The system described is that within the bounds of the adult authority of the Department of Correction in California, and the design of the study started with interviews and attendance at a variety of parole functions, the studying of files and the selection of 116 inmates paroled within a year and a follow-up study of their progress on parole. When the scope broadened, further study with a group of convicts in San Quentin was utilised. In addition, frequent use is made of other data—interviews, fictional accounts, impressions and opinions from other contacts. Predictably, this variety of method causes confusion and leaves an impression almost of self-indulgence.

At the start, we are back in the familiar, oft-repeated, world of the types inhabiting the California prison scene. "The hustler", the "dope fiend", the "state-raised youth", the "square John" take the stage one by one like Ben Johnson's humours and are pinned down like a butterfly for inspection by a quotation. Emerging from this, Irwin's direct interest is apparent in his searching enquiry into classification and sentencing and he postulates that the system of thorough enquiry before sentence often has adverse effects on a prisoner in that if the enquirer chooses a model that is inappropriate, the accused's attitude is polarised and he is more likely to accept a deviant perspective. He mentions, but does not pursue, the fact that although a defendant may legally see his probation report, very few request this. The most significant part of this section is his analysis of the development of the treatment ideal in the California correctional system, how it was welcomed and how disillusionment has set in and why a sense of injustice is often the result of treatment.

At a time when this country appears to be considering greater flexibility in length of sentence, it is interesting to find that in Cali-

fornia there is a strong movement to return from flexibility to as firm a determinate sentence as possible.

Irwin pursues the prison organisation and again we are on familiar territory, following the work of Clemmer, Sykes, *et al*, although Irwin claims that his study shows that to understand a prisoner's adaptation to the prison scene greater cognisance should be given to his previous history outside prison.

The book shifts in emphasis and interest with the re-entry into the world. Of those leaving the state correctional prisons (as opposed to those from the city gaols, 94 per cent are on parole and Irwin's thesis is that because the twin tasks of parole surveillance and help are basically in conflict, the system fails. The parole rules are too detailed, they represent a puritan middle-class ethic and arouse a sense of injustice that encourages deceit and prevents any positive relationship being formed. Whilst studying the inmate's feelings he fails to give any indication of the identity of the parole agent who is set up as a negative stereotype—unfeeling, authoritarian. Apart from mentioning that some are former policemen, we are given no indication of recruitment policy, background nor training.

There is a brave attempt to broaden the criteria of success and failure and he develops in his most interesting chapter the thesis that reconviction within any stated period is not enough: "... bear in mind that 'straight' is not 'reformed'. Furthermore, 'success' will be qualified by the degree of goal achievement, 'failure' by the mode of return...". Success is investigated and a number of variables are postulated on the basis of "doing good" or "doing poor" into the categories "straight", "marginal" or "crooked". The idea fails, however, because it depends on intuition and peters out into lengthy anecdote.

The book finishes with a repeat of his compassionate concern for dignity in the treatment of prisoners which "is not generally understood by correctional people whose ideas on success are dominated by narrow and unrealistic conceptions of non-recidivism and reformation".

This review, in trying to give a summary of the intention of the author, is scrappy and unsatisfactory, reflecting very much one of the book's defects. It is a hodge-podge containing some things derivative and much that sparkles but scarcely satisfies, as many of the best ideas are not fully pursued. Whilst a great deal of it is of specialist interest to the State of California it does serve for us as a cautionary tale—reforms brought in with the best of intentions can often have the opposite effect of what is intended. Overall, the weakness of the book lies in the strength of Irwin's emotional commitment to those to whom the book is dedicated, "the 200,000 convicts presently 'doing time' in the United States". He differentiates the prisoners with insight and sympathy but stereotypes authority figures, thus the book, in losing detachment, becomes sadly unbalanced both in feeling and structure.

M. F. G. SELBY,
Governor, Chelmsford Prison.



CRIME AND INSANITY IN ENGLAND

NIGEL WALKER and SARAH MCCABE
Edinburgh University Press 1973. £5

THE task of the reviewer is twofold—he has to provide a coherent abstract of the book for those without time to read it and at the same

time present a critique of the work. If the greater part of this review is devoted to the first task this is because the scholarship is so excellent as to need little comment and the conclusions so important as to need maximum emphasis.

The book is about the working of the Mental Health Act 1959—the aim is to determine whether a psychiatric or penal measure is most suitable for certain types of offender. The objective is not achieved—indeed it is doubtful if it can be at this stage—but much of the basic data on which subsequent conclusions might be drawn is provided. Sadly there are two important omissions. There is nothing on the comparative success of prisons and mental hospitals nor anything upon the way offender patients perceive both of the environments. Hopefully these may be subjects for later works.

Before moving on to the conclusions one should mention perhaps that there is much fascinating historical material in the book on the build up to the Act, but this aspect is omitted from this review.

The authors look firstly at the transfer of prisoners to mental health provision. On the basis of a small sample the authors conclude that the system works well, and that contrary to popular belief, a recommendation for transfer is almost certain to succeed. They indicate however that 29 per cent absconded in the first six months and stayed at large for a sufficiently long period to gain their freedom.

