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Comment

I have in recent issues alluded to the wealth of initiatives and reports currently under consideration or expected shortly. Some of these have now materialised and decisions have been announced; others are now entering a period of consultation with interested parties. The evaluation of the Detention Centre 'tougher regimes project' has been published. Disappointingly perhaps there is no evidence to support the contention that this approach will improve reconviction rates or have any generalised impact on the population at risk. Nonetheless a modified tougher regime is to be introduced at all Detention Centres; to reinforce the concept those parts of the pilot regime that were recorded as popular with the trainees will be scaled down or removed.

On a wider front the reduction of the qualifying period for parole has had its initial expected effect of reducing the overall prison population by about 2,000 and at the same time the fruits of the prison building programme are beginning to show with new establishments at Wayland, Stocken and Appleton Thorn nearing completion.

The Management Structure Review document has been published with a commitment from the Prisons Board to proceed with many of the recommendations and to start consultations on the major recommendations in Part B of an amalgamation between Governor and Prison Officer grades. The publication of the report seems to have attracted a good deal of interest at establishment level and we hope to carry in our next edition some reactions from a variety of grades in the Service.

The Control Review Committee has also published its report entitled "Managing the Long-Term Prison System" and has had generally a good reception with its emphasis on individual career planning for long-term prisoners and its recommendations for establishing small units with their own specialisms for dealing with particular groups. It looks as if this will lead to a reopening of 'C' Wing at Parkhurst based on the earlier experience of the regime there. In the longer term the reference to the 'new generation' prisons in the USA may be particularly important if lessons can be learned about improved design and regime. Again we hope to carry articles shortly on this aspect.

We welcome to this edition a piece from an anonymous admirer under the heading 'Cynics Corner' that we hope will become a regular feature of the Journal. We are also continuing the 'Slop—Out' slot where items of interest to readers can be brought together.

PRESSURE GROUPS, PENAL POLICY and the GAOLS

Roy Light

A revised version of a paper given at the Prison Service College, Wakefield to the Second Command Course for Governors March 1984. The assistance of Mr Peter Quinn, tutor at the Prison Service College is gratefully acknowledged.

Penal Policy and the Gaols

That the prison system in this country is in a state of crisis has been clear for some time. What is not so clear is why little has been done to remedy the situation. It is not possible to look to a rational and authoritative statement of penal policy for England and Wales, it being characterised by its unwritten, informal nature, and piecemeal development. Changes are precipitated by the actions of interested groups and organisations, and these vary as to their nature, objectives and effectiveness.

'Penal Policy' in its widest sense encompasses all of the criminal justice system. In a narrower sense it relates only to the penal system, and for present purposes the emphasis will be placed on the prison, which stands centre stage as a penal measure. The bodies most pertinent to policy formulation and the gaols can be identified and evaluated: this will be done under the rough headings of 'official' 'quasi-official' and 'unofficial' (often termed pressure groups).

Official Bodies

'Official' is used here to denote bodies linked to' set-up by, or responsible to Parliament and/or the government. They may be specially constituted to inquire and make recommendations into a particular area, as with a Royal Commission, or may be more permanent bodies, called upon to investigate aspects of penal policy from time to time, as with the House of Commons Expenditure Committee[1], and the Select Committee on Home Affairs[2]. The Parliamentary All—Party Penal Affairs Group has penal affairs as its only remit, and though technically an unofficial body, it is included here as it has a nominal membership of over 80 MPs and peers. It takes an active part in policy formulation and has produced some excellent publications[3].

Historically composed of informed lay-people with time to devote to them, official bodies today have more specialised members, usually with particular knowledge of the area of enquiry, and an understanding of the other groups working in the area, thus allowing cross—fertilisation of ideas.

Parliament is used in the examination of matters relating to penal policy, and individual MPs and groups such as the PAPPA Group make a valuable contribution. Parliament can be used both in the process of information gathering and in the public discussion of matters relating to penal policy. Much otherwise unavailable information on the prison system has been obtained by use of the Parliamentary Question. Discussion in Parliament

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on penological topics bring together ideas and proposals in an open and official forum.

Parliament also plays an important part in the shaping of penal policy when Bills are subjected to amendments at the committee stage: witness the amendments made to the Criminal Justice Bill 1982. Pressure groups and interested MPs can mount a lobby and generally exert pressure, for example through the media, in an attempt to secure the amendments they desire[4].

A Member of Parliament with a prison in his constituency has the opportunity to make himself aware of that institution, and prison staff should encourage the Member to do so. It is not as a busybody that the MP will visit the prison, but as an MP carrying out his constitutional duty to subject prisons to Parliamentary scrutiny. Those who run the prisons are, via the Home Secretary, ultimately accountable to Parliament. MPs have not been as diligent as they might as regards this duty, but the situation is improving. The fact that a sentenced prisoner is disenfranchised may have been a factor contributing to an apparent lack of interest, and this coupled with the restrictions placed on prisoners' communications may have effectively excluded the gaols from the local MP's attention. Recent events at Strasbourg have led to a relaxation of the restrictions on prisoners' correspondence and this is making for an increased awareness of the state of the prisons, on the part of many MPs who are receiving letters from prisoners.

Ultimately, Parliament does not have the time needed to allow it to play a fully active role in penal affairs. And such matters may be seen to not warrant priority for Parliamentary time. Parliament can therefore be ascribed the task more of evaluating considerations of penal policy than of formulating and proposing them. But it is to the legislative process that interested opinion will be striving in order to get its policy proposals translated into practice.

The Home Office is the Ministry in control of the penal system, and the Home Secretary is constitutionally responsible for it. As a Government Minister he is accountable to Parliament for the exercise of that responsibility.

The Home Office directs policy on the official level. Its policy makers take account of the views of the advisory bodies — both official and otherwise — the results of its own research, and inevitably, the opinions and ideologies of the political party in power at the time. The Home Office engages heavily in research and produces many publications[5]. It should be the melting—pot for innovation and change, but it is not. The omnipotence of political considerations operates a stranglehold on its activities and this is further compounded by the innately bureaucratic structure of the organisation. Add to this perceived notions as to the 'climate of public opinion' and it is not difficult to see why even 'liberal' Home Secretaries often have proposals thwarted.

The Prison Department was set up in 1963 after the dissolution of the Prison Commission and the incorporation of its functions into the Home Office. The days of the great names in reform, such as Ruggles—Brise, Paterson and Fox disappeared with the Commission, and the work of the Department is today carried out by civil servants of whom little is known, or publically heard. Incorporation into the Home Office inevitably led to a certain loss of independence, and the Department appears to involve itself with the administration and management of the gaols and to distance itself from considerations of policy.

The Department has adopted a 'new open' attitude and television programmes such as 'Strangeways' are pointed to as evidence of this. It also, following the recommendation of the May Report, set up its own public relations branch in 1981 to further this open policy. So far the Prisons Public Relations Branch seems to have done little other than to have accepted that which is already accepted, for example that local prisons are overcrowded. On particular issues the Deparment continues to remain silent. Thus during the recent hunger strike by female inmates of Durham's maximum security wing the press could only report that "Senior figures in the Home Office Prisons Department are known to sympathise privately with the criticism" that the wing should be closed[6].

The Prison Department is not staffed by people intent on imposing an oppressive system, and the fair minded, liberal reformist tradition appears to be evident amongst individuals. But the Department's corporate acts often demonstrate a less than enlightened attitude. The Department is weighted down by inertia, it is a huge bureaucracy and it contains the many interests which are inherent in such a structure. Not least, departmental, career and personal ones.

The Prison Department has been the subject of less attention by the penal lobby than it deserves. This should be rectified. The Department, standing as it does at the centre of the practical administration of the gaols, is in a unique, exceptionally knowledgeable, and potentially very powerful position.

The Judiciary exerts a powerful influence on the penal system. In England and Wales the judges are responsible for sentencing policy as well as sentencing practice[7]. They are the gatekeepers of the prisons and can directly affect the size and nature of the prison population. Judicial decisions on points of substantive law relating to the prisons may also contain important elements of policy. Recent decisions concerning 'prisoners' rights' are illustrative of this, and judges act in several extra—judicial capacities relating to the penal system. They sit on the Parole Board, chair Royal Commissions, and give public lectures, for example the recent 'Flood of heroin' lecture given by the Lord Chief Justice at Cambridge University[8], which attracted wide media coverage and contained many political implications.

Judicial policy is defined by a small cabal composed of some of the most senior members of the judiciary, and as such is often accused of reflecting the very narrow, privileged and insular background of these judges[9]. Although the judges may be susceptible to the influence of interested opinions, the nature and composition of the judiciary makes it one of the most difficult bodies to penetrate. So jealously do the judges guard their independence, that they are inclined to see any attempts to influence them as at worst a usurpation of and at best an interference with their powers. Nowhere is this more clear than in sentencing. The judiciary is seen by some as an intractable barrier standing in the way of advances in sentencing policy[10].

International Bodies have a role in penal policy in England and Wales, and should, because of their international nature, be capable of exerting strong influence, but they do not. The

United Nations and the Council of Europe have drafted minimum rules for the treatment of prisoners and member states are required to file returns relating to observance of these rules. At the UN this practice has become almost a farce as so few states now make returns. And as might be expected, those states which come closest to compliance do make returns and those states which honour the rules more in the breach than in observance do not. The Council of Europe's returns are, in contrast almost 100 per cent., but again the states which do not make returns are probably most in breach. Of the 21 countries in the Council of Europe, not one has implemented all of the rules.

The rules themselves are being redrafted: they are out of date and too vague to be properly effective. Nevertheless, their existence will cause embarrassment to a government which flouts them, and they provide the demands of a pressure group which mirrors them with a kind of official international validation. The rules have also found their way into several official domestic publications, for example the reference to them in reports of HM Chief Inspector of Prisons.

Of particular note are the pronouncements of the Human Rights Court and Commission, which have led to substantive changes in the penal system. But the procedure is exceptionally long winded and it can take seven or eight years for a decision. It is also possible for a government to circumvent agreements it makes at Strasbourg. This appears to have happened to the agreement made by the United Kingdom, to forestall a court hearing in 1981, that it would publish and make available the Prison Standing Orders. Standing Order 5 was published promptly, but since then no more have been published. Further, there have been several amendments to Standing Order 5, which have not been publicised. It is essential not only that interested opinion keep abreast of the work of the international bodies, but also that it is vigilant in monitoring official responses to it.

Quasi—Official Bodies

'Quasi—Official' is used here to refer to bodies composed of people who work in the system, but which technically exist outside of the establishment and its influence. They are unofficial bodies, but the nature of their membership is such as to need to afford them a sort of semi—official status. Such a classification must, of necessity, be arbitrary.

The Prison Governors. Historically any interest in penal policy which exists at governor level has exerted surprisingly little influence. This is especially true in the case of matters of general penal policy. Several factors go towards accounting for the very limited role played by the prison governors.

The individual governor interested in penal policy has severe limitations placed upon what s/he may feel able to do. Restraints exist in the form of job (and possibly accommodation) security, career prospects, the Official Secrets Acts; and also perhaps the feeling of the need to protect, or at least not to publically attack, a system of which one is a part. A governor who decides to take an active role will have to take these factors into account. Also instructive is the Home Office reaction to the publication of the 'penal dustbin' letter, written by the governor of Wormwood Scrubs, to the 'Times' newspaper[11]:

> "If a governor, like any other official, feels compelled to enter into political controversy on a matter within his official sphere of responsibility, his proper course would be to resign first".[12]

A major obstacle to the governors making a full and effective contribution to the penal policy debate has been the absence of an organisation through which their views could be expressed: the recently formed 'United Kingdom Governors Council' intends to perform this function. The 'Council' is comprised of governors from England and Wales, Scotland and Northern Ireland. Its objective, contained in its draft constitution, is:

> "To provide the means of influencing penal policy and protecting the interests of its constituent members".[13]

The 'Council' intends to meet three times a year and more often in emergencies, and to act as a sort of pressure group for the service, rather than as an alternative professional organisation. As such it stands a chance of attracting the support of the service, which has shown itself to be rather conservative and somewhat suspicious of such organisations in the past.

The Council is to be welcomed, as the governors do not have their own organisation, being members of the Society of Civil and Public Servants[14]. In the same union are their superiors in the Prison Department and the Home Office. This is hardly conducive to full, free, and unfettered comment on the part of the governors. A separate organisation, the British Association of Prison Governors, was launched in the mid—seventies to specifically represent their views, interests and opinions. It folded after 18 months, having failed to attract the support of the service.

The Governors' Branch of the Society appears of late to be taking a more active role in matters relating to penal policy, and has issued statements on prison conditions. The Society has announced its affiliations to the Howard League stating:

> "Another important aspect of affiliation is the opportunity that they can give Society members to further the aims of the unions. Members present at the annual general meeting of a recent affiliation — The Howard League for Penal Reform — were able to make their views on prison overcrowding known to the Home Secretary who was also attending the AGM".[15].

Although still primarily concerned with matters relating to governors pay and conditions of service, rather than wider policy issues, the union is beginning to accept that in reality the two are inseperable. Stronger pressure fron the Governors' Branch and the existence of the 'Governors' Council' should provide the governors with the opportunity to make their views known.

On a local level in relation to individual prison regimes, the contribution of the governors has been much more apparent. Individual initiative and style of management have led to many regional developments and innovations[16]. Collectively these have contributed to the overall scheme of the prison system. But governors have at times quietly accepted the imposition upon them of intolerable regimes. As an ex—governor has put it:

> "We did not make any noticeable noise about the introduction of imprisonment without trial in Ulster. We did not protest, from within the system, about Special Control Units. Both of these have been done away with, but not because those of us who work within the

penal system felt that we would be corrupted by operating these measures. We just accepted them as we now prepare to accept more overcrowding and further withdrawal of resources, etc".[17]

The Prison Officers are provided with a strong collective voice by the Prison Officers Association[18]. Since its establishment in 1939 the POA has played an active role in matters of penal policy. But a situation has been allowed to develop in which any reforms aimed at making the prisons less oppressive for the inmates are perceived as being aimed against the interests of the prison officers. Consequently an organisation capable of being a strong force for reform has instead become a strong force for exactly the opposite. The strict demarcation between the interests of the governors, the officers, and the inmates is more apparent than real as all three groups spend substantial periods of their time within the same institutions. Penal policy requires, if not that these three groups should become united and work together, that they should recognise the common nature of many of their difficulties. It is unfortunate that the pressure groups rather than working towards this have tended to exclude and further alienate the POA from the reform movement[18a]

As a fully—fledged trade union, acting in the interests of its members, the POA is a powerful force as regards shaping the future of the prison system. Recent events, such as the industrial dispute in 1980, indicate that the POA is becoming more aware of long term implications. But the way it was outflanked and had its industrial power effectively neutralised by the setting up of the army camps, while waiting for the report from the May Committee shows that it still has lessons to learn.

Other bodies exist which may be termed quasi—official, and are involved in the shaping of penal policy in relation to the gaols. These include groups such as the Magistrates' Association, the Justices' Clerks Society and the Police Federation. These bodies inform not only their own members, but also public opinion, and the penal policy debate generally — in other words they sometimes act as pressure groups.

