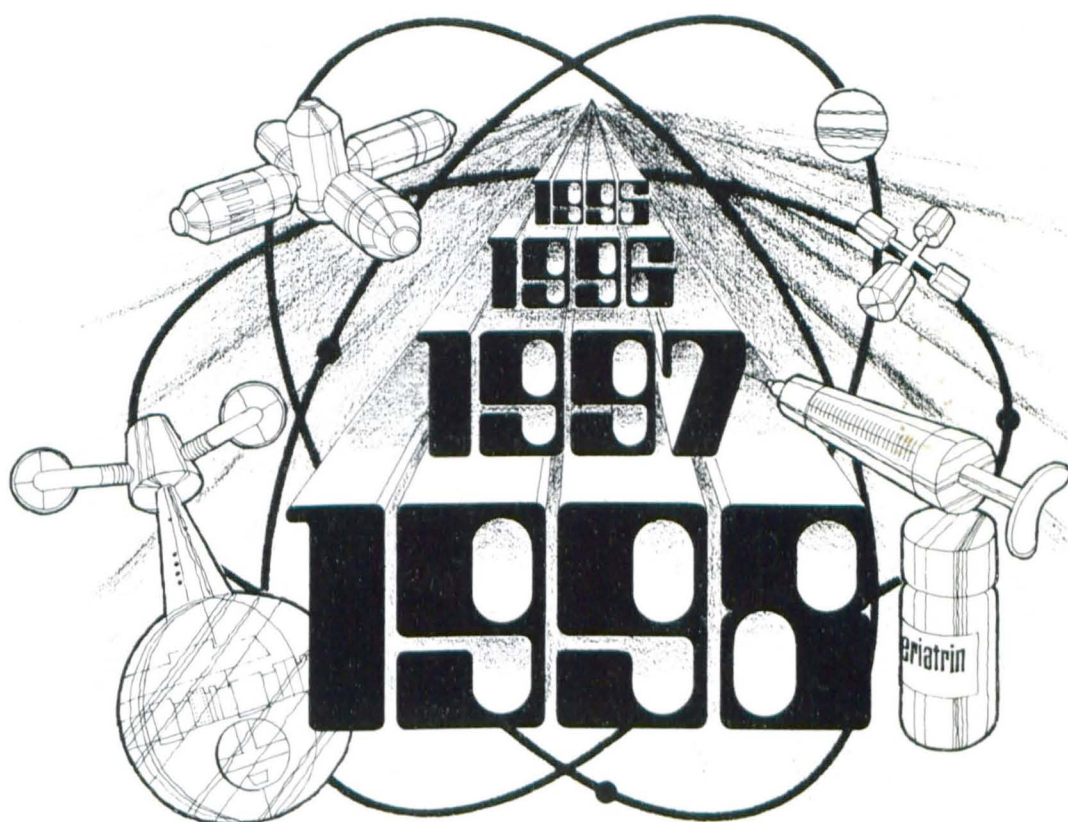


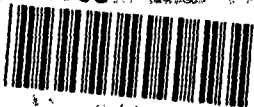
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**PRISON
SERVICE**

JOURNAL



BRAVE NEW WORLD
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Editorial Office:

HM Prison, Leyhill, Wotton-under-Edge, Glos. GL12 8HL

Editorial Board

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The editorial board wishes to make it clear that the views expressed by contributors are their own and do not reflect the official views or policies of the Prison Department.

Comment

The articles that we publish in this edition are a mixed bag and illustrate a wide range and depth of interest. Ken Pease's intelligent and humorous attempt to foresee some of the logical conclusions for penal policy should provoke considerable thought. 1984 is not that far away and who knows what solutions to the crime problem will evolve from our increasing sociological and technological knowledge. One can also speculate upon the nature of crime in the last quarter of the twentieth century. If the micro chip revolution eventually succeeds in the elimination of paper money then much effort and energy which is now directed at depriving banks and security vans of their contents will have to be switched to other enterprises. The lessening flow of oil could mean the demise of the privately owned petrol driven car. Future delinquents may not feel that the taking and driving away of a pedal cycle presents the same kind of challenge. Society will have to devise new ways to satisfy the delinquent need of its nonconformists or whatever euphemism will be coined to describe criminals. Perhaps crime creation schemes will be devised with the full backing of central government funds. It seems logical to suppose that as more activities are taken over by the state that the last bastion of private enterprise, crime, will not be exempt. One has the happy picture of a caring social worker carefully directing his/her client into the lesser byways of crime. Away from the overcrowded scene of muggers and false social security claims where the pickings are lean towards computer fraud and resident permit forgery. Naturally the client would have to go on a training course first. . .

However, returning to the mundane world of 1980 Barry Estleas's fascinating article on a radical penal experiment in New South Wales reminds us that innovative ideas need not cost much money but do require bureaucratic initiative if they are to succeed. It is good to see such positive work coming out of Australia which has perhaps suffered in the past from a dull, stodgy image in penal matters. One of the worst features of imprisonment must be the feeling of the individual prisoner that he or she no longer has any value as a person. Time and again one is faced with the bitterness of people who cannot even depend upon their own name for a sense of identity since that name must now be prefixed with a number. The New South Wales experiment gives back some of that lost autonomy to prisoners and with it an increased awareness of their own dignity and self-regard. We wish it well.

BRAVE NEW WORLD

The speeches reported below are supposed to be funny. They are also supposed to be taken seriously. Let me tell you first about the serious intention. I am unsure about the direction which the prison system is taking or should take. What is more important, I'm worried that the people within the prison system don't know either. When you lack a sense of direction, short-term expedients rule, and it's not OK. I have often found that one way of clarifying what you want is by setting up possible futures that you probably don't want. That's the spirit in which I wrote the speeches below: they are a description of futures you probably wouldn't like but they may generate some ideas on why you wouldn't like them and hence what you really might like as a future.

The speeches turned out to be funny (at least I think they did—if you don't smile, don't bother to write and tell me). That's because I have an odd sense of humour that pervades what I write and which only employment in the Home Office managed to subdue.

I should stress that the speeches below are a selection by the Prison Service Journal from a much larger series. Anyone interested in seeing the rest should either write to me or badger the Prison Service Journal to publish the rest or both.

Ken Pease



Dr Ken Pease is a psychologist by training, who after a varied early career, joined the Home Office Research Unit where he became a Principal Research Officer. He was co-author of the Home Office Research Studies on Community Service Orders and contributed to the Research Unit's study of parole but left the Home Office at the end of 1976 and is now Senior Lecturer in Psychology in the Department of Social Administration at Manchester University. He is currently completing a review of crime prevention techniques and strategies in Western Europe for the United Nations. He is secretary of the Manchester Branch of the Howard League for Penal Reform.

The Quality of Mercy

An Address by the Dutch Director of Rehabilitation Services; UNO Social Defence Congress, 1998.

I come to this Congress in a different frame of mind from that of those of my colleagues who have spoken up to this point. Their addresses have indicated a degree of confidence in their systems which I envy, although in most cases I do not envy their systems themselves. I come to this Congress to seek a direction in which to travel, not to report upon one which we have found satisfactory.

There was an element of self-congratulation in much of what I have heard so far. We have no cause for self-congratulation.

Frankly, ladies and gentlemen, the Dutch penal system is in a mess. It seems a far cry from the 1970's when our system was the envy of liberal thought all over the world. United Nations figures of 1974 showed that relative to the size of our population, the number of people incarcerated was less in the Netherlands than in any other civilised country. It was clear then, to enlightened thought all over the world, that the prison populations of most countries were intolerably high, and that the number and length of prison sentences handed

down by the courts of the world was grotesquely excessive. In comparison, the Netherlands offered an example worthy of any nation. In retrospect, I believe that what happened then was as follows: politicians and prison officials in the Netherlands were extremely pleased to have the attention and envy of the civilised world. They thought that if they were envied for having a prison population of only 130 per million population, then the envy would be even greater for having a prison population of 100, 70, or even 50 per million. In other words, they saw the state of affairs in Holland not as an irreducible minimum of imprisonment but as something which could

be reduced further without damage to the fabric of society. They were wrong. I will describe the course of events which led us to our present parlous state.

Between the years 1978 and 1985, a series of statutes were passed which had the effect of limiting further the number of actions which were deemed criminal (for example, all sexual acts against children became criminal only if physical damage was caused which would justify a charge of assault if the victim had been an adult). But more importantly, the statutes drastically reduced maximum sentences for all criminal acts. Thus, for example, manslaughter was punishable by prison terms not exceeding three months, obtaining pecuniary advantage by deception not more than two months, and thefts of amounts up to 30,000 U.S dollars not more than one month. These statutes had the effect of reducing the prison population in the Netherlands to a figure of 60 per million inhabitants of the country. However, in the years between 1984 and 1986 judicial opposition to the system became more vocal. Judges passed more prison sentences than they had hitherto done and the prison population rose to 75 per million.

The government of the day, irritated beyond measure by this turn of events, introduced automatic two-thirds remission on all prison sentences and the prison population fell back to 50 per million. It would have been less, but for the great increase in property crimes which accompanied the changes in law. Shoplifting, housebreaking, frauds of all kinds, (especially computer frauds) and forgery showed particularly great increases. The inflation rate in the Netherlands increased to 12 per cent, and a large amount of this was attributable to increases in food prices necessary to compensate for losses incurred by increased stock wastage, increases in insurance premiums necessary as a result of the massive rise in car theft and housebreaking, and to the cost of the reappearance of corruption in the public services. Civil servants were milking the state of millions of dollars and doing so with relative impunity, since for almost all possible charges, there was a maximum prison term of one month. And another piece of legislation, entitled the Rehabilitation of Offenders (Maintenance of Employment Rights) Act of 1983 provided that no prisoner must lose his job as a

result of a prison term. Thus the state was simply not allowed by law to sack the people who were preying on it.

By 1987, the groundswell of opinion in what are most easily called the middle classes in Holland had moved strongly against penal liberalism. Towards the end of the 1980's their opinion would without doubt have led to the repeal of the legislation were it not for one crucial fact. I will state it as a general principle. When society fails to act to protect itself the most ruthless social group will prevail. Specifically, organised crime flourished in the Netherlands, and part of this involved the acquisition of political power by whatever means were available. I will give an example. Our parliamentary representative from one half of the city of Rotterdam was elected in 1989 after the deaths, in odd circumstances, of all his rivals for the seat. Soon after he was elected, he was convicted on a charge of conspiracy to murder. He was convicted of this charge and spent the next year (the maximum term possible) in prison. Upon release he took up his parliamentary duties. Before the end of that parliamentary term, he had spent a total of six months in prison for various offences associated with his official responsibilities, but when he put himself up for re-election no one opposed him and so he was returned. Similar stories could be told of many areas in the Netherlands. One quarter of all our parliamentary representatives were returned unopposed in the election of 1997 and the mortality rate among candidates who did stand was a staggering 26 per cent. Parliament was extremely ill-attended during the early months of the new term because so many of the representatives were in prison.

It is this wholesale corruption in the public service, including elected representatives, which makes the process of penal reform in the Netherlands irreversible. Middle class opinion became enraged about what was happening and vigilante groups became a common sight in our streets. These groups, as is the way with such bands, quickly became over-zealous in their aim of protecting citizens from marauding criminals. In cases where vigilante groups killed those whom they encountered, they stood a very good chance of acquittal if they came up against one of the judges who had survived from the 1970's or early 1980's. (I say 'survived' advisedly. Premature

deaths among older judges were all too common.) Even if the judges wished to convict, in many cases juries composed of members of the middle class, who refused to be intimidated by corrupt court officials, would return 'not guilty' verdicts.

The result of all this is that our streets are not safe for any citizen. Armed groups representing organised crime, or vigilante groups, roam the streets seeking people to destroy. The police and public prosecutors stay in their offices playing cards and deciding how to spend their bribe money. For any charge to be made at all, a bribe must pass from the victim or his relatives. In recent years government pressure has meant that charges made by vigilante groups are extremely unlikely to be heard. Industry and commerce are entirely in the hands of the state and both are so inefficient that our annual trade deficit increases from year to year. Our people are beginning to go hungry as goods from abroad cease to become available and our state-monopolised farms charge prices for food greatly inflated by the bribes which have to be incorporated in the purchase price. Because politics, too, is corrupt, I cannot see any way of reversing the process, short of revolution, which may not be far away.

I have told you frankly what has happened in our country. My message is this: beware penal liberalism which advances too far ahead of public opinion. By telling you the truth about the Netherlands, rather than reading the paper which my government prepared for me, I have put my life in jeopardy should I return to the Netherlands. I therefore appeal to the state of Austria, in whose boundaries this Congress takes place, for political asylum.

The Best is Yet to Be

An address by the Australian Justice Minister: UNO Social Defence Congress, 1998

Ladies and gentlemen, fellow seekers after justice, as this Congress proceeds, it becomes increasingly evident that our search for justice has led us in different directions. The developments which you each describe are consistent with the penal philosophy which you hold. We are no exception. Our particular starting point is the view that the pessimism of the 1970's was misplaced. Those who went around beating their

breasts and proclaiming that nothing cured crime, were wrong. Age cures crime. The criminal statistics of any of the states represented here show now, as they have always shown, that crime is predominantly an activity of the young. Statistics of serious crime show that crimes committed by those under 20 outnumber by ten to one crimes committed by those over 35.