In the next main section of the book a sample of 942 male offender patients are examined to determine how the system of hospital orders is working. (Females are excluded from this review in the interests of brevity.) A vast amount of information is provided from which aspects may be of particular interest to the "prison" reader:

- (1) There was a markedly greater use of aliases among schizophrenics than other categories, thus suggesting that an alias may be a confusion of identity rather than a device to avoid the police.
- (2) Generally the hospitals received neither the details of the current offence nor the past criminal record unless a restriction order had been made.

Particularly severe consequences have sometimes followed from this latter aspect in the system.

In hospital, the offenders generally receive as the main form of treatment "occupational therapy, habit training and supervision". Do these have any affinity with the work, routine and control of prison life? About 8 per cent abscond, however, and so gain their freedom—a figure which may well deteriorate if the move towards abolishing mental hospitals and putting the patients in general hospitals is carried through to its ultimate conclusion. Leaving hospital, only about a third keep out of the courts or hospital in the first two years and less than two-thirds are in employment at all during the two-year risk period. Only a small proportion of the discharges committed violent or sexual offences in the risk period. In some cases after-care was effective in keeping people in employment and out of the courts, suggesting that this is a provision which might be extended.

The authors deal too with the use of restriction orders pointing out that where they are used in association with supervision then a lower reconviction rate ensues than for straightforward hospital order patients. They suggest too, on the basis of their evidence, that prediction is possible in certain cases but

are unhappy about the safeguards available to the patient subject to an indefinite order, arguing that release recommendations should become the prerogative of the Parole Board. Finally, the authors examine the concept of psychopathy—its growth to recognition within the Act and its current use. Dismissing the Wootton criticisms on the basis of their evidence, they nevertheless raise doubts of their own on the use of the term, arguing that it is so diffuse in nature that it fulfils none of the normal functions of diagnosis.

The conclusion takes account of most of their main points. Somewhat paradoxically, however, the authors assert boldly at one point that the hospital is at best more therapeutic and at worst more tolerant, but then in examining the argument for hospital *vis-a-vis* prison are unable to produce anything very convincing.

An important book then, meticulously argued, and essential reading for anyone involved in the operation of the Act.

P. S. LEWIS,
Deputy Governor of Brixton Prison.



FALSE WITNESS—THE PROBLEM OF PERJURY

A Report by Justice
(Chairman MUIR HUNTER, Q.C.)

Stevens and Sons 1973. £1.25

JUSTICE is the name of the British Section of the international Commission of Jurists, a highly professional ginger group of lawyers. The layman, sprawled on the top of the Clapham omnibus, might not expect to understand very much of what such an elite would argue about. But it would be a pity if the work in this report did not get wide attention. A pretty hefty proportion of prisoners would certainly have strong views about how much perjured testimony comes out in court, though they would probably have little faith in the Law doing anything about it. Yet this report, stripped of the occasional legalistic terminology, does demonstrate a very genuine and constructive concern.

The report sketches the history of perjury as an offence—and it is a fascinating history, in which the victim of perjury has gone to the wall. It lifts the corner of the dust-sheet which conceals how it has come about that the Law is an ass, in this respect. As far as the report is concerned, however, it has to let the dust-sheet fall back again, wrapping the pursuit of "truth" in the court setting in obscurity. In discussing the oath, for example, the report acknowledges:

"73. A witness who is asked to take the oath in its present form may well observe that although he will swear to tell the whole truth he may be prevented from doing so. The rules of evidence, and in particular the hearsay rule, may exclude information which he believes to be important, or counsel on both sides may fail to ask him the relevant questions. Inadequate briefing, or examination on too tight a rein, can easily frustrate a willing and valuable witness. 'The whole truth' is in any event a meaningless phrase in the context of the English trial. No witness is capable of knowing the whole truth anyway and much of what he does know may be irrelevant to the issue being tried. The words 'and nothing but the truth' add nothing to the preceding words except the force of repetition. Clearly then the wording of the present oath does

not conform to the realities of the situation and needs simplification" (p. 25).

The wing officer, at a loss for an issue to talk over with the men in his charge, might search long for a better text from which to start. It is doubtful, though, whether fiddling about with the form of the oath would really offer any satisfaction, apart from making the mockery of the court system a little less obvious.

The report makes specific recommendations on alterations to the wording of the oath, the rights of the injured party to appeal and compensation and a number of other matters. These recommendations, however, have no legislative force and are highly unlikely to be implemented in the foreseeable future. It may be that the report is more significant as a rather timid piece of lawyer's introspection than as a programme of reform.

What the report does, in effect, is to examine some of the elements in the eliciting of testimony which are generally "taken for granted" by lawyers. Although the members of the group will probably never have heard of Harold Garfinkel, Jack Douglas and "ethnomethodology", what they have done has been to begin to take the sort of look at their setting that the ethnomethodologists would advocate. Whether they have made "Justice" any more practicable is another matter.