Others that work in the prisons and are often termed the 'professionals', include education officers, psychologists, the chaplaincy, medical and probation officers. With the exception of the last mentioned[19] these groups have had little effect on penal policy. Conversely, the recently formed Association of Members of Boards of Visitors looks set to make an important and positive contribution to penal policy, especially in the area of prisoners' rights.

Pressure Groups

The term 'pressure groups' is a generic one. It refers to unofficial mechanisms for change which exist in a society. The term can be applied to huge and 'invisible' groups such as public opinion, or to smaller and more easily identifiable groups which may have specific objectives. Much penal reform has been lost because of the so—called pressure of public opinion, but such an opinion is extremely difficult to gauge and very easy to misrepresent[20]. A well organised pressure group conducting a carefully orchestrated campaign can defeat a much larger but less well organised body of opinion. The abolition of capital punishment, brought about in the face of public opinion, by small organised groups is an example of this.

In a liberal democracy different groups are allowed to organise and to propound their views. At least in theory, freedom of speech is afforded to all members of the society to express whatever views they wish. In practice laws may forbid this (for example, if they incite racial hatred), and de facto limits (for example access to the mass media), may greatly dilute this right. A particular aspect of the de facto limitation is the way in which the powerless or marginal in society can be pushed to the edge of the political stage. As in the case of the mentally ill, the disabled and the imprisoned. As Eriksson has put it:

> "Now others are coming. Of fewer words. Who have long been forced to eat their own misery and swallow it as bitter dregs. They have nothing to lose. They *know* how much arrogance and humiliation are contained in the extravagant welfare attitude of the authorities. So now they mean business.
> They come from juvenile correctional institutions and prisons, from youth hostels and hostels for vagrants, from condemned houses and slums, from mental hospitals, old people's homes, and institutions for alcoholics, from establisments for handicapped people and for the psychologically damaged, from depopulated areas and Lapp towns, from ghettos for gipsies and immigrants..."[21]

Pressure groups work on behalf of the weak and the marginal and their main weapon is publicity. They must bring their causes to both public and official attention. Well researched information must be presented in a lucid and well reasoned way. The media is of great importance, not only must it give space to the arguments, but for them to be effective they must be treated sympathetically. They should not try to lead too far too quickly, and proposals must be realistic. Again the moderate may fare better than the radical.

Another aspect of the de facto limitations placed on pressure groups is the way in which the government will be selective as to the status afforded to the various groups. The history of pressure groups is characterised by the feature that:

> "...governments discriminate against radical pressure groups in favour of liberal or conservative groups whose views imply no fundamental critique of the existing economic and political order"[22].

This is apparent in the status granted to groups like RAP and PROP on the one hand and to the Howard League on the other[23]. To court official acceptance has obvious advantages and may lead to financial support, but the group will then be open to the charge that it is an official puppet. Credibility and impartiality may be undermined. A delicate balancing act is necessary to retain official acceptance, whilst maintaining an independent voice[24].

A wide variety of pressure groups exist, and many have an interest in penal policy. For some it is part of a wider brief (for example, the NCCL), others concentrate solely on matters relating to penal policy (for example, the Prison Reform Trust), whilst others are cocerned with a particular area (for example, Women in Prison). The common feature is that they are all voluntary agencies which are seeking to bring pressure to bear to remedy what they perceive as an injustice or defect in the penal system. An outline of some of these groups follows.

The Howard League

The longest established of the penal reform groups, the League was set up in the 1860's. Based in London, with some dozen branches throughout the country, it is in the classic mould of the traditional British pressure group. Registered as a charity, it is funded partly from subscriptions and partly by donations from charitable trusts. The membership numbers some 1000 and is predominantly middle class. Many members are associated with the penal system in capacities such as probation officer or lawyer. The executive council boasts many public figures and the League has connections with Whitehall and Westminster.

Its composition makes it, perhaps, the most 'respectable' of the penal reform groups, and with its contacts in high places makes it effective in bringing its policies to official and governmental attention. But it can be argued that such membership can produce only a conservative and establishment orientated organisation, promulgating policies which reflect this.

Certainly, it would be difficult to describe the nature and work of the league as 'radical'. Rather, its proposals reflect a rational, liberal and humanitarian approach to penal policy. The League is happy to work not only within the existing political order — and as a charity it must be careful not to act politically — but also within the established penal system. Consequently, its attempts to formulate a coherent and acceptable reformist policy on practices, which some groups would argue are unacceptable, have at times appeared very strained: the League's recent proposals on parole provide an example[25].

The League aims to publicise its policies and to act as an information service to those active in penal reform. As stated in the League's Annual Report for 1980—81:

> "We have pressed our policies by all available means, such as a publication or meeting, letters to newspapers, ministers, MPs or the Home Office, press statements, and interviews on radio and television, and prompting Parliamentary Questions. In addition we have maintained the routine of providing background information to journalists and MPs participating in the Parliamentary All—Party Penal Affairs Group, dealing with enquiries, by letter and telephone, and continuing the constant campaign to attract more members and funds so that the League can continue its work at all". (1981, p. 5/6).

It was though, generally felt that the League no longer maximised its impact, even in terms of middle of the road, liberal reform. It had become almost too acceptable in the narrow area in which it was working. The League did attempt to answer this:

> "The League has been criticised for being too close to the Home Office but...there is no point in antagonism unless it achieves something: no one, especially prisoners, would benefit if the League made itself such a nuisance as to cause the authorities to roll down their steel shutters and leave the League battering on them with its tiny fists"[26]

But the critics would not be silenced. Membership was also flagging and the close association with NACRO, whereby research, publications and even addresses had been shared, was being put on a new and less direct footing. The time for change had come.

The Howard Association founded in 1866, which in 1921 merged with the Penal Reform League to become the Howard League for Penal Reform, had its name changed in 1982 to read simply, The Howard League. A new Director had been appointed and a new prospectus issued, which announced "a new structure and purpose for the Howard League".

Under its former Director the League was keen to take action whenever a particular aspect of the system required it: under the new director the League is concerned to carry out research. It intends to act as a 'think—tank' for the criminal justice system and to involve both practitioners and academics. The role of rapid response commentator is no longer a primary aim.

Given the demise of the Advisory Council on the Penal System and the League's close association with the Home Office, could it be that the League is taking on the role of semi—official (although independent) research advisor to the Home Office?

The new prospectus was published under the title "An integrated approach to criminal justice and penal reform'. The scope of the League's activities has been considerably widened to take in the whole of the criminal justice system rather than just the penal system. This 'new approach' is claimed to allow a more comprehensive consideration of the issues involved in crime and punishment and to establish the League in an area of endeavour which does not duplicate the work of any other organisation. It is also hoped that it will broaden the appeal of the organisation, thus attracting more funds and influence, as well as additional membership.

The League intends to pursue its aims by working to develop increased public awareness, by undertaking research and by advocating "rational and humane" policies. This seems to resemble very closely what the League has been doing for some time. Presumably the difference is that it will attempt to do it more effectively and in a broader context[27].

The League also intends to "provide a forum where all interested parties may expect to have their views accurately represented, and subjected to honest and constructive criticism". The League has in the past shown that it can act as an intermediary for the otherwise uncommunicative, as a depository and dissemination point for views and ideas, and has at its annual conferences brought together the whole spectrum of people involved, in whatever capacity, in the penal system. It is in this area that it may make its biggest contribution.

It is to be hoped that there will be no great diminution in the attention which prisons are afforded in the League's broader scheme of things. John Howard was best known for his attempts to effect reform of the prison system.The League took his name and took prisons as their central area of enquiry. Although from the beginning the League took the wider remit of the penal system, they devoted much effort towards the gaols. But to look back over the history of prison reform, it is impossible not to experience a sense of failure. The League working for prison reform felt this acutely.

NACRO

The National Association for the Care and Resettlement of Offenders

A government sponsored charity NACRO was set—up in 1966 as part of the re—organisation of after—

care. The Report of the Advisory Council on the Treatment of Offenders, 'The Organisation of After-Care', published in 1963, recommended that the work being carried out by the National Association of Discharged Prisoners' Aid Societies, in relation to prison welfare and after-care, should be taken over by the probation service. The Report recognised that the probation service would need assistance in its new role and that the voluntary organisations still had a good deal to offer. NADPAS change its name to NACRO, and with Home Office funding became a national organisation intended to co-ordinate voluntary effort and to inform public opinion. NACRO has developed into a large and complex organisation, which although based in London has offices and projects around the country. Today, it is not simply involved in projects which provide after—care, but also in projects to provide alternatives to custody.

NACRO's stated aim is the "care of offenders and the prevention of crime". NACRO's original brief relating to the discharge of people from custody has considerably broadened. NACRO now has a "more general concern with the penal system and in particular, with finding ways of reducing the use of prison. Thus NACRO has established a number of projects including specialist accommodation, day centres, education units and employment schemes". On a practical level NACRO has been very effective. It has teams specialising in the development and management of projects including accomodation, employment, education, day—care, community alternatives for young offenders, crime prevention and training for the staff of residential projects.

In adition to its practical work NACRO is involved in matters of penal policy. With many public figures on its council and much public money in its coffers it may be thought that NACRO would be subject to severe restraint in the matter of policy formulation. But it contributes to the overall scheme of things in several ways, not least of which is the indirect effect of its practical projects. NACRO also organises seminars, meetings and conferences on topical areas of penal policy, it engages in research, publishes papers and makes public statements.

'The Care of Offenders and the Prevention of Crime'

NACRO runs a superb information service and also assists others to provide community facilities for offenders: it was instrumental in the setting-up of the National Association of Victim Support Schemes.

The tradition of NACRO is much the same as the Howard League: that of the well intentioned and concerned liberal. Its two great strengths are its practical success and its information and publications service. But it poses no direct threat to the status quo of the prison system, nor does it have much relevance to the inmate in his cell. It can be argued that NACRO merely serves to prop up the system, by making it more acceptable. So that in the long term it is counter-productive as regards radical reform. Those that NACRO have saved from prison and those who have been helped by NACRO on release would disagree with this view.

Radical Alternatives to Prison

The tide of political consciousness that swept into this country from France in the late 1960's led to a questioning of traditional criminology. As Taylor, Walton and Young have put it:

> "We were propelled by a dissatisfaction not only with the parochialism, the puritanism and the correctionalism of criminology, but also by a powerlessness as to the possibility of affecting the national culture, the politics of social democracy or, indeed, the politics of the orthodox left itself"[28].

Academics, middle—class practitioners and even the deviants themselves changed their political orientation. Radical pressure groups came into existence. Groups such as Red Rat (psychologists), the Claimants Union (the unemployed), Gay Liberation (homosexuals), and RAP and PROP (prisoners) were formed to give public voice to the previously silent.

RAP was set up in 1970 by a group of people involved with the prisons. Not only were they profoundly dissatisfied with the prisons, but also with the existing reform movement. The traditional reform groups were perceived as not being "interested in moving beyond the question of prison conditions to a consideration of the whole basis for imprisoning people". RAP concluded that imprisonment was not "a rational, humane or effective way of dealing with harmful behaviour or human conflict". Prisons were seen to function "in a repressive and discriminatory manner which serves the interests of the dominant class in an unequal society — whether capitalist or 'socialist'".

RAP was founded to work towards the abolition of imprisonment. It did not see itself as a penal reform group, declaring that prisons had no place in our society. Further, RAP was not, despite its name, an alternative group, although it had originally espoused alternatives and had done much to bring the concept into sharper focus. It quickly realised that the alternatives being put forward were being used as "cheap and easily administered forms of punishment or threat aimed at and intended for the same people who fill our prisons — predominantly those at the bottom of the social heap". Being aimed against the same people and being based upon the same principles as imprisonment it is contended by RAP that they are not 'real' alternatives, but additional methods of punishment and control. RAP points to the fact that as a means of reducing the prison population such alternatives have failed. The proportion, as well as the number of persons sent to prison has increased for example since the introduction of the community service order.

RAP does not oppose the existence of alternatives, but argues that they should be backed by "measures that ensure that they are used instead of imprisonment: eg the phasing out of custodial institutions for juveniles, and the abolition of imprisonment for minor property offences".

The setting-up of what RAP calls 'radical alternatives' was an important part of the original brief. These act outside the state system of control. They are extremely difficult to establish: due to problems of funding (as they should not accept state money) and difficulties in relation to the criminal justice system (as they must be attended voluntarily and be both non-coercive and non-punitive). The Newham Alternatives Project which ran in East London from 1973 to 1980 and the Brighton Alternatives to Prison Project are seen as being rare examples of true 'radical alternatives'. Whilst still strongly in favour of such initiatives RAP does not have sufficient resources to establish any more. It also recognises that by themselves such projects have a limited impact.

The abolition of imprisonment would involve fundamental change in society; which RAP admits is some way off. RAP now works *towards* abolition. RAP feels that it cannot ignore the worst excesses of the penal system and favours certain reforms — of the type which Mathiesen terms negative reforms[29]. Examples of these are the lifting of secrecy and censorship, the ending of compulsory work, the stopping of the alleged use of drugs for control purposes and the end of both solitary confinement and the system of security classification. RAP points to the Special Unit at Barlinnie Prison to show what can be achieved by a less authoritarian and restrictive approach.

As a radical commentator on the penal system RAP is not constrained by method of finance, composition of membership or inflexibility of approach. It has not sought registration as a charity due to the restrictions inherent in the adoption of the status. It is a small organisation with a membership of around 250. Funded shortly after formation by Christian Action it remains an Official Christian Action project. Funding from this quarter ceased in 1978, in line with Christian Action's policy of funding small groups to allow them to become established and then to expect them to achieve financial independence. Since 1978 RAP has been dependant on subscriptions, donations and sales.

The main work of RAP today, is to publicise its new strategy[30]. Broadly, this aims towards negative reforms, a prison building moratorium, a policy in the direction of abolition in the form of a massive reduction in the use of imprisonment and a re-evaluation of the 'serious offender', coupled to a re-evaluation of restitution and reparation. As RAP has put it:

> "We are particularly concerned to communicate our ideas to people active in political parties, in the professions that deal with 'offenders', and in other positions where they are well placed to work for change; we see this as a more fruitful strategy for a group like ours than appealing either to the powers that be or (via the media) to the public in general — although we do both of these things as well, and are happy to talk to any audience that wants to listen". RAP 1982.

A large part of the work is publication of 'The Abolitionist', and this magazine has become the central organ for the radical reform movement. It now includes sections from PROP, Inquest and Women in Prison, as well as from RAP.

PROP

PROP — The National Prisoners' Movement

PROP was conceived on the exercise yard of Dartmoor Prison by a small group of prisoners. The driving force was Dick Pooley, who had spent some 20 years inside. On his release in 1972 PROP (Preservation of the Rights of Prisoners) was born, with Pooley as national organiser. Fitzgerald describes PROP's public debut thus:

> "On 11 May 1972, the national media gathered inside a small public house, the 'Prince Arthur', on the Caledonian Road opposite Pentonville Prison. They listened as Dick Pooley outlined the demands of 'Preservation of the Rights of Prisoners (PROP), the newly formed prisoner's union"[31].

