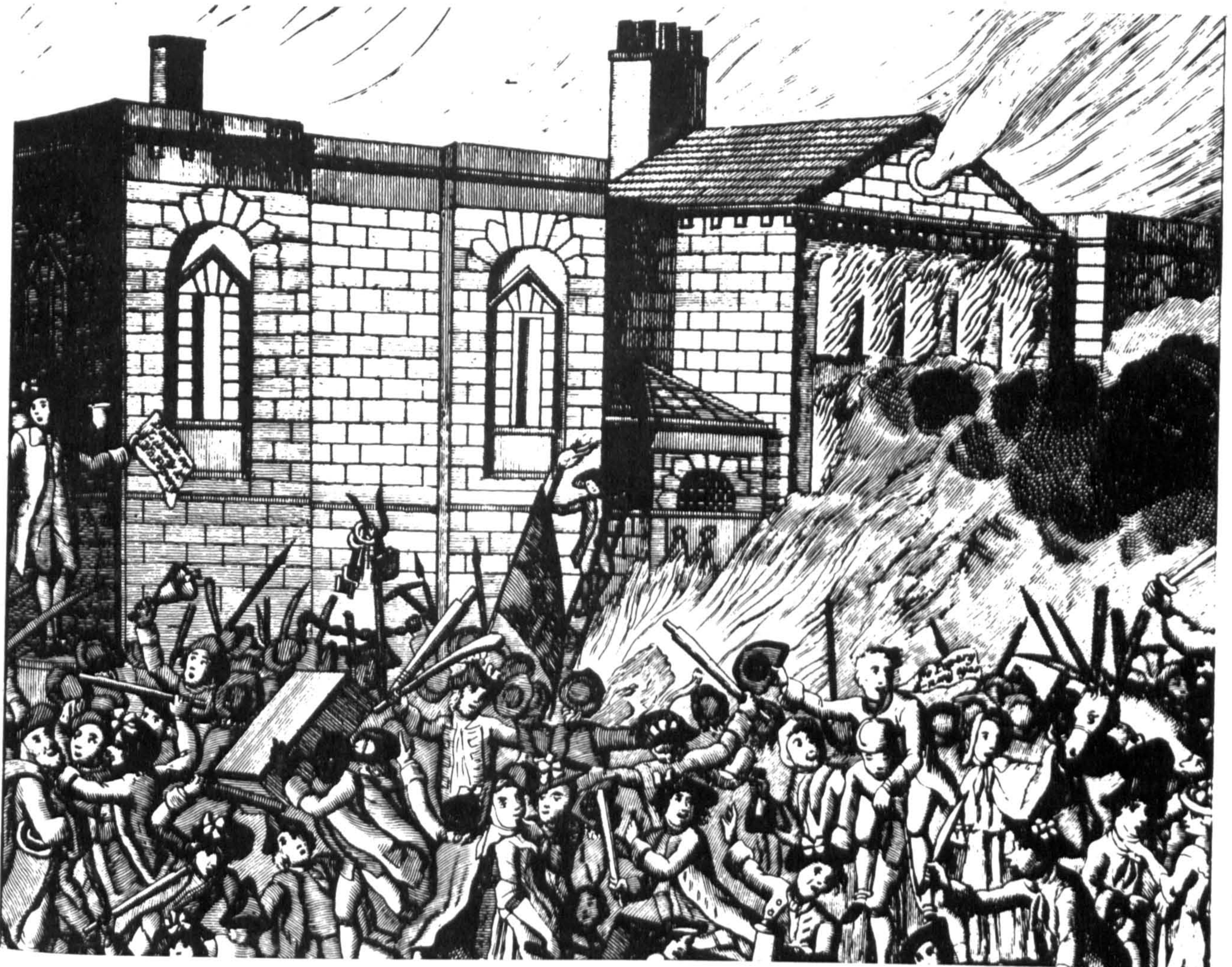


PRISON SERVICE

JOURNAL



In this issue: Riots and serious mass disorder

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PRISON SERVICE JOURNAL

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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

Coming new to the Editor's seat of the Prison Service Journal it is perhaps not surprising that there is a preoccupation at this time with the content of the Journal and its future direction. What is the Prison Service Journal and perhaps more importantly, who is it for? It must be for the Prison Service in its entirety yet it has an eye on a wider readership too—those who by profession are involved in the criminal justice system. It needs to inform those of us in the Service about what others in the system are doing and thinking and we need to use it to inform the wider readership about what is happening in the Service—not perhaps an easy mix. As so often with such a mixture the danger lies in not satisfying either group because of the differing needs. But it is a communicating and informing process that is vital to the health of the Prison Service.

The Journal also needs to boost its circulation to cope with ever increasing costs hence the recent Home Office circular outlining arrangements and suggesting ways in which this can be achieved. This initiative should help with the circulation but the other side of the coin is the extent to which the Journal is satisfying its readership and in this context the survey by Rick Evans and Ray Mitchell published in the Journal in April 1978 offers some pointers. Perhaps the most telling comment was their final one: "Many readers shared the perception that the magazine was not geared to uniformed staff and suggested more practical issues to be dealt with in a less 'highbrow' style. The Editorial Board should act on this, reviewing their criteria for accepting material for publication, encouraging correspondence and commissioning articles on specific topics". So to where we started—the Journal must be for all the Service and not devote itself to sectional interests. Contributions are always invited and the breadth of knowledge and experience throughout the total Service needs to be reflected and represented in the content of the Journal. The Editorial Board will endeavour to achieve this.

RIOTS and SERIOUS MASS DISORDER

Philip Wheatley

Governor 4, HMP Leeds



A graduate in law at Sheffield University, Philip Wheatley joined as an officer in 1969 being posted to Hatfield Borstal. Appointed Assistant Governor the following year he served at Hull and the Prison Service College, where he was promoted, before transferring to Leeds in 1978.

Once again after the recent riots in Brixton, attempts are being made to analyse why such riots happen and how they are to be prevented. It may be helpful to develop some of the ideas being expressed and think again about disturbances in prison, their causes and the options available for preventing them.

Since the Parkhurst riot in 1969 there have been a number of serious disorders in prison. The most important of these were the Gartree riots of 1974, the Hull riot of 1976, the Gartree riot of 1978 and the Wormwood Scrubs riot of 1979. There has been little open critical analysis of how and why these incidents happen. The official response has been to concentrate on the immediate causes and the handling of the incident itself. On the whole prisoners have been blamed for behaving badly without any justifiable reason. Though this is undoubtedly an accurate perception it is really not a sufficient explanation. It is our job to lock up difficult people and contain them. We cannot therefore turn round and say that because our charges are difficult this excuses our loss of control. It is as though in the industrial world factories manufacturing explosives were allowed to blow up at regular intervals without remedial action being taken.

*After the riot*

The major problem in analysis has been a failure by the service and headquarters to honestly ask the question "How are prisons kept quiet?" A doctor would not dream of treating disease without first understanding how the body works in health. As yet we have not been honest with ourselves or the public in explaining how a healthy prison functions.

The Population Mix

It has to be stated that until recently the prison service had been very good at running prisons without major disorder. Prison services in other countries have not been so fortunate and there are a series of major American, Australian, and Italian prison riots to show how difficult other countries have found the task. Given an increasingly criminally sophisticated population, a large number of politically motivated offenders and a build-up of difficult long-term and life-sentence prisoners,

it is unlikely that the comparative good order of English prisons will continue. Already research done after the P.R.O.P. disturbances of 1972 indicates that prisons holding comparatively large numbers of young long-sentence prisoners convicted for serious offences of violence are the most likely to have disturbances and to have severe disturbances. The experience over the last ten years in dispersal prisons confirms this view. There are also indications that disturbances are no longer just confined to dispersal prisons. Problems are now being experienced in local prisons, remand centres, and there has even been one serious incident in a Borstal.

It seems likely that society will continue to expect that prisoners confined for long periods will be allowed association and considerable internal freedom within prisons. These factors obviously make it possible for large-scale disturbances

to take place. At the same time shortage of cash will restrict the growth of the numbers of prison staff preventing any attempt to overcome difficulties by large increases in the staff to inmate ratio. We must therefore look to means of preventing disturbances other than their physical prevention.

In spite of the oft-quoted dictum of Paterson that prison is inflicted as a punishment and not for punishment, it would appear reasonable to expect that locking people up will subject them to a number of deprivations and frustrations. These deprivations include economic, social and sexual restrictions which most reasonable men would find irksome. Therefore much of the prisoner's time is spent in trying to mitigate these deprivations. This seems a reasonable response to imprisonment and it has been pointed out that the prison sub-culture plays an important part in providing a framework to assist prisoners to this end. Much staff activity is deployed in preventing and controlling this process. Within prison then there is a power struggle both between staff and inmates.

Power and Perks

The power struggle is particularly obvious in a number of areas. In any institution it soon becomes obvious that prisoners enjoy, sometimes as a group, and sometimes individually, a number of "perks". "Perks" are rewards and privileges which are in breach of the rules of the institution. As an example there is the old-established custom of allowing laundry workers to have the best-pressed shirts and facilities to press shirts for other prisoners. Kitchen workers are often allowed to eat food that is better and more plentiful than that supplied to other prisoners. Inmates on work parties are allowed extended smoking breaks providing they get the required amount of work done per day. There are even examples where prisoners influence important staff decisions. It is in many prisons accepted practice that inmates in trusted jobs suggest suitable replacements to staff. These perks should not be regarded as random and uncontrolled. In fact in most establishments there are quite clear, though unwritten, rules governing the provision of perks. There is agreement on both sides as to what will be allowed and in what circumstances. These agreements are

in many ways similar to legal conventions and the term conventions is a satisfactory way of describing them. Conventions go beyond simply controlling the existence of perks. They control the way in which staff use power. In theory prison rules give prison officers considerable power. In practice this power is circumscribed by the convention of the institution. Anyone with the experience of a number of institutions will know that certain orders which could be given in one institution would not be given, and if they were would not be obeyed, in another institution. Even the manner of giving orders is governed by convention. In some establishments a shouted order would be regarded as an affront and in another the norm. Just like legal conventions, conventions in prison are not enforceable. There is no right for them to be enforced under the rules. They are nevertheless enforceable by action that can be taken by both staff and inmates. If an inmate breaches convention about inmate behaviour he may be met by withdrawal of co-operation by staff, or by staff using their discretion adversely to affect him. If a staff member breaches the conventions he may also be met by unco-operative behaviour from prisoners or by more extreme behaviour, such as abuse or a refusal to obey orders.

By their very nature conventions and accommodations by staff and inmates are kept secret by both sides. It is often difficult for Governors and other senior staff to discover what sort of conventions govern the use of power in their institution. It is nevertheless crucial to gain a good knowledge of the prevailing system because management decisions which alter conventions may create disruption.

It is also important that both the creation of new conventions and the operation of existing ones is controlled. There is a danger that power is held at a very low level in the prison and that undesirable bargains will be established by staff with inmates or that unnecessary tightening-up and changing of existing conventions may be introduced by relatively inexperienced staff.

Within the inmate group the power held is not equally shared and there exists in most institutions a sophisticated inmate power structure. This power structure has an economic



Photographs by courtesy of the Humberside Police

basis in that those at the top have most of what is going in the institution and those at the bottom, least. This inmate culture includes roles like the prison bookmaker, the inmates who wheel and deal and will sell anything, the inmate brewer who makes illicit alcohol, and there are many other roles to play. The existence of this sub-culture fulfils a number of prisoner needs. It is an excellent form of time-filling, the battle to beat the system and come out ahead can fill a prisoner's day with excitement and interest. It is obviously much more enjoyable than the boredom of the official routine. The sub-culture allows prisoners to act out relatively harmlessly their feelings of resentment against the system which imprisons them, and it also allows prisoners to meet their status needs. Anyone familiar with prisons will know the considerable respect given to successful (in sub-cultural terms) prisoners both by other prisoners and sometimes staff.

If it is accepted that a deviant sub-culture allows prisoners to solve problems of frustration and resentment involved in being imprisoned, particularly during long terms of imprisonment, it becomes necessary in running an institution to allow a sub-culture to develop. This contradicts the official and traditional approach of the prison governor, which is to stamp out such a sub-culture. This traditional approach is far too simplistic a notion if difficult establishments are to be governed successfully.

Control

The task is to control the sub-culture and prevent its wilder excesses. For instance, whilst most people would accept some gambling in prison is inevitable the use of violence to collect debts should be regarded as unacceptable. Similarly it may be assumed that in these days some drugs will be smuggled into the prison but at all costs the consumption of

hard drugs must be prevented. Homosexuality in a prison is on occasions inevitable and almost impossible to prevent, but it is important that no inmate is compelled to engage in deviant sexual activity. There must therefore be some agreement about what sort of sub-culture can be tolerated. It is not suggested that this sub-culture be legalised, if that were so the advantages of allowing inmates to feel that they had beaten the system would be lost. Having established what is acceptable, deviant activity must be controlled in the institution and kept at an acceptable level. This creates a need for good intelligence about individual prisoners and their role within the prison community. If accurate information can be obtained then it should be possible to control the way in which the sub-culture operates.

Available to prison management are substantial control methods including the use of Rule 43, compulsory transfers, and punishment under Rule 47. As well as the obvious punishments and deterrents there exists within prison a large number of decisions taken about inmates by staff which determine whether inmates lead a comfortable or an uncomfortable life. These will differ in different institutions, but normally the staff control access to the best jobs, the best cells, the best education classes, home leave, pre-release employment scheme and parole. If in taking decisions on these sort of topics the need to maintain a stable sub-culture is borne in mind it is possible to see that the deserving are rewarded and the undeserving are not successful. For Governor grades this means that efforts should be made to identify all those things under official control which are regarded by prisoners as rewards. Once these items are identified then decisions about their allocation should always be taken with the control of the institution in mind. It is therefore necessary to prevent staff taking decisions which are motivated by sectional or self-interest. For instance if one of the workshops is profitable but unpopular with inmates and the instructor is allowed to pick the best and most co-operative inmates in the prison and keep them in there against their wishes there will be very little incentive for prisoners to behave. Good behaviour is seen as likely to lead to one of the worst jobs

in the institution.

