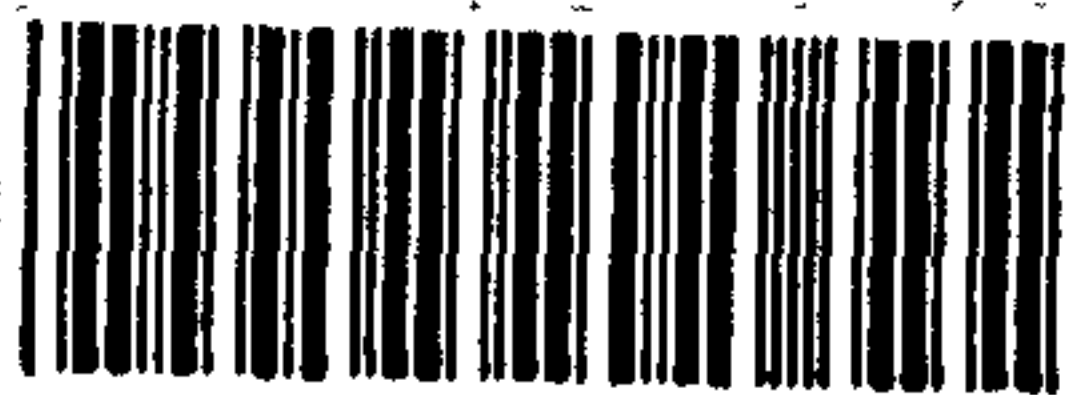


PRISON SERVICE

JOURNAL

NEW LEGISLATION

YOUTH
CUSTODY
HERE!



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Comment

This edition of the Journal has been devoted mainly to articles about the young offender system. We have tried to produce an issue to coincide with the introduction of youth custody but it is never easy to time things precisely because of printing deadlines and some uncertainty about the actual date for introduction of youth custody.

Nonetheless it seems at the time of writing that the Criminal Justice Act will be passed by the time this is printed and that youth custody will be introduced in about April 1983.

The Criminal Justice Act has been a long time in gestation in the sense that the young offender provisions in it stem from the Younger Report in the early 1970s, although it might be said that the final legislation does not bear a great deal of resemblance to the original report reflecting, as it does, the changes that have taken place in public and professional attitudes over the last ten years together with differing political priorities.

As with most sentencing changes no one can accurately predict the effect of the new legislation although there are a number of groups predicting that we shall end up with more youngsters in custody than we have already. On the adult side the provisions for partially suspended sentences (already effective under other legislation) and the possible reduction in time for parole consideration are calculated to produce some population reduction which will provide welcome, if marginal, relief, provided increases in the population do not come from other sources.

Our contributors on the young offender scene are clearly concerned with the past, reflected in some nostalgia for earlier Borstal days, and for the future showing hopefully that staff still want to work constructively with young offenders despite the poor results in reconviction terms that the system turns in. What staff are looking for is the framework within which they can continue positive work and the articles probe whether the new legislation will provide it.

As always there are other immediate concerns for the Service; we have prisoners in police cells in London again because of lack of accommodation which has given rise to concern over access to legal representatives. The level of population through the whole Service is as high as ever with November, traditionally a difficult month for numbers, approaching. As with other public services dealing with an ever expanding task resources are stretched to the absolute limit. The Service seems then to have to operate at two extremes - trying to make sense of a long perspective for the future in the shape of a new Criminal Justice Act whilst rejigging resources on a daily basis to try to ease the points in the System where the worst pressure is occurring; it is difficult to take one's eyes off the short-term problem to begin to perceive the longer perspective.

YOUTH CUSTODY

A New Initiative?

J. L. Rham

During 1983 we can expect to see the introduction of the Youth Custody Sentence and the demise of Borstal and Young Prisoner sentences. The historical reason for that demise is centred around Section 3 of the Criminal Justice Act of 1961 which made the Borstal sentence the only medium term sentence for the first institutional offender. By this I mean that a Court had no option in respect of these offenders to either impose a sentence of Borstal Training or sentence them to imprisonment of not more than six months or not less than three years. There is little doubt, in my mind, that Section 3 has been unpopular with the Courts virtually since its inception. The unpopularity has, it seems to me, increased over the years because, whilst the Borstal sentence is notionally indeterminate ranging from six months to two years, there has been an executive tendency since 1961 to reduce the indeterminacy of the sentence as a panacea for overcrowding in the system. Thus "target - dating" with an average time of thirty two weeks has become the norm with little variation around that figure other than for those who have committed acts of serious indiscipline and have thus lost time. Coupled with the suspicions of the Courts in respect of executive release there has occurred a ground swell of reaction to the medical model of "treatment" and therefore a reaction to the notion of "cure". If it is not possible to diagnose the causes of criminality, to prescribe a treatment over varying lengths of time to cure the disease, what justification is there for an indeterminate sentence whose equity is immediately called into doubt?

Effects

Thus the historical, what of Youth Custody and its future effects on the young offender system? I wish to confine my thoughts to the Youth Custody sentence and exclude the Detention Centre sentence and fine defaulters serving less than four months. I wish therefore to examine the effects upon the system, Borstals and Young Prisoner Centres, in terms of designing regimes for three discrete groups of trainees:-

- (a) those serving four months up to and including eighteen months who are guaranteed a place in a training centre;
- (b) those serving over eighteen months

either some time or the whole of their sentence.

- (c) those serving over three years for whom places will be found in the more secure Youth Custody Centres, Aylesbury, for instance.

Whilst I accept that the number of training places within the system are finite, that it is not totally possible to define the nature of the population who will attract sentences in range (b) and that some priority must be given to the placement of the shorter sentence in order that some training can take place, I personally feel some guilt at the low priority given to those trainees within that sentence range. If the current sentencing policy is any indication it would seem possible that a significant proportion of inmates within that sentence range could well be first institutional offenders who have committed relatively serious offences. If that is so then I suggest that their retention in the lesser resourced local prison wing could preclude the type of training which may prevent them returning to us at future date. I would suggest, for instance, that educational opportunities

and up to three years who may be found a training place if vacancies remain after groups (a) and (c) have been provided for but who otherwise may be held in Youth Custody wings of local prisons for



J.L. Rham served for 10 years with the Colonial Police in Singapore prior to joining the Prison Service in October 1962. On completion of the Prison Service Staff College Course posted to HM Prison, Wormwood Scrubs in March 1963. Gained experience of both short and long term prisoners serving both in C & D Halls at Wormwood Scrubs. Promoted to AG1 and transferred to HM Prison, Aylesbury as Deputy Governor in 1969. Promoted to Governor III and transferred to O.T.S. Leyhill in 1972. Promoted to Governor II and transferred to Midland Region as D.R.D. (Young Adult Offenders) in 1974. Transferred to HM Prison, Onley in 1977 as Governor. Transferred to his present post as Governor, HM Prison, Kirkham in July, 1982.

will be limited and trade training opportunities will be non-existent. Further I would suggest that given the conflicting priorities of a local prison together with its operational problems, that the Youth Custody trainee will inevitably be accorded a relatively low priority in many local prisons.

There are, I would suggest, necessary changes in regime which will be common to both Borstals and YP Centres and those changes which will be particular to one or the other. It is in respect of those trainees serving sentences of four months up to eighteen months that the greatest common effect upon regimes will be felt. Whilst it is true to say that Borstals have a marginal advantage over Young Prisoner Centres in that their regimes are geared to an average eight month sentence, apart from Borstal Recalls, neither type of establishment currently has a regime which is geared to the shorter end of the sentence range under consideration. To understand what is being discussed it is necessary only to carry out elementary calculation. If it is assumed that in the sentence range four to six months there is unlikely to be any question of remand time (I accept that this is a generalisation that is fallible) and that the allocation time from sentence to arrival at the training establishment is two weeks then, allowing for remission, the time available for training is between nine and fourteen weeks. It must be emphasised that this is the best possible case and that remand time or delay in allocation for whatever reason will reduce that time still further. Let us, however, take the ideal case, that is to say no remand time and two weeks allocation time. I would suggest that none of the establishments likely to become Youth Custody Centres currently has a regime which is geared to deal with that sentence length and unless some care is taken in terms of regime adjustment, trainees of that sentence length will tend to be employed for institutional purposes.

Induction

I think we need to examine the objectives of the induction period; they are, I would suggest, two-fold. Firstly, induction acts as a settling down period for the inmate in which he becomes accustomed to the establishment, and the establishment indicates to him what is expected of him in terms of acceptable behaviour. Secondly the trainee tends to be subjected to a battery of interviews designed to ascertain his needs and

personal desires with a view to formulating a mutually agreed training plan. In my last establishment this tended to span some four weeks and I would expect that most Young Offender establishments take at least a fortnight to carry out this process. I would suggest that the maximum time that can be allowed is a week. If that is so, priorities must be identified and the programme slimmed down: some processes will have to be carried out by the training wings.

What *must* be done should include:-

- (i) an understanding of the rules and regulations of the particular establishment;
- (ii) an understanding by the trainee of his rights;
- (iii) an understanding of the training opportunities that are available to him;
- (iv) an assessment of his educational and training needs, to include literacy, numeracy, general physical fitness and the trainee's own preferences;
- (v) an initial interview to ascertain his intention on discharge in order that arrangements for after-care can be initiated.

I accept that this is an ambitious programme, to complete in a week but, in addition to streamlining the programme, it seems to me that we need to consider new ways of imparting knowledge and ascertaining information. One of the reasons, for instance, that we tend to appear leisurely in the completion of the induction programme is that we require the attendance of various specialists who have other tasks within the establishment and who, therefore, are allotted specific periods which fit their working week. The physical presence of these specialists is not necessary to achieve all of these objectives. An immediate example that comes to mind is the use of a video film which shows the training opportunities and which can be used at the induction staff's convenience. A further example which comes to mind, more open to challenge, is the carrying out of testing for literacy and numeracy. Whilst I accept that there is an argument for professional interpretation, is there a requirement for professional administering of the tests providing that those carrying out the administration clearly understand the required parameters in terms of time and conditions? My purpose in these proposals is not to devalue anyone's professionalism or to endanger their employment but is an attempt to

use efficiently two days a week when the specialists tend not be present, the weekend. If this period could be seen as an active part of the induction period, then time is saved.

Training and Education

Whilst I do not accept that training and education only take place in an establishment's Education Department, it is in this area where, understandably, formal training and education is geared to set periods of time which fit the length of the sentence. Thus, most trade training courses are geared to sixteen weeks and formal education tends to revolve around a scholastic term. A further point which is worth considering is that whilst increasingly there is linkage with Colleges of Further Education to allow trainees to continue their education on discharge (NACRO's "Bridging the Gap" for instance), courses offered within Youth Custody establishments tend to be complete in themselves, with clear goals and qualifications being achieved within the establishment. There is little evidence of any thought being given to "Through - Education" in the same way as is given to "Through - Care". Yet why should this not be possible? A course commenced in a Youth Custody establishment could be completed at a College of Further Education. There is already a possible pointer in this direction: associated with the New Training Initiative, City & Guilds have devised a course entitled "Vocational Guidance General" (C & G 365). The course consists of a mixture of work experience and academic education, the trainee is assessed on both his work and academic performance and these assessments are developed in log book form. By the end of 1982, it is estimated that most (if not all) Colleges of Further Education will be involved in this course. I suggest, therefore, that there is no reason why such a course should not be commenced during a Youth Custody sentence and completed after discharge. The formal training and education offered within the establishment would not then be constrained by time to serve and "Through - Education" would be more meaningful. Nor need the work experience be confined to the Trade Training shops; both industrial workshops and domestic parties could be involved. There would be a greater opportunity for industrial staff and party officers to become involved in formal training.

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Youth Custody

CHALLENGE OF THE 80's

Martin Kealy

Hardly a day goes by when you can pick up a newspaper, either national or local, and not read reports of offences committed by teenagers. It is no wonder that public opinion is greatly concerned when one considers the size of the problem. At the turn of the century, Borstal Training was born. It was seen by many as a positive attempt not only to get to grips with the problem of delinquency but to concentrate on rehabilitation under humane conditions. Up until the late 50's the borstal day would start at many establishments with early morning PE and finish with House prayers. Great emphasis was placed on the need for a full day's work, coupled with development of a meaningful relationship with dedicated staff. The belief was that if you had a good start and ending to the day, the middle would take care of itself. On reflection, and in comparison with today's standards, one feels that was rather more than a pious hope, and that we could do well to have similar expectations today.

The Fifties — a Golden Age

With youth custody around the corner, it is natural for those of us with years of Borstal Service behind us, to reflect on the past. It was encouraging to hear that the best of the borstal system would be retained and I asked myself just what is considered to be the best? I feel that an analysis of our present system would be hard pressed to produce many worthy qualities, for times have changed. What was seen as good in the 50's has passed into history and the "gold dust" theory has disappeared with the passage of time. Of course, there are good reasons for this. It was possible to effect change in the teenager of the 50's. Let us not forget that the training period extended to 3 years, after which most young men went into National Service. Adolescence was completed in a well-ordered and structured environment. They went into the system as youths and emerged as men, the employment market was buoyant, so it is no wonder perhaps that our success rate was good in those golden days. The staff played a vital part in the process of training and were constantly reminded of the need to get involved, and this applied equally to sporting activities and the working day. You led by example. You gained

respect by the type of man you were, and not by the authority you held. In those days, staff received a small allowance for working in the borstal system, and we were very proud of this, though it was just a few shillings per week. The object of Borstal Training was to persuade young men to change their attitude by encouragement and the example set and it was quite incredible to observe the impact of a good Borstal Officer. It was often possible to tell from which House a lad came by the way he behaved, the way he carried himself, his mannerisms, and the language he used, and it was hardly surprising that influences were great when one considered the attitudes of the staff towards their job. In the main, they were committed men who felt a genuine desire to help the wayward teenager. Their rewards were contained in the

satisfaction they achieved in their day-to-day tasks.

Borstal Camps were a special feature which gave the staff the opportunity to observe their charges in relaxed and healthy surroundings. There was no overtime for excess hours worked, just half a day's time in-lieu for every night spent away from the Borstal. The linking up with Oxford students for the camps was intended to promote a greater understanding between the social classes, and I often felt that both parties emerged the richer for this sharing of experiences. Many a "privileged" youth student returned to his college in thoughtful mood after spending a week in the borstal following a camp. People I know question the value linking such extreme social opposites but in my experience the sharing and companionship for a couple of weeks was a useful exercise and much "rubbed off".

The competitive spirit was another phenomenon encouraged within the system, and any sporting occasion provided a reason to compete for a shield. The annual sports day at Lowdham Grange in the 50's took on a carnival atmosphere and everyone would enter into the spirit of the occasion. The enthusiasm of the lads and the friendly rivalry between House staff was infectious and made the event a major talking point during the weeks that followed. One sporting occasion



Martin Kealy joined the Prison Service in 1955 at Oxford following training at the 'Imperial Training School', Wakefield. He was then posted to Lowdham Grange and in 1967 to Aylesbury. In 1971 he was promoted to Principal Officer and posted to Hewell Grange. He is married with two young daughters.

I remember which demonstrated the spirit of the staff was a swimming gala. It ended with two Houses drawing level on points and some bright wags suggested that the 2 Housemasters should swim for the shield. Without hesitation the housemasters stripped off and swam the length of the pool to the delight of the cheering crowds. Could such a thing have happened today? Those 2 housemasters recently retired from the Prison Service as governors. In those days such characters abounded in the Service but today (so it seems) people are bound up with their own career planning, formal, careful not to blot their copybooks.

I recall another occasion when 2 young men broke into the governor's house and drank his sherry. Of course, it wasn't difficult to identify the guilty parties. After they were dealt with, the adjudication reports were duly sent off to Head Office from whence they were returned with a cryptic note from someone in that Ivory Tower who had written; "Doesn't the Governor keep his sherry under lock and key?" the Governor penned a suitable reply: "Only when I am expecting a visit from the Commissioner."

The Commissioner used to visit perhaps a couple of times a year. It made a young officer feel very important when he was spoken to by the Commissioner, who addressed him by name, and certainly seemed to know a great deal about his progress. People appeared to care in those days, and this caring attitude radiated in all directions. The Christmas Pantomime gave all the staff a great opportunity to become involved. For many weeks leading up to Christmas, in every spare moment, we would be busily engaged in rehearsing for the occasion. That much respected Governor, A.J. Scriven, and a later Governor, Tom Hayes, entered into the spirit of the occasion with great enthusiasm and motivated many wavering staff to become involved. These men led by example and in the process gained much respect from both staff and lads.

