

## Book Review:

### **Prison Governor's Journal**

By Brendan O'Friel

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(paperback)

Price: £17.99 (paperback)

Brendan O'Friel worked in HM Prison Service from 1963 to 1996, becoming a distinguished governor of HMP Featherstone, HMP Manchester and HMP Risley. This book offers a thoughtful and considered inside account of thirty-three momentous and eventful years in the history of British prisons. It is also a book in which the character of the author is very much apparent. O'Friel had a reputation as an effective leader with a sense of purpose and that can very much be discerned in these pages. He is a man with values shaped by his Christianity and his parent's public service. He is also a man who built his leadership craft over time, learning from others and honing his own approach through a deep understanding of those who lived and worked in prisons, how the institution functioned and infusing his work with values.

O'Friel's career started at the tail end of the post-War welfare optimism, working in the borstal system, attempting to help children to engage in education, training and community service. Conflict and crises were never far from the surface, and O'Friel worked through the crisis of security in the mid-1960s and the creation of high security prisons following the Mountbatten Report, then the years of industrial conflict, economic turmoil and prisoner disorder in the 1970s.

During the 1980s, O'Friel was a central figure in some of the most significant events of the decade. He was a key player in the setting up of the Prison Governors Association in 1987, and he was often called to publicly discuss the issues of the day, including overcrowding, poor conditions and disorder. In 1986, O'Friel was appointed as Governor of HMP Manchester. This was always a

challenging post; a busy local prison, over a hundred years old and with poor conditions for the 1400 prisoners. He offered energetic leadership, initiated improvements in activities and facilities, and introduced reforms of staffing. Yet he also faced chronic problems including underinvestment and an increasing prison population putting greater pressure on the already inadequate facilities. The Chief Inspector of Prisons gave a positive assessment of Manchester in March 1990, while also recognising the chronic problems. Despite the efforts of O'Friel and his colleagues, the prison descended into a riot starting in the chapel on 01 April 1990. The prisoners held out for the next 25 days there were copycat riots across other prisons in the country. O'Friel's account of those days are an important insider account. He faced immense pressures, attempting to contain and then end the disorder, maintain staff morale and prevent abuse, navigate the political and organisational challenges, respond to the public and media scrutiny, while also managing his own emotional reaction to such a devastating set of events. The detail of this account is a valuable historical record, and it is also a human portrait of leadership in an operational crisis. The subsequent inquiry into the riots, led by Lord Justice Woolf, credited O'Friel for his leadership at HMP Manchester both before and during the riot. The report did, however, forensically examine the poor conditions of prisons across the country and set out the need for significant reform and modernisation.

Following the inquiry, O'Friel took up post as Governor of HMP Risley, where he led an energetic effort to realise the post-Woolf vision. In 1994, the Chief Inspector of Prison praised the efforts to improve education, employment, offending behaviour programmes and voluntary work. It is testament to his resilience that O'Friel was not only able to survive the events of 1990,

but he was able to retain his energy and drive.

Although he retired in 1996 and has continued to have more than a passing interest in penal affairs, O'Friel has waited quarter of a century before committing his working life to paper. This is to the benefit of the book, written as it is with a sense of perspective and reflection. O'Friel rationally describes the events of his working life, but also imparts professional wisdom on the challenges of prison leadership, and he offers a measured critique of the problems of imprisonment and potential reforms.

This is a rewarding book that is well worth reading. For those interested in the history of prisons, it is an insider account of some of the major events of the late 20th century, but also offers a more personal story of how prisons, and society, evolved during those years. For those working in prisons, particularly those leading prisons, O'Friel's humane values and people-centred approach offers an alternative to the dominant managerial model. Although this is ostensibly an account of the past, there is certainly much that O'Friel has to say that continues to be relevant today.

*Dr. Jamie Bennett is a Deputy Director in HM Prison and Probation Service*

### Book review

#### **Privatising justice: The security industry, war and crime control**

By Wendy Fitzgibbon and John Lea

Publisher: Pluto Press (2020)

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(paperback)

Price: £75.00 (hardback) £22.99

(paperback)

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The role of the state and private sectors in criminal justice remains a contentious, controversial and polarising issue. As this book reveals,

different perspectives draw upon competing values: economic rationality; public accountability; justice and fairness, and; power and inequality. The authors of this book, Wendy Fitzgibbon, a Reader in Criminology at University of Leicester, and John Lea, Visiting Professor at Goldsmiths, University of London, are clearly deeply concerned about the spread of privatisation into military, security and criminal justice fields.