The implications of this are immense. Imprisonment can be seen to be a rational response to crime. Just as wine is kept in store until it is fit to drink, so criminals are kept in store until they are fit to live with their fellows. The principle in both cases is the same. Nature mellows people and wine alike, given time. However, prison is aesthetically distasteful and some would say morally repugnant. It is also expensive to the state. The pains of imprisonment are as inevitable as they are costly. It is fortunate that we live in a time of rapid scientific advance, since the principle enshrined in the rational use of imprisonment can now be satisfied by other means.

The science of gerontology made great advances in the 1970's and 1980's. During that time it became evident that the crucial biological system in human ageing was the immune system. This, as you know, is the system which protects the body not only against invading micro-organisms but also against atypical mutant cells which may form in the body. The immune system carries out the protective function both by generating anti-bodies which react to foreign organisms, proteins and so on, but also by the formation of special cells which engulf and digest foreign cells and substances. It became evident that ageing was a direct result of the impairment of the immune system through the existence in the body of very small amounts of some chemically very complex toxins. The impaired immune system of the senescent animal is unable to produce an adequate supply of anti-bodies and/or phagocytic cells. In consequence, slight deviations in molecular structure of cellular characteristics which in a young person would ordinarily be destroyed by the immune system are no longer recognised and are permitted to grow and develop to the detriment of the animal. By the same token, impairment of cell recognition results in the development of anti-bodies which inactivate normal cells in various tissues.

The break-through which I describe is of critical importance in our system and it is for that reason that I describe it in some detail. In 1986, a toxin was synthesised which, when injected into normal young animals, would greatly accelerate the process of ageing. By 1989, the relationship between the synthesised toxin and normal body metabolism was sufficiently well understood that any animal could be aged by precise amounts. Thus, for example, a rat could be aged by one year to the day, within one hour of injection with a toxin. By this stage, the toxin was being marketed under the trade name "Geriatrin" for use in gerontological research. About this time, a distinguished geriatrician at the Royal Sydney Hospital recognised the possible application of "Geriatrin" in the penal field. If, he reasoned, a person were to be sentenced to a prison term of a specified period, this term could be served within one day of the sentence being passed, however long the prison sentence. One injection of "Geriatrin", strict observation during the period of accelerated ageing, and the prisoner could be sleeping in his own bed again that night, and society would be protected as well as if he had been out of circulation for the time prescribed.

As with all radical change, objections were made by the reactionaries and certain real difficulties did emerge, which I will describe in due course. For the moment I wish to contrast our system with that of England and Wales. The English base their system on the science of cryogenics. You will be aware that cryogenics is the discipline which deals with the lowering of body metabolism to rates where the organism is just "ticking over". By 1987, it was possible to keep people in suspended animation, pretty well indefinitely. By 1989 a number of our more wealthy citizens when diagnosed as terminally ill, had their metabolism lowered against the day when a cure for their disease was found. Up to 1990, 171 people had been restored to normal functioning after such periods in cryogenic store. The procedure was safe.

It was in 1991 that the Advisory Council on the Penal System recognised the potential of cryogenics for the humane containment of prisoners. Their report to the Home Secretary formed the basis of the cryogenic custody provisions of the 1993 Criminal Justice Act. A large under-

ground bunker in the south west of England was converted into the country's first cryogenic prison. The first prisoner placed there lost consciousness at 10.48 a.m. on 2 January 1994. The Home Secretary performed the ceremony.

What our system has in common with the scheme outlined for the United Kingdom is the awareness that family discord results when the members of the family are suddenly different relative ages. In the United Kingdom system, the prisoner, upon release, is much younger than his spouse and family (and herein I think lies the critical defect of the United Kingdom scheme), but in our system he is, on the contrary, suddenly older than the rest of his family. We have responded to the problem by providing psychiatric and social help to the families of prisoners and to prisoners themselves during the first six months after their sentence, and the injection of "Geriatrin". Much of this work was taken up by the former Probation and After-Care Service, since, after all, this is after-care in the true sense of the term.

A very practical arrangement which had to be made was the incorporation of our scheme with the well-established parole system in Australia. Clearly one could not assess, during sentence, whether someone was suitable for early release. However, it has long been known that one can predict likelihood of reconviction as well on the day when a man enters prison as on the day when he leaves it. So, immediately after sentence, there is a summary parole hearing and the decision when to grant parole is incorporated in calculation of the dose of "Geriatrin". There has been some criticism that parole as we use it is a form of resentencing, but we do not accept this argument.

Another difficulty which presents itself is evident in cases where a prisoner upon sentence is in the early stages of an as yet undetected disease process. For example, if a man has cancer when sentenced, which in the normal course of events would lead him to die before the end of his prison sentence, then the administration of "Geriatrin" is in essence a sentence of death. In the early days, some prisoners did, in fact, die as a result of "Geriatrin" injections, and there were law suits as to the extent of the state's liability for their deaths. The state successfully fought off claims for compensation,

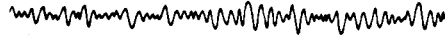
but these events are not ones we would wish to repeat. Our present arrangement is that all pre-trial reports now include information on comprehensive medical examination. Thus, if a man is in the early stages of disease at the point of sentence, it will be known and the administration of "Geriatrín" will be delayed until the relevant treatment has taken place. This is without doubt the most enlightened resolution of the problem since prisoners are thereby guaranteed early treatment of diseases which may otherwise kill them.

A closely related moral dilemma with which we have been faced is the situation of the incorrigible recidivist. Although our basic premise is that age cures crime, there are individual differences in the rate at which this occurs that we are not yet able to measure satisfactorily. Thus, there are some people who will commit crimes after "Geriatrín". A smaller number will continue to commit crimes after a further administration of "Geriatrín". These men, who by dint of their continued criminal behaviour age from early youth to extreme senility in a matter of months, indeed present a tragic problem. We have found the courts more than willing to pass non-custodial sentences (i.e. not "Geriatrín" sentences) to people who find themselves in this plight, and a number of sanctuaries for them have been provided, well away from centres of population. In the exceedingly rare cases of very old men committing serious crimes, then "Geriatrín" will, of course, continue to be administered. In such cases, death usually occurs within hours. Some of you may find this abhorrent, but, of course, it is no more heartless than a system which allows old men to die in prison.

One consequence of the introduction of "Geriatrín" was quite unexpected. At first, the number of acquittals in cases of serious crime rose alarmingly. Citizens sitting as jurors were unwilling to find healthy young men guilty of crimes, when their conviction would literally rob them or their youth. The police protested energetically at the acquittal rate but the Government reacted promptly by changing the rule which said that a finding of guilt would result if ten or more jurors in a jury of twelve agree on guilt, then a finding of guilt is entered. Since then, recorded serious crime rates have decreased greatly. This is most

evidently the case in crimes of violence and sexual crimes, typically the kinds of crime associated with vigorous youth in the past.

The saving to the state by the introduction of "Geriatrín" has been immense. We no longer need prisons, but in "Geriatrín" we have a real but humane deterrent to the potential criminal. Who can deny that, for penal systems which adopt our approach, the best is indeed yet to be?



UOH Populi

An Address by the Secretary to the Thai People's Commission on Social Pathology, UNO Social Defence Congress, 1998.

Ladies and gentlemen, I have the honour to represent the people of Thailand at this conference. I assure you that my representation of their views is a real one, unlike others who have spoken at this Congress. The democratic nature of our society gives our penal system its unique characteristics.

Forgive me if I digress into the realm of political theory. Parliamentary democracy long held sway in civilised countries of the world. The premise on which it is based is that the average citizen has not the time, and society has not the resources, to refer frequently to the will of the people. Thus at intervals of several years, individuals are elected to represent the views of the people. This view of 'lack of time and resources' was appropriate in another age, but not in ours. The working week is now so reduced that leisure is an embarrassment. Computers make it possible to have a plebiscite at very low cost. Every street in Thailand has a communal building containing a console, video-display unit and a fingerprint recognition unit and his name and electoral register number is then displayed on the video unit. He is then asked for his view on the issue of the day and presses the button appropriate to his choice. In this way any important issue can be adjudicated upon in a matter of days. There is, thus, no excuse for a system in which, having elected a representative, the electorate has no control over his behaviour for many years, until he presents himself for election again. The Parliament in Bangkok has been abolished. What we now have is a system of locally elected ombudsmen and a central and relatively small civil service and

judiciary under the overall control of a president. You may wonder what the implications of developing democracy are for the penal system. I will describe the way in which matters have evolved in Thailand in an attempt to answer that question.

When our system of participative democracy was instituted, the primary task was the development of a constitution. The items of the constitution which relate to penal matters were as follows:

Article 84: The purpose of the criminal justice system is to punish those who offend against the people according to the will of the people. No punishment should be held to be outside the realms of humanity or be proscribed on any ethical grounds if it is the will of the people that it shall be used.

Article 85: Acts to be considered as offences against the people will be selected by the people at intervals chosen by the people. Offences punishable by death carry the right of appeal to the people. Other offences involve no right of appeal.

The outworking of the Articles of the constitution was made in the penal code of 1989. The people decided that certain key posts in the system should be regularly elected and re-elected by the people. Notable among these posts were senior policemen and judges. The full records of these officials were available to the people on video units at the time when they were elected. Their terms of office were three months. The penal code provided a range of offences and mandatory punishments. By contrast with the acts which are offences in representative democracies, the people of Thailand regarded as offences more acts which were immoral or obscene. For example, sexual acts between people of the same sex are offences in Thailand. So are sexual acts between people whose ages differ by more than ten years. The Thai people thus regard as obscene liaisons between old men and young women or vice versa.

As for obscenity in published material, this caused something of a problem. It was resolved by not treating any published material as obscene unless ten or more people complained to their ombudsmen about it. Then the issue had to be put to the people. Because the material was potentially obscene, what the people saw on their video display

unit was not the obscene material itself but a description of it by the ombudsmen who had received the complaint. The other major characteristic of the penal code, when it is compared with the codes operating in elective democracies, is the greater degree of realism in the sentences, a realism which would be called harshness by the so-called "representatives" of the citizens of elective democracies. To the people of Thailand, it is amazing that in countries alleged to be democracies, penal sanctions have so consistently and so grossly been out of line with the sanctions required by public opinion. I challenge any of you to tell me a time in your history when the majority of your people has not been in favour of the death penalty. The people have always been realistic enough to realise that, as the Old Testament of the Bible had it, "He who sheds man's blood, by man shall his blood be shed".

Murder, rape, police corruption, attempts to falsify election results, second or subsequent offences of homosexuality, and all property offences involving amounts over £100 sterling are punishable by death in Thailand. The police are assiduous in their attempts to detect crime, since it is known that senior policemen whose forces have been most successful in bringing to sentence those guilty of capital offences are popular with the people. Decapitation is the preferred mode of execution in Thailand, and as one cynical police chief has it, as far as the police force is concerned, "Heads is votes". Appeals against the death sentence almost always occur upon conviction. As I have indicated already, these have to be decided by the people. What happens here is that the public television channel re-runs the evidence in each case and at prescribed times, people are invited to vote on the appeal.

There are two interesting points here. The first is that no appeal has ever been successful in the history of the new penal code. This shows the realism of the Thai people. The second is that the enthusiasm with which the Thai people approach their responsibilities is reflected in the fact that in one of the regular plebiscites on television coverage, the people demanded that the evidence in murder cases be shown on their television screens earlier in the evening, nearer peak-viewing time, because they could not get their

children to go to bed before they had seen the murder trials.

An incidental advantage, which has been mentioned by many of you in your description of your system, has been the cheapness of ours. Given the computer system which is central to our whole Government administration, and therefore whose cost should not be attributed to the penal system, the costs of the penal system to society are very small. The penalties which the people prefer are cheap penalties. Prison is an unpopular penalty and we have only one prison left in the country. Preferred methods of disposal of offenders is by death, amputation of limbs, branding and birching. The old ways are the best ways.

The teething difficulties which we experienced with the system centred around two issues. The first was what questions should be put to the people, and what could be decided by civil servants. The problem was less acute in penal matters than it was elsewhere for the simple reason that deception of the people is the most serious crime in our penal code. This is the only offence for which the mandatory penalty is hanging, drawing and quartering. Given this, and given that any civil servant can be convicted of it by a judge on the representation of two or more police officials or ombudsmen, the pressures on civil servants (including ombudsmen and police officers themselves) is very much to refer to the people any question of any degree of importance. The precise form in which the question is asked of the people is decided by a committee of three ombudsmen. This, in practice, ensures that the questions are asked in a balanced way and do not predispose the answerer in one way or another.

The second difficulty which we found with our newly developed system was the temptation to police corruption. In one of our provinces a corrupt police chief who feared not being re-elected at the end of his term developed an ingenious and almost successful method of subverting the justice process. What he did was to murder many of the electorate, chop off their fingers and then, at each plebiscite, go into the computer polling booth with a large box full of fingers. Each finger was placed in turn upon the fingerprint recognition unit, the name of the elector appeared and the police chief voted on behalf of that elector for the

answer which he favoured. For a number of weeks this tactic was successful. Many issues were decided by the votes of dead electors. However, as the fingers began to decompose, the fingerprints became increasingly blurred. A team of computer engineers were sent from Bangkok to service the fingerprint recognition unit. Traces of tissue on the unit revealed what had been happening and they escaped to tell the horrifying tale. Policemen from other provinces were sent to arrest the corrupt official. When the full facts became known to the people, it became evident that there would have to be some system of surveillance of each police force by the others. As a result, each police force now has a small undercover unit, operating in each of the others. Any hint of police corruption will quickly be brought into the open and the offenders mercilessly dealt with.