If regard is paid to these issues then inmates will see that co-operation with the authorities in running a quiet prison is rewarded. It will also be seen that the co-operation required is not, in prisoners' terms, unreasonable. It allows for the inevitable sub-culture and only seeks to prevent its worst aspects. Most prisoners in the institution are themselves frightened of an excess of power being held by other prisoners, particularly if this involves the use of force, therefore the bulk of prisoners are likely to co-operate with control by the authorities. This style of running a prison gives prisoners a vested interest in maintaining the status quo, it is obvious to all that disruption will destroy the existence of the sub-culture and the perks that it produces. In particular powerful prisoners who are enjoying the situation are reluctant to allow any disruption to take place. This has the effect of increasing the flow of intelligence to the prison management and it enables them to continue to run this type of system. It is also likely that much potentially disruptive behaviour is deflected by absorbing prisoners in their own internal prisoner power struggle, as prisoners jockey for position within the prison.

Decisions

Reliance on this approach to maintaining good order must obviously be complemented by more traditional approaches. Staff continue to be employed in direct supervision of inmates in order to see and hear misbehaviour and directly to prevent rule-infringement. It should however, be borne in mind that the extent to which this takes place is a decision that management have to take. Just as the Police outside have a choice of policing strategies which affect the level of public disorder, so prison management have a similar choice. Staff may be employed in an aggressive rule enforcement role. This approach is likely to create resentment amongst prisoners, drying-up the flow of information to staff and creating alienation from the authorities. Similarly a decision to have a high staff to inmate ratio can lead to staff on duty talking only within their own group and avoiding contact with inmates. Once again this is likely to restrict the flow of intelligence to staff and to alienate inmates from staff. Another important factor which may contribute to this aliena-

tion is the existence of large numbers of inexperienced staff who are not at ease in dealing with inmates.

Prison management must take a decision on the strategy they wish staff to adopt. This decision will affect the stability of the institution. It is vital to recognise that the approach taken by staff to prisoners must be direct and controlled by management. It is simply not enough to presume that prison officers know what to do because of their centrally organised training, or to see their job as simply governed by the existence of centrally ordered rules. It is necessary to direct the style that staff use in carrying out their job. This means that staff should be aware of the governor's overall strategy and are clear what sort of inter-personal skills are required of them, how discretion is to be used in rule enforcement and what contribution they are expected to make to the overall strategy.

If the ideas being advanced about order are correct one would expect to find that when disorder does occur that the causes are multiple and very often long-term. All the available research both here and in America, plus the experience of those involved in major disorders suggest that this is the case. Most reporters indicate that before riots occur there is a long-term build-up of tension in institutions. In all cases it would appear that many factors contribute to this increase in tension. The tension recognised by both staff and inmates until eventually a single incident occurs which triggers the disturbance.

Towards the Future

In future the analysis of incidents should look at this broader build-up to a riot. This would put prison management much more at risk and by making them more accountable for their actions. It is seen that management should have controlled the conventions of the institution, and sub-culture within the institution and the style used by the staff. In an enquiry following an incident the institutions' policies in all those areas would need examining, to see whether management have operated all the available control factors as consistently and as fairly as possible. Until this sort of approach is advocated by headquarters and until governors are encouraged to operate in this way the service can expect to live with occasional expensive but "inexplicable" riots.

Tinker, Tailor, Soldier, Sailor...

...ASSISTANT GOVERNOR!

*One man's view of the birth and death of
an unique short lived alternative
prison system*

D. W. Wickham

Governor 4, Prison Service College

"Are you comfy here son?" inquired the visiting Officer of the young Gordon Highlander carrying out his prison officer duties. "No sir, I come from Aberdeen", was the proud reply. It was on hearing this amusing story that all my thoughts and experiences at H.M. Prison Frankland crystallized, and I determined to write this very personal account of the birth and death of a unique, short-lived alternative prison system. I also offer this work as a tribute to a most resilient Governor, Mr. G. Dadds, the combined services, and the Assistant Governors who may share some of these recollections.

Frankland became an operational prison in November 1980, almost two years ahead of schedule, under the emergency powers of the Home Secretary William Whitelaw. Such powers the Home Secretary considered necessary following the industrial action by Prison Officers refusing to accept certain prisoners into prisons and the inevitable stress and occasional failure of police cells.

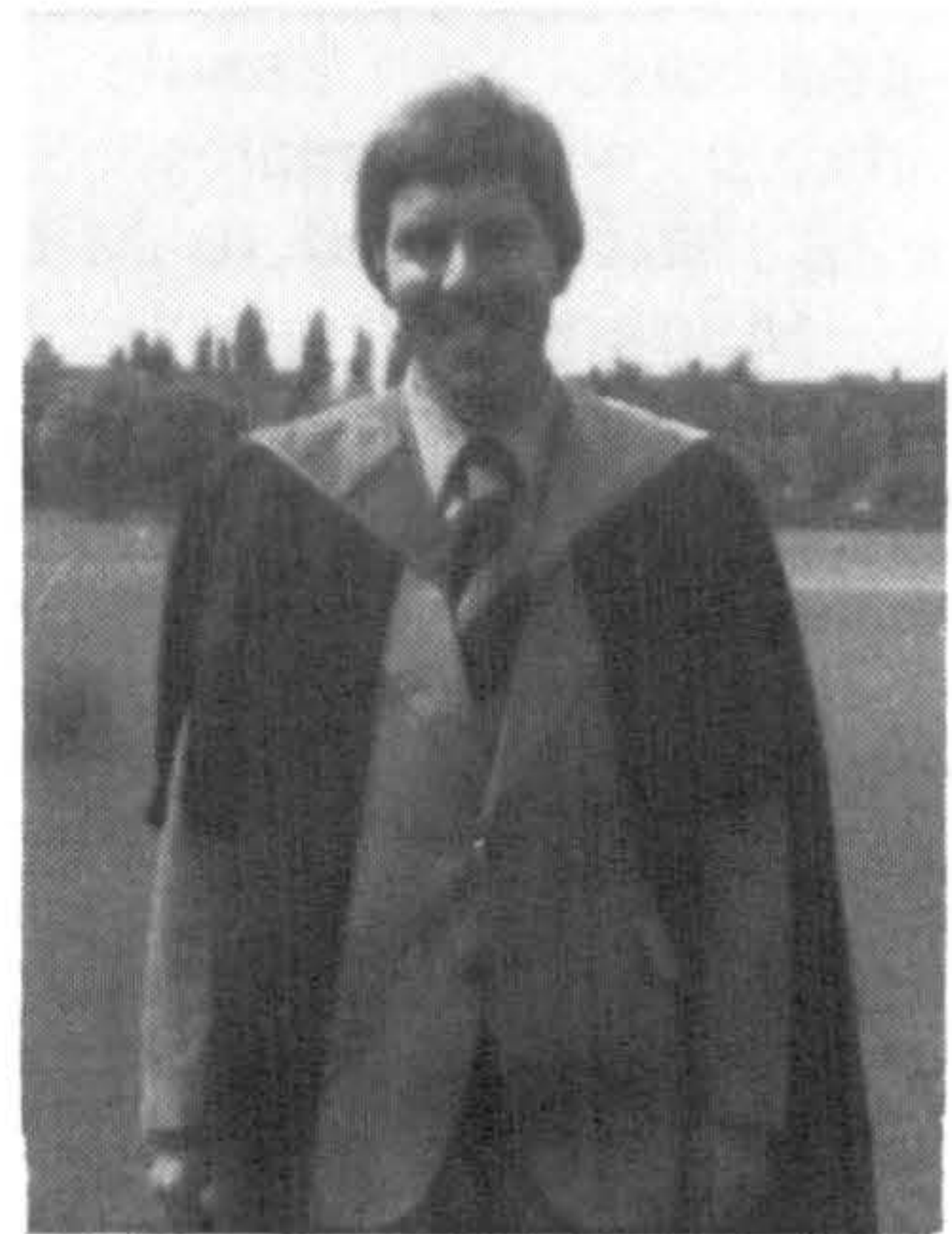
The Task

After negotiating umpteen doors without handles, eventually finding myself in a room with makeshift tables and charts, and in the company of assorted military, police and prison people, the full impact of the task ahead struck me. There we were in a prison shell with a few days in which to administrate, equip, organise, and deploy ourselves and military personnel before hordes of prisoners arrived. I believe that in those first few hectic days approximately £½ million pounds were accounted for in accelerated building

works and orders for equipment and stores. Never have I seen an administration department so sorely pressed, although it was encouraging to see that administration officers can perspire just like the rest of us when necessary!

Dual Management System

Material and physical needs were quickly and easily identified by us all but it was not so simple to identify and then communicate with a dual management system. Under normal circumstances a military and prison management combination would



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present adjustment difficulties for any subordinate, but when you add the unknown, the urgency, and the speed of events, it was not surprising that we sometimes forgot who was who, who was in charge of what, and which was the appropriate channel of communication. Another interesting feature of the early organisation was the different pace and priorities of the respective management teams. We prison personnel were so concerned with inmates, staff-inmate ratios, security, movement of inmates, regimes, that a week passed before we had facilities to make ourselves a cup

of tea! In contrast the Army clearly demonstrated what it marches on and had immediate catering facilities for the men. It occurred to me that, whilst the ultimate responsibility of this venture rested with the governor, we as a group were so sensitive to the risks and dangers involved and the political aftermath that we were not as confident as our military counterparts who saw this as just another public service breakdown.

Political Intrigue

The Army's response to problems was always positive and practical and did so much to strengthen our resolve, particularly when the higher political intrigues between the Home Secretary and the Minister of Defence were daily changing the nature of the task. For instance, initially army manpower was regarded as the least of our problems, but following a top decision, only certain military personnel were authorised to undertake inter-face contact with inmates. This reduced greatly the numbers of men available to handle and communicate with inmates. These vital tasks therefore fell to Military Police, Military Provost Staff Corps., and correctional sections of the Royal Navy, Royal Air Force, and Royal Marines, whilst the non-inter-face tasks (gate security, communications, observation, administration, etc.) were carried out by the Gordon Highlanders, Royal Engineers and Royal Artillery in turn. This deployment worked extremely well and I suppose was comparable with the "guard" and "counsellor" concept of imprisonment found in America. The inter-face staff were the smaller group and consequently seemed to work far longer and continuous duty hours than the non-inter-face. The latter group had far less job satisfaction. The living unit teams developed an esprit-de-corps that was able to withstand inter-service rivalry and leg-pulling, and function happily and efficiently without detailed information about the dispute. In fact one of my living unit offices called itself "Mushroom Control" because they believed they were kept in the dark and fed on manure!

The institutional staff was completed with a civil police presence on each of the living units. I must confess that I was apprehensive at the onset and wondered how long it would be before we had "some

body" watching the police watching the Assistant Governors watching the Army watching the prisoners? However I am pleased to report that the police presence was a successful feature of Frankland and furthermore ought seriously to be considered at all institutions in any predictable circumstances where violence or allegations may arise and an independent witness could be vital.

A Dilemma

With all the details of staffing satisfactorily concluded we were ready to receive prisoners. Like most, I looked forward to their arrival and, more than most, I was motivated by the governor's thoughts that here at Frankland was an opportunity to develop a regime that need not succumb to all the restrictions of institutional life created by the normal staff and inmate sub-cultures. The governor saw this as an opportunity to use our initiative, to be flexible in our approach, and perhaps avoid some of the negative aspects of imprisonment. I believed that this was possible at the time, although as events unfolded most management decisions 'prisonised' in the traditional fashion. All the experience of the prison staff was used to create as typical a prison environment as possible, rather than any viable alternative. Efforts were directed to creating something familiar and something that could be managed from the uncertainty of the Frankland situation. Security, control and containment quickly became the goals of central management and effectively stifled much of the initiative and flexibility on the living units. I could understand management's dilemma in reconciling Standing Orders, Circular Instructions and Prison Rules with possible short-cuts and alternatives, but it seems to me on reflection that the existence of the former not only safeguards the rights of inmates and sets a code of practice but prevents any forward move or major development of regimes in the prison system.

Power Base

Nevertheless we received prisoners at a rapid rate, sometimes 80 men in one day. The reception team did a magnificent job organising the police escorts from all over the country, martialling them all on arrival, and then processing so many men in quick time. As in most prisons reception

became an important department offering a service of inmate arrivals and departures and property control. In my opinion it also became a power base with too much influence on the affairs of the living units. Working long hours, suffering from homesickness and Durham ale palsy I had insufficient energy to contest their authority too frequently!

Honeymoon period

The reaction of the prisoners to this strange environment was one of cautious goodnatured restraint. They co-operated and appeared to enjoy the notoriety attached to their role in this historic headline-making drama. For those who had been in cramped police cells, and others with previous prison experiences in some of Britain's not so luxurious gaols, Frankland was a welcome resting place offering a room with a wash-basin and toilet, benefits of modern architecture and facilities, most reasonable fare, and no work. Those experienced campaigners among us predicted that there would be a honeymoon period when inmates would enjoy the novelties of Frankland, refrain from eating each other, and present themselves as quite a normal bunch of chaps. The honeymoon was nice for the two weeks or so that it lasted, but inmates are an exasperating lot and soon displayed the irrational, ungrateful, self-centred behaviour patterns that probably led many of them into criminal activities in the first place. Of course the population of short-term offenders at Frankland posed little threat to security or staff, but their petty behaviour taxed staff time and patience unnecessarily and, quite understandably, lost some of the genuine enthusiasm and goodwill their captors brought to their new job. The result was that the neutral staff, who had no pre-conceived ideas about civil prison management or bias against inmates, soon developed some cynical attitudes about their prisoners, came to expect problem behaviour as the norm, and quickly lost faith in any rehabilitative ideals they may have arrived with. Inmates unwittingly forced staff to respond to them in an increasingly cautious way and inevitably staff-inmate relationships became more distant and superficial. I am now quite convinced that the very nature of imprisonment sets man against man, and it is unrealistic to suppose that any total

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Why the inevitable fate of Boards of Visitors is to be... “UNPOPULAR”

Dermot Walsh

Each penal establishment's Board of Visitors is supposed to provide a system for monitoring the quality of inmate life which is fair, impartial and effective, and to listen to complaints, grievances and requests from prisoners. It also adjudicates offences against prison discipline (typically, escapes, attempts to escape, or attacks on prisoners or staff) and, if the alleged offender is found to be guilty, decides how he should be punished. To do this, Boards are statutorily granted wide investigative powers.

Criticism

For some years now, the Boards' activities, membership and functions have been under closer scrutiny than were those of their forerunners, the Visiting Committees.¹ They have been the subject of criticism in books about prison² and have always had a fairly negative image amongst prisoners. The usual criticisms about them are that they are not in close touch with the affairs in their prisons, that (although supposed to be impartial) they usually favour staff against prisoners, and that their adjudications are cursory, anti-prisoner and award punishments which are 'too high'. They supposedly lack judicial expertise, are indifferent to human suffering, or are guilty of both.