The original group had all served time and PROP intended to supplement the "largely futile efforts of middle—class liberals to improve the conditions inside prisons, without involving or even consulting the prisoners themselves". PROP was attempting what Mathiesen has described as organisation from below — considered a rational answer to coercion from above[32].

Much of the ideology and direction of PROP parallels that of RAP and the two groups have always enjoyed a close relationship. The difference is that PROP is an (ex) prisoners' movement, although membership is not so restricted. Also while PROP concentrates exclusively on prisons, RAP takes in more of the penal system, and RAP concerns itself mainly with policy issues, whilst PROP is more concerned with current events inside the prisons.

From the start PROP performed the role which it still has almost exclusively — that of getting information out of the prisons. Examples can be found in the aftermath of the disturbances at both Hull and the Scrubs[33]. PROP performs a unique role in this respect, and contrary to what popular opinion may have expected from a group of 'ex cons', it has established a firm reputation for honesty and integrity — much to the embarrassment of the Home Office on more than one occasion[34].

Finance has always been a problem and although PROP somehow manages to survive it has no proper base and its resources amount usually to no more than one worker assisted by a few volunteers and a telephone. Considering its size and resources PROP has made and continues to make an important contribution to the penal lobby.

PRISON REFORM TRUST

The Prison Reform Trust

Set up in the autumn of 1981, the PRT intended to build on the consensus of opinion concerning reform. Its aim is to promote "the widest debate about prison conditions, by encouraging community interest in penal establishments and by advocating constructive reform of prison rules and penal policy generally". Its rationale is that a catalyst is needed to spark off reform which is said to be an idea "whose time has come". The Director of the Trust has said that its work will not duplicate that already being carried out by other organisations to promote penal reform[35].

The PRT makes a concerted effort to place the problems of the prisons before the public and to promote a widespresd understanding "of the need for fundamental reform of the prison system so that no Home Secretary could fail to take account of it nor lack support among the public in introducing such reforms". To this end it seems to mobilise the influential sections of society; dignitaries,business people and members of the professions. 'Prison weeks' are organised at various prisons. These involve taking local worthies to see the gaols, organising media coverage, and generally attempting to bring the prison out of the background and into the glare of public scrutiny. That the PRT has managed to stage 'prison weeks' is no mean achievement: whether or not they will have any long term effect is another matter.

The membership of the Trust reflects its philosophy of appealing to the lay, but influential public. Through its contacts and the publicity which it has generated, it has brought the facts of prison life into the world of many people who would previously

have had little or no knowledge of them. Whether its work will prove effective in achieving its desired aims, remains to be seen.

Welcomed by most of those involved in the penal system, including it seems the Home Office and the prison governors, the PRT has raised the hostility of the Prison Officers Association. The Director made a brave, if perhaps over—optimistic attempt to put its case to the POA[36], but this provoked a very hostile, although misguided response[37]. The PRT was lampooned in the POA magazine as a "...load of double dyed Wallies", with the 'prison weeks' referred to as "the Stephen Shaw Road Show", and the Branch Secretary of the Leeds POA writing:

> "Beware of the PRT they are a bunch of titled, monied, bored people who condescend to give their time and energy to 'bringing to the public notice' whatever takes their fancy. They are wolves in sheeps clothing. If Lord Astor, Sir Monty Finniston and the irrepressible Dr Stephen Shaw are anything to go by then the PRT can do the prison service nothing but harm if they are allowed to[38].

A reply by the PRT expressed surprise and upset at this response, but went on to widen further the gap between the PRT and some parts of the POA by stating that the governor grades had made the most of the 'prison weeks', and that it was not the Trust's fault if the uniformed staff had not[39].

The PRT was established with specific targets to be achieved within three years. These were the reduction of the prison population, the abandonment of the 'short, sharp, shock experiment', and the extension to all prisoners of the conditions granted in Northern Ireland. The three years are up. The PRT has secured itself financially and produced much useful literature, and POA apart, it has been welcomed as an additional voice for penal reform.

The Campaign for Women in Prison was set up as an offshoot of the Violence against Women working party of the GLC's Women's Committee. It quickly drew in other women working in the field and is an exclusively female group[40]. Set up in 1983, WIP is campaigning on similar issues to PROP, but limits itself to women prisoners.

Inquest was launched in 1981. It is concerned solely with deaths in custody and with the procedures used to deal with them. It has, since October 1982, received funding from the GLC to monitor deaths in police custody and inquests on custody deaths in London. Inquest has published several briefing papers[41], and looks set to provide a valuable external voice on deaths which occur in custody.

Out of Court was set up in 1981 to coordinate the various bodies concerned with the imprisonment of the drunkenness offender. It aims to spearhead publicity and to mount political pressure for its sole objective, which is the provision of alternatives for drunken offenders.

The National Council for Civil Liberties is concerned with all aspects of civil liberties and not just with the gaols, but has devoted attention towards prison matters on many occasions. NCCL has mounted particular campaigns, such as that against the Special Control Units, it has organised conferences and issued publications. It is a well established and well respected organisation which in 1984 celebrated its 50th anniversary. During its 50 years the NCCL has had an uneasy relationship with the Home Office, especially during the latter part of the period, when it tended towards a quite radical outlook. It appears that under its new general secretary, the NCCL is to move back towards the middle ground.

Comment

There is a multiplicity of interested opinion on the penal system, and with so many interests pulling in so many directions it is not surprising that change is so difficult to effect. Many groups have failed to be able to unite in what is in effect a common cause. Suspicion and hostility are often apparent as can be seen in a Home Secretary's statement:

> "There is a strong distinction between those who wish to promote penal reform and those who seek to ferment discontent and indiscipline in prisons"[42].

The paradox in such a statement is self-evident, and an observer of the penal lobby may well feel confused. There appears to have been a bifurcation, a polarisation of interested bodies into on the one hand groups such as the POA and the Police Federation, and on the other groups like LAG, PROP and RAP. The former forcefully pursuing a 'hard' line and the maintenance of the status quo: whilst the latter equally forcefully propounds radical change. The rest of the penal lobby sits uneasily between these: taking parts from each attempting to paper over the cracks, and trying to perform the unenviable task of pleasing as many people, for as much of the time as is possible. Meanwhile the prison crisis worsens.

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STRESS in the Prison Service

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With so much being said about stress and about how it affects our lives, there is a danger that the term will become all—encompassing. The various definitions implied and cited in the popular press and various magazines are conflicting. The terminology in more formal journals is equally ambiguous. More often than not the use of the word stress is a misnomer which may mean anything from job—dissatisfaction to mild mental illness. As if this confusion was not enough, we have recently been exposed to the notion of work stress.

What is Work Stress?

When a job is viewed as "stressful" we imply that it is demanding or that there is much pressure. But demanding work is not necessarily bad. Many people thrive on it and work all the better for it. Often however, demands are disruptive and may affect the quality of health, family life and work. Specifically, demands affect health when individuals cannot come to terms with them, or cannot see themselves controlling the source of the demands over a long period of time. Stress is therefore an experience which results when there is a discrepancy between demands and our ability to cope with them. It is neither the cause (demanding work) nor the effect (ill health).

In order that the demands of work may be coped with we can call upon a range of strategies. At the end of the day the experience of stress depends on our ability to cope with these demands. Coping strategies may involve actions such as leaving jobs or taking self certified sickness absence (this is of obvious organisational concern since high rates of short term leave or high turnover rates are expensive). More common ways of coping with demands concern the support we receive from family and friends. We might also deny or trivialise the problem or gain strength from it and use it as a source of inspiration.

However, when work is demanding and an individual is unable to cope, the effects of feeling stressed can (if sustained and prolonged) affect health. In a working population, the extent to which stress is experienced is often reflected in the levels of long term sickness absence. Various illnesses are commonly associated with stressful occupations: coronary heart disease being the most obvious example. According to the Occupational Mortality Statistics (published by the Office of Population Census and Surveys in 1979) the number of deaths due to ischaemic heart disease was significantly higher in prison officers than for the general population. However, whilst such an incidence is of concern, prison officers did not figure in the "top ten" list of occupations with the highest levels of this illness.

More importantly, there are a whole range of other less worrying illnesses that have been linked to the experience of stress. These psychosomatic disorders include mental illness (eg anxiety and depression), stomach complaints (including ulcers, diarrhoea and vomiting), hypertension, bronchial asthma, musculoskeletal and skin complaints. In America, the incidence of back and skin trouble, hypertension and stomach complaints in prison officers is considerably higher than the general population and the police officers — this despite the sound health record of the officers concerned and a strict health vetting on joining the service. Furthermore, also in the USA, prison officers have been found to have low "psychological wellbeing" as seen in complaints over their quality and quantity of sleep, nightmares, excessive ruminations about work. That is to say, feelings related to perceptions of "not feeling well".

"Burnout" as a way of coping

Recently, the American literature on the work experience of prison personnel has been saturated with the notion of "Burnout" — the inevitable result of prolonged and consistent exposure to stress factors. Whilst "Burnout" refers to basic physical explanations of stress — stress as the response — the concept can also be viewed as the most extreme coping mechanism available: the collective noun for a range of behaviours that enables us to come to terms with the experience of stress. It is a way of coping by switching off.

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An extensive study of New Jersey prisons has identified typical behaviour patterns of a "burntout" prison officer. These include:

(a) *short term absence* — the individual cannot face going to work and takes a couple of days off;

(b) *going by the book* — the individual forgets his welfare role and reverts to a purely custodial role where no leeway is given to behaviour that in any way deviates from the written rule;

(c) *taking it out on family* — the individual spends less time and money on his family and resorts to other forms of support, including drinking and gambling;

(d) *denial of the existence of a problem* — "The heck I have a problem" (what Americans call the John Wayne syndrome!). In many people, this may help reduce stress. Often, however, the inability to share problems and seek support magnifies the experience.

A Common Experience

The type of demands inherent in the prison system are common to what Goffman calls "total institutions". These demands include administrative and bureaucratic problems attributed to strict accountability, lack of communication and of standardisation of policies. There are also specific and unique demands affecting officers which may tentatively include the fear of assault and accusations of malpractice.

A common source of conflict peculiar to prisons and identified as early as 1959 is inherent in the ambiguous role of the penal system — treatment vs. custody. Whilst such conflict may not be perceived by prison personnel as contributing to stress in a major way, it is the medium from which all other demands and conflict arise. For example, prison officers are employed and trained for their custodial and disciplinarian role. At the same time, they are expected to be "case officers" — empathic and sensitive to individual inmate needs — for which they have little training. This has obvious implications for recent moves over social work in prisons. Without adequate monitoring and training such an innovation may act to polarise the conflict even more. For example, work in Canada suggests that some institutions find themselves in a "double—bind". When under stress, some officers tend to revert to their more custodial role. However, if they had the choice, other officers would prefer a welfare role to help ease the stress experienced as a result of institutional emphasis on custody.

Nor is the conflict limited to prison officers. They only experience it in a sharper form. Again in Canada, probation staff have shown greater job dissatisfaction and lower well—being the greater the role conflict and ambiguity of their prison work. Even senior administrators — who work away from the "coalface" — have non—work experiences (such as family life) affected by work demands and role conflict. It seems as if no one in the Prison Service is beyond experiencing stress.

A second dimension is added to the conflict because prison personnel work in "buffer" or "referee" occupations, sitting on the fence, balancing the needs of inmates who want 'out' against the needs of a public who want them in.

Different Experiences within the Service

The experience of stress itself is not uniform and varies within the prison service. The stress experienced by an officer is different to that experienced by a Governor in so far as their work is different. However, differences in stress may also be found within the same occupational groups across different establishments. Australian studies have showm that the stress experienced by prison officers increases with the security category of the prison and with officer grade. A similar relationship in Britain would suggest that officers in dispersals experience more stress than officers in open establishments.

Research currently being carried out in Gartree is attempting to unravel the exact nature of the stress experienced in a dispersal prison by prison officers. It has been suggested that dispersal prisons are characterised by periods of inactivity interspersed with periods of activity. This contributing factor of "underload", together with the unpredictable nature of the work, enhances in officers the belief that they have no control over events. Add to this the assumption that the inhabitants of dispersals are different to those of local prisons (where there is a high turnover of inmates and where activity is more routine), together with differences between the stress appraisals of different grades of staff, and a complex interaction of experiences becomes apparent.

Alleviating Stress

Accepting that prison personnel experience much stress, there is an obvious need to minimise it to more acceptable levels either by reducing the source of the demands or by enhancing existing coping strategies.

There are two approaches which may be considered. Direct intervention may be aimed at changing the working environment, changing selection procedures, improved management—staff communications etc. Already some work is being carried out in this area. A more common and successful approach is to work with the staff (developing their skills in coping with the demands and conflict) with the aim of reducing the stress experienced. For example:-

(a) **Individual Methods**
Enhancing coping strategies already used: these include playing sport, relaxing to music, talking to family and friends (about anything but work), holidays etc.

(b) **Group Training Programme**
This is the more successful and common type of formal intervention. Training programmes are aimed at reducing the experience of stress. In other countries, programmes have ranged from alleviating what Americans call the "post—incident traumatic neurosis" of officers involved in inmate violence (eg Hostage incidents), to "stress management" programmes incorporating counselling and assertiveness training, relaxation techniques, biofeedback and other exercises. Not only are they preventative measures: similar techniques are used successfully in Britain to help police officers and others overcome their stress problems.

Unfortunately, the experience of stress in the prison service is too real and the costs too great. As with other occupations, something must be done about the "stress problem". an increased awareness is only the beginning.

SOCIAL WORK IN FEATHERSTONE

P.G.Fieldhouse, P.Hanaway and D.Shimeld

Senior Probation Officer Assistant Governor Officer

Introduction

In the 8 years of its existence, Featherstone has developed and established Social Work procedures which may be of interest to other prison and probation staff. What began as a monitored experiment has strengthened and become the formal routine and ethos that makes best use of the excellent facilities provided by the establishment. In describing the Social Work procedures at Featherstone, it may be useful to first introduce aspects of the prison, its population and regime.

Population

Featherstone is a purpose-built Category 'C' closed Training Prison for 484 Medium and Long Term male prisoners. Sentences range from 18 months upwards: presently, 47% are serving sentences up to 4 years, 44% serving 4 years and over and 9% serving life sentences.

The majority of these prisoners arrive on direct allocation as Category 'C' but a proportion of the long termers, including lifers, come from Category 'B' Dispersal or non-Dispersal prisons. Just over 65% of the main prison population has current convictions involving one or more of violence, drugs, sex and arson. Approximately 25% has a previous psychiatric history.

In addition to those in the main prison, there is a separate unit which holds up to 70 prisoners, civil and convicted, serving sentences of up to 4 months. These prisoners are all Category 'D'.