I can see that some of you are horrified by the ruthlessness of our system. To you I say the people will not be denied. For too long so-called democracies have been effectively oligarchies of the powerful. The methods of selection of parliamentary representatives were such as to ensure that they, in fact, did not represent the people. They represented narrow sectional interests. The usual spurious justification of this state of affairs was that their opinion was more "informed" or "enlightened" than that of the people they represented. What arrogance! What double dealing! What a farce when called democracy! When computers made possible true democracy, the implications of the advances were to be charitable, unrecognised by the leaders of the democratic world, or much more probably, were deliberately and systematically stifled by them. The idea that an electoral system developed in the age of steam railways is relevant at a time of instant world-wide communications is too absurd.

However, I have one crumb of comfort for those who find the letting of human blood offensive. There is a natural limit to the number of executions which take place in our country. Judges who too readily sentence offenders to death are no longer now so popular. For most people, two hours viewing of capital cases every night on television is enough. (There is also the problem of getting the children to bed, as noted before.)

continued on page 16

degrees OF IMPRISONMENT

Prisoners and the Open University in England and Wales

by Gloria Laycock and Moira Griffiths

The goals of education in modern society have become increasingly complex as educational provision has increased in scope. This is nowhere more true than in prison. The prison education system, which grew from the belief that reading the bible under the tutorship of the church would have a reforming influence, is very much part of the modern prison service. The reformatory goal has been somewhat set aside in recent years with mounting cynicism about the efficacy of all aspects of institutional treatment. Nevertheless, educational provision remains a very necessary part of a humane system of imprisonment. Prisoners of all levels of intellectual ability are able, if they wish, to find some suitable educational course during their period of imprisonment.

One of the more recent innovations in the prison education system has resulted from a collaboration between the Prison Department and the Open University. The OU was established to provide opportunities "of higher education to all those who, for any reason, have been or are being precluded from achieving their aims through an existing institution of higher education." (Report of the Planning Committee for the Open University to the Secretary of State for Education and Science, HMSO, 1969). Such a system was clearly tailor-made for prison inmates. Even the methods of teaching are suited to prisoners based as they are on

written material sent through the post, tutoring in small groups, and radio and television broadcasts. The OU policy of making no educational pre-requisites for registration also helps prisoners who, on the whole, have failed to benefit from their early schooling. The suitability of the OU can be judged from the fact that in the first year of its operation, courses were introduced on a trial basis in two maximum security prisons, Albany on the Isle of Wight and Wakefield. The response from prisoners was such that OU facilities have now been made available in a further 25 institutions.

In an attempt to gauge the success



Gloria Laycock graduated in psychology in 1968 from University College, London. She then joined the prison service as a psychologist spending ten years at HMP Wormwood Scrubs during which time she completed her Ph.D. The work associated with the present article was carried out whilst she was a prison psychologist although she now works at the Home Office Research Unit.

Formerly in market research, Moira Griffiths is now a Research Assistant in the Survey Research Department of the Open University dealing with requests about student statistics. She is also involved in more long term research, including this prison study and work on women studying with the Open University.

of this joint venture, a survey was carried out in 1977/78 by the authors, involving the education staff and inmate students in all the then OU designated prisons and selected members of the OU staff. In addition a sample of inmate students in three of the larger prisons were interviewed in order to obtain information not available in records. This article is based on the results of that work.

On the whole it is the prisons housing the longer term inmates that offer the opportunity of studying with the OU. This is partly because the Home Office requires that a prisoner enrolling for a credit course should be able to complete the course whilst in custody. Allowing some time for administration this in effect means that prisoners, after remission has been taken off, must expect to actually serve at least 18 months. All seven maximum security prisons are included in the scheme, as are a selection of other prisons with various levels of security, including three open institutions. This increases the possibility that a prisoner may continue with his/her studies whilst progressing through the sentence. OU prisoners would only be transferred to an establishment not running the scheme on the grounds of conduct or geographical location (e.g. to facilitate family visits).

In any one year nowadays over 100 inmates are registered for OU courses; at least one-third of these have been studying with the OU for three years or longer. Almost half of the inmate students are serving life sentences, and all but about 7 per cent are serving over five years. This concentration of long term prisoners is partly because the facilities are centred on maximum security establishments, but it also reflects the concern of men serving long sentences that they should not stagnate intellectually during their sentence.

Any prisoner in an appropriate institution with a sufficiently long sentence may apply to register for an OU course. The OU policy of open admissions applies to prisoners, and so far they have accepted all prisoner applicants. The Home Office reserves the right to refuse prisoners permission to register on security or medical grounds, although refusal on these grounds is rare. Additionally some academic criteria (e.g. an appropriate standard of literacy) are applied by

Prison Department education staff. The extent of this varies from one institution to another, and is based upon staff concern that prisoners should not embark on a course with no chance of success when failure may be profoundly disturbing. On the whole the criteria are applied gently and unsuitable inmates are usually advised to try a less ambitious education programme as a first step. There is some evidence that the OU support this selection process. As one member of the OU staff wrote in response to the survey:

"... the opportunity to work on OU courses is a most important provision to prisoners and we should do all we reasonably can to safeguard it, but some consideration should be given to the means by which students are selected as eligible. I don't feel it is necessarily a service to prisoners to provide an opportunity which may merely end in a sense of failure or humiliation."

This remark reflects the concern felt by OU staff at the number of inmates who register but do not stay the course, the implication being that it is too difficult for them. However, it is not just the lack of intellectual ability that causes inmates to drop out of the scheme, as some stop for personal reasons such as an inability to get on with fellow students. Others may be transferred to a non-OU institution, and some stop because of frustrations in quite separate areas of their lives such as a lost appeal against sentence or a failure to get parole. Similar disappointments would make studying difficult for any student, although the number of prisoners giving up would certainly be higher were it not for the efforts of the education staff, both in prisons and from the OU, who spend a lot of time counselling, listening to frustrated angry inmates and generally sympathising until the crisis is past and work can begin again. In fact, of the 104 inmates registering in 1977 on whom we were able to gain information 24 per cent withdrew from all their courses before sitting the exams at the end of that year (this compares favourably with the general population).

Even the administration of the OU in prisons is not plain sailing. First the choice of courses has to be restricted largely to the social sciences and the arts. Science and technology courses, although much in demand from students, are not

generally permitted for a variety of reasons, many of which concern security. For example, several courses require students to carry out experiments at home using materials such as chemicals, which are clearly a risk in a large prison although not all kit-requiring courses are necessarily unavailable. Social sciences are a popular alternative, and in practice although several inmates regretted the constraints on course choice, these were not sufficient to discourage them from enrolling with the OU. In fact the sample of 104 students were registered in 1977 for a total of 47 different courses, many of these courses being run for just one student.

A second problem arises from the fact that prisoners do not have unlimited access to TV and radio. In the case of radio, OU programmes are broadcast on VHF, but because of security regulations VHF radios are only allowed in prison under staff supervision. In most institutions cassettes of radio programmes are available, and inmates may listen to these in their cells if they do not hear them in the education department. TV is a greater problem. Programmes tend to be broadcast when prisoners are locked away or are otherwise unavailable because of the organisation of the institution. Even if the inmate students can watch TV in the wing association area at the appropriate time there will almost certainly be a number of other prisoners present, most of whom will not choose to watch the OU programmes if there is any alternative. With TV then, as with radio, it is left to the education officer to record the programmes, for showing at more convenient times. Consider for example, the logistic problems for staff in an institution where six prisoners are each taking a different course! This is overcome in many cases with the help of time switches and the only complaints we found from inmates were related to the fact that the machinery was often breaking down (in at least three institutions no TV programmes had been seen for a large part of the year). These difficulties may perhaps be reduced if a central store of recorded TV programmes could be made available. The Home Office has already moved in this direction with the establishment of a library which helps to make OU books more readily available to prisoners, and cuts down

on unnecessary duplication and expense.

In addition to sending out vast quantities of written material (for which special censorship arrangements have to be made in closed prisons), the OU also runs week-long residential summer schools in association with some courses. It is not possible for most inmate students to attend these although they are extremely popular with other OU students, and are as close as most OU students will get to life at a conventional university. Attendance, however, is sometimes possible in the case of students who are inmates of open prisons. The importance of the summer school is recognised by the Prison Department and despite all the problems of timing, finance and facilities, some sort of substitute is provided in most institutions. These efforts are much appreciated by the inmate students, although often the only alternative can be the provision of extra tutorials. In more than one institution, however, the summer school was held at the prison with 'outside' students coming in. This was generally acclaimed as extremely valuable since contact with outside students was often referred to favourably by those inmates interviewed and was also mentioned by staff. One OU staff member commented —

"The interned world of the prisoner must inevitably lack the effects of mixing with people of like interests and enthusiasms; that alone is a refreshment to other students — they get away from their domestic and work contexts; but prisoners cannot. In many ways I think this is the most important intangible."

This touches on one of the most crucial differences between inmate students and the majority of other OU students. Prisoners are living and working in a hostile environment, and lack the support of family and friends enjoyed by the majority outside. As John McVicar claimed —

"One of the big problems at the moment is the isolation of the OU student-convict. For many of them immersion in the educationally-cold mainstream of the general convict body tends to dilute their aspirations." (Times Higher Educational Supplement, 22 September 1978).

McVicar's suggested solution was the establishment of a 'penal

university'. Although this idea is attractive it is unlikely to be realised if only because of the cost. In some institutions the inmates themselves organise self-help groups. Counseling by education staff and Open University tutors is intensive but it is difficult to see what else can be done to reduce the feelings of isolation, an extreme and fortunately rare example of which was reported by an OU tutor. He told us that one intelligent and conscientious student had all his books, notes and course materials burnt by other jealous inmates.

Jealousy was also referred to by OU staff who felt that prison officers sometimes resented the opportunity being given to the prisoners. This was not seen as particularly widespread by the inmates with whom we talked, although some did feel that staff basically did not approve for a variety of reasons. On the whole, though, they found that staff, like most other prisoners, were not really interested in the scheme. There were exceptions. One inmate wrote that the officers he had closest contact with "seem to show an appreciative interest and encouragement".

It was suggested that such resentment as there was, was exacerbated by the fact that inmates' fees are paid by the Home Office. In fact the cost is not at all excessive bearing in mind that as well as providing intellectual stimulation, higher education provision serves as a very effective method of controlling inmate behaviour in a manner which actually benefits the inmate — definitely preferable to some more punitive alternatives. That the prisoners rush off with their books in search of a quiet corner is certainly to the benefit of the staff.

Finding a quiet corner in prison is not as easy as some might think. The assumption that prisoners must be in an ideal situation in which to study, blessed with plenty of time and cellular solitude, is a long way from the truth. Inmate students like other prisoners are expected to work during the day, although they are allowed up to 10 hours off work each week for study. This concession came about because of the enormous difficulty inmates have in studying in the evening and the lack of Summer School facilities. Prisons are extremely noisy places and many prisoners find that the only time they can work effectively is in the small hours. Instead of the patter of tiny feet as a

distraction, the inmate students have the clumping of boots and the clanging of gates. Additionally not all inmates are housed in single cells — some share cells and some live in dormitories. For these the cellular solitude much acclaimed by Jeremy Bentham, although not for the purposes of OU study, has fallen prey to the overcrowding of the times.

Despite the problems, the time, the cost and for the inmates, the frustrations, there can be no doubt that the provision of OU facilities to prisoners is a success. This is true both in educational terms (they do pass their exams*) and on humanitarian grounds. In fact the question of what to do with the small but growing number of prisoner graduates remains to be solved. There is a possibility that they may, if they wish, take on a tutoring role themselves, register for a higher degree or even start another undergraduate course. This particular issue begs the question of what an OU degree qualifies one to do and what aspirations may reasonably be encouraged. Prisoners were remarkably realistic in what they expected to achieve by gaining their degrees. Most saw it as a useful and constructive means of filling the time, rather than as a passport to a successful career on release. This feeling probably accounts for an observation by a member of the OU staff that

"the little evidence that we have so far shows that excellent inmate students almost always drop their studies on release."

Regardless of whether or not they complete their studies, they have had the benefit in prison of an educational experience which they might otherwise not have enjoyed. As one prisoner maintained:

"had I pursued whatever talents I've now begun to acquire sooner, I would never have ended up in prison serving a sentence of 15 years for armed robbery".

Hopefully he did not mean that he would be serving 20 years for fraud!

* In 1978, 83 prisoners sat for 108 Open University examinations and passed in 86, a success rate of 79.6 per cent. Among them were 7 who qualified for their degrees.



*all men
are equal...*

BUT WHAT ABOUT WOMEN?

JOY KINSLEY

*talks about being a Woman Governor
in charge of a Male Establishment*



After extensive hospital and district nursing experience, Joy Kinsley qualified as a Mental Welfare Officer and worked for Bedfordshire County Council for some years. She joined the Prison Service in 1966 and served at East Sutton Park, Holloway and Risley before being appointed Governor of Bullwood Hall Borstal in 1972. She transferred to take charge of Pucklechurch Remand Centre in 1977 and was appointed D.R.D. (Young Offenders) in the South East Region in 1979.