An Adventure

The average training time at Lowdham Grange in the 50's was around 18 months, and there was no hint of a "target date" in those days. A boy was expected to work his way through the system and satisfy everyone that he had earned his promotion. The emphasis was on sustained efforts and achievements. If he failed to make the effort he would not be promoted,

it was as simple as that. Allocation was from Wormwood Scrubs and Latchmere House and it was not uncommon for a lad to spend up to 4 months in prison before finally arriving at borstal. It was always interesting to note the expression on their faces as the great doors of Wormwood Scrubs opened and the coach rolled out along Du Cane Road to head North. They were as excited as a Sunday School party on its Summer outing. It was the start of an adventure and many of them took advantage of the opportunity that came their way, and benefited from the training that was given. They completed their borstal both mentally and physically fitter and with more determination to get on in life. Their time away from home had given them the opportunity to think seriously about the future. The memory of Wormwood Scrubs was etched on their minds. For many this was the first time they had been away from home, for others their first experience of a good relationship with an adult, someone who really cared about them, someone who was prepared to listen patiently and to advise. The influence of the borstal Matron also did much to contribute to a boy's success.

There were of course a number who saw borstal as just part of a system through which they were prepared to go, no matter what was done for them, and it would have no effect on deterring them from a life of criminal activity. I always feel though, that we should be mindful of our silent successes rather than our noisy failures.

There are many folk who feel that Borstal has run its course and is no longer a viable part of the penal system. What was good in the 50's seems of little use today. It cannot be denied that attitudes have changed and that society itself has undergone major changes. Many young men in our borstals today, would not have had a "look in" 25 years ago. The types we used to have now tend to get probation orders, suspended sentences or community service orders.

Neighbourhood in the Seventies

In the early 70's our hopes were raised when it was proposed to develop the Neighbourhood Borstal at Hewell Grange. The idea of a borstal with a prescribed catchment area provoked lively discussion amongst both borstal and probation authorities. Here was seen the very real possibility of developing an idea which would breathe

new life into a creaking system. The prospect was exciting. Problems of acceptance between borstal and probation staff were overcome though it was not unnatural, initially, for both sides to feel somewhat threatened. Folk tend to be very precious when faced with a move from traditional ways. There was no doubt that as the years progressed a greater understanding grew. It was also interesting to note the strengthening of relationships between the establishment and the parents of the trainees, for now it was possible, with the birth of Neighbourhood, to promote stronger links with the boy's homes. Visiting was so much easier. Probation Officers could easily keep in touch and were in fact regular contributors to the monthly review boards, as were some parents and wives of the trainees. Some relatives, however, took advantage, and on occasions not only parents and wives came along, but brought along a babe in arms. You had to draw the lines somewhere! I personally felt that provided a parent could make some contribution it was living proof that we were seen to be a caring organisation.

Steering Committees on Neighbourhood were formed, and regular meetings took place between Liaison Probation Officers and our own staff. The Probation Service had some very positive ideas on how they would like to see Neighbourhood grow. We were ultra-cautious. A number of possible properties suitable for hostels came onto the market. We looked at them and looked again, but somewhere along the line problems always intervened. I found myself asking the simple question—Does the Department really want to make the move? The Probation Service certainly played their part in attempting to bring the hostel scheme to fruition, but in the end continual frustration destroyed their enthusiasm. It seems to me that there were some very fine ideas formulated at Hewell Grange when the Neighbourhood Borstal was getting off the ground and with hindsight one can only say that it was a great pity more time and money was not invested in what was potentially an exciting and worthwhile project. The in-put from the Probation Service was both dynamic and creative and at the end of the day I felt that they had been let down.

All Change Again?

It is perhaps time we looked to change. But if there has to be change, as there must, let us make a determined effort

to shake the present system by the scruff of the neck. The recent White Paper on Youth Custody goes some way to doing just that. There are some, however, who say that it has not gone far enough and that the main content of the White Paper is little more than a dusting off of the ideals of Alexander Paterson. I see it as rather more. For governors of open establishments particularly, I see the proposals as a real opportunity and a challenge to use their establishments as a positive force both for the community in which they exist and for the young men in their care. Open establishments are usually blest with many resources. I would hope that these are used to the full, not only for the trainees, but for the folk of the local community. I hope that governors will be given the opportunity to govern. I hope that management will be given encouragement to manage. The attitudes of staff will no doubt be affected. In the field of staff training, much will need to be done, particularly in the early days. I would

hope that we do not lose sight of the fact that we are not solely custodians, but are in the business of reclaiming and reforming, and by whatever means within the terms of our brief we continue to strive in these areas. I hope that our young offender establishments will not be something akin to sausage machines.

The signs are certainly very hopeful that with the emphasis on education, on sporting activities and staff involvement generally, we will be able to show society that we can make a valuable contribution to the resolution of our present social problems. I hope the intention to preserve the best of our present system will always be evident. It seems to me that implementation of a Social Skills Programme will do much to benefit our charges and the introduction of a varied programme will, I hope, give our own staff the opportunity to extend themselves into other areas. We have a wealth of experience and willingness. I hope this potential is recognised by the Depart-

ment and the staff given every opportunity to become involved. This has to work. Let us hope that resources will be made available for they are the key to success. The politicians will no doubt voice their support, but it is not enough to pay lip service, we must have the tools to do the job. Successive Governments have tended to regard the Prison Service as a hot potato and there has been an abundance of criticism. Let us hope that at long last, plans are afoot to put some of this right.

As we go into the 80's let us do so with vigour and enthusiasm. Let us try to recapture some of the pioneering spirit that was displayed by our predecessors. It is natural that to a certain extent some will feel threatened by change for we are cosy and secure in well established practices yet from the newspapers it is quite clear that these well established practices are just not working in our present age. My hope is that we can grasp the opportunity for change as a new challenge and take it up. ■

YOUTH CUSTODY — A NEW INITIATIVE continued from page 2

Preparation for Discharge

It will be remembered that objective (v) of the induction programme made reference to the commencement of After-Care arrangements. At the shorter end of the sentence range, these preparations may need to take priority over all other considerations. It is to be hoped that, when catchment areas are designed for Youth Custody establishments, some thought will be given to the close liaison that will be needed between the establishment and the After-Care authorities in order to ensure that the supervision arrangements can be made in the short time available within the establishment. Whilst I accept that it will not be possible for each establishment to have its own "Neighbourhood", I consider it necessary for the catchment area to be sufficiently confined to allow the establishment to build up a close working relationship with the After-care authorities within the area. It also seems to me that, in the area of preparation for discharge, discipline staff can play a large part in the teaching of social skills. So many of our charges, whilst not being mentally inadequate, are socially inadequate; it seems to me that this area is one for positive involvement by the prison officer who has proved his ability to perform the task.

Other Areas

Thus far I have concentrated on the very short sentence trainee, but I would suggest that the changes that I am suggesting have a "knock-on effect" across the whole sentence range. It would be inequitable, for instance, to differentiate at the induction stage because, in most cases, that stage tends to carry less privileges than a normal training wing. Further, if we can streamline our induction process for one sentence range, I would suggest that there is little justification for retaining the more prolonged procedure for the remainder of the sentence range. There may also be some benefit in extending the use of the City & Guilds 365 to the longer sentence range in that the work experience it offers may allow some to sample a series of workshop experiences before opting for a training course. I do not see the 365 format as totally binding: I would judge it possible to convert a longer sentence trainee from a 365 course to a trade training course if he showed both the desire and aptitude for that course.

Before concluding, there are two other areas which deserve consideration. These are the effect of parole in respect of the Borstal system and the effect of the removal of the nomenclature "prisoner" upon the YP Centres. The uncertainty of parole brings problems to the designing of a training plan which is meaningful. If it is intended

to impart skills to a trainee who is serving three years, and if those skills need imparting as close to discharge as possible in order to achieve maximum retention, when should training commence? If it is completed towards the end of the first fifty weeks in the establishment and parole is not granted, its impact is lost. If it is held back towards the end of the full sentence and parole is granted then, in that respect, the training plan falls. I do not pretend to have the answer to the problem; it is one, however, that the Borstal system will meet.

The other area, centred on the term "prisoner" is, I think, one of attitude. I suggest that the connotations around that word have caused YP Centres to be more inward-looking and more cautious in terms of the use of the community in the training of their charges. Whilst I am not suggesting that the custodial function is lost with the introduction of Youth Custody, I do think the YP Centres can afford to be more outward-looking and that training for a place in society should take place more within that society.

Youth Custody—a new initiative? On balance, I think yes—providing we are willing to accept change, understand the resources we have and how they may be used effectively in the changed conditions under which we will be operating. ■

YOUTH CUSTODY OR MINI PRISONS?

(A personal comment on the passing of the Borstal System and the introduction of Youth Custody).

David Steward *Principal Officer HM Borstal Huntercombe*

I feel more worry than sadness with the introduction of Youth Custody and the abolition of the Borstal system. A new concept can be a valuable vehicle through which to improve on the bad parts of any system and I was encouraged to note that the initial guidelines for Youth Custody stated that we should retain the best parts of the Borstal sentence. It could be said that "the best parts" is an ambiguous statement, as who decides what is best and what is bad? But at least it recognises that some parts of the old system were good, and gives the framework to build on. I was further encouraged by the Prison Department with the emergence of a document laying down a fairly comprehensive list of aims and objectives for the new sentence scheme.

Legislation and Rule One

This document deals with the ground rules of the Act, from how young people are received into custody and the criteria for their allocation to the institution that best caters for their needs. Indeed this document carries on further from Prison Rule 1 or the Borstal Rules and emphasises the need in the areas of staff attitude and the young offender training regimes. For example, I quote:-

Employment—which promotes skills, constructive attitudes and work habits.

A varied education programme—including basic academic, personal and social relationships and leisure education.

Training Courses—employment on training courses leading to useful skills, recognised qualifications or a recognised work experience programme.

Sentence plans—the formulation of individual and (unless the person is in custody for only a short period) subsequent assessment of performance

leading to review of these plans during the sentence.

Personal Officer scheme—a Personal Officer scheme in which individual inmates are assigned to particular officers who advise them and maintain an interest in their welfare.

Preparation for release—positive preparation for release under a 3-tier arrangement which includes advice and assistance from the establishment's staff and the after-care agencies about future residence, employment or unemployment, education, training, welfare and supervision.

A comprehensive physical education programme—which takes account of individual aptitudes and abilities and develops awareness of physical potential by encouraging trainees to enjoy acquiring skills and becoming fit.

A positive approach to trainees—i.e. the promotion of mature behaviour between inmates and the monitoring and where necessary investigation of behaviour to ensure that anti-social conduct is challenged and controlled."

Professionalism and The Modern Role of the Prison Officer

Obviously the document to which I

refer is much more comprehensive and I would suggest should be read in depth by all staff who are engaged in the care of our young offenders. However the brief criteria I have mentioned are, I feel, positive and constructive and give a firm base from which to work. I also feel that it gives us the opportunity to meet a professionalism that our critics seem to feel that we cannot achieve, and further challenge us to take on the apparently elusive "modern role". It could be said that there is nothing new in the new Act, and the criteria laid down, and that the Prison Service has been doing this for years—and perhaps there is some basis for agreeing with those feelings. However, what it does provide is a "freshness" and a chance to look again at how we deal with the young offenders in our care. It also provides us with the opportunity to have a look at our "attitudes" about how we deal with people as I am sure these could be improved upon. For instance, the statisticians look at the success or failure of penal institutions by how many return within a specified period. Therefore Borstal would appear "unsuccessful" because many return to custody within a comparatively short

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Dave Steward joined the Prison Service at Norwich in 1961, and has experience of both adult and young offender training regimes. He is at present Principal Officer at Huntercombe Borstal pursuing an active interest in staff training. He qualified last year as a teacher in Further Education, and is currently studying Psychology with the Open University.

Fielding on the Boundary

R. S. Meech

An account of the introduction of Senior Liaison Probation Officers into some Borstals, and some thoughts on the effectiveness of this model of secondment for the future.

The Idea

In May 1973, five Probation Committees received a letter from the Home Office inviting them to appoint a Probation Officer to their local Borstal. The genesis of this invitation had been the joint conference between representatives of the Prison Service and the Probation and Aftercare Service at Moreton-in-Marsh in May 1972, when it had been agreed that there was a need to develop the contact between Borstals and the Probation and Aftercare Service, both locally and in the trainees' home areas, and to increase the understanding that each Service had of the other's work and circumstances. There was consultation with the Central Council of Probation and Aftercare Committees, with the Conference of Principal Probation Officers as it then was, and with NAPO, and so it was decided to invite the co-operation of the respective Committees to make the appointments on an experimental basis. Detailed suggestions were made regarding the quality of the officers to be appointed and the job description that was to be written; the officer should have "a detailed knowledge and understanding of the Probation and Aftercare

Service and of the other social work agencies, and experience of the operation of supervision after release". He would therefore be equipped to contribute to his Borstal in number of suggested ways:

To advise on all matters which may require the intervention of the Probation and Aftercare Service in the field:

To bring his expertise to bear on the overall training plan of the Institution.....with particular reference to preparation for after-care and aid on discharge:

To contribute to staff training in areas of his particular knowledge and expertise:

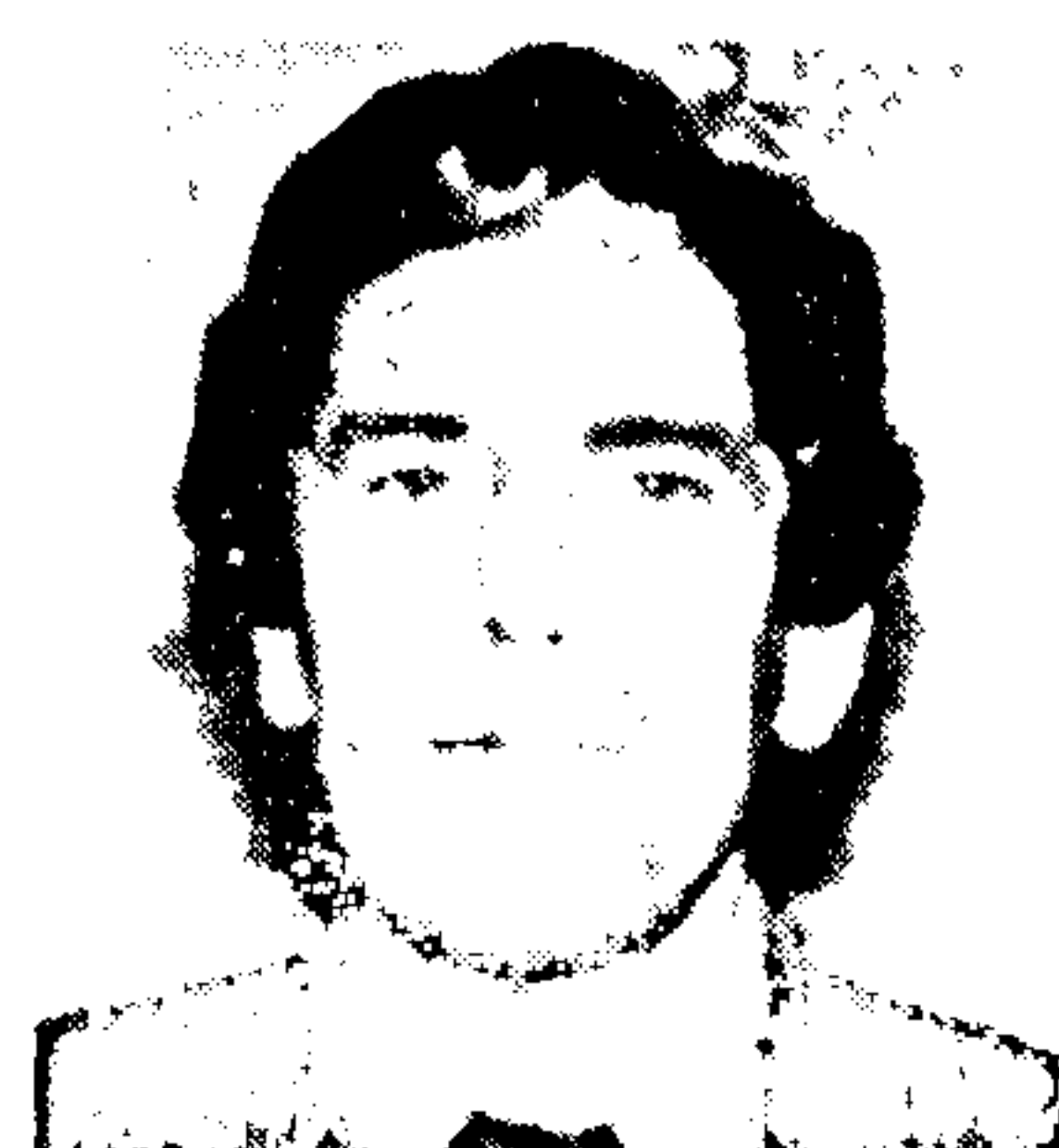
To help promote a continuing

dialogue and a mutual understanding between the two Services.