Personally, I feel that if Boards' activities are discussed and their powers argued in public, it can only be beneficial as a necessary check on

laxity and injustice. It is interesting, however, that discussions about them take the form of *attacks* and that they have become newsworthy because they have only recently been 'discovered'—although many people outside prison still are unaware of what they do and (not surprisingly) confuse them with Prison Visitors whose job is to befriend and aid

particular prisoners. Their discovery took place as a result of the liberalisation of membership which was Home Office policy in the early 1970s. The aim was to widen membership: to increase the numbers of non-professionals, women, and younger people. This had the effect of reducing the dominance on the Boards by older men, many of whom



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were also magistrates. As a result, more people became aware of their existence; housewives, union officials, lecturers and others accepted the unpaid work. At about the same time, purely fortuitously, PROP and RAP came into being and focussed more attention on the Boards purely because you cannot discuss prisons without discussing the Boards. These 2 influences combined to supply more information, much of which has been derogatory but still useful in getting the issue out in the open, rather than being apparently secret, remote and bureaucratic.

A general difficulty with interpreting prison life is that every group, whether prisoners, staff, social workers, researchers or anyone else, feels that it alone possesses unique insight into the reality of the prison world and how and why it operates. For those on the outside, films and newsclips about prisons are so immediate in appeal as to make them feel that they are suddenly aware of what prison is *really* like. Not surprisingly, much criticism of Boards is written by intelligent, humane and idealistic men and women who cannot bear injustice, yet who are ignorant of prison systems. It is curious that so many people show interest in something they know so little about when they are not equally interested in the internal workings of regulatory Boards in other institutions such as hospitals or monasteries; and, at times, it is hard to believe that they are quite so consistently and vigorously interested in natural justice as it is claimed. A lack of knowledge about Boards and prisons means that each reported instance of brutality, prejudice or indifference is uncritically alleged to be typical if only because of its rarity. Unquestionably, Boards are in the firing line but this helps to clarify the issues for a more positive case to be made of their work. This I shall try and do, one reason being that—as a member of a Board whose members invariably display independence and a capacity for painstaking work and moral courage—I am rather depressed at seeing adverse and often uninformed views dominate.

Variety

Prisons, governors and Boards vary tremendously in character and attitude. As a result, it would be difficult to have a master-chart of how Boards should function. With a

“good governor”, a Board’s task is easy: if they want information or facilities they only have to ask and, however difficult it is to supply them, they appear. In such cases, not only is the work of the Board easier but there is likely to be *less* of it, since the attitude the Governor displays to the Board will also be displayed to prisoners and staff; bottled-up resentments will not explode into complicated and grave incidents which then have to be adjudicated. With a “bad governor”, particularly one who cannot delegate, the Board is going to be kept busy with difficult work and its members will struggle to obtain information and services. In the nature of things, they may take the line of least resistance rather than opt for long, frustrating wrangles.

The tasks the Board is faced with, both inspectorial and adjudicatory, also vary according to the mix of inmates in a particular prison; the more serious the crimes, the more problems their perpetrators have or the more they create, unintentionally or otherwise. Boards of open or local prisons are generally less at risk to accusations such as injustice compared to those at training prisons, where work-volume and complexity are greater.

Adjudications

The people who agree to have their names put forward to the Home Secretary for consideration as Board members do so mainly out of an idealistic desire to eradicate injustice and cruelty; and, perhaps because of an ethic of service, they feel they have something to contribute. The irony is that once appointed they themselves become accused of tolerating, fostering and creating the very injustice they are determined to check.

The issue where the work of Boards is most at risk of becoming dramatically public is adjudications. It is important to realise that Boards hear the very serious offences against prison discipline. There are many other ways of dealing with the less serious, including a governor’s adjudication. Adjudications by Boards of Visitors are therefore rare events, occurring more often in training than in local or open prisons.

The Governor, though, will only present a case for adjudication by the Board which is based on sure evidence and hence likely to result in punishment, other cases being dismissed or dealt with at his level.

The Board can only deal with the case as presented and it is easy for the proceedings to be described as inhumane, biased or too brief—sometimes because the evidence is so clear cut. The Home Office, anxious to ensure that adjudications are to a degree standardised and that they allow prisoners and staff to air their views, puts a lot of pressure on new members to attend 2-day courses of instruction on adjudications. Video-taped role-plays and syndicate discussions are used and members are also encouraged to visit other prisons so that they can see how different Boards operate. A very detailed consultative document for use in the adjudication room has been produced: *Procedure for the Conduct of an Adjudication by a Board of Visitors* (1977). Also, only members of some years’ standing, who have absorbed sufficient details of their prison and its workings, are allowed to adjudicate.

It is reasonable to suppose that prisoners have a dislike of adjudications in general and of the Board in particular for conducting them. People dislike being punished for wrong-doing and rarely admit the fairness of this. Inevitably, it means that much out-of-context publicity for a Board’s verdict, especially if mediated by tales from ghosted prisoners, leads to apparent ‘wrongness’ committed by the Board being ‘discovered’.

Generally, then, if anything does go seriously wrong in prison it will be the Board that deals with it. This has 2 effects. First, if an offence is proved and a punishment follows, this can lead the Board to be accused of injustice or unfairness on the grounds of the scale of punishment albeit relative to the severity and complexity of the incident. Secondly, it is easy for the Board to be blamed for letting any incident happen at all: its occurrence can be taken as proof of the Board’s incompetence.

Inspections

A far more important aspect of the Board’s work, at least in terms of frequency, is its inspectorial function. Arrangements are made, usually each week, for a member to visit the prison and monitor the routine. He or she arrives unannounced, tours the prison, and logs any grievances, requests, complaints or applications which emerge from staff or prisoners. This availability means the Board

member will often be called upon to give help or advice on prisoners' problems as well as to record the details of complaints. At the next Board meeting, action taken is up for discussion. In addition, any prisoner may see the Board to put a request or application which will be dealt with on the spot. This weekly availability is variously used, but can function as a valuable safety-valve and as a means of keeping everyone informed of what personal, structural or administrative problems need attention.

Such visits also check any obvious injustices. Of course, it can be countered that, if an event is known to be unjust or unfair, the perpetrators (staff or prisoners) will camouflage it so successfully that it is undetectable. Equally, of course, unfairness and injustice cannot be totally removed from any system.

This inspectorial function, and the unofficial advice and help given by Board members, is too often conveniently glossed over. Their function in the smooth running of the system cannot be denied. Prisoners who have something to say can say it and get it off their chests, perhaps avoiding more dramatic action.

Staff and Inmates

Whether the role is adjudicatory or inspectorial, the dilemma for the

Board member is this. If, in a particular incident on the evidence available, he decides to support the prisoner, he is seen by the staff as siding with the inmates: if he decides to support the staff member, he is seen by the prisoners as "being in the staff's pocket". Either of these can lead to tension, only being dissipated when the next incident occurs and the reverse is the outcome. Any attempt to be impartial involves an indifference to this dilemma: it requires a concentration, which may involve courage and effort, on getting at the truth and on supporting and obtaining redress for the 'victim' whether prisoner or staff. This should mean that, at any given time, the Board may be heartily disliked by staff or prisoners. On balance, staff probably dislike the Board more than do prisoners, since requests for information involve them in extra work. To avoid merely rubber-stamping institutional decisions, Board members doubtless make the staff 'suffer'. This may be a source of friction, the Board members being seen as interfering busybodies rather than as people who are trying hard to see the right thing being done without fear or favour. Yet the principle which underlies the existence of Boards, that "the onlooker sees more of the game", works in various ways depending on personalities and

institutions. Certainly, the Board is criticised because it consists of outsiders whom closed systems are traditionally and understandably reluctant to accept.

A further ground for the unpopularity of Boards is the focus on the individual staff member or inmate and the apparent disruption of the bigger system. Board members, however, often see themselves as preventing by their actions individuals from disrupting the running of the institution. If any group has grounds for objecting to the Board's work, this suggests it would be staff but—in my experience—they are usually civil and helpful. But, however successful Boards are, it is inevitable that their presence will help prisoners more than hinder them.

FOOTNOTES

- ¹ *Report of the Working Party on Adjudication Procedures in Prisons*, Home Office (HMSO, 1975); G. Borrie, 'The Membership of Boards of Visitors of Penal Establishments', *The Criminal Law Review* (May 1976, pages 281-298); *Boards of Visitors of Penal Institutions*, Report of the Jellicoe Committee (Justice, Howard League, NACRO, 1975).
- ² For example, J. E. Thomas and R. Pooley *The Exploding Prison* (Junction Books, 1980) or L. Taylor in *Radical Issues in Criminology*, edited by P. Carlen and M. Collison (Martin Robertson, 1980).

TINKER, TAILOR, SOLDIER, SAILOR...continued from page 6

institution can avoid classic staff-inmate conflicts.

A concession

Nevertheless readers should note that the quality of staff-inmate relationships at Frankland generally exceeded most I have encountered elsewhere in the Prison Service. I attribute this to a tendency of the inter-face military staff to address inmates as "Mister". This simple gesture, a concession which demonstrates and helps preserve human dignity paid dividends and led to mutual respect and better understanding.

Maturity

A further lesson to be learned from this experiment is that 21 years is probably the appropriate minimum age for the recruitment of prison officers. I believe that many young soldiers (18-21 year olds) were exposed to situations and experiences

that they were ill-equipped for. They coped of course, but not without occasional difficulty or embarrassment, particularly when older institutionally experienced inmates tried to take advantage. It is possible to train a young man to fight, to be a good soldier, and to respond to orders, but our business requires skills in inmate management. It calls for the ability to maintain control by personal relationships with an unstable group who usually lack self-discipline. Such experience is acquired with time and broad experience of life, and what we seek in the Prison Service is adult maturity.

Consolation

As I write from home and reflect on a dispute which has caused many a governor grade to be re-deployed, and a smaller number to be separated from their families for long periods, I

can only hope that no permanent damage has been done to a service which has had troubles enough in recent years. For those of us who have served at Frankland our consolation must be the unique and happy experience of working with the combined services, and the pride and satisfaction of successfully opening a new prison. Sadly the higher ideals for Frankland to which I so willingly aspired failed and died. It takes so much more effort, so much more manpower, and so much more resources that I doubt if the prison system will ever change significantly.

Previous issues of most numbers in the New Series of Prison Service Journal can be obtained by using the order form printed on the inside back cover of every copy of the magazine.

THE PRISON DILEMMA

Explosion of Human Frustration or Explosion of Humane Ideas

William Perrie

I was asked to give a paper to the Annual General Meeting of the Howard League in November 1980. The subject I was asked to discourse upon was "the impending upheaval in prisons". The title did not appeal to me, infact it made me rather suspicious. Experience had made me wary of the sensation-motivated approach to penal problems. It rarely achieved anything beyond the distorting headline. Yet prisons, by their nature, are crisis organisations. It is true that physical upheaval or explosion is never very far beneath the surface. Despite impressions to the contrary, explosions in prisons are not always violent events of a destructive nature. There have been other explosions, explosions of ideas, of innovation, of experiment. In the past, some of these have tried out new and novel relationships within the prison. So I felt it was perhaps worth trying to examine penal problems in a slightly different way. To try and take the arguments outside the sensational and the emotional which so often cloud issues. The title of my paper defined the dilemma as I saw it.

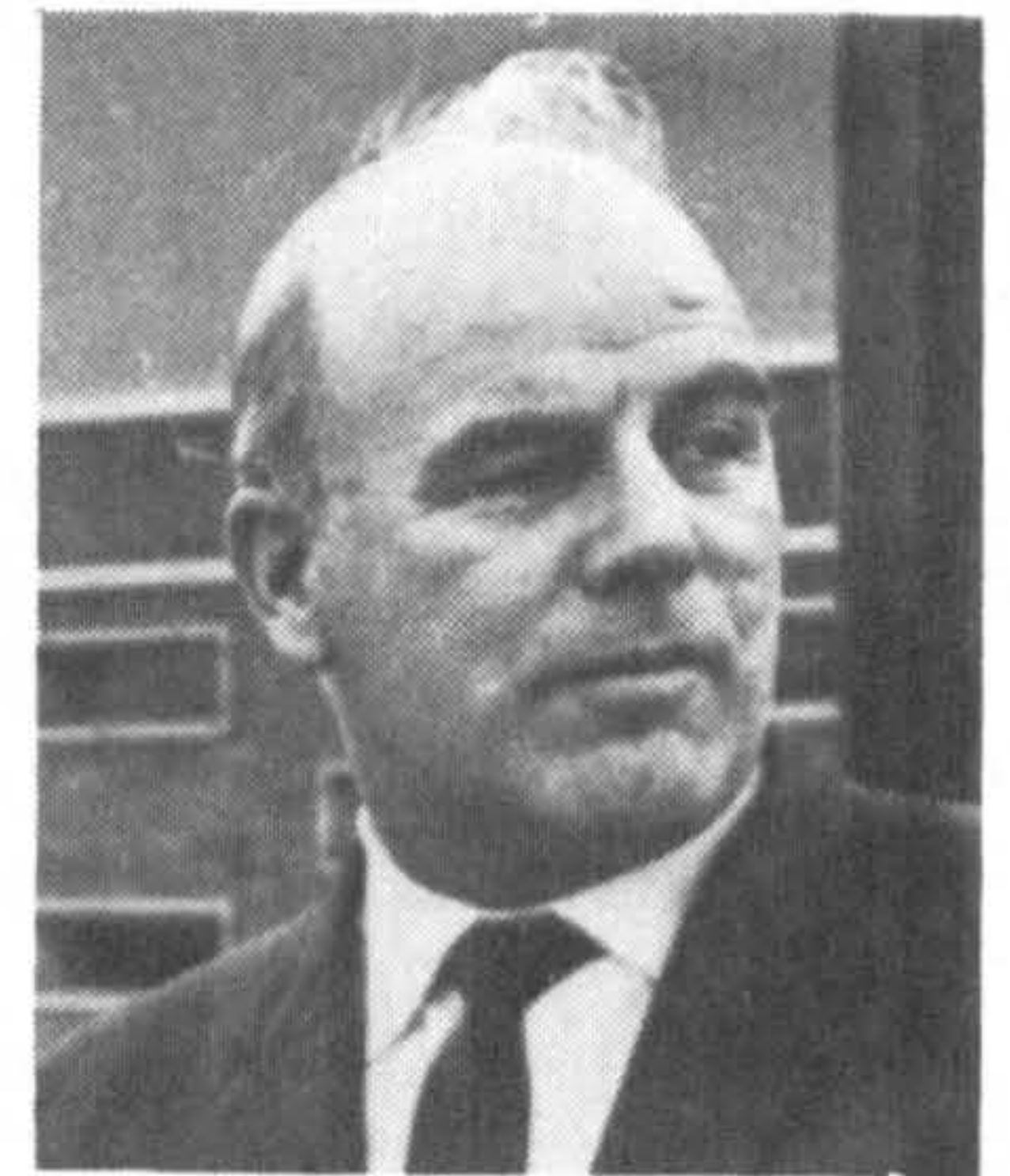
Freedom v. Control

Prisons in a modern society are faced with the problem of how much freedom they should permit within their walls. The freedom in question is usually about freedom of expression, freedom of movement, freedom of choice and so on. In other words the freedoms that all exercise in normal society without giving it a thought. At the same time prisons have a responsibility to exert some control over inmate activity. Decisions taken about those problems have effects reaching far beyond the outcome of immediate situations. Control which is oppressive will result in frustration in those being controlled. This can lead to a loss of control. Conversely, freedom which is excessive and is abused can also lead to loss of control. Strictly administered control demands little from those who impose it other than obedience to orders. On the other hand, those who opt for a system of freedoms are faced with the need to be sensitive and flexible in their responses. They must therefore constantly review the system they are operating and be sympathetic to new ideas and methods.