REPORT ON THE WORK OF THE PRISON DEPARTMENT 1972

H.M.S.O. 1973. 73p

THIS year's report, as in previous years, is written in a clear, compact manner. It covers the main areas of Prison Department's work placing stress on particular developments and operations. It presents in broad outline aspects of the work of establishments and general policy. For example, when writing about developments in borstals the question of the possible use of probation officers in borstal establishments is discussed along with the grading system and service to the community. Under the heading of "Security and Control" the report deals with the demonstrations of last year and subsequent developments. The greater part of the report is given over to stating the position at the end of 1972. The report is short and therefore brief in dealing with many matters.

A point of concern for me was that there is no drawing together of the references to types of establishments. References to borstals can be found on pages 15, 17, 29, 32-38 and under separate headings such as "Health and Research". Prisons are referred to variously under "Population", "Building Programme", "Treatment", "Adult Male Prisoners", "Security and Control" and in specialist areas such as "Industries and Health". Would it perhaps not be better to bring all these references under a single heading of the type of establishments?

This is a report which gives a good general picture of the Prison Department's activity during the year. It does not provide a full description of the life of the individual offender in a penal establishment or how he or she is affected by the Department's policy. There is no doubt outside the scope of the Prison Department's report. However, it may be such a description would prove a useful point of reference both to the Service and those outside it, be they the general public or others having a specialist interest.

R. H. JACQUES,
A.G. II, Staff College, Wakefield.

SOCIAL ENQUIRY REPORTS AND THE PROBATION SERVICE

(Home Office Research Studies No. 18)

MARTIN DAVIES and ANDREA KNOPF

H.M.S.O. 1973. 363p

THE tone of this report is set by the opening sentence of the foreword: "It is notoriously difficult to obtain from work studies of a public service the kind of information that is hoped for".

After a section on trends in the use of social enquiry reports where little will be learnt of any trends except that there are more reports called for now, proportionately, than in 1956, the real business of the study is reached. It may be helpful to quote the aims in full:

- To discover what proportion of the officer's time is spent on the preparation of social enquiry reports (S.E.R.'s).
- To discover how the time spent on preparing S.E.R.'s and other work is distributed amongst different activities.
- To determine what effect an increase in the amount of time spent on S.E.R.'s has on the officer's workload.
- To determine whether the amount of time spent on S.E.R.'s is related to such officer characteristics as are readily available.

Passing over the high non-response rate for the sample, and passing also over the 20-odd pages of tables and figures, what do we learn of significance from this study? First, that an increase in S.E.R.'s has been set against an almost proportionate increase in staff. Secondly, that officers work a 41-hour week with nine hours on social enquiry work. Thirdly, that it takes four hours 36 minutes to prepare the average S.E.R.; and that, fourthly, differences in work arrangement and time consumed are more likely to be related to the tradition of the local office than to any other single factor.

Perhaps these results are relevant and necessary to an understanding of the place of social enquiry reports in the work of the Probation Service. One would have preferred, however, a thoroughgoing study of the overall usefulness of these reports.

THE BROTHERHOOD

LESLIE PAYNE

Michael Joseph 1973. £2.50

THIS is a morbid, depressing book written by a criminal about criminals. It does not make enjoyable reading; I do not suppose it was intended to. Certain passages I found tiresome and others alarming, especially those which deal so matter-of-factly with the extent of the terror engendered in England's capital through criminal intimidation. It is not a publication I would choose to read twice and I cannot recommend it as suitable reading material.

The book is written by Leslie Payne who had a close association with the Kray brothers over a number of years. Although the book describes the Krays and their life, its main theme is the underworld and how it works. It is an account of corruption and exploitation. In the early chapters the operational techniques of the "long firm" are described. The "long

firm" is a system of working credit frauds on a large scale. The system seems so simple and so widespread, according to the author, that one begins to wonder how legitimate business survives at all. The Krays were heavily involved with "long firms" though this particular type of criminal activity does not seem to fit with their popular image. Mr. Payne himself makes no attempt to refute the implication that he was the badly needed brains behind the organisation of the frauds. One feels that the author enjoyed controlling the perpetuation of the long term frauds, and the bodyguard protection that the "brotherhood" had to offer, and only at the time of writing could he describe the brothers in disparaging terms, putting on a "mightier than thou" front.

Gambling casinos, drinking clubs and the dubious professions associated with this sort of business appear to be the natural feeding ground for the prospering gang. I felt a strange measure of mental relief when the author moves in the book to look at how the Krays (and others) concentrated their attention in that direction. People enter such establishments of their own free will; a person who cannot afford to lose should not gamble. I have little sympathy for those who go into deep water and then complain if they get their feet wet. However, from these murky waters emerged bigger fish who were by virtue of their social standing in a position to add the additional protective dimension of political respectability to these already wealthy and powerful gangs.