Central to the concept was the need to increase the skills of the Prison Officer as the primary treatment resource, so the social casework skills of the seconded Probation Officer should be used mainly to help staff training, and as a resource on which staff could draw for advice, rather than to be used in individual contact with trainees.

Preparatory Work

The next task was to prepare job descriptions for each of the experimental posts, in consultation with Principal Probation Officer, Regional Director, Governor and the Probation Officer



Richard Meech has been Senior Liaison Probation Officer at Portland Borstal since October 1980. He joined the Probation Service in 1964 after nine years in the leather, fur and skin industry in his native Yeovil; he served as a Probation Officer in Liverpool (including 18 months in the Probation Department in Liverpool Prison), being appointed Senior Probation Officer at Dorchester in 1970. Part of his duties at Dorchester was the supervision of the Probation staff in Dorchester Prison. His wife Shirley, who was also a Probation Officer in Liverpool, is deputy housekeeper of the self-contained flats for visiting prisoners' wives and families on the Esplanade, Weymouth.

concerned. No officer would take up his duties until this had been done, and it was agreed that the seconded officer should be in the Senior grade SPO or, if a Probation Officer, he should be given temporary promotion for the period of secondment in the experiment, which would be for two years in the first instance.

By September 1973, when a conference was called at the Home Office attended by Governors of the Borstals to which secondments were to be made, Principal Probation Officers from the respective areas, and Home Office officials, under the chairmanship of the Controller (Administration), Prison Department, job descriptions for all five Borstals had been produced, and it had already been decided that three of the posts would be full-time (Hollisley Bay, Portland, Wellingborough), and two part-time (Gaynes Hall, Wetherby). At this conference a major item for discussion was whether the job description was a 'once and for all' document, or whether it should be reviewed periodically; should the SPO's role be narrowly defined; should all possible functions be itemised. Discussion identified the fact that in all the institutions there were central areas which required the specific specialist contribution of the SPO; other functions might be peripheral, and could be worked out on a local level, depending on the needs of each particular institution. There should be a core job description to avoid any vagaries which might be caused by preferences and personalities of the officers concerned.

It was also agreed that staff in the five Borstals should be properly prepared for the secondment of a Senior Probation Officer to their institution. There was anxiety that staff would object to the secondment on the grounds that it might encroach on the more rewarding aspects of their own work; it was essential, therefore, that his task be explained carefully, and that his position in the management structure of each Borstal be made clear. He should be a member of the Heads of Department meeting, like other specialists such as the SMO and the Education Officer. Staff should see him as a resource to help them in their own tasks, not as a specialist who would take those tasks upon himself.

The Experiment Starts

The appointments took place in late 1973 and early 1974, and it had been agreed that the SPO's involved should

meet regularly at Wakefield. In early 1975 the SPO at Wellingborough left to take up another post, and at that institution no further appointment took place. SPO's were introduced into two other Borstals, Feltham and Bullwood Hall, both institutions with specialist roles to fulfil, and the officers appointed there joined the original group for regular meetings; the post at Wetherby became full-time.

The experiment was reviewed at a meeting in London in September 1975. In the meantime a written assessment by P4 Division had been prepared for consideration, which made some telling points:

- That the experiment so far had produced a good deal of useful information which would be relevant to the future development of co-operation between Prison and Probation Services in the treatment of young offenders who receive custodial sentences.
- That the need to prepare Borstal staff for the arrival of a Senior Probation Officer had been underestimated; that some of the consultation and explanation that took place had failed to convince or reassure staff. It was thought, however, that there had been some helpful experience which could make it easier to convince Borstal staffs that their work could be made more interesting and rewarding with the help of a Probation Service colleague;
- That the relationship between the Senior Probation Officer and the Governor is a matter of crucial importance; if it is one of mutual respect, other members of staff will probably be more ready to accept the Probation Service colleague;
- That there could have been closer contact between Governors and Chief Probation Officers—this could have allowed both to demonstrate to respective staffs their commitment to the experiment;
- That great care must be taken to see that the SPO's role does not merge into that of an Assistant Governor;
- That although Borstal staffs acknowledged the special skills, knowledge and experience that the SPO's brought to their establishments, there was yet some feeling that at least some of what they did could have been achieved by Borstal staff, if they had been able to devote time to it.

At this stage — still in 1975 — it seemed that a viable role for a Senior Probation Officer had been established

to a greater or lesser degree at Gaynes Hall, Hollisley Bay, Portland and Wetherby: this was particularly within the terms of the original job description, which stressed the advisory and consultative nature of the post. It was also suggested that the atmosphere and population of open Borstals are more conducive to the creation of an effective SPO role than are those of closed Borstals — on the other hand, the need for assistance from the Probation Service may be greater at closed establishments. All in all, the conclusion at that time was that the experiment had been neither a total success nor a total failure.

Ongoing Work

The Senior Probation Officers appointed to Borstals attended seminars at Wakefield every three months in the early stages — later reduced to every six months. The seminars were intended to assist the SPO's in creating and developing their role; later there was the need to provide mutual support, to share experience, and to have the opportunity to reflect on developments in individual establishments. The experience of the pioneering holders of the post led them to suggest three personal qualities that were needed:

- The ability to survive away from immediate Probation Service support;
- The appreciation that the job does not carry with it the relationship with clients or subordinate Probation staff that may usually be expected in this rank;
- The ability to appreciate wider policy issues than would be expected of an SPO in the usual role within the service.

When it came to the real task of working in the establishments, then the meaning of "fielding on the boundary" was clearly apparent. In almost every area of the job there was involvement with both Prison Service and Probation Service politics; the SPO had to deal with differing expectations of what he ought to do and how he should do it — and with this was the personal strain of divided loyalty. The fact that the Probation Service has been visible in the establishments in the person of the SPO has concentrated upon him many hostile feelings from both Services — from the Prison Service because he is from outside and represents "them", and from the Probation Service because he is working inside and therefore in collusion with "them". A review produced in 1977 stressed these points, and also paid

attention to the position of the SPO in the management of the institution; his power and influence, noting the Probation Officer's experience of relatively autonomous freedom of action coming up against the constrained freedom of action of Prison Service staff; the personal and professional resources that he brings with him; his ability to innovate and take initiatives; his place in staff training, and his crucial position in the area of communication between the two Services.

The last of the Wakefield seminars took place in January 1979, and then it was agreed that there still would be value in meeting regularly to bring together developments and views from the establishments concerned. This need became more apparent as the pioneering officers left, and the second, and sometimes third generation of post-holders took their place. Meetings now take place in London, four times a year, and the group now has a direct link with the Chief Probation Officers' Conference throughcare sub-committee through Brian Fellowes, formerly Probation Adviser at PSC Wakefield, and who had a great deal to do with the pioneering discussions and decisions about the role.

The writer is the second generation at Portland Borstal, and on taking up post towards the end of 1980 I was confronted with the job description which had been worked out so painstakingly in 1974/5. Luckily I had been in close contact with my predecessor, so I knew some of the priorities and problems of fulfilling this role. The job description, which follows, was created particularly for Portland, but there are basic themes which apply to all the Borstals with similar appointments.

So, the job description laid down my role as liaison SPO at Portland Borstal thus:

I. (a) To aid the development of mutual understanding between H.M. Borstal Portland and relevant local Probation and Aftercare Services in the catchment area of the Borstal.

(b) To make use of my special skills and knowledge as a Probation Officer in a way which will enable the establishment to be more effective in its tasks of management and training of offenders in the context of a programme of treatment which is related to their needs and potentialities in the community.

(c) To gain experience which

will be useful to me and to the Probation and Aftercare Service in my subsequent career in the community. Certain general tasks stem from this job description:

(a) To advise institutional staff on intake and discharge procedures and assessment, ensuring that detailed information is exchanged with the Probation and Aftercare Service.

(b) To advise the Governor on those aspects of staff training relating to throughcare practice and casework.

(c) To be available for consultation by individual members of staff on matters relating to throughcare practice and casework.

(d) To make a link with the local Probation and Aftercare Services in the catchment area of the Borstal and, in consultation with them, to find ways of making links with other social work agencies in the catchment area.

II. Unlike the SPO seconded to lead a team of Probation Officers in prison, the Liaison SPO in Borstal is not concerned with the provision of direct service to clients. The role represents the partnership of the two Services in the throughcare policy of this particular institution at management level. He is available to staff, either in the institution or in the field, as consultant on any issue involving co-operation between the two Services or the understanding and improvement of throughcare procedures, thus indirectly smoothing the path of individual trainees into a potentially constructive licence period.

In practice, implementation of the job description includes attendance at Senior management meetings in the Dorset Probation and Aftercare Service as well as in the Borstal; involvement in staff training programmes in both Services and arrangements for reciprocal attachments; identification of specific throughcare needs and problems in the South-West Region (or the catchment area) in terms of accommodation, employment and communication, facilitation of contact by outside Probation Officers and volunteers; collection of data for monitoring the effectiveness of Probation Service involvement; direct student supervision.

III. Professional accountability is directly to the CPO, as I am a member of the area Probation staff team. Operational accountability

is to the Governor. A specialised information service about the Borstal is provided for all the Probation and Aftercare areas from which Portland boys are drawn.

IV. Co-ordination of services to the Borstal which provide facilities for visitors, such as the various coach and accommodation schemes.

Practicalities

The practical realisation of this job description has demanded my full-time attention; I found that mutual understanding between the Prison and Probation Services has been far from good—at Portland this is made all the more difficult by the size of the catchment area, which involves contact with over twenty Probation Areas, which makes Portland far from being a 'neighbourhood' Borstal. The need for mutual understanding is seen at both management and officer level: proper policies for throughcare contact have to be worked out, and when Probation Officers visit the Borstal, conflicts of purpose can arise, particularly when the needs of the institution have to be spelled out to Probation Officers who sometimes feel that their priority is paramount; on the other hand, in the institution it is forgotten sometimes that the Borstal sentence is a shared task, with custody and licence being equally significant. Some Probation Officers are dilatory in forming discharge plans, and reluctant to keep in touch with trainees at all, I have to adopt a "troubleshooting" role which seems to be effective enough to get a response. It has been important also to keep in touch with Social Services Departments throughout the catchment area, some trainees are discharged from Borstal whilst still subject to Care Orders, or, during the course of their sentence, have the Care Order discharged; it has been necessary to make representations to ensure proper negotiation between Probation and Social Service Departments where discharged Care Orders could leave trainees 'in limbo'. If this role "Represents the partnership of the two Services in the throughcare policy of this institution at management level", it also represents the partnership at officer level, for as well as having access to management in the Borstal and in the catchment Probation areas, I am also involved daily with prison officers and with visiting Probation Officers and Social Workers, and so I am able to consolidate the partnership at all levels. And

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The new Young Offender Sentencing Scheme:

Simon Hickson

The Prison Department's approach to implementation

At the time of writing this article (August 1982) the Criminal Justice Bill, Part I of which sets out a new scheme of custodial sentences for offenders under the age of 21, has nearly completed its passage through Parliament. I hope it is not tempting fate to predict that by the time these words appear in print the Bill will have become the Criminal Justice Act 1982, a date will have been set for the new scheme to begin operation and preparations within the young offender system will be well advanced. This article attempts to set those developments in context, first looking at the origins and form of the new scheme and then explaining the main principles underlying the Department's approach to implementation.

Background

The new legislation represents the first major change since 1961 in the pattern of custodial sentences for young offenders. Few would dispute that it is overdue, following as it does a series of major reviews—the reports by the Advisory Council on the Penal System on Detention Centres in 1970 and on Young Adult Offenders in 1974, the previous Government's Green Paper 'Youth Custody and Supervision: A New Sentence' which was published in 1978 and the present Government's 1980 White Paper 'Young Offenders', all addressing the problem of how to match the sentencing structure to evolving penological thinking, to the expectations of the public and the courts and to what can realistically be achieved in a prison system under pressures which have been well chronicled elsewhere. The proposals emerging from those reviews have taken various forms but nevertheless some important common themes run through them. First, that medium-term sentencing of young

offenders should be made more flexible by the abolition of Section 3 of the Criminal Justice Act 1961, which restricts sentences of imprisonment between 6 months and 3 years in favour of borstal training and, as John Rham argues elsewhere in this issue, has been one of the less popular sentencing provisions relating to young offenders. Secondly, that the very distinction between the sentences of borstal training and imprisonment for young offenders, and to a considerable extent the establishments which cater for them, has become arbitrary and should be removed. Thirdly, that shorter

sentences should be made available than the present 3 months minimum detention centre order or the borstal sentence which runs between 6 months and 2 years. The new legislation puts all those proposals into effect. In other respects there have been changes in thinking over the years. It has become clear in retrospect that the concept of executive discretion over the timing of release reached its high water-mark in 1974 when the Advisory Council produced its main report; and the new scheme is almost wholly based on the opposite approach of determinacy, the period in custody is governed primarily by the length of the sentence as specified by the court. Also, in contrast with earlier proposals to introduce a single or generic sentence it reflects the principles that courts should know the effect of their decisions in terms of where the offender is likely to be held and that the sentencing structure should itself take account of the diversity in accommodation and regimes available for young offenders—particularly as between detention centres and



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other establishments but also, among the latter, between those which can and those which cannot operate a training regime.

The new sentences

The details of the resultant sentencing scheme will be familiar to many readers and I will summarise them here only briefly. The sentences of borstal training and imprisonment for under-21s will be replaced by new sentences of youth custody and custody for life, applicable to both male and female young offenders. Parole and release on life licence will be available on the same terms as for adults but otherwise all youth custody sentences will be determinate. The maximum sentence for 15 and 16 year olds will be 12 months; for others the maximum will be the same as for an adult imprisoned in respect of a similar offence. One-third remission may be earned. Release will be followed by between 3 and 12 months supervision. Male but not female young offenders may also receive detention centre orders for between 3 weeks and 4 months, again less one-third remission; this will be the standard short-term sentence and male offenders may receive youth custody sentences of this length only if they are unsuitable for detention centres because of physical or mental unfitness or their previous custodial histories. Male young offenders sentenced to between 4 and 18 months youth custody, and to shorter terms if they are juveniles, will be guaranteed places in youth custody centres, i.e. training establishments. Others may be held in youth custody centres, prisons or remand centres.

The future population

The new structure will result in a division of male young offenders into three broad groups, constituted in a rather different way from the present population. The first will be detention centre trainees sentenced to between 3 weeks and 4 months, who will comprise the great majority of short-termers. They will be the least custodially and probably the least criminally experienced section of the young offender population. Secondly, there will be a youth custody group with a guarantee of placement in youth custody centres comprising those people who are sentenced to between 4 and 18 months. They will serve their sentences in establishments comprising, broadly, the present borstal system and most of the separate young prisoner centres —

that is the establishments which are able to operate a training regime. Thirdly, there will be the rather more varied category of other offenders sentenced to youth custody—i.e. who are sentenced to more than 18 months or who receive short sentences but are excluded from detention centres—together with defaulters and people sentenced to custody for life. As explained above they will be eligible for places in youth custody centres, and it is likely that a large proportion of them will in fact go there, those subject to longer terms—over 3 years—being held in one of several youth custody centres specifically designed for them. Those for whom youth custody places cannot be found are likely to be held in local prisons or in young offender wings of prisons—as separately as possible from adults—or in a few cases in remand centres.

Female young offenders will constitute a smaller and in statutory terms a less diverse group serving sentences of youth custody or custody for life or detained for default. Most will be held in half a dozen youth custody units or in a few cases in remand centres. Most of the youth custody units will form part of larger establishments in the women and girls' system, and there will be some mixing of young offenders and adults.