Other information which we believe is significant for what we have to say later concerns Rule 43 and the level of adjudications. We have no separate Rule 43 facility and the number of segregations from the population is consistently low, year on year. In terms of adjudications, the Prison Department statistics for 1982 show that the number of offences at Featherstone per head of average population is low compared with other closed training prisons and the percentage of offences dealt with by the Board of Visitors is also very low: this reflects the extremely low incidence of serious offences, particularly assaults.

2 other factors at Featherstone are, we believe, significant. First, accomodation in the main prison is single—cell with integral sanitation. Secondly, we generally maintain full employment/occupation with a range of industries, education classes and VTCs, together with the usual domestic tasks. These 2 factors are an important contribution to the relaxed and positive atmosphere at Featherstone but are not sufficient in themselves to explain what we believe has been achieved here during the 8 years since the prison opened. The other significant ingredients are the Social Work in Prison programme and shared working with the Probation Service, both of which are integrated withthe Group Officer system which we operate.

Peter Fieldhouse

Worked in Staffordshire Probation Service since 1970 at Stafford and Cannock, including a 2 year secondment to HM Prison Stafford, 1976-78. Current secondment to Featherstone began in December 1981.

Peter Hanaway, AG

Joined Prison Service from RAF in September 1978. Served at Bristol, Onley and F'stone. House AG at Featherstone since September 1982.

David Shimeld

I joined the Service in 1980, and was posted to Featherstone from the OTS. I have spent about 3 years as a group officer, besides my normal discipline duties.

Regime

Featherstone Prison opened in 1976 and was one of the 5 original schemes for shared working between prison and probation staff proposed in Circular Instructions (44/74 and 1/77).

Its design is based on living accommodation units of 29 cells, 4 such units to each House. Officers, entitled 'Group Officers', are responsible for 14 or 15 men and are the first point of reference for their needs, including any personal, domestic or social problems. The Officer prepares periodic summaries of progress and submits reports and recommendations for parole and to Lifer Boards, maintaining a common record which is shared by all the members of the House staff.

The House is run by a management team with the oversight of one Assistant Governor for 2 Houses. The team consists of Principal Officer, 2 Senior Officers, 8 Group Officers and 4 Officers in support. All have clearly designated responsibilities for inmate welfare within their job descriptions. The team is completed by a seconded Probation Officer whose primary role is to advise Group Officers and contribute a social work training and viewpoint to the management of the House and of individual prisoner's sentences. He sees individual prisoners on referall from the Group Officer and for parole purposes as well as being extensively involved with Lifers and the more problematic long sentence men. On the House, the emphasis is on shared responsibility and collective confidentiality.

Beyond the House, the scheme recognises the important relationships with prisoners formed by work instructors, teachers, PE Instructors and Chaplain and seeks to co-ordinate information and approach in a more cohesive and systematic way. It focuses on encouraging inmate responsibility and the best use of opportunities for constructive change in skills, education, attitudes and behaviour.

Implications

What happens at Featherstone is not a tidy package presentable as a model regime. 'SWIP', 'Shared Working' and 'Group Officer Scheme' can become easily confused. They can each be seen as ends in themselves, or as means to wider ends. The simplest way to summarise the social work element of the regime is this statement:-

1. The system tries to focus on the needs of the individual, including and balancing social work needs with educational, employment, recreational, physical and spiritual needs.

2. There is collective responsibility in seeking to meet needs, requiring teamwork and sharing between disciplines.

3. Control and authority remain the first priority but are balanced by an interest and concern in the individual prisoner.

The Group Officer Scheme gives clear authority and accountability to the Officer who is one of the central participants in this 3—fold process.

The following are areas of specific significance:-

a. The shared social work approach requires a high level of *delgation of responsibility and authority* to the main gradePrison Officer and Probation Officer. The levels of discretionthat this generates are significant. Similarly, the trust and confidence that is achieved as a result, both between all grades of staff internally and with outside workers (eg field Probation Officers) seems to lead to a greater sense of community within the regime and a better bridging to the community outside.

b. The quality of the relationship between staff and prisoners is improved by the *much greater involvement of House staff* with the prisoner's personal situation. No less importantly, the team work approach enables *non—House staff to contribute* and results in improved relationships between disciplines, simplified communication, and facilitates better management decisions throughout the regime.

c. The operation of the system requires extensive *use of a shared record,* to which all contribute by way of systematic summaries and assessments as well as the recording of significant events as they occur. The shared record requires confidentiality to be observed by all members of the team and, in our experience, this has not been abused. Proper *training of staff* is clearly essential and this operates on several levels. There is a specific induction training for all newly—joined staff in the responsibilities of their role. Knowledge of SWIP is introduced as an element in this. More specifically, for Group Officers, there is a one—week training period linked to an additional week's attachment with a field Probation team. Thereafter, further development training occurs by means of House—based work and opportunities for case discussion and consultation between Officers and Probation Officers.

d. The focus of work is on the *prisoner as an individual* with the aim of reducing the de personalising effect of custody.

e. Roles and tasks are rationally defined to permit professional development of skills and abilities. There are clearly formulated *job descriptions for all grades,* clarifying their responsibilities in meeting the aims of the regime. They reinforce the collective responsibility for many tasks and define exclusive roles only where these are functionally necessary. This removes several constraints: the constraint of suspicion through misunderstanding and ignorance about each other's duties; the constraint of over—rigid divisions of labour that can paralyse initiative. This in turn results in a saving of energies otherwise wasted on internal conflict.

f. *Security and control* are discreetly enhanced through more understanding and more sensitive man—management. The aim is to promote a greater degree of self-discipline and self-control in prisoners and the expectation that they will carry their own responsibility in problem-solving and be more accountable for their own decision making. There seems to be more contemplative use of time by many prisoners, as there is less opportunity to divert attention away from themselves through conflict situations or by 'scapegoating the system'.

Assessment

Since late 1981, a number of measures have been used to assess the effectiveness of the scheme. These have been a survey of after-care, staff interviews and inmate questionaires.

After—Care Survey

367 men were followed up for one year after their discharge. Of those eligible, 74% had been released on parole: 89% of all parolees completed their licence and 11% of licences were revoked. For the nature of the population, the percentage released on licence is notably high and the revocation rate marginally smaller than the national average for that period. The survey re-affirmed previous findings of high re-offending rates amongst men eligible for parole who were *not* released on licence. Of 78 who failed to obtain parole release, 49 re-offended within the year, 28 of them returning to custody. This clearly identifies a high risk group which should be a particular target for pre-release work.

A separate sub-survey of men serving in excess of 5 years revealed their response to parole to be marginally poorer than the overall average. Of 32 men eligible, 29 (91%) were paroled. Average licence was 14.8 months and 4 licences (14%) were revoked.

Staff Survey

A representative cross-section of 85 members of staff was interviewed in November 1983. When staff were asked what they understood by the SWIP Scheme, the 6 most frequent responses were:-

1. Dealing with inmates problems;
2. Prison Officers listening to and following-up problems;
3. Inter-departmental co-operation;
4. Better relationships between staff and inmates;
5. Job enrichment for Officers;
6. Improved control through better knowledge of inmates and their behaviour.

Although the overwhelming majority (96%) of House staff and management expressed themselves as 'satisfied' or 'fully satisfied' with SWIP, many still felt that it should be placed on the Essential Task List, which was supported by the Home Office Inspectorate Report of 1981.

Group Officers described their role as:-

1. Helping and supporting prisoners;
2. Getting to know all prisoners on their accommodation unit;
3. Reviewing inmates and writing reports;
4. Being the first point of contact for advice to prisoners;
5. Relieving Probation Officers.

95% of Group Officers felt that the SWIP Scheme was an effective means of dealing with prisoners' problems. The benefits of SWIP were seen to be:-

1. Better staff/inmate relationships (83%)
2. Improved control (79%)
3. Better knowledge of inmates (77%)
4. Improved security (49%)

Only 6% of staff felt SWIP was potentially harmful because 'familiarity breeds contempt'. 95% of Group Officers felt that they and Probation staff work together 'well' or 'very well'.

Inmate Questionnaire

All inmates were given a questionnaire in November 1983 on Social Work in Prisons and the Group Officer Scheme. 51% completed and returned the forms. 77% of this group described Featherstone as 'better' than previous prisons. It was more often judged 'worse' by ex—Dispersal prisoners. Positive reasons for it being better were: better staff relations, a good atmosphere, better cell conditions and sanitation, and education facilities. 86% of inmates were aware of the Group Officer Scheme and knew the name of their Group Officer. 64% said that he was 'usually available' and a further 10% that he was 'always available'. Group Officers were seen as 'very helpful' (26%) or 'quite helpful' (45%): only a minority were regarded as 'of no help' (8%). Over half of the inmates saw their Group Officer as their first point of referral with any problem.

Conclusion

The single most important aim of shared working or SWIP is to create a positive atmosphere in which positive behaviour is acknowledged and encouraged and negative behaviour is tackled.

The implications of shared working are considerable because of the extent to which the whole regime is changed, not simply small changes in the jobs performed by Probation Officers and Prison Officers. The identifying and meeting of inmates' needs becomes a higher priority within the aims and objectives of the regime. There are benefits gained from shared working in the measurably lower tension, lower hostility and improved atmosphere achieved. Paradoxically, removing the direct responsibility for welfare applications from the Probation Officer results in an increase in the nature and extent of the Probation Officer's work with prisoners and a much wider use of their social work training and skills. Wherever possible, however, the shared working concept should be applied to *all* workers in the prison, not simply Probation and Prison Officers, so that the contributions made by teaching staff, Civilian Instructors, and others can be recognised. Similarly, we have found that visits from field Probation Officers and Social Workers, where possible, should be held on the Wing so that the opportunity for contact by those workers with uniformed staff is generated and encouraged.

We should again emphasise the importance of *designated* responsibility for Social Work at all levels within the establishment. It is crucial that job descriptions of all those concerned should allow for the responsibility in respect of the operation of a Social Work/Shared Working Scheme. At Featherstone, everyone at House level from Assistant Governor through to Group Officer, including the House Probation Officer, has such an element built into his job description. This also applies to other personnel within the prison who have a related role.

Over and above this, if a Shared Working and team approach is to be succussful in an establishment, we feel that these concepts should characterise the whole of the regime. All those working there who have any contact with prisoners should be aware of the part they can play in implementing such a programme and, more importantly, creating the right kind of atmosphere for such a regime to develop.

Crime in the People's Republic of China

Phillip Hawkins *Former Senior Psychologist HMP Bristol.*

When my wife and I first arrived in China we were, not surprisingly, overwhelmed by so many new and different impressions. At first, there is naturally much to write home about. Even as one settles into a routine, however, it becomes increasingly difficult to understand all that one sees and hears. Like a man studying shadows on a wall, there is much room for misinterpretation. Moreover in spite of living in China for two years, we often felt as foreigners, ignorant of (perhaps shielded from) many aspects of Chinese society. As one colleague put it, "After a week in China it's possible to write a book; after a month, an essay; after a year, nothing at all".

As a foreigner too (the word in Chinese literally means "outsider"), it was especially difficult to satisfy any personal interest in the issue of crime and the penal system. I was refused permission to visit any penal establishments, though other foreigners have been allowed inside model prisons, as one might be in any country. Secondly, there is little statistical information. What figures do exist are scarcely defined or analysed except in very broad terms.

The media, however, plays an important and rather pastoral role in discussing crime. In one typical article from China Daily, headlined "How a rake progressed to workshop director", the story is told of Su Wenquan, a "notorious troublemaker", who during the "general turmoil of society" (the Cultural Revolution) became involved in stealing and fighting. He is sentenced to 3 years "reform—through—labour" — one may guess at parallels with our own institutions. Later, however, after a suicide attempt, Su responds to his mother's pleas to "turn over a new leaf". In another tale, "Honest working brings new life", Zhou Fuping after a youth spent playing truant and thieving, is turned from the path of crime by the warden of his "reform—through—labour" farm. The Beijing Review records an even more dramatic conversion when a regimental officer befriends a young man who only moments before has tried to pickpocket him.

Appealing though this kind of reform may sound, one doubts it occurs with any great frequency. Rather, the media's purpose is to encourage a more "tolerant" attitude towards delinquents. Moreover, in the stories quoted above, the mother, the warden and the officer are important as representatives of basic social structures in China — the family, the bureaucracy, and the People's Liberation Army. The articles are appealing to social types, less the individual conscience as in the West.

The Chinese are inordinately fearful of crime, indeed of almost any social disharmony; so it is not surprising that a strong stigma is attached to a criminal and his family. For instance, most groundfloor windows, especially in towns, have bars. Everything that can be is locked — houses, offices, drawers, desks, boxes. Most people carry quite spectacular bunches of keys. As foreigners, we were repeatedly warned about the dangers of walking out late at night. Friends were horrified that, having missed the late bus home in the evening, we should walk the mile or so from the end of the tramline to the campus. We were warned of "bad elements", often an excuse for overprotecting us.

The fact is, however, that we never felt there was any risk of being robbed or attacked. Never at home or during thousands of miles travelling on boats and trains did we feel the need to take more than basic precautions against theft. If such intuitions are at all valid as a means of measuring the extent of crime, then public order in China must be rated as extremely good.

Like the Japanese, the Chinese perceive crime as being more worrying and prevalent than perhaps it really is. After all, in a society where there are few marked inequalities, illgotten gains would be immediately noticeable. Any suspicious movements would also attract attention from the "work unit", the "neighbourhood committee" and neighbours themselves. (Our own innocent visits to Chinese homes did not go unremarked). The Chinese have a

Philip Hawkins

In 1972 I graduated from Oxford University with a 2nd class honours degree in Philosophy and Psychology. I went on to obtain postgraduate certificates in both education and TEFL. In 1974 I joined the staff of HMP Bristol as a psychologist leaving seven years later as a senior psychologist. In October 1981 my wife and I travelled to China, where we taught English at a University in Manchuria. During this period we travelled extensively throughout China and before returning home spent a further six months exploring Pakistan, India and Nepal. After meditating on our experiences our intention is to return to Asia.

much less developed sense of privacy, an attitude which probably exists in any close-knit community, as might have existed in England in the last century.

We were ourselves witness to the more Victorian view of crime in China. On one occasion, we saw four young men, heads shaved and bowed, standing at the centre of a football stadium, surrounded by armed policemen and soldiers. They were being treated to a public harangue in front of packed terraces, possibly as a prelude to execution. Likewise, on another occasion, we saw a cavalcade of police outriders and a single truck carrying a group of convicts. Literally bound hand and foot, each bore a placard around his neck, proclaiming his crime. Both images were rather intimidating and, I suppose, intended to be so. Much more common are notices on public display, giving details and photos of crimes and criminals, there being no attempt to protect the family's identity. Sometimes a list will appear of men who have been sentenced to death; a red cross added alongside the name indicates that execution has taken place. In Beijing last August, I saw a list containing 40 names; their crimes were murder, rape, armed robbery and corruption. Naturally, such experiences leave one with an unsavoury, but probably unfair image of China.