I recall the words of Lord Acton: "Power tends to corrupt and absolute power corrupts absolutely". I am not at all sure whether the brotherhood knew of Lord Acton's words, but they most certainly felt that having attained such a degree of power in their particular field, their supremacy had to be maintained at all costs, including murder. Chapter 8 deals exclusively with murder and the extreme degrees of sadistic violence which were employed by the Krays and other gang leaders to retain control of their empires. "This violence was more or less a weekly affair to keep fear running and to show people the gangs were still capable of it." Perhaps the only pertinent comment one can make regarding the savagery is that it was apparently reserved for associate members of the gangs. (It is important to note that the murders commenced only after the abolition of capital punishment in 1965, there must be a lesson in that fact.)

In the final chapters Mr. Payne describes the international underworld and his association with it. The impression gained is of lack of organisation and general muddle, which comes as something of a relief to the reader. There are a number of points in the book which one would wish to take Mr. Payne up on. I want to mention only one here. He alleges in the book that a quarter of the total strength of the police dealing with serious crime are willing to take a "pension" in return for keeping criminals informed of the progress of investigations. Whilst it is generally acknowledged that links between the police and criminals are often more involved than the police would care to admit, these allegations leave one wondering whether there could be sufficient uncorrupted police available to investigate crimes of the magnitude described in this book. Happily, of course, and contrary to the general theme of the book, men of high calibre, not susceptible to bribery or corruption, are and were available. Consequently two dangerous and powerful gangs were removed. The police involved are to be congratulated: their action has done much to boost police morale and to restore public confidence in the police.

Like all professional operators Mr. Payne with his shrewd cunning, is making double capital from the one iniquity. I suppose we should be grateful for that really. At least, whilst he was engaged on writing his book, he was not organising further frauds.

W. CARSON,

Chief Officer of Wandsworth Prison.

GIVING AND TAKING HELP

ALAN KEITH-LUCAS

University of North Carolina Press
1972. £2.10

PERSONAL COUNSELLING

An Introduction to Relationship Therapy

J. H. WALLIS

George Allen and Unwin 1973. £1.95

A RECURRING area of confusion for those working professionally with people is that of goals. Is the job about doing things to people, about changing things for people, or about helping people achieve self-fulfilment? By examining closely one stance, Alan Keith-Lucas contributes to our understanding of our own goals in this work. His book starts by identifying two main possibilities in working with people: to control them and to help them. He argues that social control is a fact of life and that much social work intervention is about controlling the behaviour of others, whether this is recognised or not. But a second possibility is that of helping. He defines help as "something tangible or intangible offered by one person or group to another in such a way that the helped person or group can use it to achieve some measure of self-fulfilment". Thus, help is distinguished from social control in that it has no ends which it sets for others but rather is focused on the other achieving his own ends. The author acknowledges that this definition is inadequate, but suggests that he is talking of a real process, the theory and practice of which is worthy of study. This book, then, is such a study.

The book starts by examining the difficulties of accepting help. It studies sensitively the reasons why help is resisted and the stance of the helper when faced by someone he sees to need help but who does not ask for it. What is crucial to being helped is the notion of choice. People are ambivalent. That is to say: when faced by any situation which is significant to him a person is likely to have both positive and negative feelings. Thus he can get stuck in indecision or in denial of the problem. To get out of ambivalence one needs to commit oneself actively and willingly in one direction or the other. However, since this commitment or choice is an intensely personal thing involving much more than the conscious self it can only be taken by the person himself. And that, says the author, is not theory but is a fact. The job of the helper is to provide to the helped person "a medium, a situation or an experience in which a choice is possible, in which the fears that beset him can to some extent be resolved, and in which he can find the courage to commit himself one way or the other". The medium is the helping relationship. The book examines the major characteristics of this clearly and quite specifically. It insists that such a relationship cannot have a double purpose: control or restraint, and help. This is not to say that those in positions of control (such as members of the Prison Service) cannot be helpful but to be so they must disassociate their roles as helper and controller. Thus the person who enforces result

can help him who is subject to those rules to look at, accept, or struggle against them. This is not easy to do and requires that the helper be undefensive about his authority.

The relationship, however, is only the medium in which help is offered. Alan Keith-Lucas goes on to look at what it is that the helping person brings to it. He calls this the "helping factor" and sees it as a process which may be divided into three elements: reality, empathy and support. Involved in reality is presenting the situation as it really is, without justification or hedging. But this should be done with empathy (demonstrating understanding for the other's feeling without claiming to have such feelings oneself) and with support—the assurance somehow transmitted that the helper will not give up the helped person. Written briefly in this way the description of this process seems bald and over simple. In fact the author deals with it sensitively and manages to communicate the nature of this complex process very lucidly.

Later chapters deal with the nature of the helping person, and with suggestions for practice which really are useful in understanding the application of what has been said earlier. Then the author turns to wider issues: helping and current value systems, helping in various settings, etc. The argument becomes more general and is not as well thought out here, so that I found it generally less satisfactory. Nevertheless, as a whole this is quite an impressive book. It has analysed a difficult area very clearly and has given useful pointers to practice. By distinguishing clearly between control and help, and by giving a coherent view of what help is, it allows us to analyse what we do more clearly and to consider whether help as defined by it makes sense in our setting. It is not, of course, denying that behaviour can or should be controlled. But because the book represents a continuous and clear assertion that what is desirable in our relationships with people cannot *only* depend on what is effective or successful, it deserves our consideration.