Approach to implementation

These changes have considerable implications for both the placement and the treatment of young offenders. In particular it has been necessary to re-examine our approach to the use of establishments and the allocation of offenders to them; to reconsider the objectives, general approach and constituent elements of regimes; to carry out research into the likely composition and characteristics of the population; to make and to keep under review population estimates; to prepare training programmes for staff; to write new statutory rules; to revise existing and prepare new written guidance to staff; to plan the transitional steps associated with the conversion of existing sentences; and to prepare for future monitoring of the operation of the scheme. Planning work at Headquarters started in earnest in 1981 while the Government's White Paper was still under discussion—partly to reduce delay between the enactment of the Bill and its implementation and partly so that the legislation could be framed in knowledge of what the young offender

system's operational needs would be. We have been conscious throughout that although it was Headquarters' responsibility to co-ordinate the implementation of the scheme it would ultimately be operated by establishments themselves; we have therefore worked closely with the Assistant Regional Directors who have responsibility for young offenders and women and girls and also tried as much as possible to consult governors, and through them staff in establishments, during both the initial preparation and the subsequent working up of plans for implementation. During 1981 meetings with governors to discuss the White Paper were followed by the establishment of working groups with Headquarters, Regional and Governor membership to consider allocation, the use of establishments and regimes. Early in 1982 we circulated detailed proposals arising out of that work to all establishments, invited comments from staff and discussed them with governors at a further conference in the summer before putting them into the form of firm guidance to staff. Bearing in mind that the proposals would entail organisational changes in establishments we asked them to prepare for the operation of the new scheme by formulating regime plans during the autumn. Simultaneously the Prison Service College arranged a series of seminars on the management of change for senior staff from young offender establishments.

Although the scope for innovation has been limited because of the need to implement the new scheme within existing and planned resources, we have tried to use the opportunity of the new start to establish a sense of direction for the young offender system as a whole. This might best be illustrated by reference to regimes, where several general themes underlie the approach we have adopted. First, a positive training approach to young offenders is important whatever the length or type of sentence. This means operating regimes which engage the interest and full participation of trainees in activities which are worthwhile in themselves, as useful preparation for their later resettlement in the community or both. Secondly, the best elements of existing practice should be preserved and applied on a scale consistent with our present level of resources. In preparing guidance on regimes we have sought to build on the practical experience of the prison service, recognising that it is the greatest repository of

knowledge on how to deal with large numbers of the most serious young offenders in the country. Thirdly, we believe it is both desirable and possible for the three broad groups of establishments which will hold sentenced young offenders—detention centres, youth custody centres and prisons and remand centres—to work towards a common set of objectives. These include, for example, 'to set for the young offender standards of behaviour towards others and to encourage discipline and a sense of responsibility, so that he will be better able to make a constructive contribution to the life of the institution and ultimately the community to which he is released'; and 'to provide and to assist the young offender to make use of opportunities to acquire or develop skills, interests and personal resources which will help him on release to cope with the demands of contemporary society without reverting to crime'. These objectives will apply in different ways or with different force to different types of establishments—because they

cater for people serving different lengths of sentence and have different levels of facilities and resources. But we believe that they will assist young offender establishments in deciding how to organise their activities and in setting local objectives.

It is of course, easier to set out objectives than work out how to put them into practice. However, in guidance which is being prepared for young offender establishments we have explained as fully as we can in what ways we would like the principles to be applied to the various activities which form part of the regime. The result will not be perfect, we are dealing with essentially subjective matters and it is difficult to steer a proper line between central direction and local discretion, but we do hope it will be of value not simply in setting out formal requirements but also in capturing the essential qualities of regimes for young offenders.

The future

We are all anxious to ensure that the

new scheme operates smoothly, and in the immediate future that must be our principal aim. But changes in the sentencing structure, however necessary, can do no more than provide the framework within which young offenders in custody are dealt with on behalf of the community. In the final analysis the test of the prison service's operations is the impact on the young offender during and after his sentence. While this is not fully understood and we do not know how it will change under the new scheme, once the new sentencing structure is in operation both Headquarters and establishments will need to continue looking for improved ways within the new framework of dealing with young offenders. In this connection, we hope that in addition to helping establishments' immediate task, the identification of clear working objectives in conjunction with the new scheme will provide us all with points of reference by which to assess and to re-evaluate the future operation of the young offender system. ■

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it's working, on the whole: many visiting Probation Officers are taking time to consult with Borstal staff, and with other Departments: psychology, education. Probation Officers are encouraged to send details and observations on trainees soon after their arrival, so that the training programme can be tailored to each one: so often the SER does not give the Borstal much guidance about training needs.

The use by some Probation and Aftercare Areas of liaison teams who specialise in Borstal throughcare has been a significant development in recent years. Ten such teams visit Portland, and when a number of teams are visiting in close proximity to each other there is a danger that the Borstal may feel taken over by the Probation Service, particularly when the visiting teams are seeing a large number of trainees, sometimes in groups, sometimes in the evenings. Care has to be taken to negotiate their timetables, juggle with their dates, and to ensure that they have time to consult with Borstal staff. It becomes clear that the service offered by the Probation Service in Young Offender throughcare is very patchy. Some areas put a great deal of commitment and resource into maintaining links with trainees whilst they are in custody, whilst others treat the subject much more casually; the Borstal boy is a notoriously unrewarding subject of supervision, and it is easy to be

relieved when the pressure is off for a while, to the extent that the trainee is forgotten for most of his sentence.

Future Thoughts

But how does the experience of the past have relevance for the future? The experience of working as Senior Liaison Probation Officer in the Borstal has brought a new concept of Probation work to me—if my primary task as a Probation Officer is to prevent recidivism, then I am trying to do this once removed from the client, without any supervisory responsibility for the visiting Probation Officers, yet seeking to ensure that they can offer as good a service as possible to the trainees. Expected isolation has not been a problem—indeed, I have had a lot more contact with members of the Probation Service in general than ever I did as an SPO in the field. The Borstal is a regional resource, and the post feels like a regional one, rather than a local one.

The future, once the Criminal Justice Bill is through, indicates that former Borstals will become Youth Custody Centres, and surely there must be a move to place some sort of Probation presence in each of these centres. If that happens, then several more liaison posts will be created in institutions that have never had a Probation Officer working in them. It will be vital to learn from the experience of the past

nine years, and in particular, some points are crucial: that staff in the institutions must properly be prepared for the arrival of a Liaison Probation Officer, and there must be full understanding of the liaison role: this issue was a cause of particular problems in the early days in at least three Borstals, and failure in one. There must be good contact between the Governor and the Chief Probation Officer of the area from which the liaison member comes; the appointed officer must make a priority of establishing his own credibility in the institution, by getting to know staff, by talking Probation and related subjects to them, by being prepared to deal with long-held opinions about the Probation Service, and, most important, by keeping his identity as a Probation Officer in a way that does not give rise to allegations of pomposity. If everyone is properly prepared for such an appointment, then institutional staff could accept that the Probation Officer's presence is not an unwelcome intrusion, but that his expertise and contacts can help make their job more interesting.

We have all been trying to learn lessons of co-existence since 1966—it takes a long time, but the appointment of Senior Liaison Probation Officers in Borstals has demonstrated a model of Probation presence in penal institutions which can be economic and effective. ■

WAYS OUT OF CUSTODY

Norman Tutt

One of the major blocks to reforming the juvenile criminal justice system in this country is the Home Office's assumption that custody is the only way of protecting the community and hopefully rehabilitating the offender, and at an economic cost.

The assumption also ignores what is happening in parts of the United Kingdom other than England and Wales, and in other parts of Europe. It is ironic that while the Criminal Justice Bill makes its way through Parliament introducing short detention centre orders, residential care orders and youth custody orders, the effect of which will be to increase the numbers of young offenders entering custody, the same government is implementing in Northern Ireland the proposals set out in the Black Committee report.

These proposals are aimed at limiting the use of custody by making community based alternatives into the base of the policy for dealing with juvenile crime. Last year Northern Ireland abolished Borstal training. In Scotland, Professor Martin has shown by his research on the operation of children's panels, which have now existed for more than a decade, that this reform has reduced the numbers of young people entering residential and custodial institutions.

The Government is aware of this evidence but chooses to ignore it.

It is now obvious that in some areas of England and Wales it is no longer appropriate to refer to alternative strategies for dealing with juvenile crime, since the alternative is now the widely agreed policy of the local juvenile criminal justice system. The Centre of Youth Crime and Community at the University of Lancaster over the past three years has worked with a number of local authorities, both metro-

politan and county, who are intent on turning round the rising use of custody within their areas.

This work has shown that there are enormous opportunities for reform, and that far from there being no alternative there is no justification for the current damaging policy. Experience drawn from more than a dozen local authorities shows that their policies have a number of common threads. These can now be woven together to illustrate the direction the Criminal Justice Bill should be taking.

The two key issues of any non-custodial policy have been unattractively dubbed diversion and decarceration. Diversion means that at every opportunity young offenders should be diverted out of the criminal justice system as soon as possible—the system is the interaction between the police, juvenile courts, social services and probation departments. It should not be conceived narrowly as diversion away from a court hearing, but for low level offenders should include diversion away from welfare agencies.

This means that first and second time offenders, assuming they meet other criteria, e.g. admission of guilt, and acceptance by parent, should receive an automatic caution by the police. Children and young people who continue to offend should on their first two or three court appearances receive

disposals that divert them away from long term involvement with social welfare agencies—conditional discharges, small fines, attendance centre orders.

Involvement with welfare agencies should be retained for those who are persistent offenders, i.e. have appeared in the juvenile court on three or more occasions. It would be easy to argue that this approach is not significantly different from current policy. For example, in its White Paper Young Offenders published in 1980 the Government recognises the detrimental effect of involving young people in the juvenile justice system and, therefore, the significance of the caution.

But exhortation to police forces to increase cautioning is insufficient. Automatic cautioning for first and second time offenders as suggested by the Parliamentary All Party Penal Affairs Group in its report "Young Offenders—a strategy for the future" would seem essential.

The retention of welfare services to deal with the persistent offender is not at variance with official policy, but contradicts what is happening in practice. DHSS figures estimate that 45 per cent of juveniles given care orders in criminal proceedings had no known previous convictions. The care order,

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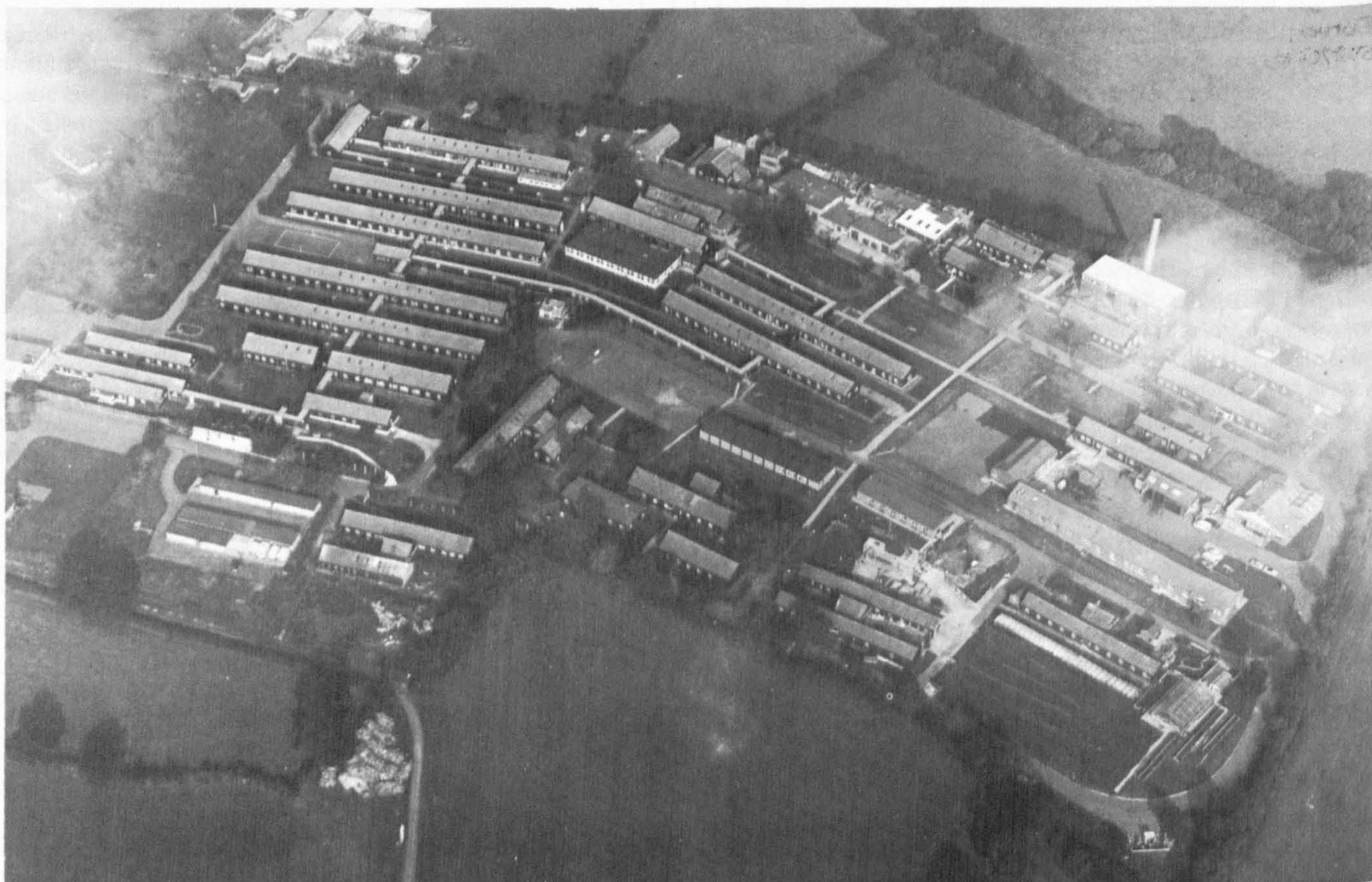


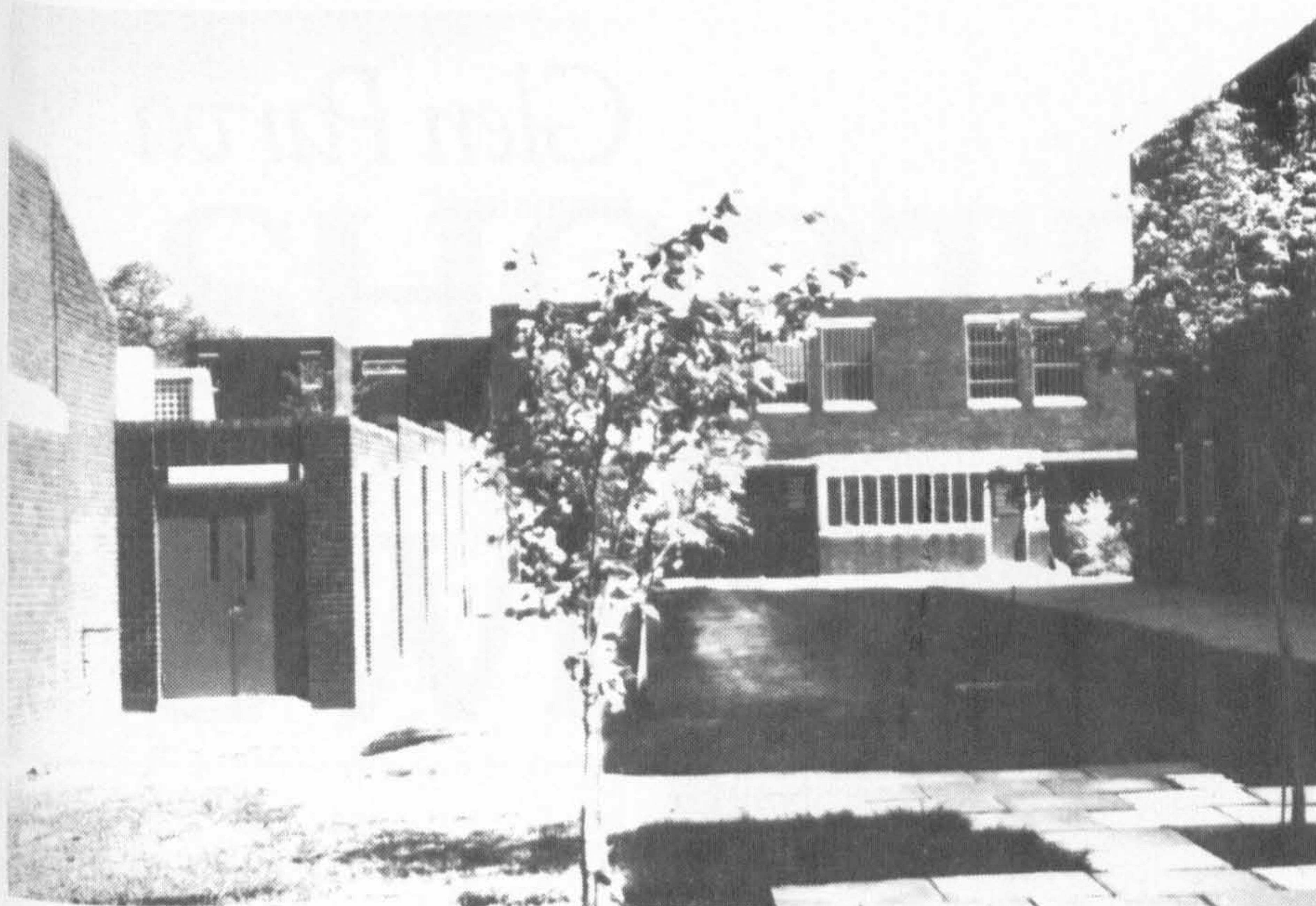
Norman Tutt trained as a clinical psychologist working in both child and adult psychiatry. Was for five years resident psychologist in a boys' Community Home with Education. Then worked as residential adviser with Northants SSD. Before moving to the Chair in Applied Social Studies at the University of Lancaster, he was for four years Principal Social Work Services Officer in the DHSS, responsible for policy development in the field of child and adolescent services. The article was first published in the *Guardian* on April 28th 1982.