The authors set their critique in a long historical perspective. When living in the here and now, it is easy to be lulled into a belief that the current dominant ideas are inevitable and that alternatives are not realistic. Historically, justice was largely a private concern, with local landowners funding and operating systems of justice that served their own interests. It was only with the coming of the industrial revolution and the creation of the modern bureaucratic state that justice became increasingly under central state direction. In prisons, this culminated in the Prisons Act of 1877, which brought all local prisons under the direction of the Home Office. The nationalisation of criminal justice, it was argued at the time, was justified on grounds of efficiency and consistency of justice. By drawing upon this long view of history, Fitzgibbon and Lea neatly illuminate that the dominant ideas of today have not always held sway and it is not inevitable that they will continue to do so. The historical account also highlights that these changes happened incrementally and over a protracted period, many decades, rather than there being violent and dramatic ruptures and transformations.

The contemporary growth in private sector involvement emerged in the 1980s. This was integral to a wider set of economic and social changes, sometimes described as

neo-liberalism, which embraced the market as a solution to social problems, encouraged consumer capitalism and sought to reduce the role of the state. This process has been ongoing for the last four decades and remains contentious. Fitzsimmons and Lea seek in this book to subject this period to a sustained and rigorous critique.

In terms of public accountability and values, the authors explain that proponents of privatisation in criminal justice have often argued that the state retains the power to determine criminal justice actions such as arrest and sentencing, but the administration of these need not necessarily be a state function. As Fitzsimmons and Lea counter, such simplification does not bear up to sustained scrutiny. Those charged with administration have significant powers of discretion and can therefore determine whether fines are enforced, what the conditions of detention are and what access there might be to goods and services in prison. The authors argue that the profit motive clouds judgement and turns the prisoner into a commodity rather than a conditional citizen.

Advocates of the private sector have long argued that the public sector is inefficient and ineffective, while lean and agile commercial operations offer a solution to complex problems. While there are many examples of good practice in private sector prisons, there is, of course a litany of failures that have filled the last thirty years. These include operational failures, such as the loss of control at HMP Birmingham<sup>1</sup> or the persistently poor conditions at Rainsbrook secure training centre.<sup>2</sup> Of course there have also been similar failures in public sector prisons during this period. There have been financial scandals including Serco being fined £19.2 million for fraud and false

accounting<sup>3</sup>, while G4S had to pay £38.5 million for fraud<sup>4</sup>, both prosecutions related to electronic monitoring contracts. With probation, the 'Transforming rehabilitation' programme saw the privatisation of the community supervision of released prisoners judged to be a low and medium risk. This reform was unsuccessful, widely condemned, including by the House of Commons Justice Select Committee<sup>5</sup> and ultimately reversed.

One of the arguments advanced by Fitzsimmons and Lea is that privatisation encourages de-skilling by reducing delivery to contractual compliance rather than any sense of meaningful quality. They describe this as 'control by neglect', characterised by a lack of human concern, hollowed out relations, facilitated by "working to contract and paying by results" (p.170). Again, this is not limited to private sector organisations. The public sector has sought to emulate this 'managerial' approach with significant consequences for human relations, fairness and quality of working lives<sup>6</sup>.

Some of the novelty of this book comes from the way it attempts to situate the privatisation of criminal justice within the wider context of change including reducing the role of the state and the increase in individualism. As the authors describe:

*Neoliberalism has functioned as an ideology that both condemns the 'excesses' of the welfare state period and celebrates the necessity for private responsibility and private enterprise in the solution of societal problems.* (p. 145)

From this perspective, deindustrialisation and increased inequality has created a section of society who have been economically, politically and socially marginalised. In such circumstances, Fitzsimmons and Lea argue that rehabilitation is

1. See <https://www.bbc.co.uk/news/uk-england-birmingham-45240742> accessed on 28 December 2020

2. See <https://www.gov.uk/government/news/inspectors-urgent-action-needed-at-rainsbrook> accessed on 28 December 2020

3. See <https://www.bbc.com/news/business-48853870> accessed on 28 December 2020

4. See <https://www.sfo.gov.uk/2020/07/17/sfo-receives-final-approval-for-dpa-with-g4s-care-justice-services-uk-ltd/> accessed on 28 December 2020

5. See <https://publications.parliament.uk/pa/cm201719/cmselect/cmjust/482/482.pdf> accessed on 28 December 2020

6. See Bennett, J. (2020) Against prison management in *Prison Service Journal*. No.247 p.4–13.

futile, as opportunities for work and education do not exist in deprived communities<sup>7</sup>, and simply creates a problematic population to control. These populations are both a threat to the more powerful sections of society, and an opportunity to exploit through private security. The authors describe how private security acts to create zones of exclusion, where the powerful live in protected spaces, while the marginalised are left to live in neglected wild spaces and are subjected to surveillance. The authors look to a dystopian future where these divisions are exaggerated and intensified. They offer the prospect of worlds conjured up in popular science fiction such as John Carpenter's film *Escape from New York* (US, 1981) or PD James's 1992 book *Children of Men*. While this analysis is compelling, there is a question over whether there are changes afoot. The Brexit vote and the general election of 2019 show that marginalised communities retain some political significance and they cannot simply be romanticised as victims or written off as the powerless oppressed, lacking in agency.