While *Giving and Taking Help* is notable for its clarity, *Personal Counselling* leaves one at the end with an impression of slight confusion. It is intended as a general introduction to counselling for "members of any of the helping professions". The author tells us at the beginning that he intends the focus of the book to be on the counsellor rather than on particular techniques of counselling. Thus, he will examine various issues from different angles so as to stimulate the individual counsellor or reader to work out his own stance to these issues. One feels that the author is heavily influenced in taking this approach by his experience of running training groups for counsellors. However, what may well be a viable technique in a training group does not seem to work here.

In its first part the book considers the general theoretical background of counselling. There are chapters on: "Counselling and its Ideology", "Counselling and Psychotherapy", and "The Scope of Counselling". The second part deals with what goes on in counselling interviews and has chapters on "The Dynamics of Relationship", "Interaction", and a transcript of a counselling interview. The trouble is that the book loses focus exactly through considering quite a number of issues from different angles. The reader, looking for a coherent view in the book from which to make sense of his own experience and the information provided, finds himself disappointed (rather than challenged). Further, because such a lot is taken so fast he does not have an opportunity to really examine assumptions—which is the opposite of

the author's intention. But the picture is not entirely unrelieved. In a chapter entitled "Casework and Relationship Theory" one gets a good sense of the emotional work which is involved for the counsellor and the counselled. Again, the transcript of a counselling interview provides useful case material for study. But by and large one comes away from the book struck by its inadvertent superficiality.

M. D. MILAN.



MANAGEMENT OF CHANGE AND CONFLICT

Editors: JOHN M. THOMAS
and WARREN G. BENNIS

Penguin Modern Management Readings
1972. £1.00

THIS book consists of a collection of readings which discuss those issues and concepts which the editors in their introduction define as crucial in relation to the problem of managing organisational change and conflict. It is necessary to outline these introductory arguments since they have shaped the particular selection of readings which is presented.

The editors feel that the urgency of the problem stems largely from the increasingly rapid rate of change and development in knowledge, information and technology. This in turn renders the organisational environment increasingly complex and unpredictable. The development of authority and power based on knowledge and expertise represents a challenge to the traditional basis of authority. It also results in increasing functional specialisation and at the same time an ever more pressing need for interdependence and collaboration. It is further suggested that western industrialised societies are currently undergoing a conceptual revolution which is moving towards increasing emphasis on the value of self-expression and individuality.

These various forces lead to a dilemma for the planner: the greater the degree of environmental change, the greater the need for planning. But the greater the uncertainty, the more difficult it becomes to plan effectively.

The final section of the introduction discusses management of intelligence. The need for increased organisational adaptability necessitates the diversion of resources into the intelligence function, which both scans the environment and shapes internal knowledge utilisation. Thus, the management of change is equivalent to the management of intelligence. They note that this problem is associated with particular forms of conflict arising from the impact of the revolutions in knowledge and values. Thomas and Bennis argue that constructive paradigms for organisational change are those which address this problem of managing intelligence.

Thomas and Bennis do not appear to be saying anything particularly new. It is certainly true that we live in an age of rapid scientific, technological and cultural change. The assumption that paradigms for management of change and conflict should take account of environmental forces impinging on the organisation and take account of the consequent need for management of intelligence, seems logical enough.

It is also true that the impact of environmental change on organisations has often been subjected to too little systematic analysis.

The introduction, then, leads one to believe that the collected readings form a new synthesis addressed towards a number of well known problems. The readings are divided into six parts entitled "The Future Context of Organisational Change and Conflict"; "New Perspectives from Organisational Theory and Practice"; "Issues and Concepts in Organisational Change and Innovation"; "The Practice of Planned Organisational Change"; "Issues and Concepts in Organisational Conflict" and "The Management of Conflict".

Part 1, *The Future Context of Organisational Change and Conflict*, presents the viewpoint of Harman, Bennis and Katz and Georgopoulos. I will consider this section in some detail for, in my opinion, this is the most significant of the six sections. Harman's paper in particular presents a highly stimulating analysis. (This is also one of the only two papers not previously published elsewhere.)

Harman discusses possible future societies, as derived from assumptions regarding the continuation or discontinuation of emergent economic-political, scientific-technological, social-ecological and cultural-psychological terms in the U.S. He identifies four main beliefs and value systems which, he suggests, interact to generate the future:

1. U.S. middle class (traditional).
2. "New" values (proposed by humanistic-psychology writers and "forerunner" youth).
3. Behavioural science.
4. American origin (implicit in founding documents and western political tradition). (P. 55.)

Harman identifies forces towards revolution, including evidence that a conceptual revolution is taking place in respect of images of man. This leads into a discussion of what Harman sees as crucial choice points in the shaping of future societies. These are what he calls "crises". Firstly, the crisis in human image. At the root of this choice point lies the conflict between the basic premises of democracy, that man has "a transcendental nature" including the powers of reason and will, and a sense of values; and between the deterministic, virtually machine model of man as expressed by many behavioural scientists. Secondly, the crisis of authority, which concerns the choice of balance between power-based authority and authority deriving from voluntarily given respect.