Many months ago, I was invited to prepare an article for the *Prison Service Journal* as a woman governing a male prison, but I have found writing about it more daunting than the experience itself. I believe it is an important subject and my reservations in writing about it are to do with recognising the delicacy of a situation which can give rise to considerable feeling and cause all of us to question attitudes and stances which we have comfortably lived with for years. I believe, too, that the recent sex discrimination legislation could have a very far-reaching effect within our society, much more so than was probably envisaged by the legislators at the time. I was the first woman governor to be in charge of a male institution but having been in post at Pucklechurch for over two years, I can now more easily acknowledge my own reservations about taking on the job in the first place, realising—as I did—that a great deal might depend on my success or failure.

Pucklechurch Remand Centre is not a large or a particularly complex institution and I assume that it was carefully chosen as the first institution with a male wing to have a woman governor in charge. There is a women's wing at Pucklechurch but the male wing is the larger part of the establishment. Not only was this to be a test for me, but also for the

staff, because they could have made it is very difficult indeed if they had adopted chauvinistic attitudes. In fact, I found them helpful and very willing to co-operate with me.

Five and a half years as governor of Bullwood Hall Borstal, ensured that I was no newcomer to the governor's job or to difficult situations, but women — even young women — are

happily still different from their male counterparts and I had not dealt with a male institution before. I had the advantage of having been the Assistant Governor in charge of the women's wing at Risley Remand Centre which had a male governor; and, at Bullwood, I had received the first male assistant governor to work on the women's side of the Service. He was closely followed by two others and, anyway, the number of men on the staff was increasing. This meant that I had enough experience to give me an insight into the varying temperaments of male and female staff and inmates — there are differences and I like to think that I am conscious of them. Generally, it can be humiliating to a man to feel that his masculinity is challenged; a woman usually expects certain standards and demands fairness at all times.

Expectation

My first reaction to my posting was to

skate over the matter with a mixture of flippancy and nonchalant good humour, but the truth is that it was a bit more difficult than that. I was both apprehensive about taking over a male establishment and, at the same time, disappointed to be moving from a troublesome and difficult borstal back to a remand situation in an establishment that was not much larger than my wing at Risley had been. (I might add that the numbers at Pucklechurch soon rose and, with the exception of my initial posting, it remains an uncomfortable characteristic of my postings that the population always seems to increase!) Although I found it peculiarly hard, in spite of my own apprehensions, to see the challenge of Pucklechurch, I must now admit that there was a challenge and that I gained a beneficial insight into the Prison Service from a completely new angle.

I remember my first visit very well. The staff, of course, knew I was the new governor and, no doubt, we had all done our homework. The staff "grapevine" is surprisingly good — a factor which I think is not always appreciated in the more bureaucratic recesses of what used to be Whitehall! We were all obviously apprehensive. First impressions are always vital and I had to strike the right chord. I wanted them to be conscious that I was a woman, but was very aware that I must not overplay that aspect. After a tentative beginning, we quickly came to respect each other's roles and professionalism.

Exploration

There are two main areas which caused staff concern. The first was what would be my reaction to visiting young male inmates and possibly finding them in various stages of undress. They soon learned that there was no reaction. My previous nursing experience was a help to me here and I like to think that I am well able to cope with potential embarrassment quite adequately. I believe that you should always be sensitive about other peoples' privacy and respect their feelings whether they are men or women.

The second apprehension concerned my ability to handle discipline and adjudication. The test, of course, was not long delayed and contained various stages. Very soon, a young man on report gave me a mouthful of abuse and, for a moment, I was back at Bullwood and feeling quite at home! Not so my Chief Officer, who

clearly and understandably felt embarrassed to hear a woman abused in this way by a young man. It was a critical moment, but I tried to take account of staff feelings and, at the same time, objectively dealt with the young man. I think I also brought with me something of a borstal governor's attitude to discipline, which is not inappropriate when dealing with a population of young offenders. The message went round that I was quite capable of imposing discipline and was not afraid to deal with potentially embarrassing situations. These were two very important factors because I am sure that some of the staff wondered if I might let the young men "get away with things" in a way which might equate with some men's view of a "mother figure".

The male inmates were not to accept me without at least some display of strength. Eventually, two did barricade themselves in their cell as a protest against my disciplinary measures and demanded to see me. They did—the next morning on report—and, after that, it would appear that the inmate population got the measure of the new governor and vice versa! I might add, though, that a woman governor adjudicating has to ensure that the young male offender is left with enough self-respect to survive the situation without undue humiliation.

The women's wing is very much a part of Pucklechurch and did cause me moments of considerable thought and heart-searching in my new role. It was comparatively simple for me to take command of the wing, given my previous experience. At the same time, I was very conscious that—because I was confident and at ease in that situation—I could concentrate my efforts in that direction almost as an escape and to the detriment of the rest of the establishment. Fortunately I did recognise this possibility and I tried to ensure that my involvement has been evenly divided. I have thought, however, that it might have been better, or less tentative, to test a woman governor in a totally male establishment rather than a mixed one.

Legislation

If my posting was a result of the sex discrimination legislation, I do not remember actually being told that it was, but the implications of such a policy was certainly there. This is a pity, really, because the Prison

Department had for some years been quietly progressing in this direction, but the legislation has somehow polarised the whole issue, bringing out the male/female conflict in ways that are often unhelpful rather than allowing natural talents and trends to develop. Personally, I have never fought for equality—I was doing quite well anyway! One of the reasons that I was not conscious of any inequality was that, in all my jobs, I have received equal pay with my male colleagues. In addition, I reaped the benefits of being a woman and so I have possibly lost something by attaining equality.

It is interesting to speculate whether changes in staffing could spread to other grades and if there would be other problems. The Police Service, for example, is reported to have been experiencing some difficulties as a result of the increased recruiting of women officers. I feel that we have got to be very sensible about the whole situation. I can see little point in flooding either type of establishment with staff of opposite sex just for the sake of it. We should give officers of all grades opportunities, but only if they are the right people and are confident of their own ability to adjust. For male or female, we could cause disaster and retrogression if we move too quickly or insensitively.

Co-operation

Two years at Pucklechurch taught me many things and reminded me of some others that I had almost forgotten. After Bullwood, I believed that I could cope with most of the difficult situations that ordinarily come a governor's way but I have learned that, in a mixed establishment, staff relationships and social co-existence within the institution and its environment are of vital importance. These were two areas to which I chose to give high priority when I arrived at Pucklechurch. I believe that, with co-operation and mutual respect, and—dare I say it?—with a bit of the woman's touch, I was able to improve these aspects. I feel that I gained an invaluable experience as a woman posted to a "man's world". The Prison Department previously acknowledged that it was a good decision to choose Pucklechurch Remand Centre for the initial experiment because I have now left for the misty realms of the 21st floor of Tolworth Tower and I have been succeeded by another woman governor. ■

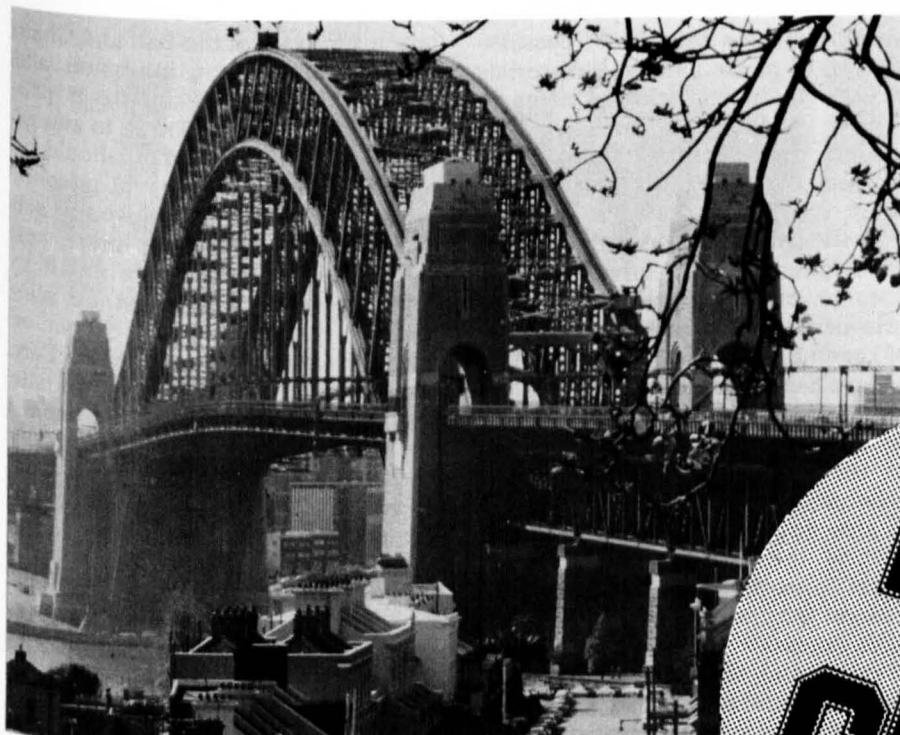


Photo by courtesy of the New South Wales Government Office, London.

by B. L. A. Estlea

*Assistant Chief Probation Officer,
West Sussex Probation and Aftercare Service*

the BALL and CHAIN

Lieutenant Arthur Phillip sailed from Portsmouth on 13th May 1787 in command of 11 ships carrying 800 convicts, and arrived at Botany Bay, Australia on 18th January 1788. The British Government had chosen this site as the place on which to establish a penal colony to relieve the inhuman overcrowding in British prisons.

But Phillip was disappointed with the place. It was too flat, offering no shelter from the winds, and there was no fresh water. Phillip sailed north to explore Port Jackson which Captain Cook had by-passed, merely noting that inside the two rocky headlands there appeared to be a good deep water harbour. About four miles into this harbour, Phillip found what he wanted—a small, well-sheltered cove with a small stream of fresh water running into it. On 25th January, Phillip anchored his fleet, naming the cove after Viscount Sydney, Secretary of the Home Department and Administrator of Colonial Affairs.

So began a radical penal experiment, and the birth of a new nation. On the same spot, nearly two hundred years later began another radical penal experiment. On 11th November 1976, The Ball and Chain, a prisoners' Art and Crafts shop was opened as I discovered on a recent visit to Australia. Nestling in the shadow of Sydney's famous Harbour Bridge, Sydney Cove and the adjoining Rocks area are in process of being

redeveloped as a major tourist attraction. The evidence of hard manual labour by the transported convicts can still be seen where roads have been carved through the sandstone rocks, and the massive warehouses that were built to assist in the creation of the new colony are now being converted into a living museum. It is here, in Argyle Street, that the Department of Corrective Services decided to site their new project.

More than just a shop and art gallery, it aims to encourage self-dependence amongst prisoners as well as bringing to the attention of a wide public their skills and talents.

Paintings, marquetry, leatherwork, lapidary, hand-made wooden furniture, moulded chess sets, copper plaques and souvenirs are part of the large range on display for sale. As significant, is the prisoners' newspaper 'INPRINT', and I was astonished at the quality and content of this publication. A hard-hitting publication, its Editorial policy seems to be to print anything that is not actually libellous. Thus, the front page lead in the edition I bought is by a serving prisoner who challenges the Chief Justice, the High Court and the Attorney General whom he claims are violating his rights under the U.N. Charter of Human Rights, while on



Joined the Probation Service in 1963, and worked in Coventry for 7 years until appointed Senior Probation Officer in Dorset. Was for 2½ years Senior Welfare Officer at The Verne before his appointment to his present post as Assistant Chief Probation Officer, West Sussex, where his responsibilities include the Probation Service at Ford Prison and membership of the Local Review Committee. Open University graduate 1976.

the back page is a large photograph of a transvestite mime act performing in one of New South Wales' gaols! Published every other month, *INPRINT* has a lively letters page, sports coverage by leading professional journalists and articles on such issues as sentencing, and parole. Alongside this paper, our *NACRO* broadsheet *INSIDE OUT* is insipid and uninspiring.

As a tourist, and on my last day in Sydney at that, to stumble upon The Ball and Chain was both startling and frustrating. There were many questions that were left unanswered for me, and having worked in prison myself, I was aware of the dangers of being misled by a well mounted public relations exercise. Nevertheless, from observations and discussions on the spot, and in subsequent correspondence, I remain impressed with this project and would like to see some similar imaginative enterprise in England.

The shop is staffed by serving prisoners under the direction of a qualified manager. Four prisoners serve on the Management Committee. Their responsibility is to maintain the confidence of their fellow inmates on whom the shop relies for its wares, as well as to steer the project towards financial self support. The Committee provides regular and accurate feedback on all aspects of its work, and detailed accounts are published in *INPRINT*, which also offers regular guidance on profitable products, advice on methods and techniques, and on appropriate pricing.

Altogether, eight prisoners serve in the shop, and in November 1977, the Personnel and Training Section of Rank-Xerox Australia agreed to establish a sales training programme for these men.