In a country only recently "modernised", it is perhaps natural that feudal concepts of crime still prevail, which see crime as being essentially evil, as being the work of the devil. The modern analogue of evil is foreign influence or bourgeois corruption. There is, indeed, an apparent correlation between crime and the open-door policy towards the West, which "ultra-leftists" and old guard revolutionaries are keen to exploit. The Government itself is worried about increasing corruption in Guang-dong Province adjacent to Hongkong.

In general, the present, more pragmatic administration is inclined to argue that crime is the residue of the Cultural Revolution, when law and even traditional Chinese values virtually ceased to exist. Children born or brought up during this period experienced almost complete social breakdown. But, in the aftermath of this disastrous period, the Government has quickly taken the opportunity to update and regularise the entire legal system, both civil and criminal.

The more modern and sociological attitude to crime is typified by an article in the Beijing Review, March 1983, based on an interview with Xie Heng, Director of the Social Security Bureau. In the article entitled "Why the crime rate is declining", Xie declares that between 1981 and 1982 the crime rate has gone down by 15.9%, the greatest decrease occurring in the big cities such as Shanghai and Canton. On the basis of category of crime, serious crimes such as murder, "harassment" (not defined) and robbery showed the biggest decline of 44.9%. Only 0.075% of the population, as compared with 5.22% in the US, commit at least one crime in one year; and of all crimes, only 8% are ones of violence, a much smaller proportion than in many other countries.

Xie goes on to explain that the reasons for these decreases are an improved social order and education (socialist ethics), better employment prospects for the young and increased resistance to "influences from abroad". One assumes the reverse is true: that lack of these things would worsen the crime rate. In other articles, more in tune with mainstream liberal thought in the West, poor housing, a bad family background and peer group influence are also considered to be contributory factors.

The security agencies also attempt to "mobilise" rural communes, neighbourhood communes and other social units in preventing crime. Analogous to the "responsibility system" which allows some material incentive to boost production, such organisations can win praise and money for reducing crime in their area or, conversely, receive criticism and a penalty for failure to do so. As a system, I doubt that it will be evaluated; but it demonstrates how in China the social group plays an enormous part in directly monitoring and controlling the individual's behaviour. Even a marital tiff may attract intervention from the neighbourhood committee.

In the People's Republic, where, in Mao's phrase "politics is in command", the question of crime possesses great political significance, more intense perhaps than the issues of law and order we are used to in this country. Yet it can safely be said that the extent of crime now is certainly very low compared to the lawlessness of pre-revolutionary days and probably low compared to most Western countries.

PRESSURE GROUPS *continued from page 9*

19. For a fuller account see J.S.F. King and F.V. Jarvis, The Influence of the Probation and After—Care Service, at page 74, in N. Walker (ed.), Penal Policy—Making in England, Cropwood Papers, Institute of Criminology, University of Cambridge, 1977.
20. See for example, 'The People's Justice: a major poll of public attitudes on crime and punishment', Prison Reform Trust, 1982. Also M. Ryan, The Politics of Penal Reform, Longman, 1983, at Chap. 6.
21. Quoted in Mathiesen, T. 1974: The Politics of Abolition, Martin Robertson, page 123.
22. M. Ryan, 1978: The Acceptable Pressure Group, Saxon House, page 1.
23. For an account of this particular example, see Ryan, 1978: ibid.
24. See further, for example, D. Wilson, 1984: Pressure: the A—Z of Campaigning, Heinemann.
25. 'Freedom on Licence; The development of parole and proposals for reform', Howard League, 1981.
26. Martin Wright, Director 1971—81, writing in the Prison Service Journal No. 31, July 1978 at page 18 — 'The Howard League and the Prison Authorities'.
27. A more critical appraisal is to be found in 'The Abolitionist' Number 12, at page 13 — 'Enigma Variations', S. Smith.
28. Taylor, Walton and Young, Critical Criminology, Routledge & Kegan Paul, 1977, at page 18.
29. See T. Mathiesen op, cit., p.202.
30. For afuller discussion of RAP policy, both past and present, see Box—Grainger, 'RAP—a new strategy', 'The Abolitionist' Number 12, at page 4.
31. M. Fitzgerald, Prisoners in Revolt, Penguin 1977, at page 136.
32. T. Mathiesen, op. cit., p.124.
33. See Don't Mark His Face, the account of the Hull Riot (1976), by the prisoners themselves, PROP, undated.
34. Perhaps most notably after the disturbance at Wormwood Scrubs in Aug. 1979, concerning the number of prisoners injured. See The Abolitionist number 11, at page 3.
35. The PRT would have found itself duplicating the work of the 'old style' Howard League in the area of prisons, but as the League has widened its field of interest and has moved away from instant media response and publicity in favour of long term research, then both organisations have a role to play. See S. Shaw (Director PRT): 'The Prison Reform Trust', Prison Service Journal No. 46, April 1982, at page 2.
36. POA Magazine, vol. 72, no. 3, March 1982, at page 76.
37. POA Magazine, vol. 72, no. 5, May 1982, letters at page 180.
38. POA Magazine, vol. 73, no. 2, Feb. 1983, at page 83.
39. POA Magazine, vol, 73, no. 4, April 1983, at page 196.
40. See further The Abolitionist, number 14, at page 3.
41. See, for example, 'Nine Deaths in English Prisons', 'Murder near the Cathedral', and 'Coroners' Courts: An outline of Inquests proposals', All 1983.
42. Robert Carr, quoted in Prison and the Process of Justice, A. Rutherford, Heinemann, 1984 at page 82.

The Hospital Annexe at Wormwood Scrubs: a failing success?

Charles Clark
Don Strong
David Saunders-Wilson

The Hospital Annexe at Wormwood Scrubs will be 12 years old this year. Opened in December 1972 as a brave new experiment in custodial treatment, it remains open due to the constant pressure exerted by those people, both inside and outside the Annexe, who believe in its aims and who, typically, have some personal experience of what the Annexe can achieve. It is high time that some of this experience is shared with others to promote the viability of setting up similar small units, and to save the Annexe from becoming a token gesture towards treatment. The Annexe is more than this. It is a model for penal reform affecting all members of staff and inmates.

At present the Annexe lacks an established role or a definitive structure within the prison regime. It has become a source of frustration to its staff and supporters as it still has to fight for survival. It is now time to halt the experiment and to take stock of what the Annexe does, how it achieves this, and what lessons are to be learned from the Annexe's experience. The fact that the Annexe has survived 12 years indicates that a scientific evaluation is perhaps inappropriate. Just as we cannot assess a lifetime's experience by experiment but resort to autobiography, so we shall attempt to communicate some of the Annexe's experience in a phenomenological way.

This paper will concentrate on two main areas: firstly, the role of the therapeutic community within the prison environment, and, secondly, the effect on staff working in such a community where the officer's traditional discipline duties have been greatly relaxed. Inkera Antilla has recently claimed that the twentieth century has witnessed "the rise and fall of the therapeutic prison philosophy"[1]. Nonetheless, this paper will argue

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Mr Don Strong is a hospital principal officer at HMP Wormwood Scrubs. He joined the Service at HMP Chelmsford in 1966 and after completing the hospital officer training at W/Scrubs in 1968 he moved to Pentonville. He moved to Wormwood Scrubs as a senior officer in 1975 where he subsequently gained his promotion to principal officer in 1979. He is well known for his unfortunate sense of humour.

Dr David Saunders-Wilson joined the Prison Service in September 1983. He served his initial officer attachment at Wormwood Scrubs, and is now an Assistant Governor at HMYCC Huntercombe. He received his PhD from Cambridge in American History. His favourite animal is the moose.

that the therapeutic community — in which all the resources of the institution are mobilized towards treatment — can have validity and relevance within today's prison structure.

Role of the Therapeutic Community in Prison

The aim of this section is not to present a history of therapeutic communities within penal institutions: that can be found elsewhere[2]. Nor is it intended to justify the existence of the Annexe, for that would be partizan. Rather it aims to show what the Annexe can offer as a model for secure containment/treatment, and to pinpoint some of the lessons learned during the Annexe's evolution. It will also, hopefully, dispel a few of the myths which so often surround units such as the Annexe, and which inevitably inhibit their growth and development.

The Annexe functions as a community. Within this community, like all communities, there are individuals who have different roles. Most obviously there are members of staff, inmates, and a variety of visiting specialists. This does not make the Annexe objectively different from any other wing in the prison system but it does entail various important distinctions. Firstly, each member of the community is assumed to accept a responsibility towards the community. This means that the community will not accept autocracy, either from a prisoner who tries to beat the system, or from a member of staff who excercises his power without concern for the community. There is a weekly community meeting, lasting for an hour, at which any problems concerning such behaviour can be tackled. Socially acceptable behaviour is encouraged as criminality can often be seen as a breakdown in the process of social learning. The community meeting provides a forum for such learning to occur. The success of this may be judged by the rare usage of the discipline code. Secondly, it facilitates the management of such a unit. Such openess between staff and inmates allows little room for subversive, conspiratorial behaviour. This is enhanced by the daily information exchange meeting which allows staff to be aware of any developments regarding security or inmate welfare. Thirdly, such a community provides a platform upon which the therapeutic process becomes a lifestyle, and not a panacea delivered to a patient. It encourages and allows people to grow and learn to function within one small aspect of society in an acceptable way before being released.

It is perhaps at this level that the Annexe has much to offer as a model for penal reform. Small units are easier to manage, do not necessarily need higher staff/inmate ratios, present less security problems, and so on. The main cost to be paid is a change in philosophy, and it is this which is probably the stumbling block to promoting the idea of small units. Staff who have worked in the traditional system often have very strong feelings about such communities. The percieved change is too great a price to pay, and most hesitate to become 'therapists', to learn how to cope with deviants, or to tolerate offensive, violent behaviour. Nonetheless these are misconceptions of what is expected of staff in such units as the Annexe. What is demanded is a gradual relaxation of superficial roles so that staff and inmates do not accept their institutionally defgined stereotypes, but accept the community as a joint responsibility for their mutual aim. Presumably the aim of an inmate is to survive his sentence — it is easier to survive if there is no need to fight the system — and once survival becomes a lessened priority then there is room to live and grow as a person. The job satisfaction in helping a man achieve something positive from a prison sentence is sufficient to motivate staff as long as staff can allow the stereotype to be eroded. The Annexe has taken twelve years to be what it is and it is important to realise that such change cannot occur overnight. If progress is to be made then it needs to start now, and perhaps we can look forward to the day when all members of a prison work collectively towards dealing with all aspects of criminality out of the freedom within the system.

Greater security and control, greater job satisfaction for staff, and opportunity for inmates to develop is surely sufficient justification for small units. It is now appropriate to see how the Annexe is able to contribute a defined speciality within this framework. First of all the Annexe typically accepts inmates who have identifiable problems with drink, drugs, gambling or sex. By using small groups it is possible to offer specialist therapy for particular problems. Such groups occur approximately once per day for each man, and are led by an officer together with a probation officer or psychotherapist.

Most of the officers have never experienced groups prior to working in the Annexe, and as a result have pursued, at their own request, a variety of specialist courses. That is, the Annexe engenders an interest which allows specialist expertise to be maintained by the volition of the officers and the part time use of specialists.

Effect on Staff

In order that some consideration can be given to this question, it is important to consider the current composition of the staff group. The unit has a supervising medical officer, a psychologist, 2 probation officers, 2 psychotherapists, and a teacher, together with a uniformed staff consisting of 1 hospital principal officer, 1 hospital senior officer, 4 hospital officers, and 2 discipline officers. In much the same way that a NHS hospital functions, so it is with the Annexe: the 'specialist' grades attend on a part time or sessional basis, with commitments elsewhere in the institution, while the uniformed staff provide the full time service.

Nonetheless all staff are, as has been previously said, assumed to accept a responsibility towards the community. Any brief statement on general staff attitudes in the Annexe would note that this has meant that in practice while there is an acknowledgement/respect of traditional hierarchical and professional boundaries, there is an attendant reduction in the rigid observation of roles. The existence of the weekly staff group has also allowed staff to work through difficulties without resource to the traditional, often provocative, institutional methods of resolving them. Similarly, the weekly community meeting deals with problems involving the wider group of staff and inmates.

It is uniformed staff who are asked to undergo the most radical re-thinking about their role. Unlike their colleagues in the rest of Wormwood Scrubs, the Annexe's officers call inmates by their christian names, and see themselves as a more equal rather than a dominant force on the wing. The departure from the traditional mentality that discipline/order is maintained largely through punishment, coupled with the expanded thinking required to overcome the present stereotyping can lead to interesting developments. Some of the anticipated difficulties,

for example, either do not arise, or are eroded quickly by existing precepts. The ethos that the community has managed to generate in its 12 year lifespan enables the community to monitor and regulate activities effectively. Thus the question "how do we cope with disruptive behaviour" becomes a diluted issue. However, as the uniformed staff are volunteers to the unit, it would suggest that they already had some commitment to re-examine their traditional approach. These general comments can best be illustrated by considering two individual examples.

Let us call the first officer, rather unoriginally, Bill Smith. An officer regarded by most, including his peers, as the archetypal 'screw'. Smith was an experienced officer, fully familiar with the institution's routines, and totally comfortable with traditional methods. A man of some energy, enterprise and directness; qualities which amalgamated and caused him to seem an occasionally abrasive individual. he came to the unit rather more as an opportunist than a genuine volunteer, which perhaps lends an even more remarkable quality to the changes which took place.

It is difficult viewing things retrospectively to say exactly how the sequence ran. Whether it was the ability of sections of the community to appreciate his directness as that, rather than provocation; or the discovery that his energy and enterprise could be used on individual projects, supported and encouraged by the community; or the plain discovery that his opinion was as important as anyone elses which triggered the changes: whatever it was, the changes occurred. He retained his original qualities, with an added appreciation of them and their likely effect on other people. Thus they were applied more wisely, and made him a very potent force within the staff group.

The second officer, let us call him Cyril Jones, was in every sense a committed volunteer. He believed in the unit and was anxious to expand his role as an officer. He threw himself into the task with much energy, willingly taking on projects for the community. It was indeed his total commitment that became his problem. His involvement became so complete that he became the centre of several heated staff groups. He was unable or unwilling to accept from the staff observations that his individual counselling sessions were being used by some inmates to avoid dealing with issues in the group. At one stage his sessions were seen by the community as having reached conspiratorial proportions. He did make some efforts to adjust, but these became more and more shortlived.

Both officers eventually moved on to other things, and both have experienced difficulties in coping with the traditional setting, Bill Smith slightly less so than Cyril Jones. These two cases illustrate that a diverse range of qualities, including those that might be considered a hindrance, can be used effectively in a community enterprise. However, what is essential is that there is a built-in method of support and monitoring.

Conclusion

The purpose of this paper is not to give a definitive account of what the Annexe actually does, nor to comment on its therapeutic efficacy. It has hopefully voiced the opinions of three people who have been closely associated with the Annexe, and who believe that the principle of small units has a considerable amount to offer the penal system. It might also encourage greater interest in the work of the hospital Annexe, and thus prevent the successes of the last 12 years from being wasted.