Thirdly, the crisis of economic values: the extent to which non-economic values should be held. Finally, the crisis in pluralism: the choice is whether a state of mutual hostility should obtain between culturally heterogeneous groups, or whether constructive interaction should take place among them.

Harman's paper is an attempt to identify a wide range of factors and their implications for the future, and certainly deserves to be read.

Bennis's contribution is concerned with identifying a number of dilemmas which organisations are facing as a result of continuing rapid social change, together with critical factors which should be considered in noting forecasts about trends in human institutions.

Katz and Georgopoulos view organisations as open systems made up of various sub-systems: production, production-supportive, maintenance or social and managerial sub-systems. The production and maintenance sub-systems are directly influenced by societal changes. This gives rise to a need for an adaptive sub-system, both to develop technology and to restructure the organisation to

meet the psychological needs of its participants and to facilitate planned change.

At the end of Part 1, I was left with a feeling of dissatisfaction that further perspectives from organisation theory and practice were not included. A similar point can be made with respect to the other four parts of the book. However, it must be acknowledged that the selection of papers over all is highly pertinent to the issues and problems outlined in the introduction. Indeed, of individual readings in this book it can be said that all are worthy of attention.

For the manager, this collection of readings probably raises more questions than it answers, but those questions are highly pertinent to all managers, whether in the public or private sector. It is a pity that more space is not devoted to pursuing some of the issues in greater detail, particularly in connection with the future context of organisational change. A certain sense of only partial discussion is, however, no doubt inevitable in a book of readings addressed to such a broad range of issues.

HELEN K. FERGUS,

who was a psychologist in *The Midland Region*, is now a research fellow at the Institute of Organisation and Social Studies, Brunel University.



CRIMINAL BEHAVIOUR SYSTEMS—A TYPOLOGY

MARSHALL B. CLINNARD and RICHARD QUINNEY
Holt, Rinehard and Winston, 1973. £2.75

THIS is a book about classifying vague and diffuse information and ideas, in this instance on the subject of crime, into specific types or categories. Perhaps, therefore, I may begin by classifying it. It is one of those books, not unfamiliar to the students of social science, which is quite important to its subject but difficult to praise; and like all such books, difficult to review satisfactorily. This is a second edition of a book which first appeared in 1967. It is more compact and more integrated, with the discussion of separate research readings now incorporated in the text. Also additional types and dimensions are provided for the theoretical framework. Owing to the over-compressed nature of much of the material, I am not sure that this move to greater compactness is altogether profitable.

The authors appreciate that much of the progress of modern science has been dependent upon a growing ability to sort out into distinct groups all the separate data and items which it studies. These groups are called classes or types, and the exercise of creating them, a typology. In some natural sciences the procedure has been developed with the aid of complex and sophisticated mathematical techniques and in this advanced form is usually known as taxonomy. However, in the embryonic and "soft" science of criminology, Clinnard and Quinney have attempted nothing so advanced.

It is clear that any set of items, be it of plants or rocks, prisoners or policemen, can be divided up differently, by choosing different criteria, or dimensions, against which to measure them. Thus all typologies are purpo-

sive, that is: are to be made using particular criteria, or dimensions, which are chosen according to the objective in making that particular distinction. The authors are aware of this, but one of the weaknesses of the book is that they do not seem too clear, or at least do not make it very clear, exactly what the objective of their classification is, other than some apparent general increase of knowledge. This is, I think, an explanation for one of the chief failings of the book: that there appears to be relatively little connection between the heavily theoretical first chapter and the mass of empirical material which makes up the rest. Although the authors follow the scheme that they have worked out in the first chapter, this does not illuminate the material which follows in any particularly new way.

The central theme appears to be that there are distinctive patterns to be observed in various areas of criminal behaviour, and that these patterns are distinctive enough to allow each set of them to be identified as significantly different from the others in several important respects. These patterns are referred to in the title and occasionally in the text as "systems" but this seems to be an attempt to introduce the trendy and important concept of systems theory, where, in fact, it is inappropriate. Systems in any technical sense are attempts at goal-oriented rationality, not merely recurring, or parallel styles of behaviour.

In the opening chapter, Clinnard and Quinney, develop the theoretical outline of the nine different types of criminal behaviour into which, they assert, all such behaviour can be classified. They point out, correctly, that typologies are a way of "ordering the diversified world of discrete phenomena" and as such form a basic activity in the development of theory. However, they are not very clear on how our general theoretical understanding of crime is much advanced by their exercise, except in one respect mentioned below. On the other hand they deserve considerable credit for making a first published thorough exploration of the possibility and difficulties of such an approach, so that its potential helpfulness at this stage can be more accurately assessed.

Along with the nine types of behaviour, each of which is given a subsequent chapter to itself, they list and explain the five dimensions along which they consider, analyse and distinguish these types. These dimensions are: the legal aspect of selected offences; the criminal career of the offender; group support for his criminal behaviour; the correspondence between criminal and legitimate behaviour; and societal reaction and legal processing. The resulting nine by five matrix is complex, and the individual chapters are somewhat confusing to read for, in order to stay with their scheme, Clinnard and Quinney are compelled to chop and change between the specific instances of behaviour which they are considering.