The Prison Service, prior to 1966, encouraged those with a flair for ideas and an inclination for experiment. The most highly-valued quality in staff was the ability to think through treatment ideas and translate

them into action. Imaginative projects of this era include the development of open prisons, the launching of hostels and working-out schemes, radical changes in prison regimes, the introduction of wide-ranging educational facilities, of group counselling, etc., etc. After 1966 the emphasis was increasingly on security and control. In the post-1966 period, staff who possessed the most highly-valued qualities were those who were good at maintaining security and those who exercised firm, formal control over inmates. The time when ideas and freedoms were ascendant had shortcomings. However, it was less frustrating for all, staff and inmates alike. The period engendered a healthy ethos and environment in establishments where ideas and freedoms prevailed. The control period created an atmosphere of frustration and inhibited those with ideas.

The Mountbatten Enquiry in 1966 was an enquiry into prison security. One outcome of that enquiry was that both staff and inmates increasingly found themselves secured into a system which became less flexible as it became more secure. The resulting resentment of both staff and inmates had been amply demonstrated over recent years. Why this came about is reasonably clear. What resulted from the policies in force since 1966, and how it impinged on those affected by



Bill Perrie retired from the Prison Service in 1978 having, during the previous 32 years, been in charge of the Boys' Prison at Wormwood Scrubs, the local at Swansea, and the dispersal prisons at Hull and Long Lartin before becoming Governor of Birmingham Prison. He drew on a long experience when he addressed the Howard League.

them is not always so clear. There is, however, a correlation between the reasons for the policy and the results of it. Sadly, it could be said, there always is.

Political v. Public Opinion

A variety of people and groups bring influence to bear on the policy and the running of prisons. At one end of a continuum public opinion exerts an indirect influence. At the other end parliament has a direct influence. Between the two, in a pluralistic society, there are many other factors and agencies at work. M.P.s have the responsibility for framing penal legislation. From the mid-60s onwards it would appear that what legislative and executive action there was stemmed from panic responses to crises. Where it did not, it manifested personal or party political preferences and prejudices. And, predictably, political and public opinion polarised in emotive battle order. Opinion at one extreme would seem to flog the miscreant into redemption. At the other, to bribe him into social quiescence by lavishing spurious affection on him. There were few, if any, fresh, imaginative solutions to the problems of crime and imprisonment on offer. Responses to each

succeeding crisis have been as predictable as those noted by Pavlov in another context. Unsurprisingly, protagonists in public and professional opinion have loyally followed suit. And so it continues. The outcome, so far, has been that more and more control is being imposed in prisons. Less and less are those involved in the running of prisons free to develop new ideas, new methods, new systems and new relationships among prison communities. This is frustrating. What is more frustrating to those wishing to develop a more effective prison system, is the knowledge that the more control authority imposes, the more control it will need to maintain its grip. Imposed control for its own, exclusive purpose is self-defeating. Any objective observer of prisons knows that.

In the prison setting, control and freedom have different connotations and implications from the same terms used in the outside world. It is an important difference. Control, in prison terms, results in the powerful exercising power over the powerless. For the powerless there are few opportunities to escape the often disagreeable consequences of this fact. The dangers inherent in such a situation are obvious. By contrast, freedom results in those with power sharing it with those who have not, in an attempt to create a healthy community and promote responsible, social behaviour. A climate of control stifles ideas and innovation. A climate of freedom stimulates and encourages social growth and maturity. If the foregoing is true, what effects does it have on those who live and those who work in prisons? How are the aims and objectives of the prison service affected?

Control v. Innovation

Prison staff come in for a great deal of criticism, some of it informed, much of it not. Whatever their virtues and vices, prison staff are a cross-section of ordinary society. They may work in unusual circumstances. However, they reflect, as do prisoners, current society; its values, its mores, its reactions. But the environment is unique. Most events occurring within a prison's walls are magnified or distorted, or both. Like all individuals prison staff are responsive to the expectations of those whose opinions they value.

Even more so are they responsive to those they see as being influential to their aspirations. The influential are represented by those whose judgments of them are regarded as being important. Traditionally, superiors filled this role, but increasingly others are occupying it. If the ability to exercise firm, formal control is highly regarded, then those having this quality will be seen as valuable, important and useful people. In a flexible and empirical system, those with innovatory ideas will be the highly thought-of people. In the post-Mountbatten climate there is little doubt about who is the most valued.

The period from the end of the last war until the mid-60s was a period of innovation and experimentation in prisons in this country. Reference has already been made to open prisons, hostels, radical changes in regime and so on. The result was an atmosphere which was at once freer and more socially purposeful. In the latter part of this time much of the experiment and innovation occurring had extended to the organisation and running of prisons. This had the effect of stimulating staff at all levels. It also involved staff and inmates in prison affairs in a way that was completely new. The majority of staff responded by vying with each other in thought, discussion and action. The merits of various regimes were scrutinised and how these might influence behaviour. The aim was somehow to send men out of prison better able to cope than they had been previously. Certainly at places such as Hull and Long Lartin prisons, staff at all levels discussed and formulated policy with senior management. All concerned with the running of the prison met, listened to, discussed and debated policy with prisoners. A permanent and unremitting dialogue pervaded the atmosphere and exercised an influence in all situations. Such a method of running a prison was not easy. It was difficult, stressful and thus it was trying. It stretched staff and inmates to the limit. One thing it was not, was frustrating. Quite the contrary, it permitted people to discharge frustration in a socially acceptable and undamaging way. Most of all it demanded discipline and determination.

It is a commonly held view that the so-called "treatment model" is obsolete. It is not difficult to see what the promoters of this idea are driving at. To treat individuals in prison in

order to reform them, as do hospitals to cure, has lost its validity, if it ever had any. However, legalised deprivation of freedom does not occur in an emotional, intellectual or social vacuum. Indeed, a prison is far removed from being a vacuum. Members of a prison community have no option but to treat each other. In these circumstances to say a treatment model is obsolete is akin to saying breathing is obsolete. This is not to say the problem is easily definable. It is on record that staff at Long Lartin prison experienced some difficulty in this complex area. To facilitate a coherent view of the aims of the establishment it was felt necessary to define treatment. After much discussion it was agreed that treatment was anything you did to, for or with a prisoner. Thus how you carried out the less pleasant duties affecting prison life became as important as how you carried out the more pleasant ones. The approach to how you searched a prisoner became as important as how you told him he was being released on parole.

Authoritarian v. Permissive

There has been, in recent years, a great deal of dispute about the relative merits of one form of treatment or another. The advocates of a hard, authoritarian regime in prison and those commending a softer, more permissive approach have, between them, stoked-up a great deal of emotion. The truth is that neither policy has produced results by reducing recidivism. Neither have they commanded any form of consensus in society at large. These are barren areas of argument. Any attempt to get to grips with the dilemmas of penal practice must try to shift the argument. The real questions to be asked are: what is the task facing a prison? What resources does it have? What is the proper use of those resources? The vital resources in prison are people. Relations among people are the only means of influencing individuals and changing attitudes. This calls for a radical reappraisal of the present organisation of prisons. The problem then becomes, how do you organise people so that the results of their work is to create more adequate, social human beings. Rules, regulations, even textbooks will not provide the answers. Answers, if there are any, will only be found when all members of a prison society set about

creating a community where different values to those in existence, predominate. In such a community moral values and standards of integrity will take precedence over all others in the daily round of prison life. The community will be constantly experimenting with ideas, relationships and systems of organisation. If something does not work, the idea or the system will be dismantled and those involved

will start again. Life will be testing and it will tax members of the community almost beyond their capabilities. But it will be real life as each person, staff and inmate alike, begins to discover what it means to be a responsible, mature, social being.

This may seem to be a distant and perhaps idealised goal. However, the prison service in this country had taken a few tentative steps down this

road. Despite present trends and climate there is the ability, the willingness and the people to set out on the experimental path again. There are many in the Prison Service waiting for the opportunity. Really imaginative political leadership would signal the start.

The only explosion in prisons we would then have to concern ourselves with would be the explosion of ideas.

Letters

THE EDITOR
Prison Service Journal

Dear Sir,
Community Service Orders

I was interested in the review of the book, *Community Service by Order*, edited by Pease and McWilliams which appeared in *Prison Service Journal*, Number 41, in January 1981. There appear to be 2 main points which arise. First, the question as to whether Community Service Orders are a sentence in their own right or are a direct alternative to custody. Any ambiguity which is around is due to the wording of the Act, and its interpretation by judges and magistrates. This ambiguity can lead to inequity, as a defendant could appear before a court which sees Community Service as a sentence in its own right and at the time of making an order on that defendant has no intention of imposing any custodial sentence. If a breach of conditions results in action before the supervising court, that court may well see any Community Service Order as being a direct alternative to custody and revoke the order and re-sentence to a term in custody. This could explain why some Community Service Officers appear to be more generous in the enforcement of the conditions than others.

The second point which is open to challenge is that Community Service is administered by the Probation and After-Care Service, whose experience is in individual treatment. As a general statement this is only true of the management structure, as most areas have recruited staff who are not trained as probation officers and who have a clear responsibility to ensure that the order of the court is complied with. These are the people in daily contact with the offenders.

Possibly the biggest inequity in

Community Service at the present time is the number of hours ordered by the courts. The experience in 2 Petty Sessional Divisions for which I have some responsibility is that, in 1980, orders made by Crown Courts averaged 124 hours each while, in one Petty Sessional Division, Magistrate's Orders averaged 135 hours each and, in another, 168 hours each.

Community Service Orders are a sentence which have an appeal whether the standpoint is treatment or punishment, and are going to be a sentencing option for a long time to come. They can be justified on the basis of economy alone.

I do not have any national statistics for the total number of orders made in 1980, but if the figure of 50% of orders being a direct alternative to custody is correct, a conservative estimate is that the daily population in custody must have been reduced by some 3,000. With the numbers currently being catered for in prisons stretching the Prison Service almost to its limits, this must be a welcome relief.

Yours faithfully,
F. W. HAYNES
*Senior Probation Officer
County of Avon Probation and
After-Care Service, Bath*

THE EDITOR
Prison Service Journal

Dear Sir,
Following the excellent April 1981 edition of the *Prison Service Journal* dealing with Lifers I should like to comment on the inexcusably inaccurate impression of Avon Probation Service policy left by Paddy Scriven and Peter Gibbs in their article "Lifers in Open Conditions".

The Avon Probation Service is not

"disconcerted" by the large numbers of Lifers choosing to settle in their area. They are concerned and anxious to undertake as professionally as possible, the considerable responsibility for supervision of these licensees. The Service is acutely aware of its personal responsibilities to the licensee and its wider accountability to the public. In a very focussed effort to improve our knowledge and skills we are currently holding a second full-day staff workshop concerned solely with the question of Lifer supervision.

It is also inaccurate to suggest that Avon's policy not to generally allocate a Lifer until a provisional date for release has been received (normally one year from final release), is a negative result of the large number currently under supervision. The policy is a positive response to our considerable experience which suggests that a major investment in the last year of a Lifer's sentence is likely to make the most effective use of scarce probation resources. Our policy specifically allows for exceptions to our general policy where the need for an allocated probation officer before a provisional date has been received, can be argued.

I am sad at the "sniping" views concerning the Avon Probation Service expressed in this particular article by our close neighbours at Leyhill Prison. Both the prison and probation services face a common and a growing problem associated with the containment and release of increasing numbers of Lifers. For me at least, Paddy Scriven and Peter Gibbs have once again highlighted the need for more dialogue and understanding between our two services, though long may the healthy tension remain!

Yours faithfully,
G. N. MACFARLANE
Assistant Chief Probation Officer

Whatever happened to...?

Recently I blew the dust from two white volumes which were hidden under piles of fading documents in the A.G.'s office. I discovered they were Volumes I and II of the 1974 Prison Management Review Third Stage (MR3). The Report had impressive terms of reference including recommending management methods and outlining the functions of staff in different establishments. The two volumes, amounting to 173 pages, were filled with charts and diagrams on topics such as Industries, Staff Development and Clothing, Bedding and Equipment. Each chart had its own legend to enable the uninitiated readers to find their way along 'Main Flows', 'Revision Loops' or, if you went wrong, 'Alternative Actions'. All you really required was dice and coloured counters and you could have played Managerial Snakes and Ladders.

by

C. Norman

*Assistant Governor
HMP Winchester*

As the books were found in pristine condition I decided to seek further knowledge about the contents from experienced colleagues. A quick straw poll drew ribald comments and one or two incisive but unprintable responses about what should have been done as a result of the Review's publication. This reaction led me back to the Review to try and find out why the report had apparently been accepted so unfavourably.

I found that a book by Donald Schon entitled 'Beyond the Stable State' was useful in providing a framework within which to look at the problem. What follows, therefore, is a brief look, not at the content of MR3, but at the assumptions contained in the approach of the Review committee.