In conclusion, the viability of such units is perceived to be indisputable, given that all concerned with the penal policy and staffing such units are prepared to accept some change from the traditional role of staff and inmate. It is believed that the positive benefit from such change outweighs many of the economical arguments against small units, which have rarely proved to be accurate. As far as the future of the Annexe is concerned, this remains as open a book as before. However, it is hoped that the continued support for the Annexe will enable it to survive, and that the lessons which have been learned will benefit the prison service in general.

Footnotes

1. Inkeri Antilla, "Control Without Repression?", In John Freeman (ed.), *Prisons Past and Future*, (London, 1978), pp.189—197.
2. See especially, Ciba Foundation Symposium, *Medical Care of Prisoners and Detainees*, (Amsterdam, 1973); and M. Jones, *The Therapeutic Community*, (New York, 1953). One unfortunate by—product of the Annexe's uncertain future has been its almost total disregard for its own past. There is just one article about the Annexe in the Prison Service Journal: M.E. White, "Therapeutic Communities: An Experiment for Prison Staff", *Prison Service Journal*, July 1974, pp. 9—10.

READERS Write

THE EDITOR
Prison Service Journal

Dear Sir,

Ask any young offender what he hopes to do on release and the reply will very probably mention hopes of finding a job. The usual staff response is to emphasise the difficulties of finding work and certainly a series of previous convictions will not help matters. At Usk Youth Custody Centre we have been trying to help young offenders acquire the skills to get and keep a job through our Job Skills Courses.

They were begun in July 1981 following a survey of the trainees received at Usk which showed that nearly two thirds were unemployed when they were arrested and for just over a fifth of the trainees their longest job had lasted twelve weeks or less.

Trainees are selected for the courses by means of a screening form which identifies a number of work related problems and indicates a poor work history. Those trainees selected subsequently meet together, receive an outline of the course programme and are invited to attend. The course consists of 8 sessions of 2 hours each and includes information giving, instructions, practice telephone calls and interviews using the video,discussions and rehearsals of handling problems at work and finally plans for obtaining employment on release.

The course was well received by the trainees but did help them find a job? We decided to answer this question by 3 different methods:-

Firstly, all trainees completed a questionaire to test their knowledge on matters related to finding jobs. This was carried out prior to the course and again afterwards. all trainees achieved a higher score on the questionaire following completion of the course and the results were statistically significant.

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letter continued from overleaf

Secondly, every trainee carried out a mock telephone call and interview before and after the course. These were all videotaped, randomised and shown to psychological staff who were then asked to rate the trainees' performance. They noted a statistically significant improvement for both telephone calls and interviews for the trainees.

Finally the course was evaluated by following up the trainees after their release. It was found that out of the 9 trainees on the course, 5 had found a job within 3 monthjs.

The results are very encouraging particularly as it is the trainees with a poor work history who are included on the group. Future plans are to include discipline staff asd co—leaders and to extend the evaluation by following up every trainee who completes the course.

Yours sincerely,

Zoe Ashmore
Jeannette Jarvis

any *COMMENTS? ARTICLES? THOUGHTS?*

Please send them to the Editor or:
Ted Bloor,
HMP Durham
Old Elvet, Durham

cynics' corner

I must be the worlds most avid reader of newspaper and magazine articles on slimming. My present figure is clear demonstration of the fact that I achieve nothing constructive or reductive as a result but I read them all with fascination. Many is the time I have planned my strategy for returning to my youthful figure, purchased the necessary lettuce leaves, carrots and wholegrain bread, only to be defeated by the sight of a cream bun or plate of chips — sometimes both at the same time. You may wonder why I am babbling on about my ever-increasing waistline but it strikes me that there is an analogy between my plight and that of the Prison Service which will be revealed in the fullness of time (read on; it may yet become interesting).

When I was a slim, callow youth in the Service, and was so Naive as to think that government knew what it was doing, the average population of sentenced prisoners in our prisons was about 23,000. This obviously seemed to the government of the day to be sporting a few extra, unnecessary inches and a strict diet of suspended sentences was forcibly imposed on the courts. Some courts relished the lettuce leaves and some stuck to the chips but generally the diet worked. Fat fell away, the top button could be fastened again and it was possible to get loose change out of the trouser pocket without getting one's hand stuck. The sentenced population fell to 21,000 and everyone breathed a sigh of relief; the battle of the bulge was won.

Fellow dieters will know that it is not as easy as that. The tubby devil within us all is just waiting for us to relax so that he can reap the benefit of the odd biscuit, cream doughnut or extra potato (go on! One can't do you any harm). The courts saw the temptation, gave in with relish and the waistline expanded so rapidly that moving the buttons and inserting the odd gusset was no longer enough. New clothes had to be ordered and extra wardrobe space created (it is an established trait of slimmers that they never throw old clothes away because they have this optimistic belief that one day they will fit again). The sentenced population bulged grotesquely to 26,000. There have been several other diets since then but this spectacular failure seemed to inflict such deep wounds that the heart has gone out of our slimmer and the growth continued to the present 35,000 sentenced prisoners. We have progressed beyond the point of unfastened buttons to the stage some failed slimmers reach of not being able to see if their shoes are clean whilst standing upright.

Do not dismay. Desparation has been the father of inspiration. A new super-diet is being introduced based on the wonder product MQP. Now MQP is no relation at all to PVQ or even PDQ although the speed by which it was introduced suggests a distant connection to the latter. No, MQP means minimum qualifying period (for parole). It is known under the code name "Section 33". Its introduction seems to be based on the philosophy that if one cannot stop eating and yet one wishes to lose weight, the only solution is to vomit more often. Anyone actually serving more than about 7 months will be released (or you vill explain der reason!). There is no doubt that this ultra-crash diet will work. Our population dropped dramatically on 1 July and we may even reach the stage of bringing out some of the old suits (finances are too tight to allow purchase of new clothes this time). Talking of money, however, the 64,000 dollar question is: will the courts be able to resist the jam roly-poly of longer sentences? We must wait for the answer to that question and in the meantime I am going to try jogging.

QUESTIONING PAROLE:

Whose Discretion? What Principles?

A. Keith Bottomley

After completing a three-year term of office as a member of the Parole Board (for England and Wales) in December, 1983, I felt the need to take stock of the direction in which the parole system seemed to be moving. Among the conclusions I reached[1] were the fairly conventional one that most of the significant changes in the system during its first 16 years reflected the 'penological pragmatism' that typifies most changes of penal policy in contemporary Britain[2], but there appeared to have been a movement away from a rather narrow conception of parole based on the 'treatment model' to a broader conception of the parole task as focussed primarily upon *the assessment of risk*. However, despite the promulgation, in August 1975, of new guidelines and criteria for selection for parole, by the then Home Secretary, Mr Roy Jenkins, there remained a number of unresolved anomalies and issues surrounding the interpretation and application of the general principles to individual cases.

A particularly difficult issue has been the role of the factor 'seriousness of the offence', which occurs quite often as a proposed reason for denying or delaying parole, although its precise relevance or relationship to an overriding principle often remains unstated and obscure. In my view, the relevance of the seriousness of the offence lies not in considering it essentially as a 'tariff' issue but in relation to the *risk of reoffending*.

Apart from my belief that the assessment of the risk of reoffending should be the basis of all parole recommendations, I felt that other anomalies in the present system might best be tackled by restructuring it in order to devolve decision-making on the majority of less serious cases to Regional Parole Review Boards, and to extend the possibility of parole to all prisoners, irrespective of their length of sentence.

These preliminary views about the parole system were somewhat precipitately overtaken by the changes in parole policy and procedure announced by the Home Secretary, Mr Leon Brittan, at the Conservative Party Conference at Blackpool, in October 1983. The three main changes were: (i) the introduction of minimum periods of 20 years in custody for those serving life sentences for the murder of police and prison officers, for terrorist murders, for those who commit sexual or sadistic murders of children, and those who use firearms to kill someone in the course of robbery; (ii) new restrictions upon the release on parole of those serving determinate sentences of more than 5 years for offences of violence or drug trafficking; and (iii) reducing the minimum threshold for parole eligibility from 12 to 6 months (as foreshadowed by s.33 of the Criminal Justice Act 1982).

I shall consider each of the changes in turn, paying particular attention to that effecting life sentence prisoners, as there is relatively little public debate about the treatment of this increasingly large group of prisoners.

Release of Lifers: Retribution or Risk?

No one can deny that the Home Secretary is ultimately responsible for approving the release of life sentence prisoners, where the Parole Board has recommended such a course of action, and provided that there has been the statutory consultation with the Lord Chief Justice and the trial judge, if available, as laid down by s.61 (1) of the Criminal Justice Act 1967. So, in this sense, the discretion to release is indeed ultimately that of the Home Secretary. But is it not overstepping the discretionary powers of his office to rule that certain entire categories of murderer are to be denied individual consideration until they have served at least 20 years in prison? For such a categorical exclusion some critics have claimed that Parliamentary approval should have been sought.

The fundamental issue is the relationship between considerations of retribution, deterrence and risk in determining the appropriate time for the release of life sentence prisoners, and the degree to which there is (or ought tp be) differential responsibility for advising upon the various considerations. It was not entirely clear from the initial Conference speech how far the Home Secretary's new approach was based upon considerations of risk and how far upon retribution, but an elaboration of the new policy was pro-

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vided in a Written Answer to a Parliamentary Question from Mr Michael Mates, on 30 November, 1983. In this statement, after listing the categories to which the 20 year minimum will apply, the Home Secretary continued:-

> Other murders, outside these categories, may merit no less punishment to mark the seriousness of the offence. At present I look to the judiciary for advice on the time to be served to satisfy the requirements of retribution and deterrence and to the Parole Board for advice on risk. I shall continue to do so.

Later on, in the same statement, he was even more explicit about the basis for the new procedures:-

> These new procedures will separate consideration of the requirements of retribution and deterrence from consideration of risk to the public, which always has been, and will continue to be the pre-eminent factor determining release. They will enable the prison and other staff responsible for considering and reporting on life sentence cases, the Local Review Committees and the Parole Board, to concentrate on risk. The judiciary will properly advise on retribution and deterrence. But the ultimate discretion whether to release will remain with me.

As a consequence of the new policy, the Joint Committee of the Parole Board and the Home Office was abolished. The Home Secretary now determines the date of the first review of life sentence prisoners, after consultation with the judiciary at the 3 or 4 year stage at which previously the Joint Committee considered each case. For those in the specified categories this first review will not be until 17 years after conviction. This marks a major departure, both in principle and practice, and suggests that the Home Secretary is usurping the traditional prerogative of the judiciary to advise upon the 'tariff' element in the time served by life sentence prisoners. The majority of life sentence cases are first reviewed between 5-7 years after conviction, so that out of nearly 500 cases given review dates by the Joint Committee in the last 5 years (1978-82) only 3 were first reviewed at 15 years or later. Correspondingly, of almost 900 life sentence prisoners released in the last 10 years (1973-1982) only 5 per cent had actually served over 15 years, of which only five prisoners had served 20 years or more. Although it is obvious that some of the most serious murderers have not yet been reviewed or released during this period, yet it seems certain that many of those who have been safely released in recent years would now come under the new minimum restrictions.

The Home Secretary's new policy means a *de facto* overruling of the views of the judiciary on questions of retribution and deterrence, and denying the Parole Board its traditional role in advising on the risk posed by these prisoners until after the minimum period has been duly served.

As the position stood, prior to October 1983, the question of the appropriate tariff had always been viewed as one properly for the judiciary. Their influence operated in four possible ways:

(i) *minimum recommendations*, by s.1(2) of the Murder (Abolition of Death Penalty) Act 1965. The judiciary have not used this power very frequently or consistently. Statistics in the Fourteenth Report of the Criminal Law Revision Committee on *Offences Against the Person* (1980, Cmnd. 7844) showed that in only 8 per cent of the life sentences for murder passed between 1965-1978 did the judge recommend a minimum period to be served.

(ii) *letter to the Home Secretary*, from the trial judge, at the time of sentence, communicating his views on any aspects of the case and the future treatment of the offender, including observations on the length of time to be served. There is no systematic evidence available as to how frequent or how influential thia practice is.

(iii) *statutory consultation with the judiciary*, by s.61(1) of the Criminal Justice Act 1967, the Home Secretary is required to consult the Lord Chief Justice and trial judge (if available) before approving any Parole Board recommendation for the release of a life sentence prisoner. In practice, this statutory consultation with the judiciary has been by far the most important influence upon the Parole Board and the Home Secretary. In the Twelfth Report of the Criminal Law Revision Committee on *Penalty for Murder* (Cmnd. 5184. 1973) it was stated that between 1968 and 1972 more than 250 life sentence cases were referred to the Lord Chief Justice for his views, and in only 7 cases (less than 3 per cent) did the Home Secretary accept a recommendation to release that was contrary to the opinion of the Lord Chief Justice. Research and personal experience confirm the importance of the judicial view, which is even more influential than those statistics suggest, as it often determines the timing and outcome of earlier reviews as well as the final recommendation to release a prisoner.

(iv) *judicial membership of the Parole Board*, and (between 1973-83) of the Joint Committee of the Parole Board and the Home Office. This can be quite influential but is as likely to result in a conflict of loyalties amongst the judges rather than an automatic endorsement of the judicial view expressed via the statutory process.

Under the new scheme, it appears that the traditional influence of the judiciary in each of these ways will be substatially altered. Most people might be prepared to accept the proposition that the seriousness of a murder should be taken into account and officially reflected in a minimum period to be served in custody before a life sentence prisoner is considered for release. But one question that seems to have been overlooked in this debate is whether the retributive appropriateness of any such minimum period in custody should be that which obtains at the time of conviction, or at some later date, right up to the proposed time of release. In my view, if retribution is to play a part in determining the boundaries of a penal measure, it must be based upon a public pronouncement and evaluation as near as possible to the time of conviction. There is no justification for delaying this judgement, as its validity becomes more and more questionable as time passes. Social values and attitudes change, and although it could be argued that prisoners should be allowed to benefit from an increased 'enlightenment' and tolerance towards a particular type of murder. I can see no case at all for *increasing punishment retrospectively* because general public attitudes harden, or because of the view of a subsequent Lord Chief Justice, and certainly not because of the private or political opinions of a future Home Secretary.

It is necessary to reopen the debate about whether judges should be *required* to recommend a minimum period in custody in all cases to which

a mandatory life sentence applies. I would argue that this recommendation should be made in open court, after the opportunity of submissions from the defence, and subject to the normal processes of appeal. If our concern is with retribution, the values reflected should be those obtaining as close as possible to the time of the offence. If every life sentence prisoner, convicted of murder, were to know the retributive boundaries of his sentence from the start, with the remainder indeterminate according to the future of risk to the public, it would be a much fairer system for all concerned.