Chapters 2-5 inclusive deal with the different types of what is normally thought of as crime—violence, robbery, larceny, drugs, etc., and are rather unsatisfactory. They are a sort of general run around all standard criminological knowledge of the area, and as such are very compressed, bitty and sometimes seemingly inconsequential. Occasionally they are rather naive for 1973, for example: "In the study of criminal behaviour, the criminologist must be careful not to impute his own motives and values to those that underlie the behaviour of the offender". Good stuff

for the 1950s but now . . . ? Likewise, the treatment of drug abuse and what it constitutes, have the tone of a decade ago. There are also redundancies: on page 74 we are told that certain types of juvenile shoplifters are never turned over to the authorities for official action, while only about one-fourth of the adult shoplifters are prosecuted, and this is repeated, apparently as fresh information, on page 75. In chapter 4, the extensive use of drugs among jazz musicians and doctors is described on two separate occasions with no significant difference of context. This gives an impression of a lack of final rigorous editing. There are many interesting tit-bits of information. (For instance, in the U.S.A. at least, most cheque forgers have no criminal history, for it has now become an amateur rather than professional crime.) But it is dull work finding them. These chapters will be useful, however, for anyone wishing to read a brief survey of most current empirical knowledge.

Chapters 6-8 show a change of mood, being more unified and more intense. They are the writing of people involved in their subject, and not just summarising other material—committed radicalism is apparently good for the authors' powers of argument! The criminological implications of white collar and political crime are well worked out, especially to show that our view of crime as pathological and atypical is now outmoded. This is the important development made clear by their analysis which I mentioned earlier. Although the poor doctors get another sideswipe, this time for restrictive practices against the public interest and in their own, these chapters make both more compelling and more informative reading.

The two final chapters, concerned with organised and professional crime, regress a little to the former eclectic presentation, but not to the same extent. Organised crime is the work of the syndicate or mob, or Mafia or whatever, and in the controversy as to whether the Cosa Nostra actually exists, they are believers. They would not wish to typologise Marlon Brando as a myth! Professional crime is a skilled, successful version of conventional crime. One interesting, and to me new, small item of information thereon, is that professionals use "argot", i.e. slang, not to confuse outsiders, as is usually suggested, but primarily amongst themselves for group support.

There the book ends. This is a pity, as one can read the whole text without seeing much point in the elaborate theory of chapter 1. Some kind of summary chapter would add to its value considerably, demonstrating what exactly new we have discovered, or what understanding or power to predict, control or respond to events appropriately has been generated by the exercise. The reader is left, therefore, with a feeling that although it is a brave attempt at something fairly new and important in criminology, it is one of only very limited success. For people involved in the prison situation it is good background reading, if they are interested in the whole range of their possible clientele, but not a "must".

R. W. BURNHAM,

Dr. R. W. Burnham, who was formerly an assistant governor at Lowdham Grange and Hollesley Bay, a criminological student and research worker in California and criminological research officer for the United Nations in Rome, is now Senior Lecturer in Criminology at the University of Keele.

NATURAL JUSTICE (Modern Legal Studies)

PAUL JACKSON

Sweet and Maxwell 1973. £1.50

MODERN LEGAL STUDIES is a series written for law students which aims to supplement the consideration of various legal topics given by text books. This volume is the fifth in the series. It analyses the history of natural justice and its place in present legal practice. Although it is likely to be of only peripheral interest to members of the Prison Service, it may be recommended as a short, concise and very lucid commentary on the subject.

YOUNG OFFENDERS
AND TREATMENT

CRIMINALS COMING OF AGE

Research Design and Penal Practice

AUTHORS' COMMENTS ON VERNON
HOLLOWAY'S REVIEW

VERNON HOLLOWAY kindly sent us a pre-publication copy of his full and careful review of our book. We are grateful for the opportunity to offer a short comment, not so much as a rejoinder, but as a further contribution to what we hope will be an ongoing debate among penal practitioners and research workers about the implications of the volume for future action and research.

Our approach differs somewhat from Holloway's. He clearly emphasises the value of a relatively pure experimental model, and to some extent approaches this volume from that perspective. We would not deny that this is a legitimate procedure for planned evaluation of penal innovations; but, as discussed in the book, various research strategies are possible, and the one we chose was designed to maximise the possibilities of staff initiative and development of the regime. Thus it was the collaborative thinking of staff and researchers which led to the individualised problem-solving approach at Dover. It is true, of course, that this involved "a multitude of separate experiments", but then so in a real sense does any regime (e.g., a therapeutic community), since the treatment experience of different individuals will always vary even within an experimental design (see for example the Kingswood approved school project). We would certainly agree that in future, in experimental and action-research projects, there needs to be "much more detailed monitoring of individual elements of training"; though one should perhaps add *first*, that no one yet knows precisely what to look for, and *secondly*, that some of the chapters in the book do indicate some possible ways of developing monitoring devices within an action-research framework.