Fitzsimmons and Lea have produced a lively and engaging book, which neatly captures a wide range of concerns about the role of privatisation in contemporary criminal justice. They highlight the myriad failures that expose the limits of the ideological belief that the market is the solution to every problem. They also set their analysis within a broader social and historical context, which adds significantly to their critique. The book is, however, essentially a polemic. It does not seek to reveal the failures of the public sector nor does it really have anything to say about the benefits of private sector involvement. It is

unlikely to convert many people, but will do much to invigorate the critics of privatisation.

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Book review

**Positive Growth and Redemption in Prison — Finding Light Behind Bars and Beyond.**

By Lila Kazemian.

Publisher: Routledge (2021)

ISBN: 9781032048338

Price: £36.99

*Positive Growth and Redemption in Prison* is a fascinating and long-awaited book. It pushes the boundaries by highlighting a major gap in studies about prisons and desistance especially in relation to long-term prisoners.<sup>1</sup> It also encapsulates the complete lack of foresight within criminal justice systems to seize the opportunity to nurture desistance in prison. One of the overarching themes is thus that desistance theory has tended to focus on criminal behaviours and crime reduction rather than the ongoing transformations that desisters develop. In the introductory chapter, Kazemian offers a very useful explanation of desistance related terms as many people, including criminologists, are still not 'au fait' with the concept of desistance. The chapter also outlines the four main objectives of the study: (1) the barriers to achieving positive growth in prison, (2) the adjustment process of long-term prisoners, and how to better understand the changes that occur over the course of a long-term sentence, (3) the process of desistance in prison, and (4) by drawing on detailed,

prospective interview data, the ways in which prison prepares for release, and assesses individual and social factors that may impact reintegration efforts after release from prison.

A vital point, made in the book, is that although desistance is about agency and transforming oneself, social structures need to be in place to allow growth and the prison system is missing a glaring opportunity to provide this. This is very poignantly emphasised by the prisoners themselves who felt that reintegration should be a focus from the start of a sentence rather than towards the end. Sadly, this is completely ignored by practitioners (see chapter 2) where the ethics committee felt discussions around reintegration should be asked of the participants close to release. This epitomizes the failure amongst some practitioners to recognize the importance of hearing the voices of those with lived experience.

Although the impact of long-term imprisonment is central, rather than focussing mainly on the negative aspects of prison, it draws out positive, transformative aspects of prison life aiming to answer the key research question which explores: 'the circumstances under which individuals thrive in prison' (p.32). The author unashamedly emphasises the need for positive experiences (even in prison) to be in focus for desistance to progress. This may seem like a controversial claim amongst some scholars who might feel uncomfortable with the idea that imprisonment may provide anything but pain. However, there is a growing body of research which demonstrate that some prisoners do find prison to be an opportunity for self-change.<sup>2</sup> Authors of this topic may be cautious that their claims might be viewed as advocating prison as a positive

7. For a fuller analysis of post-industrial areas and their inter-relationship with prisons, see Maguire, D. (2021) *Male, failed, jailed: Masculinities and 'revolving door' imprisonment in the UK*. London: Palgrave MacMillan

1. The book is about a longitudinal study of 58 male long-term (10 years or more) prisoners. Seven of the individuals interviewed were foreign nationals, but almost a third of the respondents had parents of foreign nationality.

2. McNeill, F. & Schinkel, M., 2016. Prisons and desistance. In: J. Bennett, B. Crewe & Y. Jewkes, eds. *Handbook on prisons*. Cullompton: Willan Publishing, pp. 607-621.

McLean, R., Matra, D. & Holligan, C., 2017. Voices of Quiet Desistance in UK Prisons: Exploring Emergence of New Identities Under Desistance Constraint. *The Howard Journal*, 56(4), p. 437-453.

Crewe, B. and Ievins, A. (2020) 'The prison as a reinventive institution', *Theoretical Criminology*, 24(4), pp. 568-589. doi:

10.1177/1362480619841900. Honeywell, David (2021) *The Ambiguities of Desistance: ex-offenders, higher education and the desistance journey*. Emerald Publishing.