Guys Marsh

*Two aerial views of the HM Borstal/Detention Centre
at Shaftesbury, Dorset.*

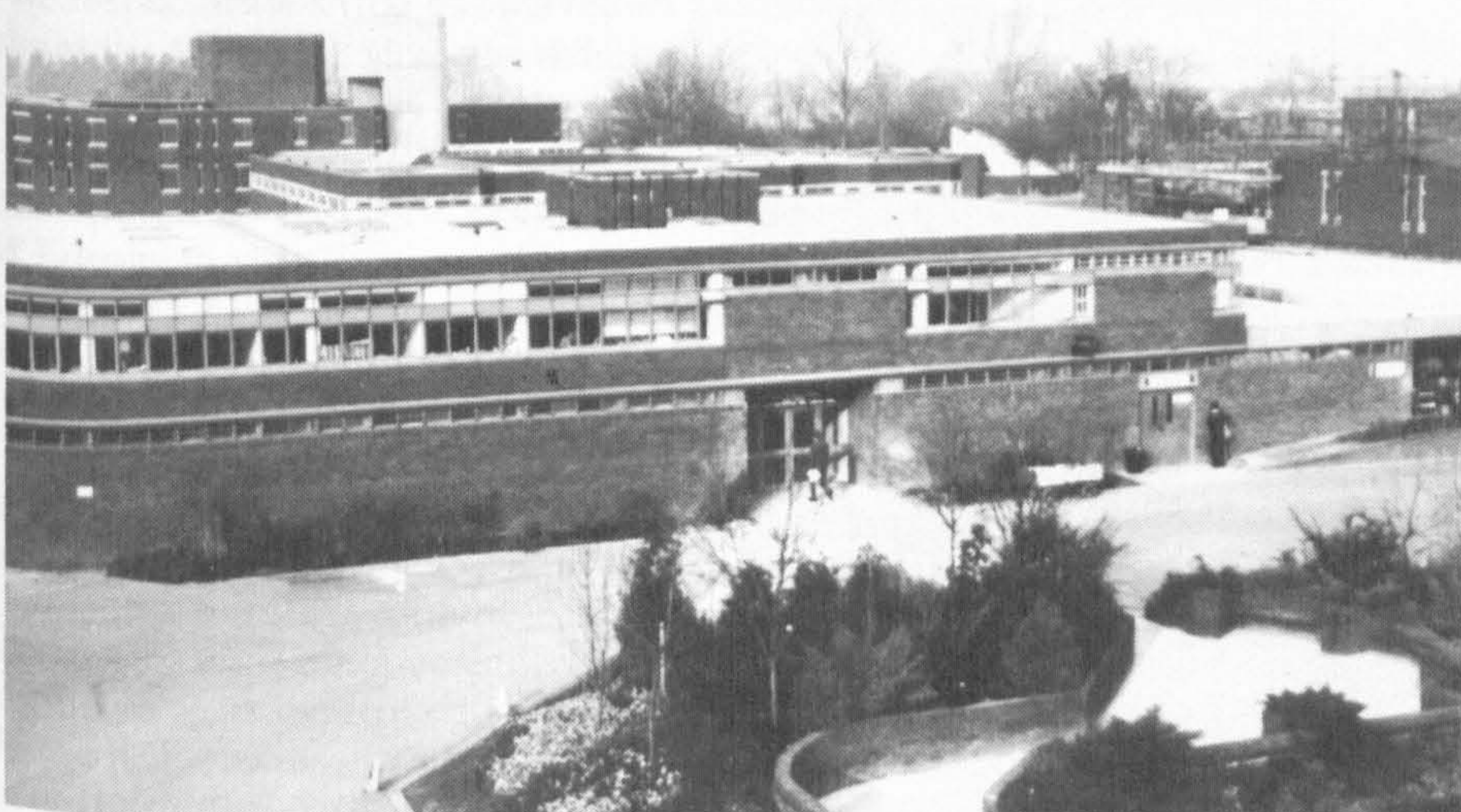




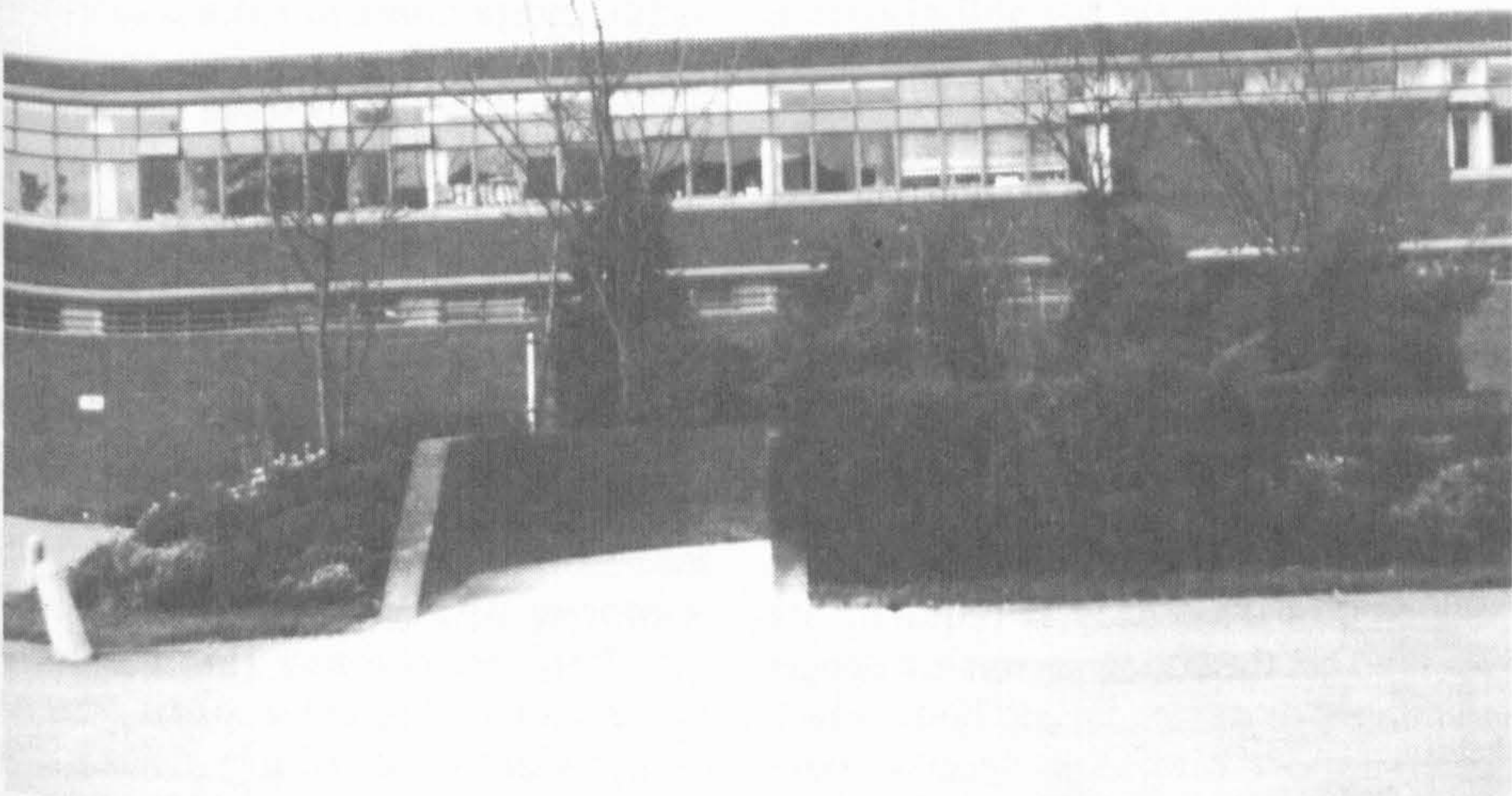
Glen Parva

HM Young Offender Centre
Wigston, Leicester

The South Entrance



The Administrative Block



The Forecourt Garden

Glen Parva

(continued)



The Administrative Block



Aerial View

WAYS OUT OF CUSTODY *continued from page 13*

an indefinite order of the court placing the child in the care of the local authority normally until his eighteenth birthday, is in the majority of cases likely to involve removal from home for an average period of between twelve and fifteen months. It is an order which should obviously be retained only for very serious or persistent offenders.

Decarceration means that to achieve any shift away from custody, young offenders have to be taken out of institutions and the institutions have to be closed; that frees resources for alternatives, but more importantly

forces the justice professionals to think of other means of dealing with the offender.

Decarceration may suggest the irresponsible decanting of young offenders on to the streets. This not so. The Centre of Youth, Crime and Community has conducted a number of studies of the population of young offender institutions. The criteria which determines if custody is required are likely to be: the young person is a danger to himself or others; has no home which can support him; has specific educational or vocational requirements

which can only be met in an institution.

Studies show that substantial numbers do not meet any of these. If one criterion is met, the argument for custody is accepted in that case. Up to 70 per cent of the young people in custodial institutions do not need to be there. Since each young person is likely to be costing the rate-payer at least £450 per week there is also a strong economic argument for reform. ■

Professor Norman Tutt is a founding sponsor of Keep Out, and a Director of the Centre of Youth, Crime and Community, University of Lancaster.

SHORTER AND SWEETER

M. Jenkins

The Inspectorate's first annual report has reinforced much that we know about the Prison Service - the debilitating overcrowding, the crumbling fabric, the lack of a philosophy and the collapse of an ethic to justify 'treatment' or 'training' or a distinction between local and training prisons. Such thoughts, perhaps less formed then, prompted me three years ago to apply to the Council of Europe to visit Norway : there seemed enough similarities between the two societies to expect similar social problems but geography and culture might indicate different solutions. Late in 1981, my opportunity came.

Norway has a population of four million and just over two thousand prison places, a much lower ratio than England's. Yet there is no overcrowding — and we are not considering an idyllic, rural, crime-free country! How do the Norwegians manage?

The Ministry of Justice in Oslo has responsibility for courts, prisons, probation and police and one answer is that the Norwegians manage through greater co-ordination. But probation has only recently become a national service, it is still emerging from its history as a series of autonomous, local, voluntary societies; it seems less extensive than its English counterpart. Rather courts are more directly amenable to government policy and the philosophy is that imprisonment is a punishment which does not have to begin immediately on sentence. More dangerous offenders seem to go to prison straight away but most can remain in the community for their convenience (appeal, family reasons) or the state's (the local prison is busy enough). One governor was able to say that if his prison is beginning to look full, he 'phones the police to slow down his intake! Those convicted of drunken driving have to

serve three week's imprisonment but can usually arrange to serve the term during a period of annual leave from work. The Prison Department seems not to know how many people are "in the pipeline", nor did regional governors. This seemed to cause no one discontent.

The Organisation of the 'local' tradition

Like England and Wales, Norway has four regions — north, east, south and west. Each region has a governor who is responsible for his own prison and the others in his region. For example in the southern region, the governor

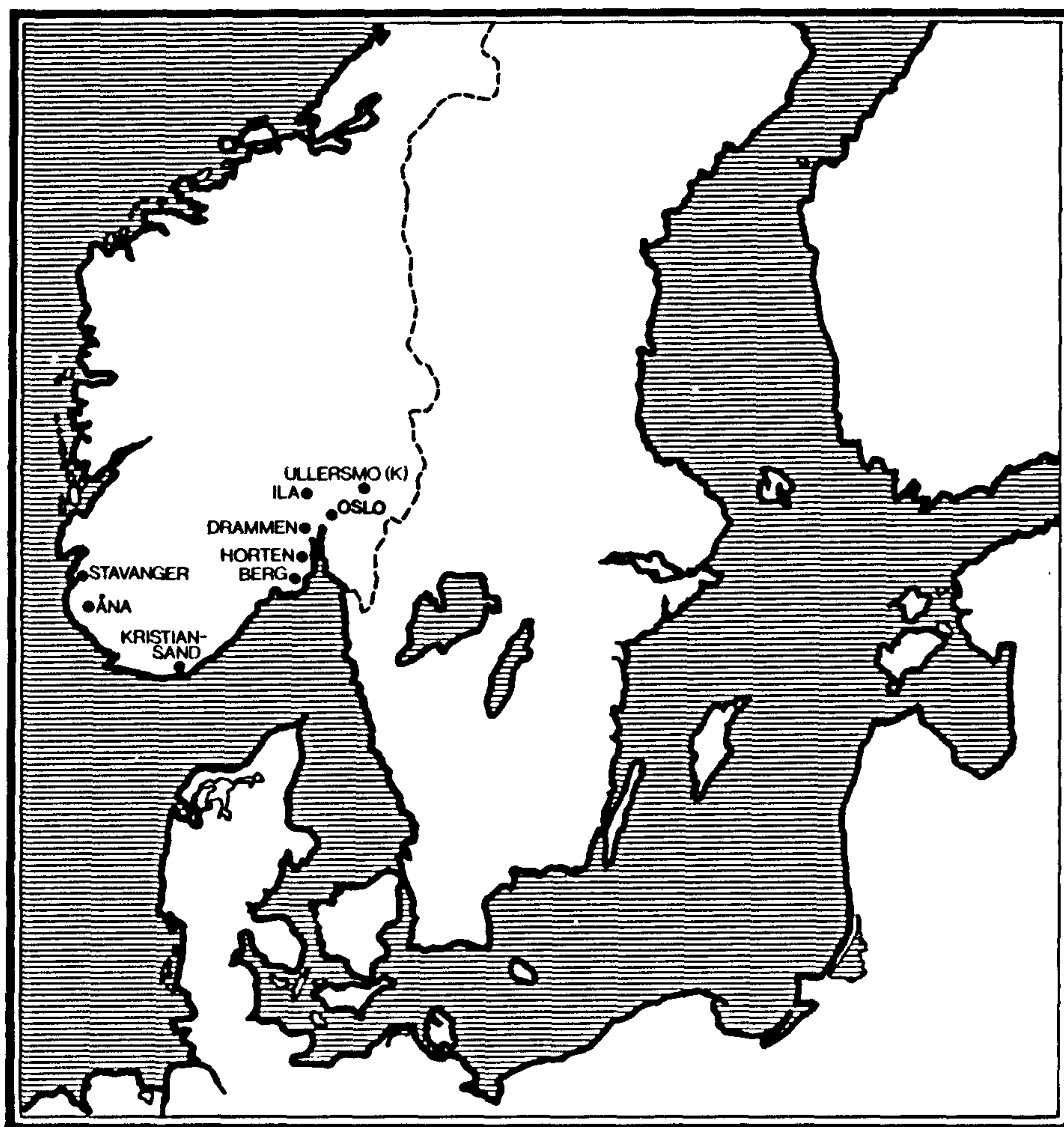
* Usually small forestry parties under an officer, living in temporary accommodation.

of Berg Open Prison is responsible for eleven local prisons and three work camps* — with a total population at the end of August of 285. "Small is beautiful" in Norway! From Berg I visited the local prison at Horten, a small town on Oslofjord. It is an older but refurbished building and backs on to the police station near the centre of town. It has sixteen cells and a small staff in the charge of a chief officer. It depends on local services for education and medical attention and has its own workshop. In an emergency the police use their own key to come in and assist.