From time immemorial, prisoners have whiled away their captivity by amazing feats of creativity. I was surprised to find in a small town museum in New Zealand a beautifully carved sailing ship carved from meatbones by a French prisoner of war while detained at what is now HM Borstal, Portland, and this tradition continues today. I understand that many of Australia's grandest homes and museums are graced with the work of early convicts, and that with the encouragement of trained teachers, supplied by the Department of Corrective Services, many of today's prisoners are able to develop talents they

were previously unaware of possessing. Many of the tools and materials used to create the variety of items on sale at the Ball and Chain are supplied by the Department and deducted from the sale price of the item. Most institutions have a full-time Activities Officer, and although the development of creative pursuits does have a reasonable priority on prisoners' daily schedules, the work of keeping the gaol running smoothly always has top priority.

Despite my inherent scepticism the project impressed me, for a number of reasons. Apart from the public relations shop window, it does seem to provide prisoners with a real outlet that at the same time encourages them to work for their own rehabilitation. Others can better comment than I upon the therapeutic rewards of creative and skilful work, but I am more interested in the immediate financial rewards for the prisoner and his dependents. It has always seemed to me a good idea to encourage prisoners to provide for their families and for their own needs on release. In England, the Prison Department has always seemed to be more concerned with allowing every prisoner an equal share than in encouraging individual initiative. I recognise problems in the Australian approach but believe that the English approach results in a lowering the standards and a dampening of any initiative.

Paternalistic socialism versus liberal capitalism? May be our recent change of Government would encourage similar initiatives in the English prison system?

A prisoner wishing to offer his



product for sale at the Ball and Chain has to stipulate the minimum and maximum price at which he is prepared to sell. He is allowed to amend these prices at a later date should he so wish. Once fixed by the prisoner no member of staff is allowed to sell the product outside these limits, and should the original article result in repeat orders, these must be allocated to the prisoner and cannot be transferred to another prisoner. Care is taken that no favouritism is made for the sale of items made by prisoner friends on the shop's staff. Any breach of this rule results in dismissal, the staff having been placed in a position of trust, have risen to the responsibility vested in them.

From the sale price of any item 30 per cent is retained by the shop towards covering overheads. In the first year of operation, the shop had a turnover of \$50,000 (about £25,000), and some prisoners had earned over \$1,000 (£500). The financial success of The Ball and Chain is exceeding all expectations; over 500 prisoners and their families have already benefited. In its first 26 months of trading the shop had a gross revenue of \$130,697. Forty three per cent of this, i.e. \$56,645 was returned to the shop and 54 per cent to prisoners—\$70,998. The balance was accounted for by sales taxes and credit card fees, etc. Sales would have been higher but for renovations being carried out in 1978 which restricted sales for a time. The Department of Corrective Services current annual expenditure for fully maintaining the shop is \$68,402.

Initiated by the Programmes Division of the Department of Corrective Services, New South Wales, the Ball and Chain was designed to involve prisoners in management decisions and to be primarily staffed by them. A further training opportunity was gained from teaching prisoners to deal directly with the public in a low-key sales relationship, giving them experience in shop management, retailing principles, merchandising, inventory control and book-keeping.

According to the Department, some of the benefits likely to accrue from the project are:-

1) an opportunity for many prisoners to demonstrate natural and/or acquired talents as a means of personal development, a means of recreation away from the boredom of gaol, or, hopefully, as a contributor to rehabilitation,

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IMPRISONMENT: PASSIVE OR ACTIVE?

Barbara Human

Probation Officer, ILP & A/CS



The 'hard liners' and the 'do-gooders' have the same aim: a crime-free society. Arguments between them are bedevilled by confusion about the function of prison—punishment, rehabilitation or both. Clarification is hindered by the presence in prison of those for whom imprisonment is unsuitable.

The first group comprises the alcoholics. They are sick and not 'criminal'. Non-penal "drying-out" centres are not yet extensively available or evaluated. Hostels do exist, but the "court drunk" may regard even the most basic hostel as an encroachment upon personal liberty. The magistrate may, as an act of compassion, sentence him to 14 days to give him shelter, food, care and to protect him from himself. Thus the courts use the prison system in the absence of compulsory "drying-out" centres where constructive treatment could be given.

The second group comprises the mentally ill and those with personality disorders, often committed to prison because the psychiatric hospitals cannot or will not admit them. They can find themselves in prison for the protection of their neighbours.

If our prisons could be relieved of the alcoholics and the mentally sick, then overcrowding could be considerably reduced.

Treatment of Criminals

I believe that punishment can co-exist with rehabilitation. At present punishment is confused with degradation. "Slopping out" is the worst of several ways in which a man may be deprived of his self-respect. A man without self-respect will never reform his behaviour. I suggest that

quite spartan conditions can co-exist with hygiene and that a regime of cleanliness and hard work should replace one of filth and idleness. There are indications that long sentences are counter-productive when they are imposed to punish the prisoner rather than to protect the public. Several men have told me that they would have preferred a shorter sentence with some real physical suffering both to meet their desire to be punished and to enable them to resume family burdens at an earlier date. By "physical suffering", they meant hard and physically exhausting work.

The worst failure in the prison system is the absence of any form of training for responsibility, when the majority of prisoners have turned to crime through weakness and ineptitude rather than through positive villainy. Leyhill is a shining exception from this criticism because it's prisoners themselves take charge of a variety of work projects, albeit with the prison officer ultimately responsible. In too many other prisons, only the staff are allowed to have ideas and to make plans. In closed prisons, the model prisoner is the one who simply vegetates and gives no trouble.

It is urgently necessary to give prisoners more activity and scope for initiative. Such pleas are invariably

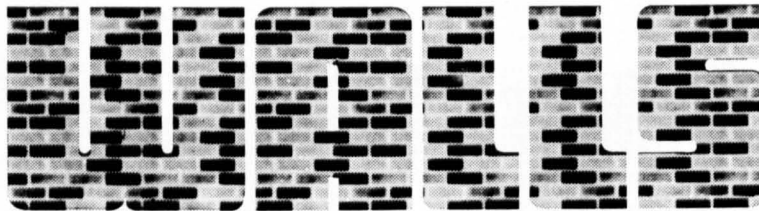
After taking her BA (Hons) at London, Barbara Human worked in London before joining the HQ of the Church Missionary Society in 1949. She became an Anglican missionary in 1954, working in the then Northern Rhodesia (now Zambia) and returned to the UK in 1965 for family reasons. Whilst in Africa she was for a period a nun, and had her own newspaper column as well as broadcasting on Lusaka Radio. At home in London she became a Samaritan, relinquishing this work on joining the Probation Service in 1966.

stifled at once by the statements that our prisons are overcrowded and short of staff and that security would be threatened by alteration in the pattern. This argument can and should be challenged.

Leyhill has shown what can be done in open prisons. The following suggestions are intended mainly for closed prisons. I have already outlined a method for relieving overcrowding. As for staff shortages, there may well be more volunteers for the Prison Service if the officer's task were more interesting and varied, working constructively with prisoners. The security risk is perhaps over-rated. In any prison, only a small number of inmates are physically dangerous in all circumstances.

A great increase in the number of prison officers would not be necessary if prisoners were put in charge of work projects on the Leyhill pattern. It would not be difficult to hand over some tasks to selected prisoners with an officer simply to keep a check on them giving advice and correction when needed. This plan would obviously still leave large numbers of prisoners in subordinate, unskilled

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—an exercise in communication

Lecturers: Julie Holborn, M.A. (Econ), Probation Officer, Middlesex

Tom Abbot, Assistant Governor, Prison Service College, Wakefield

Held under the auspices of the University of London, Department of Extra Mural Studies. At Wye College, Kent, as part of the Summer School.

John Reed

Prison Officer, HMP Coldingley

The lovely rural town of Wye in Kent, with its old and somewhat quaint college, was the setting for a course recently, the course members coming from the Prison Service and the Probation Service. An assistant governor from the Prison Service College at Wakefield, four prison officers, and one borstal officer ('the insiders') were joined by a psychologist from Wakefield prison. 'The outside' group, ably led by Julie Holborn, a probation officer from Southall, comprised five probation officers with various posts in and out of prisons. I have included the two tutors in the groups because they were essentially members of the course rather than tutors in the proper sense.

The subject of the week was 'Walls—An Exercise in Communication', hence the presence of representatives from the Prison Service and the Probation Service. We were there to give of ourselves and to expect others to do the same. The end result was to be a better understanding of the difficulties that both groups faced in their daily tasks; this we achieved.

In order to relate in an organized fashion our various employments, we formed two groups and, for a couple of days, solidarity with the group was felt by all. Even this barrier however, was quite soon broken. As a prison officer, I was amazed at the variety of hats that the Probation Service have to wear in the outside world. A rather hazy picture of the Probation service was transformed into a clear portrait of an immensely caring profession with numerous roles to play.

Knowledge of such subjects as Community Service Orders and the supervision of those offenders released under licence, was gained by an open and frank discussion. A practical demonstration, entitled 'Strings', gave a vivid description of the many ways in which a young offender is pulled at the same time. That exercise, above all else, will leave a lasting mark on me.

A great deal of time was spent on showing various ways of communicating. From this came lessons from which we all benefited. The two groups began to understand the sorts of barriers that come between us, our customers, and our colleagues. An interesting point that emerged was the impression that members of the course had when first seeing each other. Certain of the prison officers were thought to fit into the stereotype of the probation officer—one of the drawbacks of judging by appearance. How many times do we do this each and every day? It is easy to conjure up a picture of the sort of person you would expect to find in a certain role. The prison officer, perhaps, with his heavy boots and slashed peak, swaggering walk and very much the disciplinarian. The same could be said of the probation officer's image:

sandals, jeans and T-shirt—hippy types, living in communes. Here, living and learning together, the opportunity arose to see people as they really are. Many views were expressed, dissatisfaction with the achievements of both services emerged, and members spoke frankly of their fears. It was obvious that whatever role the member played at work, they cared about their Service, their place within it and, most of all, they cared about their charges.

The Prison Service members declared that wages were important to them; a good wage enabled them to be free of domestic worries, enabling them to put more effort into the job. They deplored the amount of overtime necessary to achieve this. The probation officers were not too happy about their salaries but saw themselves as a caring profession, similar to nurses. They mentioned the fact that there is no payment for overtime in their job. This free exchange of views helped to bridge the gap between the two Services, bringing out the innermost feelings and allowing us all to stand back and analyse our reasons for doing the job we do.

A general discussion about the



Before joining the Prison Service in 1975, John Reed was managing a supermarket. Now at Coldingley where he has been Library Officer and Control Room Operator, he is completing his final year with London University for a Diploma in Criminology. Married with one child he has aspirations to become involved in training.

various posts held by the prison officers on the course highlighted the variety of hats they have to wear. They spoke of their reasons for joining the Service and what they hoped to achieve whilst in it. One of the officers spoke about the liaison department in which he works and an enormous amount of interest was shown in this. The borstal side of the Service was ably represented, as too was the psychology department, which had always been something of a mystery to most of us. Suddenly all was revealed, and the ways in which this department helps to reduce the tension in establishments was indicated clearly. The probation officers agreed that the same thing had occurred with them. It was surprising how little of our own colleagues activities we were aware of. Julie and Tom then demonstrated how people

can avoid communicating. The ensuing discussion on ways in which the barriers can be broken down will be useful when confronted by 'blamers', 'placaters', 'distracters', and 'computers'. These, for the uninitiated, are styles that people develop when dealing with others. It was interesting to work out which style we adopted.

At this stage in the course, people were very much at ease and an awful lot of learning was coming out of the interaction both during the day and the various evening activities. Sub-groups were formed to satisfy the needs of individuals, and most of the course were conscious of the healthy environment at Wye. Walks in the country and early morning jogging sessions helped in forming bonds between the services. There was even a group who gained plea-

sure from fossil hunting in a nearby clay pit. Whatever the evening activities were, it was inevitable that the happenings of the day were subjects for discussion at any time. Exercises in small groups to establish communication techniques were beneficial and informative, and a decision-making example entitled the XY game highlighted the inability of groups of people to act for the good of all, without their own needs taking precedence.

Only too soon, the end of the week was upon us and the thoughts of what was waiting for us 'back at the office' began to loom up. We had all learnt a lot and had a better understanding of how others saw us and, perhaps, we each had found some way in which we could assist the communication between our department and others. I was encouraged by the knowledge that other people have the same doubts and fears as I do. I think it is fair to say that the Prison Service and the Probation Service gained a lot from the week, albeit only a small number of staff were involved. Hopefully, that number will increase in future years if the two departments can get their heads together with the London University Extra-Mural Department and arrange more of these very worthwhile courses. ■

IMPRISONMENT: passive or active? *continued from page 13*

work; but, in a changed atmosphere, these men could be encouraged to use initiative and make suggestions. There can be little doubt that the prisoners would make a positive response; this is indicated in the very few places where they have been given individual scope (see, for example, Jimmy Boyle's "A Sense of Freedom").

There would be considerable problems demanding patience and skill from the staff. But all these problems could be worked through constructively and treated as a learning experience for the prisoner. There are many officers who would welcome more opportunities to act as personal advisers rather than merely as janitors. A changed system would attract recruits of this calibre to the Prison Service.

Prison Welfare

Prior to 1966, prison officers had more opportunities than they now have to give personal help to their inmates. In that year, the Probation Service took over prison welfare in an unfortunate manner which has repercussions to this day. Among the vast numbers of inmates in any prison, the volume of personal need is far greater than either the Prison Service or the Probation Service can cope with alone. It was ridiculous for the Probation Service to take over all the welfare work to the total exclusion of the prison officers. While there are a few prisons in which a cordial relationship has been achieved

between the wing staff and the welfare officers, often one finds some degree of hostility.