This difference of approach between ourselves and Holloway has implications for the

issue of discriminations in the data. Holloway, in terms of his experimental framework, is apparently principally interested in looking at reconviction in relation to factors of all kinds (institutional and pre-institutional), to obtain the largest possible multiple correlation coefficient, and to see how much various different factors contributed to this. From our action-research perspective, we were more interested in looking at the extent to which there was discrimination by staff assessments, etc. over and above a "baseline" of expected outcome (to be derived by standard multivariate techniques). Hence we developed a prediction instrument from pre-institutional life-history data obtained *only from police files*; we then related this (i) to other pre-institutional data of a more qualitative kind—i.e., of the type that borstal staff more often use, (ii) to various assessments made during institutional training and after-care.

Holloway expresses doubts as to the additional discrimination achieved by these two kinds of assessment. So far as the penal and social scores (containing pre-institutional qualitative data) are concerned, he says "the improvements (over the prediction) in most instances seem to be so slight that it is doubtful whether they can be significant". But, in a passage he seems to have overlooked (p. 278), we do state that for the modified regime "the classified data on each of the problem areas of family, work, individual pathology and overall recidivism added significantly to the discrimination as shown by the basic prediction equation". The context makes it clear that this analysis was done using a regression model, i.e. what Holloway describes as "the appropriate multivariate technique". Admittedly the results were less impressive for the traditional regime, but we think that enough has been done to indicate the potential use of these more qualitative assessments in addition to "hard" data derived from police files. An additional point on prediction and penal and social scores is that Holloway is incorrect in stating that the modified regime did slightly better on the prediction equation and slightly worse on the penal and social score; the trends were actually in the opposite directions, though neither was statistically significant (see Tables 11.5 and 11.7).

On the question of institutional assessments' Holloway is right to point out that in an important table (Table 11.13) the data are grouped in such a way as not clearly to demonstrate our argument. (This applies with much less force to other tables using similar grouping, since significance levels of .01 or .001 were usually obtained, as against .05 in Table 11.13.) We have re-examined our unpublished tabular data, which show that for the extreme prediction groups (A and E) the staff assessment index adds nothing to the prediction, presumably because the latter is already discriminating very well; but for the remaining 80 per cent of the cases in the middle groups, staff assessments add very significantly to the outcome as judged by the baseline of the prediction score (PC .001). The argument in the text to this table is therefore very strongly supported for the majority of the population, by this more refined assessment.

We are grateful to Holloway for drawing attention to the error relating to the description of the correlation coefficients on pp. 98 and 285. The error was introduced at a late stage of drafting; but we do not think it is crucial to any central argument of the book. For, as we see it, Holloway's central criticism may be

expressed in three propositions, all of which we consider doubtful. These three propositions may be expressed as follows:

- (i) that we "seem to try to establish" that the Dover modified regime was on the right lines, and that with better resources and implementation would have achieved a "practical payoff";
- (ii) that the way to establish this view is to show the significance of certain discriminations;
- (iii) that we have not adequately demonstrated these.

We have already indicated some reasons for dissent on the third proposition: this has inevitably involved consideration of technical matters on both sides. The first two propositions, however, raise more general issues.

Of course it would be satisfying for penal practitioners, particularly the Dover staff, if the first proposition could be established. We considered as action-research workers that it was our obligation to take account of all evidence in favour of or against the expected positive impact of the innovation: it would, however, be wrong to interpret such a procedure as an attempt to establish that Dover would have been more successful with better resources. We did not attempt to argue such a case at all; rather, we explicitly stated of this argument that "the research evidence of this enquiry neither supports nor eliminates such a possibility" (p. 395).

Holloway's second proposition suggests that if one proves results such as that homeless trainees have a poorer outcome than trainees with homes, then one has meaningful discrimination which would support the view that the modified regime would have succeeded with better resources. We are not convinced by this line of thought, although we would suggest that one way of attempting to establish such a case would be to demonstrate that discriminations made by staff (rather than research workers) under the modified regime were significantly more related to outcome than under the traditional regime. As the research design did not include personal staff assessments in the traditional regime, our data do not allow us to investigate this possibility vigorously; but even if we had demonstrated it, it still would not logically follow that better post-release results would inevitably be achieved with more resources. In view of all these arguments, it follows that the issue of discriminations does not, for us, hold the central and crucial place in our argument in the way that Holloway suggests it does.

We think that most practitioners will accept that a "nil result" literally means the need to *think afresh* as the research gives no clear support to one line of development rather than another. In this task of rethinking, the researcher claims no special expertise in the sense of knowing what will be effective; though perhaps the assessments and classifications within the study can contribute to the development of more precise thinking and practice in the penal process. We advocate in the book an open-ended approach, with the rigorous testing of various models in the future. In any such undertaking, the discussion on the implications of research design in relation to penal practice, initiated here by Holloway, should be an integral part of the development of institutional strategy.

A. E. BOTTOMS
F. H. MCCLINTOCK

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