The first point to make concerns the difficulty of any organisation to accept suggestions about the way in which it functions and adjust to even minor changes. The process of change is particularly difficult if initiated from outside the institution and MR3 was just such an externally presented project. Thus, there was nobody who could take up the new ideas and champion the cause, leaving the way clear for internal interest groups to work together to block the innovations or just make minor changes to incorporate some of the proposals. Behind this reaction is

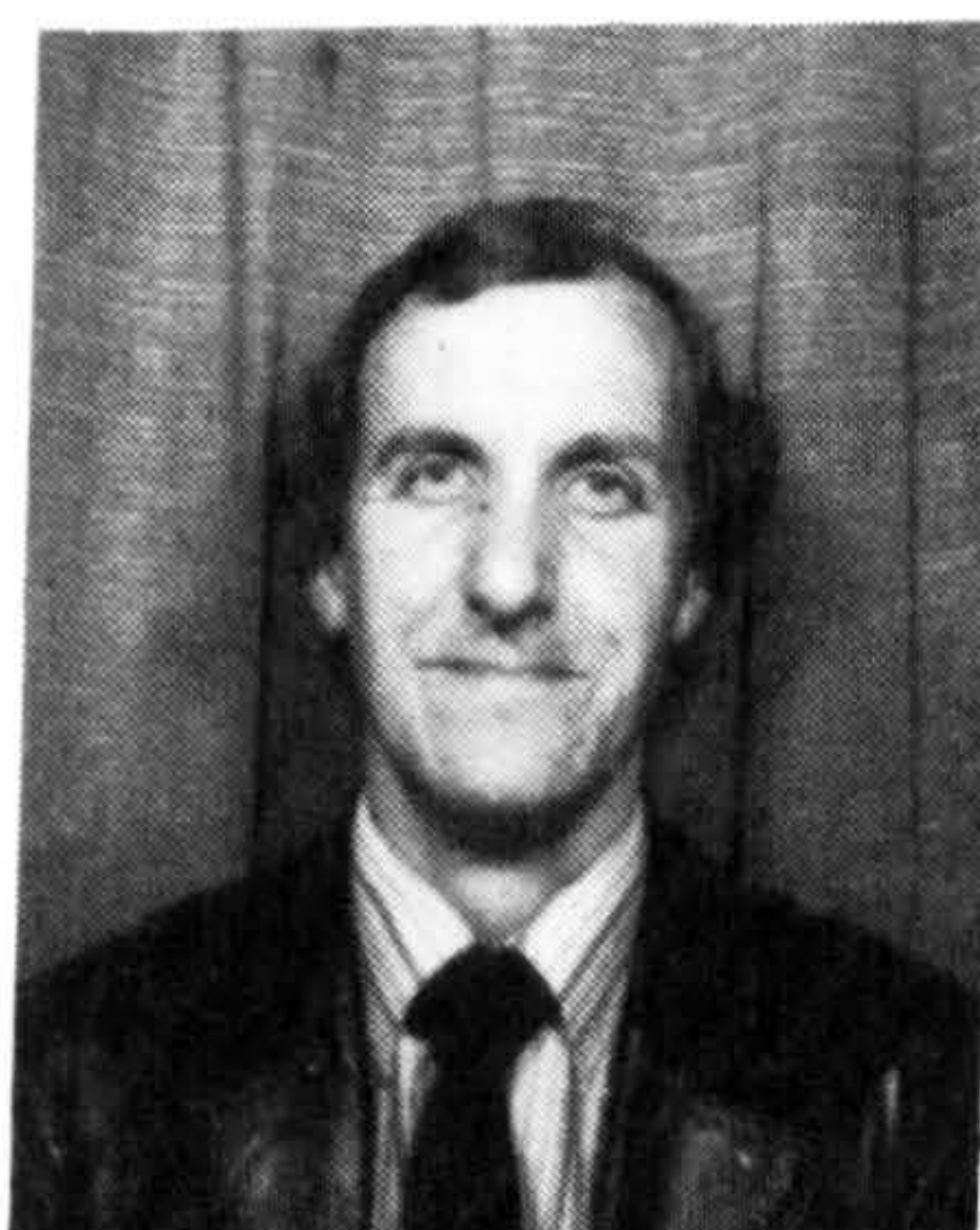
not a series of people filled with malevolent intentions. The reaction comes from individuals who are already preoccupied keeping the establishment going and who do not have sufficient resources to promote substantial change. Sometimes management's reluctance to change is put down to lack of intelligence. Whilst this assertion might meet with many approving nods it is clear that it does not resolve the problem entirely to everyone's satisfaction.

As I have already suggested, the local establishment is a functioning unit and within it is a mass of complex relationships. These are not a series of contacts which can be illustrated diagrammatically as they are in MR3. These relationships are subtle and depend upon highly variable factors such as friendships or person-

ality. Because of this complexity the role of the manager is not an easy one. Tolstoy described what it was like for a Commander who finds himself in the midst of all these problems and describes them as a 'complex play of intrigues, worries, contingencies, authorities, projects, counsels, threats and deceptions'. It is within this context that managers, who are individuals themselves, have to operate and cut a path which reflects their own values. There is not even a hint of this highly-charged structure in MR3. The whole report does not even raise the fact that managers are faced with a series of problems the answers to which constantly conflict with one another.

MR3 failed to come to terms with the real nature of establishments. If the Committee had taken this into

continued on page 15



Clem Norman who describes himself as one who defected from prison teaching in 1979 claims to be enjoying a civilized introduction to the work of an Assistant Governor at Winchester Prison.

Under-Age, Out of Mind

Trevor Williams (Assistant Governor)

"There is no large untapped reservoir of potential governors in the prison officer ranks", is the phrase which has rescued the Report of the Working Party on the Recruitment of Prison Governors¹ from almost total obscurity. I say almost because apart from the making of that possibly contentious observation, the Working Party did give rise to another oft forgotten but equally contentious phenomenon; I refer, of course, to the 'under-24 entrant'.

Two recent occurrences, the publication of the Prison Department notice about the restructuring of the Assistant Governor Grades and my introduction at Conference, by a Regional Director, as an 'under-age entrant' have prompted me to make this unsolicited response, and attempt my own review of what was to be, on the recommendation of the Working Party, a four year experiment.²

Historical Background

But first the history. The problem with which the Working Party concerned itself was how to devise a system of Governor recruitment which would, in time, produce a unified service.³ To this end it recommended that an experiment be set up whereby a limited number of Direct entrants would be required to serve for a period as prison officers, before being appointed as Assistant Governors.⁴ The Home Office agreed, and the first 'under-24 entrants' were recruited to the service in 1974. Since that time fifteen or so Assistant Governors have participated in the experiment.

I cited two occurrences which prompted me to undertake this review, each represents a different perspective, and both require examination. In the Prison Department Notice to which I refer, there is an apparently simple amendment to policy. This is illustrative of the view that the under-24 scheme is a fully established and integrated component of Governor recruitment. No hint of the temporary, no suggestion of review. The second occurrence, whether intentional or not, is a perfect example of the mythology that surrounds the scheme. The belief that this 'junior leaders' type of

experience is a maturation process before the *real* training begins, is prevalent and misguided.

Practical Problems

Let me say that the experience of working for a year as a prison officer has been far and away the most useful training input that I have received to date, and I would suggest that a similar experience may be appropriate to all direct entrants. However, that is not to say that there aren't a number of problems, both practical and theoretical, that need resolving before the attitudes previously mentioned, crystallise into policy.

The practical problems are most pressing and need speedily resolving. I draw the reader's attention to but a few. There is the problem of the

period of probation. At present, the two years probationary period for Assistant Governors under 24 includes time spent as an officer. This leads to the ambiguous position of completion of probation half-way through training. The Prison Department Notice apparently solves the problem, but in so doing, I would submit, creates greater difficulties. The proposed scheme fails to clarify the situation at the officer stage. Is the 'under-24' on probation as an officer, a job for which he has neither applied nor been selected? I would suggest not.

Further difficulties arise when Union representation is considered. Is the 'under-24' a legitimate member of the P.O.A? He is certainly paid as an officer, works as an officer, but is he an officer—or just the governor's nark at P.O.A. meetings! Again, what is the quarters entitlement for the 'under-24' and what should be the frequency or purpose of contact with Governor grades in the establishment at which he serves as an officer? If the aim is to gain as much benefit from the year as possible, should the experience include working in 'fixed posts', the 'brighter' end of a prison officer's job, but a preserve not shared with officers on probation? The list is extensive but I shall not



After graduating at Southampton University and employment in residential child care and with the Police, Trevor Williams joined the Prison Service as an under-24 entrant in 1978. He served as an officer at Pentonville and is now an Assistant Governor at Feltham Borstal.

continue. What I hope to have shown is that it is wrong to assume that all is well in the absence of complaints.

On the theoretical side, the difficulties are more subtle. Considerable concern was expressed by the Working Party regarding the possible deterrent effect of a period in uniform for direct entrants.⁵ If a failure to review can be construed as support for the under-24 scheme, it seems possible that the Department may be disposed to extending the scheme. In the current climate of unemployment, any deterrent effect is likely to be less significant. What is of significance, however, is the inevitable change in character of Assistant Governors recruited, given an extension of the 'officer experience'.

Effect on Recruitment

My prediction would be that firstly, the average age of those applying would fall. The younger, 'first career' recruits are more likely to accept the inconvenience of an additional move and a 'low status' job. Secondly, those who have tended toward the

'case-worker' approach and who have seen the prison officer as a means to an end rather than an end in himself, would be disinclined to apply. The nett result, I suggest, would be that the change in character of Assistant Governors would be toward younger and more management orientated recruits. This, it goes without saying, has far-reaching implications for the service.

Perhaps the most serious objection of all to a continuation or extension of the scheme is the problem of time. It is widely recognised that all but the very few are precluded from top Prison Department posts. Ability, alas, is not the sole precluding factor, but insufficient time to gain field experience and to hold positions at Regional or Head Office, frustrates governors in their attempts to secure the top positions. If a further training input, such as the requirement to serve for a period of time as an officer, is thought desirable, serious consideration must be given to the procedure whereby, 'home-grown' talent can eventually fill the top-most

prison positions.

In conclusion, can I reaffirm my support for the 'officer experience'. The benefits for operational management far outweigh the difficulties incurred. Like many of my colleagues, I believe the system should be extended to embrace all direct entrants, but a word of caution. In any debate on the 'officer experience', beware the direct entrant pro-lobbyists, who have not undergone the experience themselves and whose motives and perceptions may cloud the issue. In the words of the Working Party report, when discussing the under-24 group, "It is the reaction of this group to a requirement to serve in the ranks that is crucial."⁶

NOTES

"Report of the Working Party on the Recruitment of Prison Governors", November 1972.

- | | |
|-------------------------|--------------------------|
| 1. Paragraphs 49 and 63 | 4. Paragraph 80 |
| 2. Paragraph 79 | 5. Paragraphs 70, 73, 74 |
| 3. Paragraph 1 | 6. Paragraph 76 |

Editor's Note: I am informed that the 'under-24 scheme' will be considered as part of the forthcoming training review.

'WHATEVER HAPPENED TO...?' continued from page 13

consideration the factors which I have just outlined then either they would have produced a different report or they would have built into the Review the means by which the local establishments were to adopt the proposals. Within the sterile framework of MR3 are the seeds of its own destruction. If you look at one of the major assumptions built into the Review it is possible to see this. The Review explicitly states that the local management task is to carry out H.Q. policies and that it is 'not free to add or reduce its designated activities according to its own assessment of penal priorities'. The point I am making is that establishments do make assessments and they do it all the time. As a result of individual decisions H.Q. policy takes on different meanings at all levels of the structure and that different interpretations take place between individuals at the same level.

In failing to face up to the problem of looking at these intricate relationships the Review also overlooked the fact that establishments are capable of change but it is more a process of adaptation, sometimes referred to as 'dynamic conservatism'. This process evolves because the establishment provides for its members, inmates and staff, the means by which they

gain a living, it protects against outside threats and is the main framework within which a lot of people make sense of their lives.

The conclusion to all this is that change requires careful handling. Any project which fails to envisage the implications of what is happening on the ground at the local level is doomed to collect dust on the shelves.

It is, of course, this vast array of sometimes conflicting interests which makes management's task fascinating especially when this analysis asserts that not even management is a unified body of opinion. This approach invalidates the methods of MR3. What worries me is that there might be more MRs on the way and I would hate to see four years of my hard work put on a shelf to collect dust.

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FIT FOR TRIAL?

Beating the Rap

H. J. STEADMAN

University of Chicago Press 1979, £9.10

This is a somewhat turgid and uninteresting book which exposes a considerable weakness in the American legal system, namely the issue of 'incompetency'. This is a legal gambit whereby any accused person in whom any evidence of mental instability is evident can be declared 'incompetent to stand trial' and thereby be incarcerated in a mental hospital on a Court Order until considered fit. The period of detention varies between 90 days for a non-indictable offence to 12 months for a felony. The title is somewhat emotive but I presume the author chose it because of a tendency, not only among Americans, to believe that a mentally abnormal offender, who is disposed of other than by means of a prison sentence has somehow evaded his just deserts.

The chapters in the book which detail the eventual disposal of mentally abnormal offenders in the State of New York, show that few, if any offenders regarded as 'incompetent' do (having been through the medico-legal system) return to the community without some form of compulsory detention, or, after being returned to Court for trial, in prison.

Incompetency to stand trial is, of course, a peculiarly American institution. In Great Britain, it is not the policy of the Courts to try those who are obviously unfit to be tried as a result of any of the accepted mental disorders with which the Court has to deal. However, it would seem that an offender who is mentally ill, but yet not so ill as to be unaware of his surroundings, can be presented to the Courts in New York State as incompetent. Examples in the book show that a depressed person, an alcoholic, or a drug abuser can be advanced as incompetent. The result of a successful incompetency hearing means that the individual is then placed under a 90 day or a

12 month order detaining him or her in a mental hospital until such times as they are either fit to attend trial or, in the case of non-indictable offences, whether or not treatment should continue and the case 'be on the file'. While this may, on the surface, appear admirable, it is obvious from a close reading of the book that natural justice does not take place. Any individual on a relatively minor charge can be detained between 90 days and 12 months prior to any hearing of charges against him. The author spends a great deal of his work in examining the different type of resources available for such individuals ranging from a maximum security hospital, whose methods are unacceptable to British practitioners, to the open unit whereby fear and alarm is created in the lay mind, and what is more important, in the judicial mind as well.