Probation officers involved in "through-care" often find that our colleagues in the prisons know nothing about their clients. Each welfare officer may be responsible for several hundred prisoners and cannot hope to know them all. I suggest therefore that the present welfare system should be scrapped, on each wing of a prison there could be one or two probation officers under the direction of the wing principal officer. There would be more than enough personal work for them to do. If the probation officers could resist assuming superiority as trained caseworkers, there is some hope that the prison officers likewise would accord them equal authority on the wing and a fruitful co-operation could develop.

Conclusion

Some of the suggested reforms would take a few years to effect, other measures could be taken straight away. The prison welfare service could be altered at once and limited steps could be taken now to give prisoners more activity and limited responsibility.

It is essential to have a constructive aim; if the Prison Service committed itself to positive reforms and took even the initial steps, this would help to diminish the cloud of hopelessness and defeat which now hangs over our prisons. ■

THE BALL & CHAIN *continued from page 12*

2) an encouragement to further develop arts and craft programmes with a view to achieving a combination of what has been described as "rehabilitative, behavioural and humane objectives",

3) an opportunity for the prisoners to assist families and to help in resuming life in the community.

I knew virtually nothing about the conditions in Australia's prisons before I came across *The Ball and Chain*, but having got my name on the mailing list for *INPRINT*, I am beginning to find out. What I have been able to observe is an apparently much more open attitude between prison managers and prisoners, with *INPRINT* playing an active and vital role in maintaining communication. We, in England, would seem to have much to learn from the Australian experience. As we exported cricket and eventually learned that our pupils could teach us a thing or two, so having exported our prisoners two hundred years ago, perhaps we should begin to learn from their descendants as well! ■

READERS Write

THE EDITOR
Prison Service Journal

Dear Sir,

Will the Tories bring back the Gallows?

The hanging lobby's main argument is that capital punishment would deter offenders. It is quite understandable that those who fear increased crime should call for a remedy which is said to provide the protection which it seeks; but all the evidence over the past 25 years shows that capital punishment has no discernible influence on the murder rate. There used to be 200 different crimes for which you could be executed in 1801; 13 year old Andrew Brenning was hanged for stealing a spoon, but hanging did not reduce theft and it is even less of a deterrent for murder.

The motives for murder are very different from motives for other crimes; murder is a crime apart. Characteristically it is not committed by hardened criminals. In most cases the victim and the murderer are members of the same family. Only one quarter of the number of victims are strangers to their killers.

Murder then is largely a "domestic" crime. That is not to say it is any the less serious, but it does explain to some extent why the threat of hanging does not deter.

The impassioned or deranged killer does not have fear of punishment in his mind. A threat to the life of the murderer would anyway be irrelevant to those murderers (one third of suspected killers) who commit suicide before they are caught. ('Murder since 1957' by Professor Terence Morris and Louis Blom-Cooper *The Observer*, 50p).

But what about terrorists? The last upsurge of the call for hanging followed the Birmingham bombing of November 1974. Again the argument in favour of the death penalty for terrorists does not stand up to examination. If hanging failed to provide a special deterrent to theft it certainly will not deter politically motivated killers, and hanging would exacerbate the political problems which breed terrorism by creating martyrs out of terrorists.

Those who want the death penalty for the IRA would do well to remember that the execution of the leaders of the 1916 Easter Rising created mass sympathy for them and revulsion against the British Government.

A further argument against capital punishment is that it is an absolute penalty. No system of justice is infallible; Judges can and do get it wrong sometimes. Timothy Evans hanged for murders committed by John Christie got a free pardon too late. When in 1975 the conviction of three lads for killing Maxwell Confait was overturned, at least they could be set free.

And it would take strong nerves to execute someone convicted of murder by the Northern Irish Non-jury Diplock

Courts solely on the evidence of his own confession under police interrogation.

There are those who call for the death penalty in order to slake a thirst for revenge. After the Birmingham bombings, 'The Times' in an uncharacteristic burst of populism stated "These are times when the emotional response to the public event is also the soundest one".

I doubt that it would have taken an equally robust view of the introduction in Pakistan, amid reputedly wide popular support, of the chopping off of hands and feet as a punishment for theft.

The notion of the value of human life and of a repugnance at the prospect of deliberately killing another person is weakened by taking the life of the murderer. We should go beyond the sort of society where penalties are based simply on the maxim "Well they deserve it".

Yours faithfully,
WILLIAM LAMBERT.
Prison Officer

THE EDITOR
Prison Service Journal

Dear Sir,

Enquiry into the state of the Prison Services in the UK

I am grateful for your invitation in issue No. 34 to comment on this subject. I became a Voluntary Associate with the Probation and After-Care Service in 1971 and, since then, have had considerable contact with prisons. Fortunately, I saw a copy of the Prison Service Journal in 1975 and became a subscriber to it.

Your invitation first asks "readers to send comments on the state of the Prison Service" and ends by saying comments should be "on the content of the Inquiry only". Being without any statement "on the content of the Inquiry" I trust that the following comments will be relevant and useful.

The contents of your special No. 31 issue on the Prison Service Centenary 1878-1978 showed clearly that the Prison Services in the UK progressed steadily in that period to become a far more humane institution than they used to be. However, in my opinion, progress in the last 25 years or so has been much too slow so that the Prison Service is much more inadequate than it should be in, for example, the following ways:

1. **Accommodation.** As a result of too little upgrading of old prisons and building of new ones, both staff and inmates are badly served. It seems inevitable that the practice of "slopping out" will be widespread for a long time yet.

2. **Rehabilitation.** Although it is widely agreed that rehabilitation of inmates is part of the function of the

Prison Service, progress in this direction from whatever angle one approaches it is slow, for example:

(a) education and training facilities—an illiterate inmate can serve a sentence without having received any instruction in reading and writing;

(b) employment schemes for inmates are insufficient;

(c) the upgrading and extended training of Prison Officers so that they can undertake a greater part in the rehabilitation of inmates is long overdue. The acrimonious debate between the Prison Service and the Probation Service about whose job it is to do the rehabilitating is futile. The Prison Officer's influence on the inmate is paramount because it is he who is with the inmate 24 hours a day, seven days a week, whereas the Welfare Officers, Psychologists, etc. are only available from 9 a.m. to 5 p.m., five days a week.

While I am aware that there has been some progress in providing educational facilities and employment facilities, and other schemes conducive to rehabilitation of inmates, I feel that there is too much half-heartedness and complacency in these matters. So much so that I am prompted to ask why such worthwhile schemes as the Coldingley Prison, opened some ten years ago, and the Special Unit at Barlinnie Prison (opened in 1973) have not been taken up at other prisons. Why is the Home Office so unenthusiastic about publishing information about these and other successes.

Yours faithfully,

CHARLES W J CRAWFORD
(Voluntary Associate with the Probation and After Care Service)

VOX POPULI *continued from page 5*

Therefore, the people are unhappy with judges who, in the process of sentencing people to death, sentence them to longer periods of viewing evidence than they would wish. The sentence of death tends now to be restricted to quite a small number of cases, and notably to those where the evidence makes good television. So do not fear that the people's lust for blood is insatiable.

I am happy to have had the opportunity of communicating our ideas to you. However, I have little hope that you will be moved to emulate us. But do not be deceived. Your people feel as ours. If you let your people have their say, the result will be a system as stern, uncompromising and just as ours now is. ■

BOOK REVIEWS

Reviews Committee:

PETER ATHERTON *Prison Service College, Wakefield*
 RICK EVANS *HMP Bristol*
 MARK BEESON *Leeds University*

GOING DUTCH

Some Developments in Penal Policy and Practice in Holland

DR HANS TULKENS
 Barry Rose, 1979, £1

It is not surprising that people who think about the penal system show considerable interest in those countries which have avoided the overcrowding problems which beset the Prison Service in England and Wales. The experience of a country which has actually reduced its prison population over the past 25 years is instructive, and Dr. Tulkens' paper provides some welcome information about the penal system in Holland, which is often quoted by 'liberal' commentators as a model for the future development of our own system.

First, some similarities. In both England and Holland, the number of indictable offences known to the police has multiplied three-fold since 1963. There is no indication that the Dutch crime rate has been affected by their penal system, nor that a similar system might have averted or diminished the wave of crime suffered in England since the war. In both countries, about 15 per cent of those convicted of indictable crimes receive

a custodial sentence. In England, the rest receive a wide variety of non-custodial alternative sentences, but in Holland most have their cases waived by the Public Prosecutor without trial and no sentence is imposed. In both countries, it is the minority who are sent into custody who represent the greatest problem. In both countries, the frequency with which custodial sentences are employed has been reduced. In England, the magistrates' courts have reduced their use of imprisonment from 22 per cent of indictable cases in 1951 to 4 per cent in 1977 and higher courts have achieved a reduction from 76 per cent to 34 per cent in the same period. In both England and Holland, the courts find it difficult to make further reductions.

Now, some differences. Whilst the average length of sentence in England has increased since 1950, in Holland it has decreased from 5½ to 2½ months. In England the proportion of short sentences (less than a month) has fallen by one third to 18 per cent of the total. In Holland, the proportion of such sentences has doubled, and they now account for 57 per cent of the total. In England, the proportion of long sentences (over a year) has risen from 16 to 28 per cent whilst, in Holland, it has fallen

from 12 to 4 per cent.

It is this change in sentence lengths which explains the contrast between the Dutch prison population (small and diminishing) and the English (large, growing and bothersome). The obvious conclusion is that we must tell our courts to continue decreasing their use of custodial sentences and, at the same time, to reduce the 'tariff' of sentence-lengths.

Before we congratulate ourselves on finding this simple solution to the overcrowding problem, we might consider two further points. First, the Dutch courts are finding themselves forced to impose a rapidly rising number of long sentences in response to a rise in serious crime. Secondly, one-fifth of all prisoners in Holland are foreign nationals, who presumably leave the country on release. This latter fact may make a profound difference to public acceptance of shorter sentences.

Dr. Tulkens' paper illustrates a possible alternative to the English response to rising crime-rates, but it does not suggest any immediately obvious complete solution to our problems, nor would it claim to do so.

D A GODFREY
Prison Service College

Contract Based Structured Group Work

G. HOLMES, T. MORRISON, & M. TAYLOR
Greater Manchester Probation and After-Care Service, 1979, £1.

The booklet provides a concise and interesting discussion of work which is becoming increasingly significant. It details the practical issues involved in planning and managing two 'intermediate treatment' groups for some of Salford's juvenile offenders, between September 1977 and May 1979. To begin with, the authors emphasise that their main aim is to change the anti-social behaviour of group members, and they see a well-planned group as being the most appropriate setting within which change can be achieved.

This is followed by a clearly written, practical guide to planning and setting up an intermediate treatment group, and its methods of working. Different techniques are described, such as discussion within the group, individual counselling, and working with the families of members. Although group activities are viewed as an integral part of their work, the authors stress that they are not solely what the group exists for, but are only the means by which it is hoped to achieve behaviour change. The relative merits of some activities are given: swimming is considered as inappropriate as it affords no group cohesion and is of little novelty value; abseiling is seen as a worthwhile activity as it requires some

degree of courage and helps to create a sense of individual achievement; a sponsored walk proved useful as it promoted a sense of 'togetherness'.

An important part of the work is the signing of contracts which set out what is expected from members for the duration of the group's life, and emphasise the commitment that all members have to make. There are three separate contracts: one for the juveniles, one for their parents, and one for staff members. The format of all three contracts is included.

The authors describe the difficulties encountered, the mistakes made, and the lessons they have been able to learn from these experiences. They also include some useful appendices which, amongst other things, give accounts of a week spent in a residential setting, the staff evaluations of members at the close of the group's life, and the minutes taken at meetings.

Although the booklet is spoiled to some extent by a couple of typographical errors (indeed, it ends in mid-sentence), the authors have made a valuable contribution to the literature on intermediate treatment, which I feel sure will prove useful to anyone working with juvenile offenders in any setting. I just hope that the title will not deter prospective readers.

MARTIN BAGGOLEY
Probation Officer, Salford

Criminology in Focus

A. KEITH BOTTOMLEY
Martin Robertson, 1979,
 Hardback £8.95, Paperback £3.50

Nothing in life is constant and while the Prison Service has lost its direction somewhat in the last few years, criminology, too, has got in a bit of a twist. It used to be obvious that criminology was the study of criminals or the search for regularities of any kind in the phenomena of crime. Gradually, criminology has shifted to an interest in law, its enforcers, its transgressors, sanctions, privilege, power, and so on to the point where it made less sense to talk about crime than to talk about deviance, labellers, social processes, stigma, and decriminalisation. This was quite a different vocabulary and one which ought to have put the work of the Prison Service in a rather different light. Now, though, the emphasis is changing again. Criminology is re-emerging, insisting that there is something coherent about the operation of the 'criminal justice system', that it involves a host of procedures on the part of the public peeping from behind curtains, policemen answering calls and raising their helmets and whispering to lawyers who, in turn, nod and smile at magistrates and chat to social workers. High-grade lawyers know legislators because they belong to the same clubs, and members of pressure groups have cultivated their 'deep throats' who know a thing or two and can occasionally be indiscreet.