Horten is one of the smaller "locals" but each region has a high proportion of such establishments. More readers will know Kristiansand on the south coast because it is a point of entry from England to Norway and a resort in its own right. It has a "rooftop" prison, opened in 1977, with 44 cells. It is again very central and

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occupies the top three storeys of "County Hall". Its predecessor was a single wing building of 1860 — photographs and a preserved cell door were a salutary reminder of what I had left behind in England. The new prison has a four cell section for women and three cells for men working out. There is an upholstery workshop, an electronic wiring course and two classrooms. Basic education and trade training have to be available in the community and those in prison are similarly entitled; a person in prison can therefore continue "outside" the course he began inside. A nurse visits for fourteen hours each week and the doctor calls when required, but at least once a week. Light meals are prepared in the small kitchen but the main meal is bought in. Sentenced men eat in association but the unsentenced lead usually a more restricted, solitary life than they do in England. The height of the building has advantages and disadvantages; integral sanitation (now normally standard) is not possible but the double-glazed windows have no bars (they do have tamper alarms and the external balcony is covered by an electronic beam). Exercise is taken on the roof but the walls are high and mesh covers the top — not apparently against heli-

copters but to prevent missiles being launched "overboard". Entry is by lift, monitored by TV cameras and controlled electronically from the "centre office". There is no cell sharing but pressure on accommodation means that some men are transferred.

Ah, so it's not a purely local system? No—the south region has the open prison at Berg for selected men and the west region has Åna — an older establishment with cells, workshops and extensive farm land (at about Category C). Those serving up to six months normally remain in the local, those serving up to eighteen months in the western region would normally go to Åna and those serving more (long termers) go to the central prison Ullersmo (like Coldingley) or Ila the "Security Institution" (a combination of Grendon and Parkhurst); both are near Oslo. Not all are transferred from their local and of those that are, many return to complete their sentences. Bergen Prison is also under pressure and is likely to be relieved by a new establishment on an island about twenty two miles north of the city. But the policy is to maintain or strengthen home links either by proximity or by home leave and to keep prisons small. Both contribute to a reduction of tension

and involve the community more than we are used to. Oslo prison is a double establishment with accommodation altogether for nearly 450 but it is unique and I was assured that nothing similar would be conceived today; in fact Ullersmo's CNA of 144 is considered too large.

Visits are normally private but home leave is more important. After six months or a third of the sentence (whichever is longer) prisoners may apply for three clear days at home every two months. Arrangements are verified or set up by the establishment's social worker and the governor takes the views of his Institution Board before deciding. As one long term prisoner said — "you don't mess about with home leave if you want to go again!" The system seemed well used and little abused; the governor of Ullersmo reported nearly one thousand leaves a year and fifty five "failures" (including late or drunk returns as well as non-returns). Åna is at least half empty at Christmas.

"Dangerousness"

Much of what I have written implies a low level of dangerousness but that issue is as live in Norway as in England though in a somewhat different form. Homicide and drug trafficking are met with very long sentences but in these and other cases the prosecution may ask for preventive measures in addition to imprisonment. Where this request is made, "psychiatrists are asked to state whether they think there is a danger of repetition of punishable acts due to the mental state of the defendant" (Matthiesen, 1965). The court decides whether preventive measures (Sikring) should apply; the usual period is five years but this can be renewed by the court. The Ministry of Justice can vary the conditions under which offenders are held and few remain incarcerated in prison or in the Special Security Institution for five years. Transfers can be arranged to hospital (rare and difficult!) or to a hostel or to a boarding-out arrangement. Simple release on supervision is also possible. It seems that imprisonment *plus* security measures are criticised; the imprisonment part can be remitted so that "security measures" apply earlier but there is anxiety too about preventing *future* offending. Ila is the Special Security Institution and its population divided equally between imprisonment and security measures. It is well supplied with psychiatrists, psychologists, social workers and law graduates who prepare

the reports for Headquarters. They are closely involved in the search for less restrictive "security measures" and are most critical of the uncertainty of the system. "Sikring" has existed since 1929 and review has been more or less constant; as no consensus has emerged there has been no basic change. (Evenson 1973).

Staff Training and Responsibility

I met few Englishmen in Norwegian prisons but one in Ila was very impressed with the numbers and quality of staff and with the quality of life; as he received news at the same time of his deportation within two months he may be excused a degree of euphoria. He had been convicted, he said, of possessing drugs. He was making some good pottery in the "Therapy Workshop" run by two young women.

The smaller service and smaller establishments allow more innovation and adventurousness. Female officers work in men's prisons and have responsibility for a small landing on an equal footing with male officers; prisoners and staff were surprised that I should ask about something so normal. One officer in uniform was not an officer at all but a relation invited in for the day as relief for an officer gone sick. Several staff appeared to have joined permanently from experience of such reserve duty, though I imagine it is very unusual today. National consultation with staff associations has been thorough and good pay and conditions negotiated. Officers seemed to work more as individuals but with small numbers of inmates — not more than seventeen as far as I could see. They were confident in their work but have had the benefit of a two year training period! This consists of two six month placements and a year's study in the prison school inside Oslo Prison. This period of study is relevant (use of language, criminology, psychology, etc) but is not applied to prison work during the course. Training is preceded by a NEPO experience of several months. Assistant Governors are law graduates who learn-while-doing the job — they have no training course.

Norway has one prison especially for women (which I did not ask to visit) and a psychiatric unit for men; this too is sited within Oslo's prison but is under the control of a lady psychiatrist an independent. Nursing assistants supervised the patients and were assisted by officers from the prison if there was violence. Some men are convicted and seek treatment and others are being

assessed for reports to court. Not only was this familiar, so were the complaints, the psychiatrist despaired of mental hospitals accepting mentally ill delinquents from the courts and the prison staff felt they were left with the psychotics because the psychiatric unit only wanted nice co-operative patients.

Norway used to have a borstal system but has abolished it, primarily (it was said) because it was unfair; trainees served longer, less certain times than their adult counterparts and remand time did not count. The general adult age is 18 and very few youngsters under 18 are sent to prison; alternatives are preferred but you can go to prison from 14 onwards. In consequence youngsters remain local to home just as adults do.

Vive le Difference!

Changes such as this have occurred in the past 10 years, so that the new edition of 'Social Defence in Norway' (Evensen, 1973) will be welcome. Evensen describes well the basically local system and the guarantees of the Prison Act, 1958 (especially "one man, one cell") but does not describe the pressure for change from Sweden and from within. Matthiesen was Chairman of KROM for 5 years and his book "The Politics of Abolition" comes from this period (PSJ Review January 1975, p 19). There was slower change in Norway than in Sweden but penal policy has been re-worked politically in the recent past. As a result there has been more investment in alternative facilities, in new building and in better conditions; staff too appear well-committed to the task and less in conflict over philosophy, policy or conditions. England's degrading conditions in prisons have not been modified by popular pressure; their continuance is the price we have paid for weathering the storm! We desperately need an ethos that will sustain public security and support *and* commit us to humane systems and conditions. I am sure it was politically difficult in Norway but it is not such a unique or impossible task as we might imagine.

Overall I was impressed with Norway's system. Its small units reduced stress for staff and prisoners and the importation of services from the community was imaginative. While resources are getting tighter capital provision from central and local government had ensured good refurbishing new accommodation in the right place, impressive workshops, available edu-

cation and good vocational training. Staff were confident and thoroughly trained though I was surprised at the apparent lack of integration of theory and practice; they seem to have more individual responsibility but are nowhere engaged in "social work in penal establishments". Norway has considerable experience of security measures for the dangerous and while it is unhappy with "Sikring" in its present form it does have a system which allows shorter sentences for the less dangerous. Links with home and resettlement are more humanely and courageously encouraged but the step-by-step process gives confidence to both prisoners and authorities. I have no way of assessing comparative success rates but public concern seemed concentrated upon drug and alcohol abuse and spending on prisons. While I saw what I was looking for (a viable system of local "locals"), I came back with much more than I expected. I was made very welcome everywhere, my lack of Norwegian was kindly ignored, my queries were thoroughly answered and it's a beautiful country. But you need to know about English soccer to get on!

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THE LATE CHARLES HENRY DAY ISM

It is with deep and sincere regret that the Editorial Board note the recent death of "Charlie" Day, who printed this Journal for many years and made a unique contribution to its development.

He died on the 26th November 1982, following a stroke, three years after his retirement from the Printing Department of Leyhill, and thirty years from the commencement of his service. At that time (in the Journal for October 1979, number 36) we published a tribute to him under the heading "Printer Extraordinary", a title which did no less than justice to his achievements.

Our sympathy and gratitude for his work and friendship go to his bereaved family.

YOUTH CUSTODY FROM WITHIN

C.G. Parkin

*Principal Officer working
in a closed Borstal Institution.*

The prospect of Youth Custody is a fascinating topic for those of us concerned with the care of young offenders. The creation of a new sentence has allowed us to speculate upon things to come, and has provided me with many opportunities to debate this subject. The suggestion that it will be based upon the best of the Borstal system may give one the impression that, apart from the fixing of a sentence, there will be little change in the format already existing within our Borstals. Will each Borstal continue to operate its own regime built up through the years of tradition and physical restraints of that establishment with little change in attitude towards the new task? Many sessions have already been enjoyed in trying to envisage the opportunities that will present themselves.

Starting Point

With the public in general, particularly those who are lacking in social awareness, one wonders if they are really concerned with what is happening within our penal system or only with things that create public outcry. To take this one step further, do those currently serving a sentence of Borstal Training have any concern over the changes that are likely to take place, and by which they as youths may be affected should they re-offend?

To test this out, I talked individually with nineteen youths, in the age range of fifteen years to twenty years old, currently serving a sentence of Borstal Training. They were at various stages of training of between eight weeks and thirty six weeks.

Results

Had they heard of the new sentence of youth custody that might be replacing Borstal Training? Only four youths responded "No". The remainder had heard of it but had little information about it, other than it was going to be like serving a Young Prisoner's sen-

tence. Of the nineteen youths, only one had any basic knowledge of its purpose and described with some accuracy the variations that would be available to the sentencing judge. This particular lad, rather surprisingly, had spent only eight weeks within the training system and had learned of the change from sources outside the penal institution. The remainder were vague in their knowledge, but had learned of it through talking with staff. One fifteen year old lad, having responded with a 'Yes', then went on to describe the changes. His comments were: "The fence is going to be sprayed in concrete, and there are going to be dogs, and the wall is going to be higher".

Quite obviously, an impressionable age!

In the next question, a comparison was drawn between the target system* operated in Borstals and the fixed sentence received by Young Prisoners. There was a fairly wide variation in opinion, with nine youths preferring a fixed sentence, eight preferring a target system, and two that would rather have the target system if remand time in custody was taken into account. This question also showed the division in thinking between the different age groups. The group consisted of six lads aged nineteen or twenty years old: they were unanimous in saying that they preferred the fixed sentence. Those preferring the target system all felt that it was a stimulation for them, and gave them the opportunity of being able to show progress and to receive tangible rewards for this.

The differences in age also showed up clearly when the discussions moved on to achieving maturity. Opinions were quite varied but, in simple terms, the older lads within the group felt that the youngsters were a nuisance and that they should not be mixing with them. The younger lads felt that



Colin Parkin joined the Prison Service in 1968, and after initial training served the first six years at Ashwell Prison. He was transferred on promotion to Glen Parva Young Offenders Centre in 1974 and has been stationed there since. He is a Principal Officer working within the establishment as a Borstal Unit Manager.

there was no problem in them being with older inmates. During the discussions, rather surprisingly, it was the seventeen and eighteen year old youths who showed the greatest indecision. They displayed reservations about reaching maturity, and felt that they would not be grown up until they had reached the age of twenty-one.

It is suggested that the operating policy of the Youth Custody sentence will incorporate the best of Borstal Training. Part of this policy may well include the high level of involvement of Prison Officers in direct work with the youths. This includes groupwork, individual counselling and generally joining them in all aspects of their work and play. In Borstal, the Officer becomes responsible for the training and well-being of a small group of youths, as the "Group Officer", "Case-work" or "Personal Officer". He also is the link between the youth and the after-care agency (the Probation Service or the Social Services). When discussing the role of their Personal Officers, seventeen of the nineteen interviewees were positive that they appreciated the personal relationships offered to them and that they would want the same facilities to be available in a Youth Custody sentence. The other two youths felt that the work would be better done by Probation Officers; one lad was fifteen years old and the other was twenty years old. Several of the other lads suggested that they would like to be able to spend even more time with their Personal Officer than they were afforded at the present time.

Education and Aftercare

Academic and physical education was also looked at. With regard to academic education, most of the group felt that it should be optional, with the individual having the right to choose. Several of the lads expanded on this by pointing out that those wishing to learn would benefit more from a voluntary class; their learning rate would improve, as opposed to the compulsory class where some of the pupils would be unhappy and probably unwilling, thus creating negative atmosphere and restricting the potential of the rest. The majority were in favour of compulsory physical education lessons. The feeling was that they would all benefit from physical education. It was challenging, and achievement could be easily recognised. There was nothing of significance emerging from the different ages of the lads concerned. It also emerged

that ten of those concerned had said physical education should be compulsory and academic education optional. The other nine maintained their choice of compulsory or optional to both the areas.

Finally, each trainee was asked what he expected of his after-care officer during his period in custody. Excluding comments that were the result of personality clashes, the majority of trainees did want to receive attention from their after-care officer and they expected regular (ideally, monthly) visits from them. Feelings of resentment and rejection towards after-care officers were common amongst trainees, particularly those who did not visit, and rarely communicated by letter. Obviously, trainees felt that they had a right to expect some personal consideration from their after-care officers whilst they were in custody, and showed little understanding of the pressures of high case loads and the tight financial controls placed upon probation officers and social workers.

Conclusion

The overall lack of interest towards youth custody was disappointing. Neither inquisitiveness nor enthusiasm for any change were evident. The expected differences in opinions showed little pattern according to age except on the question of maturity. The exercise proved that in the matter of penal institutions inmates have no concern about their future treatment, and that they are only concerned with the present. One hopes that, with the commencement of youth custody, some emphasis is placed upon making them realise that opportunities should be taken with both hands, irrespective of the circumstances, and that it is never too early to change for the better.

* A Borstal Sentence comprises of an indeterminate period of between six months and two years. A target date is set covering a fixed period of months, and is either shortened or lengthened according to the trainee's response to his training programme. The initial period set for the target may vary slightly in different institutions, but the method of operation remains within the same vein.

THE HOWARD LEAGUE MAJOR SEMINAR SERIES ON

Criminal Justice in the 1980's

at University of London, Kings College, Strand, W.C.2
on Tuesday evenings at 6.30 p.m.

Date	Speaker
25th January 1983	SIR KENNETH NEWMAN, Commissioner of the Metropolitan Police;
15th February 1983	PROFESSOR TERENCE MORRIS JP, Professor of Sociology, University of London;
8th March 1983	THE HON. MR. JUSTICE GIBSON, Chairman, Law Commission;
29th March 1983	MR. GRAHAM SMITH, Chief Probation Officer, Inner London Probation & After-Care Service;
19th April 1983	MR. DAVID FAULKNER, Deputy Under-Secretary of State, Home Office;
10th May 1983	MR. DAVID HOPKINS, Chief Stipendary Magistrate for Inner London;
24th May 1983	THE RT. HON. LORD MACKAY OF CLASHFERN QC, Lord Advocate;
7th June 1983	Chairman: SIR DOUGLAS WASS KCB, Permanent Secretary to the Treasury, speaker to be advised;
21st June 1983	MR. DENNIS TREVELYAN CB, Director-General of the Prison Service, Home Office.

From 13th to 16th September 1983, the Howard League will hold a Conference at Pembroke College, Oxford, to which all contributors to the seminar series will be invited, along with other speakers. Here, the object will be to examine the theme "Criminal Justice in the 1980s" in the light of issues raised during the year, and to come to some conclusion about ways in which progress can be made in this field. For further details about the seminar series and/or the conference, contact:

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YOUNG PEOPLE AND CUSTODY

There are alternatives

Do we need them?
Do we want them?
Do we use them?