The author studied 539 cases in which incompetency to stand trial was suggested by the defence: he breaks this sample down by their ultimate disposal. Two figures show that 58% of those on an unindictable offence eventually finished in a civilian psychiatric hospital with no further court appearance, as opposed to 36% of those indicted and considered dangerous. In neither group was the offence proved in a Court, nor is it clear how many were eventually returned to Court and imprisoned. Discharge to the community as a condition of probation did not occur in a single case of indictable offence and reached only 10% in those on an unindictable charge. It would seem to the reviewer that the liberty of the subject is gravely at risk here and that the British system of dealing with both types of case in Magistrates, and Crown Courts by means of mitigation and the production of psychiatric evidence, is perhaps more efficient in the long run and more satisfactory to the patient. The case in a British Court is dealt with by means of conviction and psychiatric disposal much more quickly than described in the text and the judicial process in New York State

seems prolonged, tedious and very wearing to the accused.

One has only to think of the depressed middle-aged shoplifter who resisted arrest and who would undoubtedly be advanced as incompetent to an American court and could spend up to 12 months compulsorily detained in a psychiatric hospital before returning to Court to be dealt with on the original charge. In this country, of course, the charge and the disposal, including psychiatric treatment if appropriate, would be dealt with at the one hearing. A certain amount of cynicism in the reviewer's attitude suggests that the power of the American Bar Association is fairly near the surface on this whole issue.

I was left with a certain feeling of unhappiness as I studied this book over a period of several weeks. For all the criticism which is levelled at our Magistrate and Crown Court system I think it would offend British susceptibilities were it possible by legal artifice to delay a trial for a period of up to 12 months while the mental state of the accused was evaluated and treated. For an individual to be compulsorily detained for 12 months and then returned to Court to face a long period of imprisonment would be anathema to the average British jurist. It would seem to me that the words of John Stuart Mill, namely that freedom must be limited in order to preserve it, have never really penetrated the American legal system.

I do not think that any individual who was declared incompetent in this study 'beat the rap'. Freedom of choice was arbitrarily removed on the word of a single psychiatrist and up to a year taken out of the lives of many individuals who in all probability would not have lost their liberty either under the English or Scottish legal systems.

W. K. LAWSON
*Senior Medical Officer,
 Remand Centre, Risley*

A Person of Bad Character

JOHN GRIFFIN

Longman 1980, 80p

A Person of Bad Character is a small, very readable book which charts the course of Jim Green's career as he passes through arrest, borstal training, abscond, recapture and return to borstal. The book is written in the words of Jim Green and gives an insight into his feelings and his view of life.

The tale is a common, well-worn one to those working in the young offender field, what is interesting in the book is how the various contributing factors affecting Green's behaviour are drawn out and how Green comes to terms with himself and his way of life. Several characters

emerge in the story particularly those Green meets in borstal, but I felt these were left in mid-air and I would like to have seen them more fully expanded. However, we must see the characters only through Green's eyes and accept those things that he remembers or finds important.

I found the cleaning methods employed in the punishment block of Green's borstal rather hard to believe but then in a work of fiction all things are possible. The change in attitude and realisation that the responsibility for his actions are his alone is a very gradual one, learned through painful experience for Jim Green. The temptations and pressures for Green to return to crime are there in the form of his old friends and his own lack of discipline, weighed against the maturation that has taken place and the

determination Green has that he will not return to crime. The reader is left with the impression that the end of the book is just the beginning for Jim Green and that harder lessons are yet to be faced. The book makes no judgments about who is right and who is wrong, it simply tells the story of a young man passing through a very difficult period of his life. It is a good book for those interested in penology or just in people, it is easy to read and makes sense of a senseless trail of events.

W. E. PRESTON
*Assistant Governor
 Hindley Borstal*

Policing Freedom

JOHN ALDERSON

Macdonald and Evans 1979, £7.50

Who Prevents Crime?

JOHN WHEELER

Conservative Political Centre 1980, 70p

The police in Britain were born out of controversy and it is curious that the question of how they work has not been a constantly noisy public issue. For long periods, the police have enjoyed something between quiet approval and gentle music-hall indulgence. From time to time, fiery debate has broken out in circles of special interest about particular aspects of policing to do with public order, police and politics, public confidence and so on, but the general tenor of police and public relations is that Britain has been fortunate in its policemen and that they can reliably be left to get on with the job.

Grunwick, Countryman, Southall, Bristol, Brixton, James Anderton, 'law and order' as an electoral issue and media coverage of the police have changed all that. Some critics, like E. P. Thompson, are deeply concerned about the threat which top coppers pose to crucial constitutional safeguards of life and liberty. More recently, social scientists have questioned the effectiveness of the police in the wake of their high rewards. These arguments are at their most intense and are better informed than ever before.

As top coppers go, John Alderson figures as a liberal, open-minded commentator, reflecting on his wide experience, sharing his view of the job with the layman. His book, *Policing Freedom* is an earnest attempt to spell out the principles which should govern what he and his men do. Yet it is a bit like having a trombonist tell you the time and doing so by blowing, if ever so gently, on his horn. He has no other language by which he might escape the confinement of his calling. In a paradoxical way, Alderson's liberalism generates a greater uneasiness than the louder and more strident self-assured authoritarianism of that other publicist of police affairs, James Anderton.

The paradox is explained by Alderson trying to show his understanding and not altogether succeeding where Anderton would not approve the effort in the first place. The very structure of Alderson's book encourages him into snatches of enlightenment rather than into a sustained and manageable presentation. Each of the thirty chapters is very brief and quixotically selective. As an instance, the author uses Bertrand Russell's definition of power but skips the bit where Russell likens the power of the police to that "when a pig with a rope round its middle is hoisted squealing into a ship". Nevertheless, the writing earns at least some of our trust, especially where it hesitates to accept that the police should be the front line in 'law and order', seeing this as essentially a public responsibility to be exercised rather than imposed by the police. The chapter sketching out 'A new model police' is the highlight of the book and it has a kind of sagacity about it, straining to keep in touch with the richness and variety of the humane policeman's responsibilities to a public to whom he remains accountable.

The extent to which the police have been diverted from their original task of preventing crime underlies present-day concern about their effectiveness. So it is topical to ask, as John Wheeler does, *Who Prevents Crime?* The author was seven years an Assistant Governor, sometime Home Office researcher and is now Vice-chairman of the Parliamentary All-Party Penal Affairs Group, understudying Robert Kilroy Silk. It is to his credit that he has been active in the campaign to get rid of the so-called 'sus' laws. This pamphlet, however, is no credit to anything or anybody. It is simple-minded, half-baked, uncomprehending party political rhetoric which can only address the witless party faithful. The Home Secretary himself, as one such, endorses the production as 'excellent!' The awful reality is that penal policy-making is so close to hands

such as these.

The most utter nonsense is best represented by Wheeler's suggestion that the threat posed by the drunken driver could be solved by building an alcohol sensor into the ignition system of motor vehicles. The most blatant misrepresentation occurs in Wheeler's attacks on Eric Heffer and Jack Straw in their attempts to relate what the police do to those for whom they do it.

It is only fair to say that, in a great deal of the little he writes, Wheeler is pretty well-informed. He is right to be as sceptical as the rest of us about the effectiveness of penalties, to be concerned at the proliferation of legislation, to argue for probation officers to deal in facts, to wonder about increasing the technological sophistication of the police and so on. He uses recent research to support these sorts of concern. Where he is so wrong is in the earnestness of his faith that his political side have it right while the other has it otherwise.

If Boeing 707's are routed over your house, you are entitled to a very high measure of assurance or proven evidence that the people who build and fly and control them show proven evidence that they know what they are doing. Equally, the public is entitled to ask those who propose remedies for social ills know what they are doing. It is far from clear that Wheeler has shown his capability, or that of his Government, in this respect. What play is Wheeler making with our liberty, for instance, when he suggests that 'Courts should be empowered, when dealing with persons convicted of offences connected with picketing, demonstrations and public meetings, to prohibit them from attending public meetings for a specified (not indefinite) period, under pain of imprisonment'?

M. BEESON

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Eyewitness Testimony

ELIZABETH F. LOFTUS

Harvard University Press 1980, £10.50

Previous books concerning eyewitness testimony have tended to focus on individual examples of alleged injustice. Whilst these arouse some public concern at the time, they are usually considered uncharacteristic and quickly forgotten. Who now remembers George Ince, Luke Dougherty, Laslo Varig, George Davis and Patrick Meehan, all of whom were convicted as a result of eyewitness identification which was later discredited. Even Peter Hain seems to have lost interest in the subject after describing his experience of arrest and trial in his book *Mistaken Identity* (reviewed in P.S.J. No. 27). Yet juries frequently reach verdicts of guilt mainly on the basis of eyewitness evidence and some comprehensive account of its validity is long overdue.

Eyewitness Testimony is by far the most thoughtful and complete work on the subject to date. Beginning with the basics of eyewitness fallibility, such as poor viewing conditions, brief exposure, and stress, Elizabeth Loftus moves to more subtle factors, such as expectations, biases, and personal stereotypes. She also shows that eyewitness memory is chronically inaccurate in surprising ways. An ingenious series of experiments, for example, reveals that memory can be radically altered by the way in which eyewitness is questioned after the fact. New 'memories' can be implanted and old ones unconsciously altered under interrogation.

The author has integrated her research into a theoretical framework that views eyewitness testimony in terms of a three-stage process: acquisition (including perception and initial storage of information concerning an event), retention, and retrieval. She reviews the research into all these areas and relates them to the subject of the book, demonstrating clearly that most people are so fallible at each stage that their account of an incident witnessed is almost certainly incorrect in some major detail. The reader's interest is maintained by relating experimental psychology to the legal scene in a

very practical way.

In the most thought-provoking and challenging chapter, "The Eyewitness and the Legal System", Loftus makes a general case for a closer relationship between the law and social science, and particularly for expert psychological testimony to be presented in cases where conviction is likely to depend primarily on identification evidence. She suggests that juries do not know enough about the factors influencing eyewitness testimony to be able to evaluate it. Such expert testimony has, apparently, been allowed in some States of America.

Eyewitness Testimony is interesting and easy to read. It confirmed for me the impression I formed from previous reading that conviction on the sole basis of identification evidence is often unsafe and, more important, it gave me the evidence with which to support that impression. The Devlin Committee established some safeguards but perhaps they didn't go far enough.

RAY MITCHELL

*Deputy Governor
Preston Prison*

Dangerous Men—Sociology of Parole

RICHARD MCCLEARY

Sage 1979, £4.25

This is a study of the way in which a parole agency in a large American city works. The agency is controlled by a central administrative authority which operates through a system of branch offices. It contrasts the publicly expressed attitudes of the central administration and their priorities with those of the field workers in the branch offices and attempts to explain how and why they differ but also manage to coexist to the mutual advantage of both sides.

The author conducted his research by participant observation of the work of the parole officers and their supervisors in the branch offices and discussion with them about their relationship with the central authority. He outlines how the central authority is primarily concerned with the political implications of the work of the agency and is interested only in minimising squabbles with other Criminal Justice bureaucracies and in maintaining a satisfactory public image. The branch offices, whilst paying lip service to the rehabilitative aims of the agency, tend only to operate in such a way as to keep the central administration off their backs. They try to ensure this by a variety of different means which have little or nothing to do with the rehabilitation of their clients.

The author describes how the officers in the branch offices operate on a mutually-protective basis by covering for each other in what is tantamount to a conspiracy to avoid work. He tells of the way clients are carefully screened before being taken on to case loads and the means used to safeguard the officers against criticism in cases of difficult clients. These are referred to as "dangerous men"—hence the title of the book. They are the clients about whom they have to be especially careful—not usually because of the criminal danger they pose but rather the danger they might present if enquiries were to be made about their treatment. The parole officers, after identifying these people, sometimes try to divert them to other social agencies, sometimes make it known as soon as possible that they are uncontrollable and even on occasions have their parole licences revoked. They do this because they believe that the central administrative authority expects the parole officers to control parolees or to announce that a parolee is uncontrollable. If they do not take these precautions they expect that any trouble afterwards will be attributed to failings in them rather than the parolees.

McCleary also shows with vivid illustrations how a novice parole officer (who is entirely dependent on the good reports of his supervisor within the branch office to be confirmed to his job) is indoctrinated. Ways of working include making as much free time as possible for the parole officers, having very little personal contact

with all but a few of their clients, and being extremely circumspect and non-committal about what is written in their reports. Full reporting, they believe, can place the parole officer in jeopardy.

The recurrent theme of the book is that parole officers want above all to keep outsiders from examining their performance. The central administrative officials want above all to present a good face to the public and to other Criminal Justice agencies. As McCleary says, "these two interests coincide in the bureaucratic dynamic". The goals of any organisation tend to be formed by the interaction of power groups within it and the strongest motivation on both sides is that of self-protection and not the best interests of the clientele.

The parallels, not exact but similar, that can be drawn with social agencies—including the Prison Service—in this country will not escape a discerning reader.