Piecing together what the criminal justice system is about is a horrendously difficult enterprise. Cynics say that it is anything but a system—it is a hit-and-miss apparatus; it has not much to do with justice which, in practice, is on the side of the big battalions and not on that of the wronged; it has not much to do with what is harmful, hurtful, immoral, socially damaging or generally to be deplored; but it is to do with what charges can be brought against alleged miscreants who have been caught. Although it is a popular line, you do not have to be quite so condemnatory but this involves you in some hard thinking about whether our existing apparatus actually makes a worthwhile contribution to undoing the harm of crime without damaging the general quality of life of people as a whole. This puts the whole law-and-order issue, which featured prominently in the last election and which resulted in handsome handouts to the police, onto a different footing. It also puts the Prison Service on a rather different footing.

Keith Bottomley, who has been constructive about criminology for at least ten years, has come up with four consistently constructive chapters in his book. Each chapter reviews what we have learned more recently and raises searching questions about the assumptions which lie behind what we do about crime. The first deals with what is defined as crime, the second with hunting for causes, the third with 'criminal justice', while the last deals with the issue of punishment. The first chapter demonstrates that we cannot pretend that we know what we are talking about when we refer to crime. On causes, Bottomley traces the way the questions have been asked and 'sort of' answered and shows how refined these questions have to be if they are to be of any help. The "Criminal Justice" chapter shows that there is no one criminal justice, but rather different systems for different agencies whose operation we are beginning to understand. Bottomley makes a well founded case for much more open justice which is unlikely to be popular with the professional and powerful. How these vested interests are to be persuaded that their enterprises rape the common good more than they restore it, is far from clear.

This short book is aimed at students of criminology—an enlivened criminology, to be sure—and not at prison staff. But it would be mighty encouraging if prison staff got hold of its argument as a whole and did not turn immediately to the chapter on punishment. This, of course, tells the familiar story of the futility of agonised argument between penal alternatives in terms of how people behave afterward—no systematic differences worth mentioning have yet been discovered. Bottomley shows his inclination to settle for a restoration of punishment, as such, as the principle on which penalties should be decided. He argues that we should not be so obviously concerned that what is done actually achieves anything by way of controlling crime (since that goal involves such enormous difficulties). Penalties, in this approach, would aim simply to show that the offender had disqualified himself from membership of society. Working through the penalty would re-qualify the person for membership. One advantage of this sort of approach is that it would reinstate personal responsibility for one's actions—a principle which we have perhaps lost sight of with the rehabilitative ideal.

Tantalisingly—although Bottomley does not go into this—it sounds like an apology for the 'humane containment' goal for imprisonment, in which prison staff stand by while prisoners 're-qualify themselves for membership of society'. However, although Bottomley is not naive about what it means to be qualified as a member of society nor about the difficulties of making justice work for all, he does flirt with some sheer speculation about how western societies are likely to develop and sometimes ascends to levels of abstraction at which he may lose himself and his reader.

The Prison Department and the Service are often accused of reacting to events rather than anticipating and planning ahead. This may be changing. The climate might just be right for Bottomley's book to heighten argument and controversy over concrete questions about the future of our criminal justice apparatus and, within that, the role of the prison.

MARK BEESON
University of Leeds

The Role of Social Workers and Other Persons in the Social Rehabilitation and Resettlement in Employment of Ex-Prisoners

Published by *The Council of Europe*, 1979

The document describes the work done by European countries to settle ex-offenders in employment. Apart from this analysis, there is a further aim which I will return to later.

The report has two main sections which concentrate on the work done during a prison sentence and after release by prison authorities, after-care organisations, volunteers and governments. It is not a comprehensive study of all European work in these areas. In the main, it selects ideas of intent and describes an overall approach.

Looking at the work of institutions in attempting to achieve training schemes to help offenders, the study finds little encouragement. After making clear that penal establishments are fundamentally 'negative', they describe several training systems. There are two types which attract comment. First, attempts to inculcate the work habit or provide a skill. After reviewing several countries, the study concludes these schemes are "little more than an improved way of helping the prisoner to pass his sentence". They found more encouraging the ideas in the second premise, that training should be geared to reducing the effects of incarceration and maintaining clear links with normal society. They spend some time looking at a Swedish model which endeavours to fulfil this aim. Sweden has emphasised the need for full and sensible employment. This provides work for nearly 4,000 men, 8 per cent of whom were working in society. Inmates are paid a full wage comparable with outside industry and work given to inmates should link with work outside. This has been done with the cooperation of the trade unions.

The second main area of the report looks at the work done to help the ex-offender after release from prison. The U.K. is given considerable cover. Again the authors are unhappy. They find the work done lacks direction and the amount of material aid given is "very slight". Sweden is again singled out for special consideration. This country has developed a network of intensive care for ex-offenders. A parolee receives considerable attention from Probation Officers with low case-loads. Seventyfive per cent of parolees also have volunteers to assist them. Each volunteer has only one ex-offender and is paid an appropriate salary with expenses.

Although the authors feel that there are many well-intentioned efforts to help the offender, this section of their report is filled with pessimism. They are more than just anxious at the paucity of resources made available to help the ex-offender. They are deeply concerned that the "destructive, primitive and vengeful philosophy which underlies the prison service" will nullify help given to prisoners on release.

After a look at special projects and research, the authors conclude that an ex-prisoner will have to "fend for himself" in a harshly competitive world, with the government and voluntary services providing little effective help. Their proposals for reform concentrate on change within the penal institution.

All penal establishments should become treatment centres concentrating on the 'positive' approach of the social worker. Training must be the only purpose of such an institution with a much reduced barrier between the life inside and society. The offender will therefore move through a range of facilities to gradual re-entry into society. Several references are made to the creation of a 'therapeutic' basis for running a prison.

This document, in effect, attacks the present structure and basis of European penal systems. It is a political document. The purpose of the Council of Europe Research Fellowship and therefore of this report, is to effect an improvement in social work in Europe. Such demands will be expensive and time consuming. Yet the authors do not even justify their main proposition. Are prisons as they claim? Will their proposal provide the ideal condition for the ex-offender? This is not developed. It seems naive to expect governments and prison staff to accept their ideas without greater weight of argument.

In this age of penal pessimism, this document needs to be far better presented. There are many who believe the very efforts they condemn should be strengthened. I expect many European governments will need considerably more persuasion than provided by this report to pour millions of pounds into penal reform when other areas of need have created powerful lobbies demanding this money.

R. JACQUES,
Deputy Governor, Featherstone Prison

Brain Dysfunction in Aggressive Criminals

R. R. MONROE
Lexington, 1979, £12.50

This book is an extended report on research carried out with a population from Patent Institution, U.S.A., a prison/hospital for "defective delinquents" (a group which, under recently repealed Maryland Law, corresponds to the "psychopathic disorder" of Section 60 of the *Mental Health Act 1959*). The aim of the research was to investigate the nature of the disorders of the prisoners, with particular reference to brain dysfunction, and to determine the value of a particular drug in treating this disorder. The hypotheses to be tested were suggested by Monroe's earlier work, published in 1970. In their simplest form they can be stated as: (1) a proportion of aggressive dyscontrolled behaviour amongst those found guilty of a variety of offences is relatable to brain disturbance similar to epilepsy; and that (2) the similarity to epilepsy is such that drugs which are normally used to control epilepsy will tend to control or minimise these episodes of dyscontrol.

The research has not provided resounding support for either hypothesis and this may well reflect more on the research than on the initial hypotheses. The heavy use of questionnaire scales developed specifically for the programme is a gamble which, unfortunately, has not paid off. In testing the effect of anti-convulsants on dyscontrolled behaviour in the institution, it is to be regretted that the baseline level of dyscontrol was so low that it was not possible to make assessments of the treatment effects on that behaviour. Secondly, it is unfortunate that the neurological investigation of the subjects could not extend to the use of modern X-ray techniques or one of the neuropsychological test batteries which are currently proving to be of value in forensic populations.

This book is not one which can be read whilst strap hanging on the Circle Line. The middle chapters are given over to the examination of inter-correlations between individual items of the many scales used in this study, and contain innumerable tables which I found beyond assimilation. As the overall research programme contributes little to our understanding of the function of the brain in aggressive

criminals, I think that much of this could have usefully been left out.

The chapters reviewing other work in the field are valuable in that they put together a number of areas of research which may individually have been missed by the practitioner. It is probably the case, however, that this does not by itself justify the rather high cost of this publication. I believe that it may have been more appropriate to have trimmed this research report down to its essence and then sought publication in one of the professional journals of neurology or psychiatry.

CEDRIC J. HART

Senior Psychologist, Parkhurst Prison

Law & Society: Readings in the Sociology of Law

Edited by COLIN CAMPBELL & PAUL WILES

Martin Robertson, 1979, Hardback £15,

Paperback £4.95

Martin Robertson continue their excellent "Law in Society" series with this collection of essays and extracts from writings in the general field of the sociology of law. The editors state that the works reproduced are attempts to explain and to speculate upon the actual relationship between law and the ordering of modern societies. They have undertaken a difficult task in deciding which writings from a large and rapidly growing body of literature should be taken as representative. Thus it would be easy to criticise the work for what is left out.

The book may be seen as having only peripheral interest for those of us working in the field. Even allowing for that, I would have thought rather more attention could have been paid to prisoners and the law. It is perhaps in this area that social and legal theory fuse in the most dramatic way.

Lawyers are often criticised for their use of jargon. Whilst I would generally spring to their defence, there is a certain evidence of cumbersome language in the text. Even the lawyer might be forgiven for blanching at a diagram headed "A taxonomy of litigation by strategic configuration of parties"! But again this type of criticism should be levelled at the writer and not the editors, who have clearly taken great care in their selection of articles.

The book is likely to be of interest to those of us in institutions who have a legal training, or who deal daily with lawyers in our work. It will certainly be of value to those in staff training establishments, whether trainer or student, since it will help place many socio-legal concepts into perspective.

Though helpful footnotes are given throughout, the next edition should contain a select bibliography.

PETER QUINN

Assistant Governor, Long Lartin Prison

Review of the Mental Health Act 1959

HMSO, 1979, £2

The report sets out proposals for changes in the provisions for the mentally ill which have arisen from discussions within DHSS, the Home Office and other government departments, and independent bodies. Each chapter incorporates a summary of proposals under its particular heading. Chapter 5, on offender patients, is of special interest and deals with alterations proposed under Sections 60, 65, 72, 73 and 74. Subsequent chapters deal with safeguards for patients and staff, miscellaneous matters, and resources. We have, of course, to wait to see how the proposals are implemented and how the discussions continue, but the importance of the review for the prison service is all too obvious.

M. B.

Problems of Drug Abuse in Britain

Edited by D. J. WEST

Institute of Criminology, Cambridge, 1978, £3.00

This publication is a collection of papers on the theme of drug abuse, presented to the Cropwood Round Table Conference in December 1977.

The first paper, by Dr. Griffith Edwards, examines selected aspects in the "Evolution of the 'British System'" of dealing with narcotic addiction. Beginning with the situation in the 1960's, it moves on to look at preventing the emergence of an organised and criminal black market in drugs by licit "competitive prescribing". He also examined in-patient care and the working of clinics. Throughout much of this section of the book, I felt the reader was not really being told very much—perhaps because, as Dr. Edwards himself says, there is not much to tell because adequate records have not been kept.

The next paper, from Dr. G. V. Stimson, considers, from the social worker's viewpoint, the dilemma for staff in drug dependency clinics: namely, is the purpose of the clinic one of treatment or control? Control is seen as action taken by the doctor not specifically for the patient's own sake, but for the sake of others. This paper is followed by the medical point of view: "Conflicts in Deciding Treatment Within Drug Dependency Clinics" by Martin Mitcheson. Here, the dangers of initiating new cases of drug addiction by over-prescribing are pointed out.

A contribution by Joy Mott of the Home Office Research Unit presents the results of "A Long Term Follow-up of Male Non-therapeutic Opiate Users and their Criminal Histories". I found this somewhat indigestible on account of the preponderance of statistics and tabulated data. The ensuing discussion, however, includes the interesting observation that British addicts do not, to the same extent as their American counterparts, feed their drug careers on the proceeds of crime.

The experience of Dr. Hamid Ghodse with "Accidental Self-poisoning in Drug Dependent Individuals" suggested that in some cases these incidents occurred unintentionally while the person was experimenting with drugs. "Cannabis and Related Drugs", by W.D.M. Paton proved rather disappointing.

The "Development of 'Concept' Houses in Great Britain and Southern Ireland" is outlined by David Warren Holland, the Director of one of them. These houses are therapeutic communities which set out to provide rehabilitation for ex-drug abusers. At the end of the discussion on this paper, the general feeling seemed to be that there was still a need to evaluate how well they work and for whom.

Don Aitken contributes a piece in a somewhat philosophical vein on "What is a Drug Problem?". Then "The Failure of the Law" in relation to drug control is considered by two lawyers with many years' experience of dealing with drug cases in the courts. The contributors take rather a permissive attitude to drug taking and this not unexpectedly produces some conflicting opinions.