Chris Lawrence

Incredulity emanating from twenty pairs of Scandinavian eyes caused me to stop abruptly, wonder "what am I doing?" and, with worried urgency, seek the cause of this disbelief. Were these not the twenty expected social workers and youth workers who like their Nordic ancestors had come to the land of the Britains in search of enlightenment and ideological laxatives? Perhaps they were really nomadic cinematographers drawn to these lands by our freedom and expressiveness unfamiliar to them! No, they were the expected visiting team from Scandinavia on the usual Cooks tour of British penalogical and social work locations, steered, on this occasion, by good old Auntie D.H.S.S. Perhaps their difficulty in understanding what I was telling them about our "exciting new ways of working with young offenders in Norfolk" was because my language contained too many duo-syllabic words; or was their English just plain bad.

Chris Lawrence was formerly an Assistant Governor at Hollesley Bay Borstal and is now working for Norfolk Social Services Department.

Their difficulty was not one of language, not even jargonistic social work language. The problem was one of conceptuality. As I began to explain why we were so pleased with ourselves because we had developed programmes in the community for young offenders that would keep them out of penal institutions, they encountered a simple barrier in their understanding. "Why do you need alternatives to custody for children and young people, surely it is not usual to place them in custody?" they said. This simple but penetrating interjection

revealed a glaring disparity in our approach to young offenders and theirs. They were unable to conceptualise a framework for dealing with children and young people which had, as a basic component, so much emphasis upon custody and control. This is just not part of their own experience.

The inheritance of custody

I use this very real personal analogy as it serves as a vivid reminder to me of the inheritance that we all labour within this country in our thinking

and approach to young offenders. This inheritance spans many generations who, apparently, like ourselves believe that retribution cleanses, punishment inspires and custody is therapeutic. In any sphere of political or social policy the ignoring of so much evidence that tells us what we are doing is wrong, as is the case in our penal policies towards young offenders, cannot be rational. The Criminal Justice Bill being considered by parliament during 1982 is the latest in a series of important milestones in our thinking about the

way we deal with young offenders. Before I describe what we are doing in Norfolk to avoid young people going into custody and why we feel it is so important, it is perhaps necessary to reflect upon a number of the assumptions that lie implicitly in the minds of those people who believe the "liberal" legislation of the '60's and '70's should be redressed by a more realistic framework as contained in the present Criminal Justice Bill.

It is commonly stated, even amongst the well informed, that the 1969 Children and Young Persons Act swung the pendulum dangerously far from control towards welfare in our approach to young offenders. It is essential when this assertion is analysed to remember that our custodial response to children and young people is not limited solely to those establishments administered by the Home Office Prison Department. D.H.S.S.⁽¹⁾, with its Youth Treatment Centres and Local Authorities with their C.H.E.'s⁽²⁾, various other childrens establishments and, of course, secure units, make a major contribution to the "custodial" control of young people. It is difficult to know precisely how great this contribution is but in March 1975 the D.H.S.S., in a written statement to the expenditure committee⁽³⁾ reported that there were 673 secure places administered by local authorities and they envisaged a further 200 places being available in Youth Treatment Centres by the end of 1978. This reality contrasts interestingly with a Home Office Circular in August 1970 where it was suggested only some 500 places were needed to meet national demand.

In their excellent book "Locking up children" Millham, Bullock and Hosie⁽⁴⁾ explode many of the myths that surround the C.Y.P.A. 1969. Their extensive researching into young people in local authority accommodation detention centres and borstals showed that many assumptions were unfounded. They revealed that many more boys go into detention centre and borstal before the age of 15, than they did prior to 1969. Indeed, we know that between 1969 and 1977, the number of juveniles sent to detention centres, rose from 2,228 to 5,757, an increase of 158% and the numbers sent to borstal rose from 818 to 1953, an increase of 136%.⁽⁵⁾ At the same time a dramatic decline occurred in the use of supervision orders. There is considerable statistical evidence to demonstrate that this growth in custodial sentencing matches the loss of places in the old approved schools

and the decline in the use of the supervision order.⁽⁵⁾

The Norfolk Experience

I am conscious that I have been asked to write about the implications of C.J.A. and the reason for our experimental programmes in Norfolk—not to indulge in Scandinavian speculation or rehearsing well known criticisms of present penal policies. It is difficult to see, however, how the exciting new concept of "through punishment" (curfew orders, short detention centre episodes and Youth Custody) as provided for in the C.J.A. can do anything but reinforce notions of punishment and custody. At the same time the man in the street, some of whom are actually policemen, social workers, prison officers, magistrates, politicians and even Ministers of the Crown, could be forgiven if they interpret this "official" lead as a denunciation of previously well argued attempts to re-shape our policies towards non-custodial provision for young offenders. This should not be seen as particularly surprising as most people do, in fact, find it very difficult to accept that avoiding custody is anything more than being "let off" and conversely it is also difficult to accept that many of our interventions actually create more of the problems that we are attempting to solve. On one occasion, however, I was bemused to hear from one youngster that he had met a group of magistrates who were clearly able to hold this juxtaposition in harmony. I met him coming out of one of the Norfolk Juvenile Courts smiling broadly. "Why are you looking so happy?" I asked. "Cos they said they weren't goin' to send me down" (spoken with a Norfolk accent) he said. I inquired why this was and he told me that it was because, according to the justices "I am not basically evil, just mischievous". I was intrigued to know why this clear distinction had been drawn and so he told me—"Well, I was outside Tesco's you see and all these prams was lined up so I changed the babies over!"

I have tried hard to identify the precise time or event which has led to so much interest in Norfolk in the development of alternatives to custody for young people. In fact, no single revelation is responsible (not even "changed over babies") but rather a gradual realization over a number of years that young people being contained in many of our Intermediate Treatment⁽⁶⁾ programmes were just as difficult and just as delinquent as those going into

custodial establishments. Perhaps this is not surprising when, as Millham, Bullock and Hosie showed⁽⁴⁾, so few of the youngsters in borstals and detention centres (only 348) needed to be there if judged by criteria such as serious offending, violence, arson, sexual abuse or continuing absconding from local authority care. This may suggest that the bulk of the population in D.C.'s and borstal are not dissimilar to many of their contemporaries known to social service departments and the probation service through normal supervision.

During the latter part of the 1970's the social services department in Norfolk decided to support an increase in provision for young offenders in the community through greater investment in Intermediate Treatment. As part of this development local planning groups were set up to look at the pattern of offending by young people in their area, and to design programmes of work to stem the tide. These planning teams were made up of representatives from the probation services, education department, youth service, police, magistracy (including court clerks) and the social service department. This forum provided a hitherto unrealized opportunity for a frank exchange of views between often conflicting beliefs and values. In time discussions had moved away from simple criticism and even expressions of impotence, into a real collective desire to do something about the inadequacies of existing provision for young offenders. In particular, the people were concerned by the appallingly high levels of re-offending by youngsters discharged from C.H.E.'s, detention centres and borstals. Magistrates were concerned that they had so few options between doing very little on one hand, or on the other hand using the big custodial stick. It was from out of this dialogue and with a sense of urgency that in 1979 The Community Works Project Scheme was inaugurated in Norwich. This scheme, which is an alternative for boys destined to be sent to detention centre has subsequently been extended across the entire county of Norfolk following a major grant from the D.H.S.S. In 1980 a second community based alternative "Norfolk Trail" was established for those young people earmarked for a sentence of borstal training.

Both these schemes have community service at the centre of their organisational framework, but each scheme is designed to meet a very different

demand, and, despite the common theme of community service, they are not at all alike in intensity or style.

The Community Works Project Scheme—an alternative to Detention Centre Training

Since the late 1960's Norfolk had followed the national trend with increasing numbers of young people being sentenced to Detention Centre training. In an average year some 90/100 youngsters from Norfolk would find their way into Detention Centres, many on their first Court appearance and for relatively undramatic offences. Community Service for adult offences has been available to the Courts since the early 1970's, but there is no provision in the criminal law for young offenders to undergo Community Service as an alternative to custody, a very strange paradox indeed given the apparent recognition of the value of Community Service and the obvious dangers of custody for the younger offender. (The present Criminal Justice Bill does contain provision for lowering the age of Community Service provision to 16 year olds). Its second anomaly is the absence of Detention Centre training for girls. This apparently liberal situation means however that a 'Catch 22' clause exists for girls—I remember very clearly one incident I dealt with where three young offenders appeared for causing damage, they were all sixteen, two boys and one girl. The two boys were sentenced to three months in a Detention Centre; with remission, a minimum sentence of eight weeks. The girl of course was sent to Borstal; a minimum sentence of six months.

Growing from their ever increasing worries of custodial ineffectiveness, inequality between boys and girls, and ever growing numbers of young offenders, one of our multi-agency groups had the idea of developing a form of Community Service for young offenders based not upon criminal law, but upon Section 12 of the C.Y. P.A. 1969; the so called "Intermediate Treatment" provision. This section of the Act allows Courts, when making Supervision Orders, to require a young person (boy or girl) to comply with whatever directions they are given by their Supervisor (either a social worker or Probation Officer) either in respect of undertaking certain activities, or being away from their home on residential programmes. These directions can last for up to 90 days. It was decided to design a scheme of community work

for appropriate young offenders within this 90 day framework.

The scheme is essentially very simple; any young person aged between 14 years and 17 years who, having been found guilty of an offence *and* where Detention Centre training is being contemplated by the Courts, can be referred by the Court for consideration to undertake a Community Work Project. This Court referral, made possible by a two week adjournment, allows the young person and his parents to be interviewed at length to see if a Community Work Project (in effect Community Service) is a viable proposition. To be viable we would look for:

1. a willingness on the part of the youngster and his/her parents to undertake the project, and
2. proof that he has a reasonably stable living situation, at home, in lodgings or elsewhere.

When these conditions are met a written report is submitted to the Court setting out exactly what the project will be, and for how long. On average each young person will spend 100 hours on the project during which time he/she will be supervised by an adult volunteer.

Projects are tailor made to suit the individual and are varied as are the young people themselves—they range from menial tasks to creative activities such as building playgroup equipment or an adventure playground in a home for handicapped children etc. An interesting aspect of the scheme is the 'contract'. If the Court accept the recommendation for Community Work Project a contract is signed, giving full details of the scheme, by the young person, his/her parents, and the supervisor. It is also endorsed by the Chairman of the Court at the time of passing the formal 'Supervision Order' sentence. We have come to recognise that for many young people their signature on a 'contract' is far more motivating than the formal Supervision Order.

In time we have the opportunity of returning to the Court and reporting a successful completion of the Community Work Project. This allows the Court to discharge the Supervision Order which has the highly desirable joint effect of (a) avoiding a Supervision Order running on and on despite its irrelevance as the original 'crime' becomes a faint memory, and (b) is seen by the young person as an incentive to work satisfactorily. Unlike a custodial sentence a Community Work Project does not interfere with the young person's education or employment.

Neither does it disrupt family life. There is provision to return a young person to the Court if he does not carry out the project satisfactorily under the 'breach' clause associated with section 37 of the Criminal Law Act, 1977. Under this section fines or Attendance Centre orders can be given to any young person in breach of a Supervision Order.

The D.H.S.S. have shown considerable interest in this scheme to the extent that they have made a grant of £40,000 per year for three years available in order that the scheme can be "piloted" across Norfolk. This quite simple statement conceals a number of organisational intrigues. I find it of interest that the D.H.S.S. and not the Home Office should fund alternatives to custody, after all every youngster 'kept out' is a saving of many thousands of pounds to the Home Office. It seems there is no governmental machinery that allows joint funding between the two Departments. Secondly, Government Departments cannot give grants to Local Authorities, even if the Local Authority is taking on work normally done by the Government Department, i.e. reducing the Detention Centre population! This yearly grant is in fact made available to an excellent charity known as Norfolk Children's Projects which has been established to work alongside the Local Authority in developing ways of working with young offenders. The Norfolk Children's Project use the grant to pay three full-time Community Work Project Organisers who take on the task of finding suitable projects for the scheme, matching young people to the projects, and overseeing the work of project supervision. They also conduct the main negotiation between the Courts, the young person and his/her parents, and the appropriate social worker or Probation Officer. It is interesting that all three Community Work Project Organisers report the most difficult group to convince of the merits of the scheme are the social workers and Probation Officers!

This scheme has attracted considerable interest. Its existence has demonstrated that Courts and Local Authorities can work together in tackling some of the problems associated with Juvenile Crime. The Clerk to the Norwich Juvenile Bench has reported that in the first year of the scheme's availability the number of young people sent to Detention Centre from his Court decreased by 40%. Over 100 young people have been through the

scheme so far with less than 1 in 10 finding themselves subsequently in custody for re-offending. It is of course early days to know whether or not this rate of 'success' will hold. We are however convinced that the scheme is not only a viable option for many young people, but is an attractive one from the point of view of Magistrates. It allows them far greater control of the young person (unlike traditional Supervision or even Detention Centre Orders), and provides

them with the vitally important alternatives to custody. It does of course question the need for the proposed change in legislation when Community Service can be made available to young people through 'contracts' and section 12 of C.Y.P.A. 1969—given just a little imagination and co-operation between the interested parties.

The following table gives brief details of the first batch of young people on the scheme.

Community Works Projects Candidates

Name	Age	Offence	No. of Hrs.	Project
Terry	15	Burglary/theft	100	Workshop Group
Julian	15	V. heavy criminal damage (first offence)	120	Workshop Group
Sean	14	Shoplifting, assaulting police	80	Workshop Group
Kevin	14	Burglaries	120 + 50	Workshop Group
John	14	Burglaries	60	Workshop Group
Mark	14	Burglary/theft	75	Family Centre
Frank	14	Thefts	75	Workshop Group
Simon	16	Burglaries/theft	100	Wednesday Club
John	15	Thefts	75 (30)	(Wales Project)
Gary	15	Burglary/thefts	75 (30)	(Wales Project)
Keith	16	Burglary/thefts	75 (30)	(Wales Project)

Only one lad has re-offended.

Norfolk Trail

The 'Trail' Project provides Courts with an alternative for some young people who would otherwise go to Borstal. It is more concentrated and intensive than Community Work Project and staffed by a small group of local authority social work staff and volunteers. Each Trail Project lasts for eight weeks combining a residential programme Monday to Friday, with the young person returning home at weekends. No more than eight young people are on any one project which gives us the capacity to offer places to about half the 40/50 young people who are sentenced to Borstal training each year from Norfolk.

Community Work under section 12 of C.Y.P.A. 1969 and 'contracts' also characterise the 'Trail' Project. The sequence of consultation and specificity are also present but reports are normally prepared in between committal from the Juvenile Court and the Crown Court hearing. It is interesting to note that a number of Crown Court Judges have been as keen to use the scheme as their "junior"

colleagues in the Juvenile Courts. There have been occasions when Appeal Court Judges have squashed Borstal training sentences in favour of the 'Trail' Project. On one noticeable occasion the Lord Chief Justice himself followed this course of action in respect of a girl sentenced to Borstal training. In his summing up he commended the scheme to his other "less progressive" contemporaries.

'Trail' takes its name from an American experiment which first stimulated our interest in developing what some have called "a community borstal". The American scheme took "last resort" youngsters on a pioneering trek across the prairies using the highly stressful experience to encounter the youngsters behaviour and attitudes. Well we don't have prairies in Norfolk, but we do have "last resort" youngsters, and they too have behavioural and attitudinal problems that need confronting and improving.

'Trail' involves the total group of young people and adults living together and working together for

eight weeks during which time they create a community resource of value to some other groups of people. The first two projects built a most ambitious and impressive log cabin on the Norfolk Coast. This cabin is now available as a base for disadvantaged children to use as a holiday centre. The third project built an imposing play area (some would say assault course) at a local children's home. The assortment of ropes, pullies, wooden forts, tree houses, nets and tunnels is a great success with all the children. I must say I find it terrifying and one of my colleagues, an ex-commando, discovered he had a "bad back" on the day we visited which unfortunately precluded him from trying it out!

No young person is considered too difficult or disturbed for 'Trail'. We felt strongly that any alternative to Borstal training could work if you selected your candidates carefully and took no risks. If the Courts want it, and the young person is willing, then we offer it. The result is endless pressure on members of the staff group calling for tolerance and realism as they work alongside young people that most social workers and Probation Officers given up on. During the project no one takes leave or days off. Time off is collated and taken in one block before the next 'Trail' begins.