DAVID LONGLEY
Deputy Governor
Long Lartin Prison

Corrections

PAUL W. KEVE
John Wiley & Sons 1981, £9.30

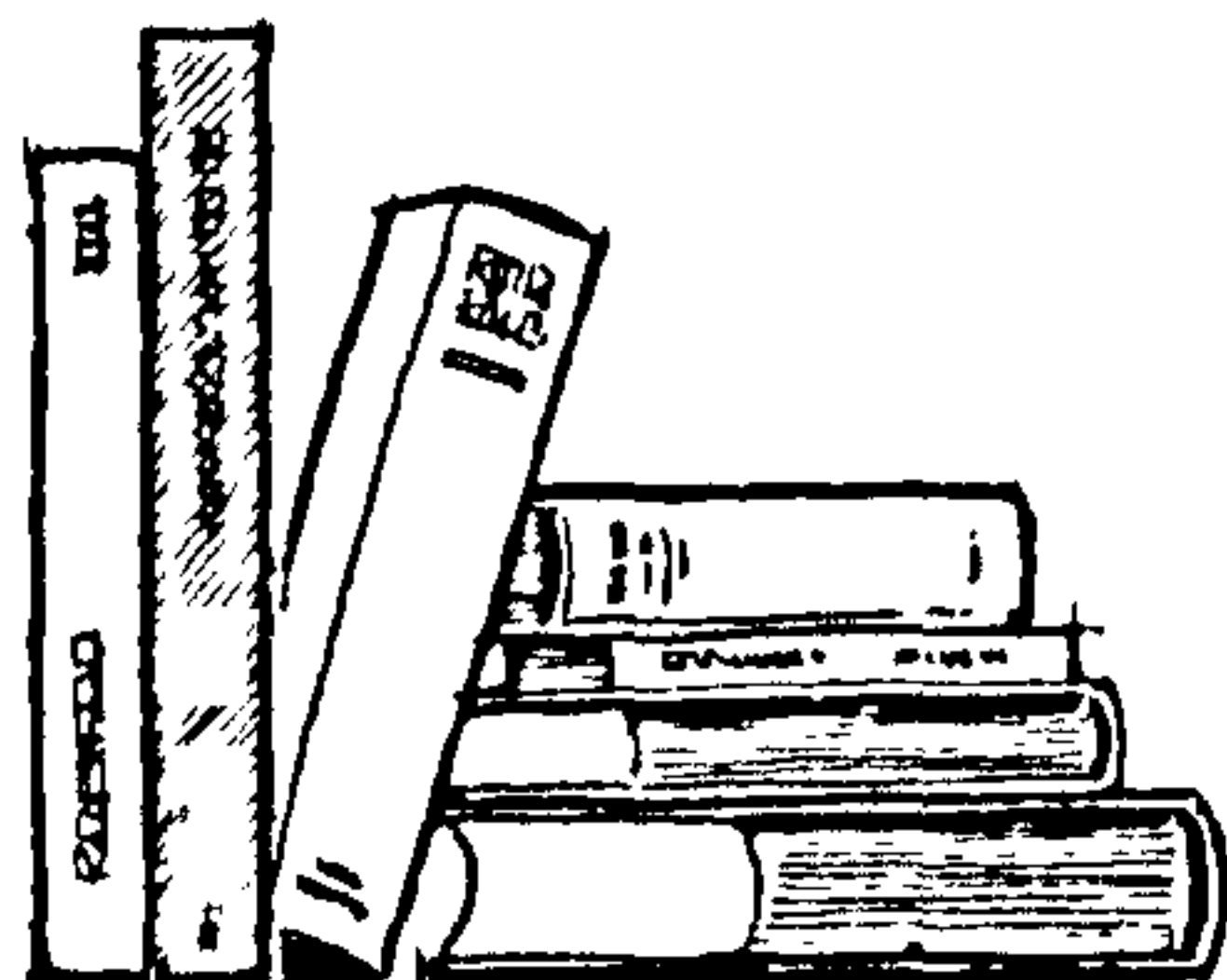
This American work highlights a deficiency in the resources available to prison service staff in England and Wales: a readable textbook for those new to the job. Nigel Walker's *Crime and Punishment* is probably the best introduction to criminology for British students, but there is no one work which deals specifically with corrections; significantly, the generic term is scarcely used in Britain.

Mr. Keve divides his book into five parts, comprising seventeen sections. The first part is historical and gives an interesting, if encapsulated, account of the development of criminological thought and its practical expression in prison systems. There is an understandable emphasis on the evolution of American theory and practice, but its relevance to British penological history should not be discounted.

Much of the rest of the book is devoted to descriptions of American administrations and problems, and I found it increasingly difficult to accept the Transatlantic terminology, or to relate Mr. Keve's descriptions to the British position on many issues. For example, U.S. penal legislation is different from state to state, and federal legislation is often different again. This picture is further confused by judicial decisions binding only in their own county, state, or circuit. I understood this from Mr. Keve's book, but I could not relate it to the relatively simple unified legislation in England and Wales.

Corrections is aimed at those studying correctional programmes in the U.S. It is unlikely to be of use in a market for which it was not intended. The British student of American methods will need to go to more detailed works; the interested prison service reader will only use this book if set an essay on corrections in the U.S.

DAVID CURTIS
Warden
Foston Hall Detention Centre



Previous Convictions, Sentence and Reconviction

G. J. O. PHILLPOTTS and L. B. LANCUCKI
Home Office Research Study 53, H.M.S.O.
1980, £2.25

This is a purely descriptive study as the authors point out in their opening sentence. As such it is long on statistical information—25 tables in its 47 pages, some of them quite complex—and short on wordy criminological interpretations. However, in spite of the volume of figures, there are no fancy technical statistics to baffle the uninitiated. It is the sort of work I would refer to in the context of critically considering research which includes reconviction data.

The sample for the study consists of 5,000 people convicted of a "standard list" offence in England and Wales during January 1971 (about one in six of the total). The data reported derive from the Offenders Index and include offence classification, type of sentence and court, age and sex of offender, and date of appearances for all known convictions from 1963 to 1976. The authors explain that their sample is not representative of all people who have been convicted during the 14-year period—as a "through-put" sample it is biased towards the more frequent offenders. This has to be borne in mind throughout the report.

Those of us who have worked with reconviction figures recall not only their frustrating resistance to the impact of all penological experiments, but also a host of interpretative pitfalls. These include the confounding effects of mostly unknown factors, such as recorded versus real offending rates, time at risk between sentences, and the casual loop of offence history, sentencing and subsequent reconviction. Drawing links from sentence types or penal regimes to future reoffending is notoriously suspect. Phillpotts and Lancucki are careful throughout their report to alert the reader to the limitations of their methods, but not always to the risks for the layman in over-interpreting apparently "obvious" causal relationships.

After a short introductory chapter to describe their sample, the authors go on to consider the convictions of these 5,000 people before January 1971. Starting with simple distributions—half of the sample had no previous convictions—they then present several analyses of numbers (but not the nature) of precons by age, sex, type of current offence, current sentence, and various combinations of these. The descriptions of the tables of figures are a little thin—I thought the presentation could have been livened up with a few graphs to illustrate the points made in the text.

The third chapter of the report looks at re-conviction patterns over a 6-year follow-up period from January 1971. The treatment of numbers of re-convictions is factual and similar to numbers of precons. More eye-catching are data on time to re-conviction—partly because in recent years this has sometimes been recognised as a more sensitive criterion for evaluating regime effects than plain re-conviction rates, and partly because of the use of graphs. The authors take care to warn about problems of incomplete information and periods not at risk during custodial sentences—but might also have warned their readers more clearly of the logical pitfalls in drawing tempting causal links between sentencing and subsequent re-offending.

Chapter 4 is titled "Criminal Careers". Here the authors look at the pattern of convictions of their sample over the entire period 1963-76. I found this the most interesting part of the report. No great surprises, but there is confirmation for consistency in class of offence, disposal by the courts and intervals between convictions during an individual's career. A further strongly supported finding is that almost all classes of offender pick up regular convictions for theft, irrespective of their "speciality".

The report closes with a brief summary and an explanation of why comparisons have not been drawn with previous re-conviction studies, particularly Hammond (1959) as reported in

The Sentence of the Court (H.M.S.O. 1964, 1969). This is disappointing for the reader—who may in any case attempt to draw his own comparisons with other studies in spite of the risk of spurious conclusions. Four appendices briefly describe the Offenders Index, the standard list of offences, sentences and orders available to courts, and changes in legislation over the period of the study.

This is the sort of competent statistical report we expect from the Home Office Statistical Department—a mine of information for the researcher working with re-conviction data, but rather dry in presentation for the lay reader unaccustomed to using statistical tables.

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Prospects for Parole

STEPHANIE MACKEY

Crime Punishment and the Press

MARJORIE JONES

Annual Report 1979/1980

All National Association for the Care and Resettlement of Offenders 1980

In the title of the first pamphlet *Prospects for Parole—A Review of the Present System and Attitudes towards it*, the author presents herself with an enormous task but has too few pages in which to complete it. The booklet is divided into three main sections. The first, looking at the background and workings of the parole system, is the weakest, suffering from too cursory an attempt at the subject and reading much like the Parole Board's annual report. The second section simply presents a range of comments on the parole system from organisations and individuals. The third section seeks to group these views into categories: those supporting the present system, those seeking some reform and those proposing abolition of parole. It also highlights some issues frequently mentioned by commentators: giving reasons for refusing parole and automatic parole. Whether the author has personal experience of the parole system is not clear for she offers little comment herself on the various views expressed. She relies heavily throughout the booklet on quotations from others without adequately tying them together. The result is insipid and fails to achieve its stated aims of informing and stimulating thought about the parole system.

Paul Simon unknowingly coined a summary for *Crime Punishment and the Press* by Marjorie Jones when he sang "I don't read what the papers say, they're just out to capture my dime". That newspapers are more concerned with their circulation figures than with objective reporting is an unmistakable message of this booklet. The author, however, demonstrates more than just this self-evident truth. Taking as her starting point the assertions (from a 1978 Council of Europe conference on criminological research) that the press plays a significant role in moulding public attitudes to crime and punishment, she examines that process in three case studies of crime reporting by the English press. The studies cover the killing of a prisoner by two young children, the press release of the Advisory Council on the Penal System review of maximum penalties, and the *Sun* newspaper's "Survey of Violent Britain". In each case, the author succinctly compares the reporting with the facts, often revealing gross distortions, but also explores how those distortions came about. She concludes that while press coverage cannot be said to create interest in violent crime it does fuel such interest and can generate so-called "public" outcries, so perpetuating punitive and retributive public attitudes to crime and punishment. The recommendations follow inevitably from her findings; the Home Office needs not only to provide the press with more information

on penal matters but also to mount a broader programme of public education if attempts to introduce penal reform are to succeed. This booklet could provide both an informative and readable element to such a programme.

With more than a third of its thirty-two pages devoted to the accounts, the *NACRO Annual Report 1979-80* resembles the type of report produced by building societies and is in danger of restricting its readership to the accountancy profession. The remainder of the *Report* is devoted to commenting briefly on the achievements made in the areas of work in which NACRO is involved—residential and employment services, victims' support schemes, research and education. The theme of the *Annual Report*, as emphasised by the cover, is the crisis of overcrowding in prisons and the need to divert petty offenders from them. NACRO makes a considerable contribution towards developing alternatives to prison, often in conjunction with the Probation Service. The *Annual Report* is worth a glance from those interested in alternatives to prison.

S. CHIVERTON
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Long Lartin Prison

Violence in Schools: Some Teacher and Social Worker Opinions

C. PRITCHARD & R. TAYLOR
1980

This short paper is concerned with the perception of the professionals who are involved with the child who is violent in school: teachers and social workers. It concentrates upon the variations in perception within these two groups rather than between them.

The authors give a short introduction to their work and then address themselves to the question 'pathology or label?' They describe how the study was conducted, indicate the findings and then draw conclusions.

Throughout there is extensive referencing to other published work. The major finding concerning differences between teachers and social workers appeared to be that 'social workers were generally much more socially oriented, less inclined to be critical of either child or parent, less concerned with the issues of discipline, and more egalitarian'. The authors also describe their findings in terms of significant agreements and variations within the groups.

In their conclusions, the authors indicate that there is need for further research into the causation and solution of the problems of violence and a need for professional objectivity. The latter statement has considerable implication for all those who make relevant policy and spend scarce resources. Consequently the study would appear to be very useful and thought-provoking reading for a number of people in addition to social workers and teachers.

However, I found the paper extraordinarily difficult to read and understand. In addition to a rather obscure but verbose style, it does not give the impression that the study itself has been thoroughly or logically carried out. For example the authors are critical of other researchers for not defining violence and yet they do not define violence for the purpose of the study. One wonders if the respondents involved all had the same criteria in mind when answering the questions which formed the basis for the research. I did not find the statistical tables easily intelligible either. I assume that the 'P value' they tabulate indicates level of significance but nowhere is this stated or explained for the non-statistical reader. There are also errors in the P value calculations or in the printing!

These occasional papers are published to provide outlets for research findings which are of particular interest to workers in the field. The paper does give indications of important issues for discussion both by social workers and teachers but the study is unlikely to be given the attention it warrants by the busy practitioner

because it reads uneasily and is obscure in its presentation. Unfortunately, I have not had the opportunity of reading the *New Society* article in which the study's findings are also reported but my thoughts lean towards a rewrite if the authors want practising teachers and social workers to accord their study the attention the subject deserves.

J. KOZUBSKA
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Museums of Madness

ANDREW T. SCULL
Allen Lane 1979, £8.50

The author of this work is an associate professor of Sociology at San Diego. The work itself is an historical survey on the development of the mental hospital system in England during the past two hundred years. It is much more than an historical account, in that it offers a suggested explanation for the need for such a system, which is very different from the conventional. Whether or not one is in agreement with the author's views, they are certainly thought-provoking and of considerable interest.

The author starts by reminding the reader about the manner in which the community has dealt with its deviant members over the years. Included in this group are the 'morally disreputable', the poor, the vagrants, minor criminals and those who suffer from physical handicap or mental disturbance. Up to the time of the industrial revolution it was quite possible for each rural community to deal with, to absorb and to support the deviants within its ranks. The industrial revolution, urbanisation and market economy broke up the stability of many of the communities and fluctuations in labour opportunities and wages led to families and small communities being no longer able to support their deviants. It was felt that the time-honoured methods of household and parish relief were encouraging poverty and idleness, rather than easing them. The substitution of the workhouse for household relief, particularly if conditions were spartan, would encourage the inmates to lead a hard working life in order to improve their lot. Such establishments needed considerable discipline and control and a few disruptive elements could undermine the system. Particularly could the mentally disturbed undermine the system. So separate establishments were provided to house them, where they could no longer upset the discipline and industry which the workhouses were designed to teach.

There had been a few asylums in the country before the 19th century, but it was the social changes surrounding the industrial revolution which led to a vast increase in their population. Whilst the need was not denied, the finances were begrudged. Many of the establishments were run by private individuals for the community. They were run as profit-making concerns. To succeed financially they had to have the greatest number of inmates under the most primitive conditions and with the minimum of staff. Control was a problem and mechanical restraints were the order of the day until the authorities were shamed out of their use. They were then replaced by drugs for control purposes, a method which was criticised before a House of Commons Select Committee in 1877.

The author discusses the possible reasons for the care of lunatics being undertaken by the medical profession, rather than by other custodians. He points out, quite correctly, that medical men had really no special knowledge or qualifications in the early 19th century which would make them peculiarly suitable to care for lunatics. It appeared to the author that asylums became medical institutions originally as an exercise in empire building. One result was an enormous increase in the number of mental hospital patients, and hence the number and size of buildings designed to house them. The

explosion was also fuelled by the realisation that socially acceptable and ostensibly humane way of ridding households of their more difficult or embarrassing members was now available to the community.