After a paper dealing with "Policy Options and Social Issues", in which the theme is that policy aimed at influencing personal behaviour must be 'in tune' with public feeling, 'Mr. G.I. De Deney of the Home Office Drugs Branch, in a paper entitled "The Formulation and Implementation of Control Policy", describes the role of government in the United Kingdom in the control of the misuse of drugs. I feel this paper could usefully be read first, since it seems to offer the best exposition of the entire background of controlled drugs, including references to the legislation and how various parts of it have arisen.

From its title, I had expected to find this book more interesting than it proved to be. The

rather small type script (photographically reduced) was also rather a strain to read.

R. G. L. OSBORNE

Principal Scientific Officer

Head of Drugs and Toxicology Dept.

Home Office Forensic Science Laboratory

British Prisons

MIKE FITZGERALD AND JOE SIM

Basil Blackwell, 1979, Hardback £7.95,

Paperback £2.50

British Prisons was produced in three months so that there should be some critical appraisal available to the May Inquiry and contributors to it. Perhaps the authors were afraid that the members of the Inquiry would read only "Prisons and the Prisoner" and not venture beyond Home Office material. If you were wondering which of these two books to buy, you might prefer this one at less than half the price (but without pictures) or for its independent view. But if price is immaterial (because you use the Prison Service Library) is this book vital reading?

The authors underline the crisis facing prisons last autumn by describing overcrowding, physical conditions in prisons, prisoner unrest, the effect on regimes and prisoners of independent POA action, the Hull trial, the use of psychotropic drugs in prisons, and official secrecy. It should come as no surprise that the authors conclude that these constitute a crisis, but they argue that this should not obscure the bigger crisis of the class-skewed use of imprisonment. If imprisonment so manifestly fails to reduce recidivism, it must have some ulterior purpose.

The final chapter returns to "The Politics of Imprisonment" but the middle chapters describe the authors' view of the two prison systems north and south of the "border". They draw on official statistics and reports, newspaper reports, and contributions by staff, ex-prisoners and academics but there are a number of inaccuracies: for example, there can be few prisons unlocking at 6 a.m. or putting lights out at 8.30 p.m.; and to say, "for most prisoners there is little choice or variation of menu", is facile. So while there is much useful declaration of fact and description of degradation, the basic material is not wholly reliable. The authors may blame errors on the "secrecy" of the Prison Department but they do not say if they asked to be admitted anywhere: there seems a lack of direct observation.

There is special criticism of the over-control of the prison systems and the way in which medical officers contribute by caring more for the establishment than the patient:

"It is a punishable offence to refuse to work unless certified unfit by a prison doctor, and prisoners lose a day's remission for each day they do not work. Prisoners constantly complain of being forced to work when they are ill. Prison doctors, on the other hand, like other prison staff, complain of the 'malingering' of 'workshy' prisoners."

It seems the authors did not test their material. There are surprising gaps, too, with no reference to work by Martinson, Margaret Shaw, Brody and Priestley. By wider study and more personal observation they might have produced a more accurate book and done their radical cause a greater service. They do say some valuable things (they draw comparisons between the English dispersal system and the Vectis approach in Scotland and they look at length at the role of the POA) but their radical stance is not taken on behalf of the poor but for its own political sake. For this second reason I found the book unconvincing.

There is a need for a radical view, there are questions to be asked about a social system

that incarcerates mainly its less able people but *British Prisons* is not convincing. Even the concluding chapter on the politics of imprisonment is overloaded with statistics and quotations and does not wrestle with the dilemmas of providing peace and security for all people to enjoy with a minimum of social controls. The final examples leave me feeling that the authors just want to imprison "the other lot".

An unconvincing book but one with arguments and criticisms we ought to hear and on which to ponder and respond to. Borrow it and get into the debate!

M. D. JENKINS

Deputy Regional Director (Security & Control),
Midland Regional Office

Group Processes in Social Work

TOM DOUGLAS

Wiley, 1979, £9.75

I read with interest two earlier books by Tom Douglas, *Groupwork Practice* (1976) and *Basic Groupwork* (1978), which were reviewed in the *Prison Service Journal* (numbers 24 and 33 respectively). The first was particularly useful as it condensed Douglas's considerable experience of running groups and teaching others by cataloguing very practical steps and stages in providing help to people through groupwork. The second volume was less practical, placing the use of groups in a theoretical context and highlighting the leader's role.

Group Processes in Social Work extends this distancing from basic and practical procedures, providing what Douglas describes in the book's sub-title as "a theoretical synthesis" but little of use to the new or practising groupworker. It is primarily for the social work students he teaches. It consists of an extensive review of the literature and sets out a framework for the groups Douglas thinks social workers should be providing for their clients. Throughout the book, he uses the unhappy phrase "social groupwork group" to denote this activity and spends many pages distinguishing it from other approaches and from other theoretical bases. There is, he claims, something distinct about the "social groupwork group". It is based on social work values and objectives; it borrows widely from other theories and activities to meet the observed needs of its clients; it demands a central role for the group leader; and it develops an involvement and a way of seeing things which can be unique.

If you accept the need for such a treatise, it is conscientiously done. But in condensing other approaches and in trying to systematically establish the foundations of his own groupwork method, Douglas ends up with a series of classifications and sub-headings which are rarely repetitious but just seem that way in style and layout. Chapters, sections and tables become a bit of a blur: divisions and sub-divisions of types of group, of plundered theories, of group factors, of constraints, of related models; then (more than two-thirds on) the framework is listed as propositions, in charts, as applications, and in relation to other types of groupwork. There's even a chronological list representing the history of the "social groupwork group" and its literature in the United States — although, for me, this was one of the more interesting parts of the book.

The other problem I had was that whichever version of the framework I read (the theoretical bases, its academic propositions, the short-hand charts, or—best of all—the summaries), I could not see the "social groupwork group" as anything more than a bunch of clients being led by someone trained in social work. Far from proving it unique, Douglas's comparisons with and reviews of other approaches seemed just to underline the common aspects,

problems and stages of all group activities. Furthermore, in trying to convince his students that there is something special and something respectable in running groups, Douglas falls into the ever-present trap of making groupwork sound mystical and over-academic.

It is this last factor that disappointed me most. Looking for the sort of practical details which would help me run groups or help me teach others about groupwork, I found many more in *Groupwork Practice* and *Basic Groupwork* than in *Group Processes in Social Work*.

RICK EVANS

Senior Psychologist, Bristol Prison

Jail Management

E. EUGENE MILLER

Lexington, 1979, £10.50

"... the objectives of the book are to provide the college student who is interested in a career in criminal justice with an introduction to, and an understanding of, the jail problem in the United States, and to give the worker in the field and interested citizens some pragmatic suggestions for effecting immediate improvements".

This clear statement of aims is linked to Miller's personal philosophy that it is "imperative to convert the traditional lock-up into a community correctional center". The latter phrase probably makes you wince—as it did me—with the reaction that the book will be meaningless American jargon. However, if you are prepared to translate the language and style, rather than dismiss it, there are interesting and worthwhile sections of this book.

The American jail which Miller is talking about is "an institution administered by a local unit of government that has authority to detain adults for a period of 48 hours or longer". There are 3,921 such jails in the United States; 75 per cent have less than 20 inmates and only 3 per cent have more than 250 inmates. They are known variously as detention centers, county prisons, workhouses or houses of correction (they are not overnight cells at police stations). The inmate population is very similar to that of Pentonville i.e. trials, convicted but unsentenced, sentenced under 12 months and in many cases these places are dumping grounds for any type of deviant, or problem individual e.g. the mentally ill and chronic alcoholics ("drunk tanks").

If there is anyone who feels the problems of British local prisons are unique or that the prison system of the U.S.A. is vastly superior to ours, I recommend simply reading the first two chapters. Old decrepit buildings, insufficient resources, overcrowding, lack of staff training, U.N. minimum rules not enforced, etc., etc. "By far the most predominant (rehabilitation) program in jails is religious services. Nearly 60 per cent of local institutions have this activity, ... using volunteers from the local churches. Another illustration Miller uses is that, until 1975, certain county sheriffs were paid on a fee system for each prisoner held in his jail! All this at an estimated cost of £2,860 per inmate per year as opposed to £1,092 in England and Wales for 1977/1978.

Miller's description of the system and the problems is of necessity very general and he uses the dramatic illustrations to good effect in terms of holding one's attention. Personally, I would have liked more detail of the type of administrative structure of the jail system and less of the 'sensational'.

The middle chapters on security, classification, and rehabilitation programmes provide little for the prison practitioner in Britain. It is all rather obvious, 'old hat', and in the case of 'cookouts' on Bank Holidays in the prison yard not appropriate. However, it is in this part of the book that Miller begins preaching the use of volunteers from the community to carry out tasks in the prison such as psychological testing, education, classification, running a

library, welfare programmes, etc. Whilst I accept his idea of increasing links with the community, at no stage does he mention the effect on staff of introducing so many volunteers.

The arguments Miller puts forward for extending (or beginning) work, training, and study-release programmes in the community amongst the short-termers in jails are ones I support. Several Assistant Governors at Pentonville over the years have seen how the operation of the current Pre-release Employment Scheme could be applied to short-term offenders.

"The Legal Rights of Prisoners" is a section of great interest and relevance. In the last decade in the U.S.A., courts have been "deluged with prisoner suits that have questioned virtually every conceivable condition of confinement and correctional policy and procedure". Whilst I do not envisage the same situation occurring in Britain because of our different culture and history of penal policy, it is apparent that policies within prisons are increasingly open to public and legal scrutiny — quite rightly. Thus, we can learn from the U.S. experience. The court decisions on discipline and the censoring of mail are two subjects I would particularly select. Miller goes on to discuss the effect of these court actions on staff and their rights: extremely relevant considerations.

In summary, this is a book that is easy to read once one overcomes the language difference. From our point of view, a book to 'dip into' rather than read from cover to cover (the very explicit list of contents assists in this), although the 'student' would benefit from reading it all. Well worth looking at, particularly if you are working in a local prison with short-termers.

ANDY BARCLAY

Currently on a study tour in the U.S.A.

A House of Correction

J. R. S. WHITING

Alan Sutton, £5.50

Houses of correction, or 'bridewells' as they were more popularly known, no longer exist yet until the latter part of the nineteenth century they were a common part of everyday life. They housed the petty offenders of the district and were administered by the local magistrates. The standard of care was generally poor until John Howard's famous work 'State of the Prisons in England and Wales' was published in 1777. This shamed a number of local authorities into action so that the lot of the prisoner, in the material sense, was generally improved. Gloucestershire was extremely fortunate in that this need for reform was recognised and met by its energetic county sheriff Sir George Onesiphorus Paul who was appointed to the office in 1780. He was a remarkable man and was one of the first to recognise that prisons needed to be purpose built, properly staffed and given clear objectives if they were to be successful. This book concentrates upon one such prison of Paul's: the house of correction he had built at Littledean in 1791.

Dr. Whiting has made imaginative use of the extensive primary sources available to him such as the Visiting Magistrates' Journals, Governors and Chaplains Journals and Minutes of the Quarter Sessions, etc. For members of today's Prison Service it is fascinating to read of the many problems facing the magistrates and the staff of the prison. Without exception they are similar to those faced by us in 1980 although on a smaller scale. Problems of recruiting and retaining the right staff, security problems posed by escaping prisoners and problems of providing appropriate work are just a few of those discussed and illustrated by extracts from the sources. Some of the problems now seem to be

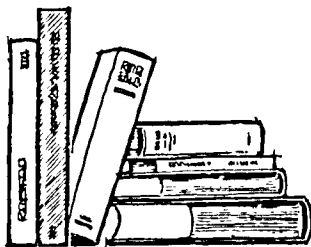
amusing and very human. For example in 1847 we read that the keeper had come home drunk one day 'followed by a band of music' and had challenged the turnkey to a fight. The plot develops and we learn that the turnkey 'had sought to wound his feelings by alleging that the keeper's wife, the matron, was in the habit of coming to the turnkey's bed to sleep with him whilst (her husband) was from home'. All three members of staff were replaced within two months!

The author makes a careful analysis of all those committed to Littledean and of their convictions and it is here that parallels with modern practice can no longer be drawn. A stream of runaway apprentices, deserting soldiers, poachers, drunken labourers and unmarried mothers passed through the prison. Leaving service seems to have been the most common offence followed by misdemeanours in service. Only those convicted of theft, the third most common offence would find a place in a modern prison. A life of stark poverty, harsh grinding labour for low wages and draconian game laws seems to have been the lot of the average illiterate man or woman of those 'good old days'.

However, one must not detract from the common sense attitude of the eighteenth century reformers. They believed that prisoners should be kept in solitude so as to build up the intrinsic goodness in a man which was

destroyed by being subject to bad social influences. On the other hand they recognised that men also needed to work in association with others to prevent their mental collapse. It was not until the 1840's that the full silent tyranny of the separate system was generally practised in which some men went mad, others committed suicide and all were mentally affected to some degree or other. To their credit the Gloucestershire magistrates resisted this movement and ensured that their prisoners were always allowed some social intercourse until the prison finally closed its doors to adult prisoners in 1887. The book is a fitting record to their efforts and an enjoyable social history as well.

A. H. RAYFIELD
P.6 Division



PRISON LIBRARIES SUBJECT GROUP

The Annual Conference of the Group will be held in Manchester on 15/17 April 1980 and will take the form of a seminar on Prison Libraries.

The Conference is an open one and Governors or their representatives, Officer Librarians, Education Officers or teaching staff would be particularly welcome.

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