Restricting Parole for Violent Offenders and Drug Traffickers

For prisoners serving determinate sentences, the Home Secretary introduced new restrictions upon the release on parole of those sentenced to more than 5 years for offences of violence or drug trafficking. In his Written Answer of 30 November, 1983, Mr Brittan stated that 'in view of general public concern about the increase in violent crime and the growing criticism of the gap between the length of sentence passed and the length of sentence actually served in certain cases' he had decided to use his discretion to ensure that such prisoners be granted parole 'only when release under supervision for a few months before the end of a sentence is likely to reduce the longterm risk to the public, or in circumstances which are genuinely exceptional'. After consultation with the Parole Board, it was agreed it should continue to see all of the cases it previously scrutinised, 'in order to give full consideration to the circumstances of each individual prisoner', but only on the understanding that 'the reviews will take account of the policy contained in this statement'.

The new policy seems to infringe the statutory right of every eligible prisoner to be considered for parole on his merits according to general principles laid down from time to time, and not to be excluded by a categorical restriction of this kind. There is a clear difference between the approach adopted in the 1975 "Criteria for the Selection for Parole" and these new changes, which are not based upon any theoretical framework or general principles of decision-making, but baldly exclude certain categories of prisoner.

Once again, the key issue at stake here appears to be the balance between retributive considerations related to the seriousness of a crime and the role of the Parole Board in the assessment of individual risk. The generally accepted view for determinate sentences is that considerations of retribution, denunciation and general deterrence are taken into account by the judge when pronouncing sentence. These factors should not then enter into the parole decision, in which the seriousness of the offence is only relevant to the extemt that it relates to the nature of the threat posed to the public in the event of reoffending. Indeed, the Home Secretary's clear enunciation of the separate roles of the judiciary and the Parole Board in the assessment of life sentence prisoners, with the former concerned with retribution and deterrence and the latter advising on the question of risk, provides an apposite model for dealing with determinate sentence cases, where the judicial function is represented by the initial choice of sentence according to established 'tariff' conventions. To require selected categories of offender to serve a greater part of their sentence in custody simply on grounds of retribution undermines the entire parole system.

Reducing the Parole Threshold

The third modification to the parole system announced by Mr Brittan last October was that the minimum threshold for parole eligibility would be reduced from 12 months to 6 months. Such a reduction was authorised by s.33 of the Criminal Justice Act 1982, and came into effect on 1 July, 1984. On the face of it, of course, unlike the other two changes, this should be welcomed by prisoners and prison staff alike, as it is expected to reduce prison population by up to 2,500 places.Nevertheless, it ought to be recognised for the typically pragmatic response that it is, with little regard for underlying problems of principle and practical consequences. In the past, when prisons were not quite so full as they are now, the official argument was always that a minimum period of at least 12 months was necessary before a prisoner was reviewed for parole, to allow time for a proper assessment of his 'response to treatment and training'. Declining enthusiasm for this particular model of parole, combined with a practical awareness of prison overcrowding, have contributed to a substantial modification of this traditional justification. Parole is not now generally regarded as based primarily upon the treatment model, and the onus for many less serious offenders has moved to one of the need to show why prisoners should *not* be released on parole. These trends reflect a more realistic appreciation of the situation and are almost wholly to be welcomed. However, the Government should take the logic of this change even further, and make *all* prisoners eligible for early release on parole licence, as in the time available under the new 6 month rule it will clearly not be possible for Local Review Committees to make any detailed assessment of the traditional kind.

The other anomaly that would be resolved at the same time is the unfairness that derives from the fact that a prisoner's time in custody *before trial* counts towards the calculation of the *one third* eligibility rule but not towards the 6 month (or the former 12 month) qualifying period. This merely serves to aggravat the existing disparities resulting from the cut-off point for parole eligibility, and sentencing differentials. Having so dramatically reduced the parole eligibility threshold, the Home Secretary should be encouraged to dispense with any flat-rate minimum eligibility period, and count all the time in custody before trial towards the calculation of the one third eligibility for all prisoners.

Justice, Fairness and Parole

Leon Brittan's speech at the Conservative Party Conference in 1983 brought parole and the treatment of life sentence prisoners into the public eye in a way that has rarely occured during the last 15 years or so. For me, it served to strengthen the conclusions I had reached during my time on the Parole Board, namely that even if parole cannot easily be justified (criminologically speaking) in terms of its prove effectiveness in reducing the crime rate or as consolidating the rehabilitative work of imprisonment, it can nevertheless contributr significantly towards reducing the unintended inhumanity of our penal system and potentially even promote a sense of fairness in the way we treat those whom we imprison.

We are, of course, a long way from achieving policies and procedures for the early release of prisoners that are fair and seen to be fair by those directly affected. The changes

introduced during the last year have exacerbated much that is fundamentally *unfair* in our system and will undoubtably increase some of the perceived (and real) injustices of the sentencing and parole systems in this country. At best, they might provide sufficient impetus for a radical reappraisal of basic aspects of the parole system and the release of life sentence prisoners. The relationship between sentencers, the executive and Government presents unresolved dilemmas that urgently need attention. The balance between considerations of retribution and the assessment of individual risk in determining the length of time to be served by prisoners must be re-examined, together with the precise responsibilities of Parliament, the judiciary, the Parole Board and the Home Secretary. The anomalies surrounding qualifying periods for parole eligibility ougth tp be eliminated, if they are not to add to the sense of injustice suffered by those in prison. We cannot begin to hope to instil standards of justice among offenders if the treatment they receive from the authorities is itself riddled with unfairness.

REFERENCES

1 See AK Bottomley 'Dilemmas of Parole in a Penal Crisis', *The Howard Journal of Criminal Justice*, *23*, (1984), pp 24-40.

2 See AE Bottoms 'An Introduction to the Coming Crisis', in AE Bottoms and RH Preston (eds) *The Coming Penal Crisis: A Criminological and Theological Exploration*. (Edinburgh, Scottish Academic Press, 1980).

COMMITTEE-SPEAK

COMMITTEE	ENGLISH
Entry in Minutes	*What Really Happened*
1. there were no apologies	it was too hot/cold to work
2. the minutes were approved	nobody had read the minutes
3. there were no matters arising	nobody had received any minutes
4. gave a brief report	hadn't prepared anything
5. gave a lively report	got hysterical. everybody else got embarrassed & started doodling
6. an interesting report	deadly boring. everybody doodled
7. a lively discussion	2 members had a row, the rest doodled
8. a wide-ranging discussion	covered everything but the item on the agenda
9. a full discussion	long, boring, trivial. members started admiring each others doodles
10. asked for more cooperation & assistance	blamed everybody else for the mess
11. suggested setting up a sub-committee	it was ten past four
12. decided to move on to the next item on the agenda	the bottom end of the table were discussing the meaning of doodles
13. each case would be treated on its merits	the criteria couldn't stand up to scrutiny
14. guide-lines should allow for individual discretion	couldn't agree on criteria
15. policy should be flexible enough to allow for individual circumstances	members are expected to be inconsistent
16. should be left over until the next meeting	it was twenty past four
17. reminded the meeting that the guidelines were there for their benefit	a more difficult example — no exact translation, but similar to "peace in our time" & "of course I'll still love you in the morning
18. deferred to allow further individual consideration	nobody knew why it was on the agenda
19. gave an account of the current position	see 5 & 10
20. there was no other business	it was half past four

BOOK REVIEWS

Books for review to be sent to:
THE REVIEWS EDITOR, Prison Service Journal
Prison Service College, Love Lane
Wakefield, West Yorkshire WF2 9AQ

Forgotten Victims
Jill Matthews
Published by NACRO

In "Forgotten Victims" NACRO have produced a helpful and practical publication containing a wealth of useful information for anybody dealing with prisoners and their families.

As Chapter 1 shows, there is a paucity of literature on this subject, the authoritative document still being Pauline Morris's "Prisoners and their Families", published in 1965 and now out of print. A survey commissioned by the Home Office in 1971 and followed up in 1978, is still unpublished, so this recent book fills a large gap in the available literature.

The bulk of the book looks in considerable detail at the difficulties facing prisoners' wives and families. In particular how the geographical location of prisons, prison rules, attitudes of some staff and some DHSS Officers can greatly add to the problems families are already likely to be experiencing, as a result of the imprisonment of one member. These difficulties are well known (and experienced) by those of us working in the penal field, but it is easy to become complacent, and indeed institutionalised in approach, in trying to handle such problems, when they are repeated time after time. One of the great values of this book is that it provides a timely reminder that it would be possible to alleviate a lot of unnecessary frustrations by fairly simple practical changes. Problems of attitude, both inside and outside penal institutions are more difficult to tackle, but another function of the book is to reinforce attempts to affect changes in this area also.

Anybody working with prisoners, who has even the slightest concern about contacts with the outside world, would find this book of interest and of use. In particular I would recommend it to any Prison Officer who is moving into the "Welfare" field within their institutions, a role which, in theory anyway, is likely to become more significant as the Prison Department allocates resources to it.

MA Mogg
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The Juvenile Court
TG Moore & AP Wilkinson
(Barry Rose)

On the first page of this book, Arnold, P. is quoted in Nottinghamshire County Council v Q. (1982) 2 ALL. ER 641 as saying of the Children and Young Persons Act, 1969: "This is not a very good Act, as I suppose everybody now recognises". The authors themselves go on to write in the same introduction: "The numerous statutes relevant to the juvenile jurisdiction of magistrates make the law relating to juvenile court a minefield for lawyer and laymen alike".

It is very much to the credit of the authors that they have produced a practical handbook for officials and users of the juvenile court which avoids not only the pitfalls, but the over-qualification and elaboration which would make the book accurate, but clumsy.

The book is clearly set out in thirteen chapters and not only covers the statute and case law on each topic but also offers advice on good practice. It is a strength of the book that it abounds in common sense; for example: "Where a court dealing with a subsequent offence deals with another court's deferred sentence, it is not required to obtain that court's consent. However, as a matter of good practice, enquiry should be made of that other court for details of the deferment" (pp 68-69).

For members of the Prison Service, the parts of the book dealing with youth custody and detention centre orders are well set out and helpful. For anyone else who comes into even occassional contact with juvenile justice, the comprehensive index should enable any query to be resolved quickly.

In short, this is a good book, and there are only two improvements I should wish to see in a new edition. First, a few careless errors detract from a usually precise text. We are advised (p 5) for instance that we can learn more about a certificate of unruly character on page 000 which seems unlikely; or again that the Legal Aid Act, 1872 is relevant:-1872? (p 27)

Secondly, there is much use of specimen forms and orders to illustrate the text. This is entirely appropriate in a practical handbook. However, again the generally attractive layout, these illustrations should be more clearly seperated from the text, and perhaps indexed separately.

These minor criticisms should not deter the potential reader. In the words of the Foreword:"...this should prove a very useful book".

D Curtis
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Prisons and the Process of Justice: The Reductionist Challenge
Andrew Rutherford
1984 Heineman Hardback £16.00

As a former deputy governor in the English prison service, as one who has researched abroad for a number of years and as one who now teaches in the Law Faculty at Southampton University, few people can be better qualified than Andrew Rutherford to comment objectively upon our system and to offer a comparative analysis of those overseas.

His thesis is simple. An expanding prison system, which is often accompanied by stringent financial cuts in other areas of social concern, does little to inhibit crime. Thus, it offers no great measure of protection to the public. Paradoxically, expansion may even serve to damage the values of a democratic society which it would purport to enhance.

Chronic overcrowding is acknowledged to be "the new gaol fever" and the writer examines the range and the potential of decisions within the criminal justice process to determine how they affect this central issue. He links this to contemporary political considerations. The choice to expand is considered and this is seen against the backcloth of growing political and legal awareness amongst prisoners and their support groups. The writer skillfully reflects parallel developments in staff awareness of their power.

Under the heading "Tactics for Reduction", Rutherford compares penal policy in a number of foreign systems. He sounds warning notes about too simplistic an understanding of some of the alternatives to imprisonment employed. A final chapter: "The Reductionist Agenda" provides a manifesto for change.

The book is written in a compelling and persuasive style, using a careful interweaving of historical and current policy, domestic and overseas experience. The very detailed footnotes, throughout the text , will allow readers ready access to source material should they wish to follow a particular line of interest.

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'Reducing the prison population' an exploratory study in Hampshire
Home Office Research and Planning Unit Paper 23

The latest Research and Planning Unit paper examines the options for diverting offenders from custody and reducing custodial sentence lengths in the Police and Probation authorities of Hampshire.

Hampshire was selected because only one police and probation service operates within the county, it has a representative urban and rural mix and both the crime rate and sentencing patterns are close to the national average.

Given that the prison population is determined by the number of custodial sentences and the length of those sentences the study examined the potential for further diversion from custody and the extent to which sentence lengths could be reduced.

As one would expect there was a large area of agreement between magistrates and probation officers on the need to provide alternatives to custody for offenders who abuse alcohol and drugs and those who are mentally disturbed (but not dangerous). Consensus on this issue throughout criminal justice agencies and pressure groups has been evident for the past 5 years but has not been matched by resource provision.

Again as one might expect the magistracy and Probation Service views differ significantly over the disposal of fine and maintenance defaulters. The Probation Service tend to view the imprisonment of defaulters as counter-productive and unnecessary while the magistracy, reflecting their perception of public opinion, view custody as a necessary backup sanction to fine and maintenance orders.

In comparison to many countries Britain already possesses a number of non-custodial sentencing options. The report shows that sentencers will use community service orders, hostels, attendance centre orders, probation orders etc as they deem fit but that their reasons may have little to do with a conscious effort to apply these sanctions for offenders who would otherwise be imprisoned. Foe example, notwithstanding the firm policy of HampshireProbation Service that Community Service should only be used as a direct alternative to custody the study shows that a substantial minority of cases considered for community service were unlikely to have received a custodial sentence. (As a rule this minority of potential community service clients had been referred by the magistracy — the evidence suggests the Probation Service *were* more willing to consider serious offenders for community servicethan were the courts).

The researchers conclude that although there is some room for enhancing the use of diversionary sanctions and that this must be a desirable objective on moral grounds, the numbers are so insignificant that the impact on the total prison population would be small.

An examination of the effect of the research on the lengths of custodial sentences passed in Hampshire revealed some grounds for optimism. Previous research subsequently endorsed by the Justices Clerk's Society suggested that expressing sentences in multiples of days or weeks rather than months would give greater flexibility to courts and ought to encourage an overall reduction in sentence lengths. During the course of the Home Office Study some magistrates (notably Portsmouth) adopted the practice. The results were not encouraging. A number of complicating factors made it difficult for the researchers to draw firm conclusions but the evidence suggested that magistrates still, perhaps subconsciously, thought in weeks and months — sentences of 7, 14, 28, 30, 60, 90, 120 and 180 days were passed. The experience with Prison Boards of Visitors (who have used this sentencing practice for some years) suggests that increasing familiarity with sentencing in days and weeks does not break down the kind of rigidity shown by magistrates and will not in itself, bring about shorter sentences. Overall the research showed little or no effect on sentence lengths in magistrates courts.

However, the Hampshire Crown Courts significantly reduced both the use of immediate custodial sentences (by one seventh) and the sentence length (by one fifth). The researcher indicates 2 influences operating on the judges: the impact of the Upton and Bibi judgement (and subsequent guidance from the senior judiciary) and the attention drawn to sentencing practices by the study itself. If the Hampshire experience were repeated nationally it is possible the prison population might be reduced by up to 5,000 persons.