The final chapter notes that 'whatever lunacy reform ultimately achieved for its ostensible clients, it certainly has had its uses for the retrospective (and contemporary) vindication of the humanity of the English bourgeoisie'. The book challenges whether this vindication is justified. The author discusses the change of fashion over the past twenty years, whereby patients are treated less in hospital but more in the community. He expresses the opinion that 'nor have recent experiences in community treatment proved much of an advertisement for its virtues'.

Professor Scull concludes by expressing the view that 'psychiatrists and other social control experts' are becoming more involved than ever in their attempts to control deviance. He believes that 'the boundary between the normal and pathological remains vague and indeterminate and mental illness...an all-embracing concept, and that the future holds more and more involvement by the social control agencies, or in his words 'a further expansion of current tendencies towards a therapeutic state'.

The reviewer found this a rather difficult book to read due to the language used. However, it contains a theme which is of considerable interest to all those who are involved in the social control of deviants. Whilst the criticisms aired and implied in the work are obvious, the alternatives are not so, and we must all draw our own conclusions about the ideal and practical ways to improve the situation.

G. POLLITT
Principal Medical Officer

Deviance and Medicalization: from Badness to Sickness

PETER CONRAD AND JOSEPH W. SCHNEIDER
C. V. Mosby 1980, £7.25

I must admit that I was prejudiced against this book by its title and sub-title. Polemic about 'deviancy' too often threatens to remove the responsibility from the offender (for whom one can at least do something) to an impersonal and intractable 'social structure'. The imputation of 'sickness' rather than 'badness' devalues the offender and undermines his resolution to work out a way of living his life successfully despite his limitations and handicaps.

My judgement was premature. I was completely disarmed by this book whose argument is deployed with clarity and persuasiveness in an admirably transparent style of writing fully accessible, as the authors intended, to 'students of deviancy in the broadest sense'. I found it not only matched my experience but illuminated it for me and obliged me to reconsider my position in several respects.

The authors' starting point is the not unfamiliar stance of the labelling interactionist approach and the focus is not deviant behaviour and individual etiology but an analysis of the concept of deviancy itself through a sequence of historical dimension which the authors claim as their own original contribution.

The historical analysis deals with the ebb and flow between the characterisation of deviance as 'bad' or as 'sick'. The move towards medicalization is a humanitarian one, but the decision to regard behaviour as 'sick' and hence a subject fit for treatment can lead ultimately to far graver abuses than the punishment it attracted when it was characterised as 'bad'.

It is not society as a whole, by some sort of consensus, which defines what is deviant but power groups within society. Hence the State defines 'crime', the Church defines 'sin' and the medical profession defines 'sickness', and these power groups compete amongst themselves for territory ('turf') and the right of intervention. It is this continuing conflict which makes

deviancy a political issue.

In the first two chapters, the authors give an unifying account of the struggle for ascendancy by the medical establishment, the legitimization of their claim to monopoly power and their attainment of prestige as a major agent of social control. The progressive consolidation of the authority to define and extend its own territory is well-researched and documented.

In the central six chapters the various social consequences of medicalization are explored in relation to a series of specific areas: mental illness, alcoholism, drug addiction, delinquency and "hyperactivity" in children, homosexuality (where "vindication" as non-deviant can finally resolve the tension between "bad" and "sick") and, finally, crime. Each of these chapters is in effect an extended thesis and the one on "Medicine and Crime" makes chilling reading as it leads us from the pseudo-science of phrenology via Lombroso to psychosurgery, biotechnology and the CIA's mind-control experiments.

"Medicalization", as Conrad and Schneider use the term, is not confined to doctors. Whenever we conceptualise deviance as arising from the constitutional deficiencies of individual deviants and hence to be resolved by individual corrective treatment, we are applying the medical model. Within the closed society of the prison, any strategy of social control which bases itself on classification, prediction and differential diagnosis—identifying "security risks", "escapers", "subversives" or "suicide risks"—is medicalizing these problems of internal disorder and social disruption.

There is much in this chapter which bears on the current battle between "rehabilitation" and "humane containment". Medicalization has its "brighter" side—a more humanitarian concept of deviance, a minimising of blame, a more optimistic view of the prospect of change—but it has a darker side too. The worst excesses of therapeutic zeal and the total subordination of individual rights described by the authors as "Therapeutic Tyranny", make one pause to wonder about the portents.

Following these separate expositions, the last two chapters draw together the common threads under the heading "Medicine as an Institution of Social Control" and, finally, a theoretical statement which presents some grounded generalisations and charts future work. It is in these chapters that Conrad and Schneider point a way forward: "A new model of deviance that holds people accountable for their actions but does not blame them needs to be developed... We need to be freed from the dichotomous crime-or-sickness models that create limiting either-or-situations". What the authors do *not* do is to identify in terms of their own historical analysis the new power group who might be in a position to establish and legitimate this model.

There are 276 pages of large format text, a bibliography of 645 entries with an author index as well as a subject index. I am sorry that the library will not be receiving my review copy for a long time. I must read and re-read it and think carefully through all its implications.

BRIAN A. JOHNSON
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A chance to change: Day care and training for offenders

ELIZABETH BURNEY

Howard League for Penal Reform 1980, £1.50

The scandal of overcrowded penal institutions has received considerable publicity during the last year with industrial action highlighting the effects of such pressure. Unfortunately none of the alternatives to custody appears sufficiently attractive or appropriate to courts for them to divert offenders from institutions. All the encouragement from politicians and pressure groups about the use of alternatives to custody does not appear to alter significantly the disposal

pattern of sentencing. Research findings about the ineffectiveness of custodial measures in reducing recidivism are similarly ignored as public opinion reflected through court decisions continues to make use of a facility which is obviously stretched to the limit and which is extremely costly to maintain. It is clear that the continued emphasis on custodial measures reflects the anxiety we feel about crime and is not part of a strategy to reduce its effects.

The absence of any strategy is highlighted by the random growth of measures to meet the needs of the offender in the community. The wide variety of such measures and the lack of confidence which courts appear to have in them is reflected in the lively booklet, *A chance to change*, in which Elizabeth Burney describes the work of day centres. She reviews the work of some 60 centres which have been started by local initiatives. In trying to cover the range from formal statutory centres run by Probation Services to casual "drop in" coffee bars, the author describes day centres as a credible alternative to a prison sentence. They may be credible to her but much will need to be done to make them so to the courts. The cost of the centres varies considerably, some being more expensive per place per week than imprisonment. But the advantages of using community resources rather than duplicating them as we do in institutions and the fact that stays in day centres are generally much shorter than terms of imprisonment for the petty recidivist are points well made in this booklet.

Unfortunately, the credibility of day centres as alternatives to custody will remain uncertain until there is a greater clarity about their aims and objectives and until there has been experience to measure their effect on the people who use them. They are generally attended voluntarily by people on probation although the four Day Training Centres set up under the Criminal Justice Act of 1972 can take people sentenced to attend for 60 days followed by a period on probation. Surveys of some of the centres show the population to be often heavily recidivist in nature. The long-term effects on such a population is likely to be marginal but the provision of attention and care should remain an aim in itself.

The booklet could well be used in all penal institutions when looking at through-care arrangements. Most establishments have some way of preparing inmates for release in formal or informal ways and the list of Day Centres at the back of the booklet could come in very useful in encouraging offenders to seek positive help of an informal sort.

There are many skills which prison staff possess that could help in the running of day centres. The gaining of control by relationships and care is something that we take for granted in many of our training establishments. The experience of running senior attendance centres shows that we can operate in such areas.

The underlying assumption that such centres will prove an alternative to custody is unlikely to prove valid unless there is legislative support given to it. The persuasive powers of politicians, power groups and pundits have failed to alter the sentencing practices of courts in spite of the evidence that a limited shift in emphasis would reduce prison numbers considerably. Day Centres provide for an evident need amongst disadvantaged groups but they will only form part of an alternative strategy if they can be included in a legislative programme to reduce the use of custodial sanctions. The need to co-ordinate such a programme of measures is clear after studying this booklet which is full of optimistic possibilities which remain to be tested.

T. C. NEWELL
Warden
Medomley Detention Centre



Directory of Projects 1980/81

NATIONAL ASSOCIATION FOR THE CARE AND RESETTLEMENT OF OFFENDERS

Barry Rose 1980, £4.00

From a modest little handbook giving details of NACRO projects in various parts of England and Wales the directory has grown, one imagines by popular demand, to become the compendium of information on hostels and facilities for homeless individuals and families that it is today. For probation officers, social workers and others engaged in the business of matching needs to resources it has grown from being a useful addition to other miscellaneous information to being the indispensable tool in any office.

Apart from NACRO, four other voluntary agencies NAVH, FARE, MIND, and SCODA have pooled their information about the kinds of community help for the homeless, alcoholics, drug addicts, people with histories of mental illness, adult offenders and their families. These are not the only agencies represented; a comprehensive list of other bodies that deal with the needs of the disabled is given in the Directory.

It is a truism that in the increasing complexity of the modern world our penal establishments contain their fair share (some would say *more* than their fair share) of the socially disabled. If there ever was a time when our prisons contained only straight-forward, criminals, we are now well aware that those halcyon days are past. No one is more aware than the probation officer that he has the unenviable task of providing, as far as he is able, a viable release plan for the miscellaneous variety of human flotsam that comes within his purview. The "alkies", "junkies", "nutters", "nonces", "ponces", "perverts", "wanderers", "F-men", "thickies" as well as your more normal thieves and burglars, have all to be released at some time and fitted into the fabric of society.

As an aid to this mind-boggling process the probation officer leans heavily on the *Directory* for inspiration and guidance. Its compact format, containing a wealth of relevant information under standardised sections and headings, is a lighthouse in a tempestuous sea. Based on the facilities on offer in each county area, it is well cross-referenced by three indices so that the reader is also able to find resources under category, town or project name.

This vade-mecum is built to last for two years (a trifle optimistically perhaps, in view of the fluctuating state of some voluntary organisations in times of economic depression) but until each Welfare Department gets a computer terminal which gives the actual bed-state of the various types of hostel, it will perform an essential function most admirably.

R. E. SMITH
Senior Probation Officer
Nottingham Prison

A World without Prisons

CALVERT R. DODGE

Lexington Books 1980, £14.50

Nicely presented in hard covers, this is an American book, as one might infer from the name of the author. It falls into three parts: a historical perspective on the growth of prison systems; a review of alternatives to imprisonment in nine different countries—including England and Wales—with fairly detailed explanations of their operation; and an assessment of the potential for achieving greatly reduced dependence on imprisonment in penal systems.

The thrust of the book is that imprisonment is used too much and that this is deplorable. Except for the dangerous minority, imprisonment should be avoided because it is not reformatory, costs a lot of money, makes many inmates worse than they were before and "subtly makes all of us more brutal". The alternative responses to criminal behaviour, however, have in common a desire to find punishments which are more

effective, more humane and more economical than routine incarceration. The problems entailed in trying to balance punishment against humanity and effectiveness against economy are largely overlooked. It is conceded that some effective "cures" of criminality might be worse than the ailment itself.

Looking to the future, the forces which tend to maintain the current level of use of imprisonment are identified as society's desire to affirm its approval of law-abiding behaviour; reluctance to accept that money invested in prisons was largely wasted; the desire of prison staff and administrators to retain control; and the perceived collapse of the optimism of the heyday of the treatment ethic, leading to restored faith in the traditional approaches. On the other hand, it is contended that prisons are "socially bankrupt"—that is, they yield insufficient social profit from investment in them.

Given sufficient public enlightenment, the future is seen to lie with small, community-centred units offering both an appropriate degree of security and contacts with the outside world, such units being reserved for those who are too dangerous to be dealt with outside an institution.

Quite a convincing book in parts, it argues its case with enormous fervour and occasional misprints. It suffers from an excess of zealous commitment at the expense of cold scientific detachment.

D. A. GODFREY
Governor IV
Wormwood Scrubs

Protection Against Terrorism

H. J. YALLOP
Barry Rose 1981, £8.75

John Yallop worked for the government scientific service for many years and is an undoubted expert on matters concerned with explosives and their uses. He is therefore *very well qualified* to write a book about bombs—and therein, at least for me, lie a few slight problems.

From a factual point of view, the book gives much sound advice. I did not find anything, from my limited knowledge, with which I would really wish to disagree. For me, another 'plus' for the book is that a number of different options are discussed in some detail in several of the sections. This particularly applies to the chapters dealing with searching for explosive devices and the evacuation of buildings.

Briefly, the book covers bomb security planning and suggests ways to make it more difficult for the bomber to achieve his objectives. It goes on to consider the way that bomb threats are usually received and how to deal with them. Searching for possible bombs left in buildings and the problems of incoming mail and parcels are also considered in some detail. Evacuation plans are discussed at length and finally, suggestions are made with regard to what to do in the event of an explosion taking place. I think that a more descriptive title for the book might have been 'Protection Against Terrorist Bomb Attack'—because this, as I see it, is what the book is all about. In fact, the preface indicates this when it says that the information is intended to help those "...who have responsibility for defending their organisations against bomb attack".

I feel that the book is somewhat academic in its approach and, without wishing to be insulting to security officers in general, I suspect that some of the contents might, now and again, be a little over the heads of a few of them (not to mention mine).

In some respects, I feel the book was written by a scientist for other scientists—rather like most official technical reports. There is nothing wrong with this, except that a number of security officers, some of whom may have a very limited technical background, might find the book a little heavy going at times and be put off from reading it all. This would be a pity, because the book is well worth reading and contains a wealth

of useful information on matters which the news media (the source of most people's knowledge on terrorism) almost invariably seem to get wrong.

In spite of its tendency to be a little over-technical at times, the book contains a lot of down-to-earth information and several rather unusual and amusing stories. Two worth quoting: "(chemical) reactions can occur in totally unexpected circumstances as when a man playing tennis on a hard court suddenly found his leg enveloped in flames. Investigation showed that the court had recently been treated with sodium chlorate for weedkilling purposes. His rubber-soled shoes had provided enough fuel to react with the sodium chlorate at the elevated

temperature provided by the friction of the sole of his shoe on the ground"; and "During a cricket match...the captain of one team was struck on the thigh when batting. Suddenly he threw down his bat and executed a wild dance. The ball had ignited a box of matches in his pocket. As smoke and flames bellowed from his trousers the opposing team, sportingly declining to run him out, helped to put the fire out".

DON BOYLE
Senior Scientific Officer
Scientific Advisory Branch
Home Office

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