Those who have visited the 'Trail' Project in action have commented upon the unusual mixture of "staff". Only two are social workers and one is a teacher (part-time). The others are made up of volunteers - trainee social workers, university students and ex-offenders. One particular ex-offender has helped staff with all three 'Trail' Projects to date. The transformation in him is most striking - it strikes me that an interesting philosophical discussion could surround the evaluation of whether he is a "successful Borstal case" or a 'Trail' success! The experience of having a large number of volunteers on a project such as this is quite refreshing. They lack pre-conceived ideas about "respecting staff" or "acceptable attitudes" and instead accept the individual as he/she is. In this way they help each youngster, through their own spontaneity, to experience the impact of both their good and bad characteristics upon another person. The 'Trail' Project Leader once told me "these volunteers accept kids that most professionals would run a mile from".

The attraction of 'Trail' is obvious. It offers a degree of retribution because

the youngster does in fact work hard and long in adverse conditions for eight weeks: it offers reparation in that the youngsters create a resource of value to others; and it is the basis of treatment, or as I would prefer to call it 'a chance to change'. It is quite noticeable that the impact upon some youngsters of this combination of chastisement, confrontation, trust, encouragement and loyalty to a group with high values can almost be seen. What we don't yet know is how successful 'Trail' will be in preventing further re-offending and custody. At the present time about 1 in 5 of the youngsters have subsequently been placed in custody.

Conclusion

There is little doubt that ways can be found of working with young offenders other than custodial ways. It is equally clear that they may be no more 'successful' than custody although some would argue that denying young people the experience of custody is in itself an invaluable factor. We certainly know alternatives to custody are cheaper and less damaging in terms of disrupting school, work or family ties.

My own hunch is that they will in fact prove more effective than custody if allowed to expand *without a commensurate increase in custodial provision*. Our experience with Community Work Project and 'Trail' has demonstrated quite vividly the inability of many people to accept the factual evidence with regard to custodial provision for young people as their personal values and belief will not allow them the luxury of being objective. From my own experience I know of very few people either working in Prisons, Borstal, Detention Centres or the Police who actually believe custody does anything to help the offender or to rehabilitate. Their defence is always "we have nothing better". I think we do, and we could have much more if we want it given a little of that formula "imagination and co-operation".

In my view there is every danger that the present Criminal Justice Bill will in attitudinal terms reinforce the belief in custody. There is, I feel, little doubt that it will increase the use of custody. Shorter sentences of Detention Centre training, and restoring to Juvenile Courts powers paramount to Borstal sentences (Youth Custody) together with the introduction of residential care orders is a certain formula for the increased use of custody when dealing with young offenders.

Two thoughts intrigue me;

1. what might be the impact upon the young criminal trends if 1/10th of the expenditure that goes into custodial provision was diverted to developing community based alternatives, and
2. what would be the impact if 1/4 of the manpower in the Prison Service were to be put into Community Work Projects and "Birmingham Trail"- "London Trail"- "Somerset Trail" "everywhere Trail"??

- (1) D.H.S.S. - Department of Health and Social Security.
- (2) C.H.E.'s - Community Homes with Education on the premises. Establishments run by Local Authorities - mainly ex-Remand Homes or Home Office Approved Schools.
- (3) Eleventh Report from the Expenditure Committee, Vol. II. The Children and Young Persons Act, 1969. London H.M.S.O. 1975, P 409.
- (4) Locking Up Children - Millham, Bullock, Hosie. Saxon House 1978.
- (5) See for instance Out of Care - Thorpe, Smith, Green, Paley, George Allen and Unwin Ltd 1980.
- (6) Section 12 of Children and Young Persons Act, 1969 - the so called "Intermediate Treatment" section.

ASSOCIATION OF CHIEF OFFICERS OF PROBATION

ACOP came into being on 1st April this year as the organisation intended to take the place of the Conference of Chief Probation Officers (CCPO).

The objects of the Association are:

- To provide a forum to enable members to examine issues arising from the management responsibilities of their respective officers.
- To consult with and be consulted by other organisations or individuals on matters of concern to the Probation Service and to represent the corporate view of members.
- To promote the work of the Probation Service.

The creation of ACOP followed a long period of discussion between CCPO, Deputy and Assistant Chief Probation Officers about the organisation required to enable the Chief Officer grades to work together most effectively at national and regional level on Service tasks. In many ways the setting up of ACOP represents only a small step forward from the previous position, as Deputy and Assistant Chief Probation Officers have been involved in regional groups and national sub-committees.

The change coincides with the agreement that the national aspects of service management through the Chief Officers' organisation should receive a degree of public funding. ACOP thereby has a secretariat headed by an Honorary Secretary. This is financed partly by contribution from all probation areas.

The officers of ACOP are:

<i>Chairman:</i>	Michael Day, CPO, West Midlands Probation & After-Care Service
<i>Vice-Chairman:</i>	Jim Cannings, CPO, Derbyshire Probation & After-Care Service
<i>Honorary Secretary:</i>	Bill Weston, CPO, West Yorkshire Probation & After-Care Service
<i>Honorary Treasurer:</i>	David Huxtable, CPO, West Sussex Probation & After-Care Service

The Conference of Chief Probation Officers remains in existence but its activities are in abeyance and it is likely to be wound up in due course. All salaries and service conditions matters for Chief Officer grades are handled outside ACOP.

ACOP is firmly committed to working closely with other organisations in the Criminal Justice Field.

READERS Write

THE EDITOR
The Prison Service Journal

Dear Editor

I must object to the lack of balance in Issue No 45 of the P.S.J. which was given over to the topic of Prison Industries. A whole edition without a word from a member of senior management connected with Industries, the Administration Officer, must have occurred by accident, or bias.

Now to explain my annoyance and try to put matters straight for Administration Officers.

Most readers of P.S.J. who work in prisons are aware that newly published Notices to Staff 28/81 and 35/82 re-state the control of Industries at local establishments as Governor, Administration Officer and Industrial Manager. This control is set down for all Industrial matters and not just for financial and business matters when it concerns the Administration Officer. We comply with Head Office instructions and carry out our jobs in Industries as in all other matters. P.S.J. 45 had articles from a Governor and an Industrial Manager but none from an Administration Officer. The article by Industrial Manager Colin Hawkins implied that Industries could become profitable, (whatever that meant) if the Industrial Manager reported to the Governor direct and not through the Administration Officer. Does this mean that Administration Officers are responsible for D.I.F.s failure to be profitable by being in direct line between Governor and Industrial Manager? Certainly not a serious comment? The report by Arthur Young Management Services somehow implies that Industrial effort etc, would increase if the Industrial Manager reported to the Governor instead of through the Administration Officer. I feel that the suggestion needs to be challenged by all Administration Officers and maybe Governors should also be concerned. Surely the Administration Officer being responsible to the Governor for all financial matters and public funds should have been aware of this shortcoming, if it is true, and should have done something about it himself. Yet, I think, that the Administration Officers middle position between Governor and Industrial Manager works to the advantage of the Industrial Manager, as he has the Administration Officer's voice on the senior management meeting to press the Industrial case; the one thing that is not likely to be given to the Industrial Manager on any re-organisation.

Wherever I have served I have supported and encouraged Industries. At the

Prison Service college many Civilian Instructional Officers will remember that I helped in their training and I like to feel that many people connected with Industries regard me as a friend. Industries are more necessary now than at any other time in the history of the Prison Service. Prisons, overcrowded as they are, need work for prisoners to help relieve the tension of the situation. The support of every member of staff is needed. Included in this support, is the Administration Officer and I know that that's where I am.

The Editorial Board of the P.S.J. blundered in not asking an Administration Officer for his comments for Issue No 45. It's too late now to redress the situation.

Yours sincerely

F SIMMS

PS This is my first letter to the P.S.J. in 22 years in the Prison Service and it's a grumble. Sorry it takes so long and even more sorry that it's not a pat on the back.

THE EDITOR
The Prison Service Journal

Dear Sir,

N. Stone, in his article "The Current State of Prison Welfare", Prison Service Journal April 1982, highlights some of the shortcomings of the existing system in dealing with the welfare needs of serving and released prisoners. His viewpoint on welfare officers operating "outposts of the Probation Service within prison walls" has a ring of truth about it which in many circumstances has led to the splitting of containment and welfare with the result that prison staff find it difficult to legitimately play major roles in the welfare task and, equally as important, denying seconded staff the opportunity to engage with the prison on certain issues of containment/regime which possess a welfare aspect. Stone's view, however, that in effect an improved service delivery to prisoners would flow if seconded staff were returned to the field is, I believe, very questionable and the arguments which he garners to support his thesis require, in my opinion, further examination.

Stone's dismissive and single paragraph analysis of the Social Work in Prison schemes (which is reflected in such phraseology as "the current fashionable trend" and "the more recent effort to achieve a demarcation of tasks") is a judgement which in my

belief is hastily made in view of the fact that regrettably to date there has been no real objective monitoring of such schemes. In these circumstances, judgements re the utility of such schemes may need to be based on hard data as yet unavailable. My own experience, however, of one such scheme has suggested that far from new divisive demarcations being made, such a scheme has been characterised by integration and collaboration between the Prison and Probation Services (both inside and out) leading, in my view, to a much improved level of service delivery in catering for prisoners' needs and at the same time has led to the creation of a system which attempts to ensure that the welfare needs of prisoners are reviewed on a systematic basis - a need well evidenced from the Corden Study¹.

The view that the throughcare of prisoners would be enhanced by the removal of seconded staff from prisons is further-more supported by Stone's interesting analysis of the Corden research (a study which in effect indicated that those who had the greatest social need seemed to come off worst as far as Probation Service provision was concerned). As Stone rightly indicates, one of the problems highlighted by the researchers was the fact that the two arms of the Probation Service may be working on different assumptions in terms of task but surely this would call for an increase in dialogue between not only such personnel but *all* the professionals who engage with prisoners, i.e. prison officers, seconded staff and outside probation services, wherein I would have thought a major role existed in particular for seconded staff in the undertaking of a brokerage and linking function.

Stone's implied view of welfare staff being in some sort of professional back-water (on the grounds that they have failed to innovate and research) contains a value that links the undertaking of such work with improved service delivery, an assumption which I would suggest does not necessarily follow. It does, however, seem ironic to note Stone's comments in the light of the fact that in the edition of the Prison Service Journal where his article appeared, there were four other professional articles contributed by members of the Probation Service seconded to Prison Department establishments.

I would very much agree with Stone's view that the *task* that needs to be undertaken is in terms of the Prison and Probation Services re-thinking their service delivery and co-operating together. It would certainly be my view that in the achieving of

this task, seconded probation staff could and should play a major role within the framework of seeking to ensure that both the caring and containing roles are held together by the prison staff as well as a major role in facilitating field staff to become further aware of client need and to organise their service delivery accordingly in co-operation with the community, other

professionals, etc. Experience, I believe, indicates that when systems start to separate then some people experience falling between the proverbial two stools and in consequence their needs remain unmet. Whilst undoubtedly the present system is far from ideal and new roles need to be undertaken by Prison and Probation personnel, the solution put forward by Stone would, in my view,

actually remove the "flux" to ensure that the Prison and Probation Services maximise their potentials in engaging in the task of the rehabilitation of prisoners.

Yours faithfully,

H. A. THOMAS,
Assistant Chief Probation Officer.

I. J. Corden *et al.* 'After Prison'. Univ. of York, 1978.

YOUTH CUSTODY OR MINI PRISONS? *continued from page 6*

period. I suggest that their expectations are far too high and unrealistic, and it is a much too simplistic yardstick. The majority of the young people in our care come from backgrounds that are often of a standard which is not acceptable to society in general. They have been exposed to bad "modelling" for years (perhaps from birth) which we know is the most effective form of training for anyone. So to expect a complete change in behavioural pattern in such a comparatively short period of time is to expect miracles. Perhaps we should be looking for something which is more subtle than just "return" figures, and whilst these young people are in our care we should ensure that they are exposed to good modelling and healthy practices, with the aim of making them less bitter towards authority than when they first came into custody. I am not advocating a "sloppy" or "do - gooder" system—indeed I feel strongly that bad behaviour should be challenged. But that challenge should be in a positive and constructive way and not in a negative and harmful way, of which latter point I feel, at times, the Prison Service is guilty. I feel it is essential to challenge anti-social behaviour and to follow up that challenge with an explanation. Perhaps one way of doing this is by encouraging trainees to participate in social skills courses which, hopefully, will make them more aware of how their behaviour affects others and how others react to them.

And what about the Staff?

My apprehension is caused by the lack of any mention of initial or on-going staff training programmes. It has been said before that "words on paper" are all very well, but it is people who put these words into action. Historically we know that if those people, i.e. staff of all grades from Governor to the most newly recruited officer, haven't got the support and encouragement from the Home Office, then it is left to individual interpretation. This is the core of some of our problems within the Prison Service today. Those same problems could be compounded in

the future. I don't particularly wish to get into an argument about today's Home Office and the days of the Prison Commissioners, however I would like to use the system of Commissioners as one example. In general terms the Officer on the landing knew, and saw quite frequently, his own Prison Commissioner, whether he had made a personal application to him or just through seeing him on routine visit to the establishment. This I feel is the kind of support and encouragement that people seek from the Home Office structure outside their own institution. Youth Custody then to me is an opportunity for the Home Office to encourage and support staff, as the Commissioners did in the past, in a new concept. The Prison Department have given very good criteria with sound aims and objectives for success and have a unique opportunity, if they wish, to move the Prison Service forward via the Youth Custody programme by enhancing the professionalism and job satisfaction of prison staff. This will not come about merely by the introduction of the Act but by a positive, on-going programme of staff training which emphasises the need to take a fresh approach to the way we deal with the people in our care. Some of the programme I suggest should contain the following:

1. Initial and continuing training programmes for all grades before the introduction of Youth Custody which would include attitude and inter-personal relationship training designed to encourage staff to take a positive and "fresh approach" and to discourage negative practices.
2. A re-appraisal of individual job descriptions which would embrace the ideals of the new Act which would re-inforce the support of the Home Office and encourage staff commitment.

I believe staff training must be the essential ingredient for success. The Prison Service must be one of the only public services which places such a low importance on staff training. We have recently had cutbacks which virtually ended national, and seriously disrupted regional training courses. It appears to me that other agencies whose business it is to make money, e.g. Marks & Spencer, seem to be able to find time, and even to close their shops, for staff training. The Prison Service in general terms has difficulty and somehow a reluctance to even convene staff meetings other than through Staff Associations and Unions. This is where support and encouragement could be seen, and Prison staff made to feel that their individual contributions are of value to the aims of their institution.

Yes, I am encouraged by the new Act and I am not sad that the Borstal system is finishing because we have the opportunity for a fresh look at how we deal with the people in our care. My apprehension, and I feel it is an important one, is that after the Act is introduced, without the previously mentioned support and encouragement it will merely be left to individual Governors and their staff to interpret the regime as they think fit. They may possibly take the course which is the least line of resistance, and make Youth Custody into merely mini-imprisonment with the basis of a punitive and unconstructive regime. That, I feel, would be a tragedy for the Prison Service and a failure to the young people placed in our care.

Talent

Finally, I am convinced that the Prison Service has the individual talent to make Youth Custody an exciting and professional success, but I am sceptical as to whether there will be positive and practical encouragement to do so.

BOOK REVIEWS

Readers will have noticed that our usual book reviews have not appeared in the most recent issues. The editorial board would like to apologise for this omission which has been caused by pressure of work within the book reviews committee. It is hoped to resume the usual book reviews in the July 1983 issue.

any COMMENTS? ARTICLES? THOUGHTS?



Please send them to the Editor or:
Ted Bloor, HM Borstal & DC,
Guys Marsh, Shaftesbury,
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John Burrows and Roger Tarling

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ISBN 0 11 340769 6 £4.20

No 75 Concerning Crime

John Croft

In his sixth contribution to this series, John Croft, shortly to retire from being Head of the Home Office Research and Planning Unit, appraises some major issues of criminal policy and research. In particular, noting that both law and social science are concerned, inevitably, with moral values, and with popular beliefs, he asks how far the state should go in seeking to enforce laws.

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No 76 The British Crime Survey: first report

Mike Hough and Pat Mayhew

The British Crime Survey was conducted early in 1982 with a sample of 11,000 adults in England and Wales, and 5000 in Scotland. It sought information on the extent and nature of personal and household victimisation, and on many other issues related to crime. This report deals with the main findings for England and Wales. It discusses the 'dark figure' of unreported crime, the distribution of risk of victimisation, the characteristics of some common offences, fear of crime, and the nature of police-public contacts.

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