The Home Secretary and his predecessor have both sougth to persuade the courts to pass fewer and shorter custodial sentences for the majority of non-violent offenders posing little danger to the public. There is evidence of some success with the judiciary. If Hampshire is representative of the country as a whole there is less reason for being sanguine with the magistracy. In the nature of things once the desirability for change is accepted it ougth to be easier to achieve and sustain with the relatively small and cohesive professional judiciary who are clearly more susceptible to influences emanating from their hierarchy. The magistracy poses a more intractable problem both because of the size (over 800 in Hampshire alone) and because of its strong allegiance to perceived local public opinion. Possibly its greatest strength is that it is, in some senses, representative of the local community and in touch with 'grass roots' sentiment. But this also makes it intractable to change. The reasearchers point out the difficulties of articulating and conceptualising 'public opinion' (rather than gut feelings etc) in practice and suggest that the values of democracy might best be met through normal political processes — presumably the will of Parliament as expressed through ministers.

Given the size of the prison overcrowding problem the study gives few grounds for optimism. The prisons population is currently around 44,000 and expected to rise to 49,500 by the end of the decade. (Official figures put the current overall capacity at 38,700 — ie an official overcrowding level of over 11%). The programme of new prison building and extension of existing prisons is expected to provide 10,600 extra places by 1991 but this takes no account of existing places lost in the interim through structural decay and damage (accidental or otherwise). The figures also overstate the flexibility of the system — vacancies are not always where they are needed; a margin of about 5% of accommodation needs to be empty at any one time to cope with damage and refurbishment.

Initiatives such as the extension of the parole scheme can be expected to have an effect on the population (whether this is a temporary reduction is arguable). None the less when all these factors are wieghed in the balance it seems likely that by 1990 the Prison Service may well still be operating in an environment of "acceptable overcrowding" albeit a less severe one than today. Pressure is growing for a policy of minimum standards to be implemented in such areas as accommodation, integral sanitation, access to bathing etc. The application of such standards in the vast majority of our older prisons would almost certainly require a further significant reduction of cell space to allow the provision of lavatory and washing facilities. Many governors believe these aims could only be achieved by *reducing* the prison population to around 33,000.

The Research and Planning Unit Report concludes with the following statement: "It is possible for sentencers to lower "the tariff" they apply and by so doing modify the size of the prison population...The crucial issue for them is not how to use custody less, but rather should they use it less. Operating within a particular culture and taking account of the moral and practical considerations, they must decide whether showing greater leniency would be just, humane and effective. The decision remains theirs. Meanwhile, it is for the executive to provide sufficient accommodation for the prison population to be housed humanely; this, of course, is the purpose of the current prison building programme.

The building programme is essential both to replace existing stock and end overcrowding. The size of the prison population is and will continue to be determined by Parliament and the Courts. Unless custody is resorted to less frequently and sentence lengths are significantly reduced for all but the most serious offenders societys expectations for the Prison Service will not be met. The Report is essential reading for those who lack conviction in the willingness or ability of the Courts to modify sentencing practices. This is not borne out by the evidence. Whether the system can voluntarily respond to events to the degree required is perhaps another question.

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A Magistrates Court Handbook

Ed. David M Booth
(Barry Rose)

This compact book is designed, says its editor, "to be small enough to use unobtrusively on the bench" (page 7). It is, in other words, a handy "crib" for magistrates' reference, whilst sitting in public view. It reads like a senior, more mature, relation to the Prison Department's guides on adjudications, and fulfils a similar purpose.

The editor sets out in thirty four sections a comprehensive, but easily readable, guide on subjects ranging from "Detention in Police Cells" (page 35) to "Submission of No Case to Answer" (page 75). This edition is thoroughly up to date incorporating the provisions of the Criminal Justice Act 1982 as they affect magistrates' courts.

The presentation of the material is a model of clarity, and the finger-tip marginal index makes it easy to quickly find any one section (presumably whilst still appearing appropriately alert and magisterial).

This is the sixth edition of the handbook: I have no doubt that its simplicity of style, and crispness layout fulfil a need which will take it into many further editions.

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SLOP-OUT

New Technology

You may call it "new technology", "office technology" or "information technology" (IT). The last is probably the most accurate description although it is tempting to think the phrase and its contraction were made up by those who wanted snappy titles to their articles, along the lines of "Getting IT", "Learning to live with IT" and "Managing IT". Whatever you call it, the rapid growth in the range of information equipment based on the microchip is characterised by technological complexity, a mushrooming jargon, and vigorous marketing. For the non—technical, it offers a confusing array of solutions to problems an organisation may not have. Accepting their "inevitability", we are drawn towards applications and towards a dependence on technological experts, even though an indiscriminate use of new technology will often do no more than automate and exacerbate existing problems. At the simplest, a bad letter—writer will remain a bad author; a bad typist will become a bad keyboard operative; a bad decision maker will stay a bad executive. Organisational implications are even more complex. New technology is not a panacea: improved efficiency may or may not follow investment in technological change.

Not surprisingly, there is the full range of opinion about new technology in the organisation. On its introduction staff may accept, be indifferent to or actively resist the change. Obviously, there are fears about the new technology and one component is the lack of clear and reliable information. With few established standards and too hazy a picture of what we want to do or the most efficient way of doing it, we may fall prey to the equipment manufacturer or the systems expert. In each case, his enthusiasm for technology can blind him to the human and organisational implications of its introduction. For the expert, there is a tendency to find design exciting but implementation and maintenance dull.

Apart from systems experts, home enthusiasts and other successfully converted operators, where do we stand? Despite talk of the "paperless office", the photocopier is still the most common new office technology in use, followed by the electronic typewriter. Most of us will see computerised telephone exchanges, computerised pay slips and electronic versions of the telex. Micro—computers and word processors will follow. It is for the strategy group within P6 Division at Headquarters to judge how close the Prison Service is to computer networks (linked systems) and electronic mail.

Let us turn to two areas of staff concern — the health and safety of using VDU and the effect of new technology on jobs — before examining the process of introducing such equipment and systems into the organisation.

Using VDUs

The health and safety of using new technology (and especially the Visual Display Unit — the television set connected to the computer keyboard) as an issue typifies the difficulty of obtaining definitive information.

According to a survey published by the Association of Professional, Executive, Clerical and Computer Staff (APEX) in 1984, 62% of operators attributed ailments Directly to working with new technology. Nearly half detected an increase in irritability and stress. But won't self—reported symptoms be too readily attributed to a new and sometimes unacceptable feature of the work—place? Dr Alan Hedge of Aston University, however, has evidence that VDUs do induce eye strain and that extra pressure of working with computers can cause stress headaches. His is a part of the growing international literature on such problems. The most common complaints are conjunctivitis, eye fatigue or blurred vision; tension headaches, neck and back pain, general fatigue; nausea, allergy triggering, irritability, anxiety and depression. Eye strain seems worse amongst wearers of glasses and in environments where lighting levels are inappropriately set. Studies are being conducted into VDU radiation and electro—magnetic fields; others into the effects on pregnant women. There is current acclaim for a charged screen or filter which, placed in front of the display unit, blocks radio and micro waves from reaching the operator.

Perhaps more significantly, several studies of job design have shown health problems are associated with regimented, dissatisfying, clerical input to computers. Layout or ergonomic deficiences are also to blame: many of the reported problems are linked directly to poor postural support. Movable VDUs and keyboards, adjustable desks and chairs, copy—holders and even wrist—rests are essential for prolonged periods of work. Many of these ergonomic, health and safety issues are discussed in the books referred to later, in "TECHNOLOGY: WHOSE FUTURE?" — a booklet issued by the Council of Civil Service Unions — and in "HUMAN FACTORS ASSOCIATED WITH THE USE OF VDU s", a joint guide from HM Treasury and CCSU. There is no doubt that more and more literature will be forthcoming. As of now, a widely accepted suggestion is that VDU operators should work with the equipment for no more than 45 or 50 minutes in each hour.

Job Losses?

The most widespread belief is that new technology will increase productivity and hence dramatically reduce employment. Two surveys published in 1984 agree that jobs will go — although they differ in their consideration of how many. The APEX survey, already referred to, claims that for every job created by new technology, 50 others will be destroyed by its application. Over one—third of the companies in the Midlands area who were surveyed by APEX reported job losses; only 3% reported job gains. On the other hand, the Policy Studies Institute surveying manufacturing companies across the UK put the ratio at one job created to 2½ destroyed.

David Buchanan and David Boddy of Glasgow University (editors of "ORGANISATION IN THE COMPUTER AGE" which is mentioned later) have recently sifted the

available empirical evidence and concluded that quantitative effects of new technology on jobs are slight overall. As you might expect, some companies lost jobs, others increased the number. Labour savings through the introduction of new systems have been off—set by jobs in the planning, maintenance and supervision of the use of the technology. New jobs have sometimes emerged to form bridges between data processors (the systems men) and the users (the managers and workers). Nor need all the jobs associated with new technology be boring, repetitive and inhuman. There is evidence that some applications have enhanced and complemented the skills of workers. This is possible when the additional information and capacity have not been presented or perceived as threats to the job holder — which could include the manager who has not learned about new equipment and whose authority over those using it declines as a result.

In the Prison Department, there may be areas in which jobs will be lost through automation. The machine assisted payroll scheme is the most often quoted example. But the experience of many professional and technical staff is that new technology allows work to be performed in greater detail and, indeed, allows some tasks to be performed which were otherwise impossible. None of this, however, need mask the often daily disappointments and frustrations that machines can bring.

Introduction of the New Technology

For the Prison Department, the assessment and procurement of technology is largely in the hands of experts. But the process of introducing new technology is the responsibility of the managers — at all levels of the organisation. Managers, it might be worth noting, vary in their attitudes to technology as widely as any other group of staff: some will be unwilling to use new technologies to help their jobs even when the benefits are evident. They will be encouraging other staff to use the equipment while reluctant to use keyboards and terminals themselves.

The introduction of technology should be justifiably regarded as a touchy business. There are apocryphal stories of early, misfiring attempts to get computers into penal establishments. While considerable effort is now being made to devise a coherent and rational strategy for the introduction of new technology into the prison service, there are examples still of the imposition of much equipment. A costly and elaborate text transmission system is being installed between Headquarters, Regional Offices and some establishments without consultation and without a clear idea of the implications for those expected to use it. Computers have successfully been introduced into Regional offices, Supply and Transport Branch, industries and elsewhere — due to the interest by psychologists and other professional staffs willing to apply new technology to systems problems — and we are well used to the mainframe dinosaurs in Bootle which serve the Home Office. The prison costing system, too, is dependant on this new technology. At Bedford prison, we can point to computer systems being installed with the enthusiasm of staff and now working within the limitations of the technology.

Such examples from within the Department augment the growing literature on the implications of new technology and the appropriate ways of introducing it into organisations. For information on equipment (particularly if you don't know your floppy disc from your daisywheel):

John Derrick & Phillip Oppenheim "A HANDBOOK OF NEW OFFICE TECHNOLOGY" (Kogan Page, 1982) — a frank and readable guide to office equipment which provides useful definitions and explanations;

Susan Curran & Horace Mitchell "OFFICE AUTOMATION" (Macmillan, 1982) — a general guide, cataloguing equipment from a manager's point of view.

For the wider implications of new technology within the organisation:

Harry Otway & Malcolm Peltu "NEW OFFICE TECHNOLOGY: HUMAN AND ORGANISATIONAL ASPECTS" (Frances Pinter, 1983) — a collection of papers on systems design, human implications, the introduction of technology, including a valuable chapter by Albert Armbruster on ergonomic requirements;

David Buchanan & David Boddy "ORGANISATIONS IN THE COMPUTER AGE" (Gower, 1983) — case studies of commercial and industrial organisations that introduced technological systems in their manufacturing and administrative sectors.

Given that a functional strategy exists for the introduction of new technology (difficult, given that technology is still developing) and setting aside the assessment and the procurement of equipment, the following course of action is demanded if staff are not to feel systems are being foisted on them.

Well before procurement and installation, staff need awareness training if the correct expectations and interest are to exist. This means formal presentations and informal discussions: it could include the formation of a representative steering group. Questions about what will happen to the operators and the existing systems will have to be met openly: how the work will change, what is expected, what has been the experience of others. When the system is installed and running, formal training in routine operation will be required. Sufficient knowledge will be needed to understand the system and any exceptional activities or breakdowns. With the systems in use, coaching should continue alongside problem solving and the modification of the systems. A continuing review of strengths and weaknesses will be necessary. It takes time to sort out technical problems, unravel organisational problems and learn to use systems effectively. There will be a rapid spread of effect: many people will need to know what is happening and how it affects them.

There is plenty of room here for the enthusiast and the cynic. Because it is computerised does not guarantee that it is good. First, organisations must avoid being driven along by the technology itself: ensure there is a problem to overcome and that the proposed technology meets that problem (an estimated £60m is lost each year by British companies investing in the wrong system). Secondly, ensure that technological solutions are not imposed on human problems. New technology is not just bits of equipment: it means organisational change, redefinition of jobs, changes in roles and relationships. The organisational implications are only now emerging and are the business of the manager more than of the systems expert. In introducing new technology into the organisation, it seems we need a new

technology of consultation and job design.

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The last edition of the *Prison Service Journal* included comments on some of the 18 weekly articles produced by Richard Smith in the *British Medical Journal* between 19 November 1983 and 31 March 1984. The *Journal* for 26 May 1984 included a follow—up article by Dr John Kilgour, Director of Prison Medical Services. His article provides a valuable commentary on the service and its structure. It suggests the best sources of recruitment to the speciality of prison medicine are "two main groups of doctors — from mature general practitioners with a working interest in practical psychiatry and from qualified psychiatrists with a taste and aptitude for general practice". And it disposes of the misconception that prison medical officers commonly use drugs for control purposes, the so—called "liquid cosh" (this aspect was stressed in the report in the *Prison Service News* in June 1984).

The Position of the Prison Medical Officer

The *Prison Service Journal* article reported in some detail Dr Smith's thoughts about the organisation of the prison medical services and its links with the National Health Service and the medical services of the special hospitals. Dr Kilgour's article adds some important points.

An estimated two—thirds of the medical work conducted in establioshments is carried out by NHS doctors — those in part—time posts, locum appointments and sessional consultation. This provides a "desirable degree of functional integration with the NHS". It is relevant, too, to Dr Kilgour's rejoinder to a common misconception about consent to treatment. Prison medical officers do not have the statutory authority to give treatment without consent as do doctors in NHS psychiatric establishments. There are strictly defined occasions when tranquilising treatment may be given but the general position over consent makes all the more frustrating those cases which, after the due process of certification, the mentally disordered prisoner cannot be found a suitable place in a National Health Service facility.

Dr Kilgour points out that observers tend to magnify the conflict of interest between prison and patient. In reality, this is not a day—to—day problem: the bulk of medical work is conducted by doctors who are part of the NHS and "these men and women do not undergo an ethical change as they enter the prison"

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