

PRISON SERVICE JOURNAL

No 83 SUMMER 1991



A Personal Retrospect — *William Fittall*

Re-organisation — *Mike Jenkins*

The Role of the Area Manager —
Phil Wheatley

A Double Culture Shock — *Brian Caffarey*

Governor 4 Supports —
Madeline Moulden

ON THE

T O D E R B Y

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Comment

On 25 January a category 'A' life sentence prisoner hanged himself in the prison hospital at HMP Full Sutton.

The death was a shock. No-one had expected it. None of us face death without it touching deep feelings of loss, guilt and fear. The family came and the doctor, governor and chaplain sat with them in the hospital near where it happened and talked about the man and what may have been going through his mind.

Why had he done it? Was it a sufficient explanation that having taken others' lives for no purpose than to spend ten years inside with at least another twenty to go and finding nothing in prison to shake off the guilt and sense of futility, there was nowhere left to go? Was it simply that realisation of the enormity of what he'd done with no way to turn the clock back? Could the prison have done more? We searched for reasons honestly and frankly and sometimes angrily. Walking to the gate with the family the tensions seemed to have lifted. 'All I want now is for my son to be left in peace,' the mother said.

The date for the inquest was set. A few days before the hearing we learn the family is to be represented by a lawyer. That set in train the inevitable response. Thus the intimidating line-up of lawyers facing the coroner, the POA, Medical Defence Union, Treasury and family. No wonder the hearing took nearly eight days. What would have happened, one of the several journalists commented, had there been a Hillsborough here!

A verdict of lack of care was sought by the family. That meant that every error uncovered or doubt raised was raked over whether or not related to the death. All were totted up and the total used to offer evidence of lack of care. The medical defence lawyer and the one for the POA had responsibility only for their clients but the Treasury solicitor was there to represent the Prison Service. It was he who explained what lack of care meant in law: the neglect of the dead man's mental or physical condition by, for example, preventing someone who had an opportunity to render life-saving care from doing so. Lack or want of proper care was the other side of the coin of self-neglect. What it was not was carelessness nor even poor judgement. Decisions had been made which with hindsight might have been open to criticism but those decisions had been made with the dead man's co-operation and were informed professional judgements. So a letter slipping through censorship, the use by the governor in his letter of condolence of the mother's name by her first marriage, the admission that a member of staff had not read the circular instruction, were all used to make a case for lack of care, but clearly were in themselves and even together, irrelevant to the death and the coroner declared it so.

The coroner summed up by talking about the

compassion of staff and said the dead man received a good deal of care and that staff acted in the spirit of the Home Office guidelines. He directed the jury not to consider a lack of care verdict because there was no evidence for doing so.

The mother who had left the prison some months previously thanking the staff for helping her now walked determinedly out of court angry and upset. She had been persuaded to attend in the expectation of being able to place the blame somewhere and thereby help her if it could with her feelings. The inquest hadn't helped her.

One lesson from the inquest is that coroners don't necessarily understand the implications in law of lack of care. It needs to be spelled out and to be made clear that if in the coroner's view there is no evidence of such lack of care then the jury must be directed accordingly. Even if the coroner does find evidence of lack of care then there must also be evidence that the lack of care contributed to the death.

Another lesson is that although our instructions from Headquarters state clearly that it is guidance they offer and are not counter to the doctor's own judgement, the instructions may be interpreted as a prescriptive document by those who wish to find fault.

It needs saying, too, that along with the more recognised categories of prisoner who are vulnerable are those serving long terms of imprisonment who do not involve themselves in prison activities. That emphasises the need to give attention to the quality of life for the generality of prisoners and suggests that even in the comparatively good conditions and opportunities of a long term prison, there will be those who choose to keep themselves apart and they need to be seen as potentially at risk.

The press reporting was uneven and biased. They are attracted by any publicity that is sensational so you cannot rely on them to put the balanced picture. They may report one day and then ignore any rebuttal on the following day. It is worth talking to the press but only when the case is complete otherwise you will find yourself vainly chasing and trying to swat all kinds of unbelievable accusations.

Bring in prisoners at an early stage of the local enquiry. Those who knew the dead person have a story to tell and if they are not listened to, the fantasies grow and will out somehow.

Legal help is no longer an option but a requirement. The complexity of the law and the combination of publicity and the single minded determination of those who seek to tarnish the reputation of the public service require such help. No good to shrug off bad publicity as a short-lived wonder. We need to declare that proper standards of care apply so that staff can take proper pride in what they do and families and friends of prisoners be confident in the care we give. ■

What Is A Prison Officer?

"Has the rôle of the prison officer become so poorly defined . . . so contradictory . . . to make it hard for anyone to occupy it satisfactorily?"

Will Hay
Hull University
Richard Sparks
Open University.

What is the problem?

No-one who has more than a passing acquaintance with the Prison Service and its ways can seriously doubt that quite a few problems surround the role of the prison officer in the contemporary penal system. It is not simply that rather high levels of disgruntlement, anxiety and mistrust of management are widespread — as anyone who has sat for more than five minutes in a wing office or glanced at the letters page of *Gate Lodge* can testify. Indeed, there has recently been a small flurry of academic papers on "work alienation", "cynicism" and "stress" amongst correctional staff on both sides of the Atlantic (1). Clearly the existence of such feelings is a basic starting point and a spur to further reflection.

What is still rarely explored, however, is the question of what underlies or explains the existence of such attitudes and tensions. What is it about the social position of prison officers which gives rise to particular difficulties? Has the role of the prison officer become so poorly defined, or alternatively so contradictory, as to make it unusually hard for anyone to occupy it (to live within it) satisfactorily? Is this so serious as to amount to a structural problem of the penal system, and if so what would have to happen in order for it to change?

This article is written from a sympathetic outsider's point of view and is offered in a modest and constructive spirit. It is based upon ideas that we began thinking about in conversations and interviews with prison staff whilst we were conducting some research into problems of order in the dispersal system (2). Some of these ideas may seem terribly obvious and familiar to people who have spent much of their working lives dealing with their consequences. But this itself may be part of the problem: the issues come to form part of the assumed background of everyday life, rather than being placed in the foreground of debate.

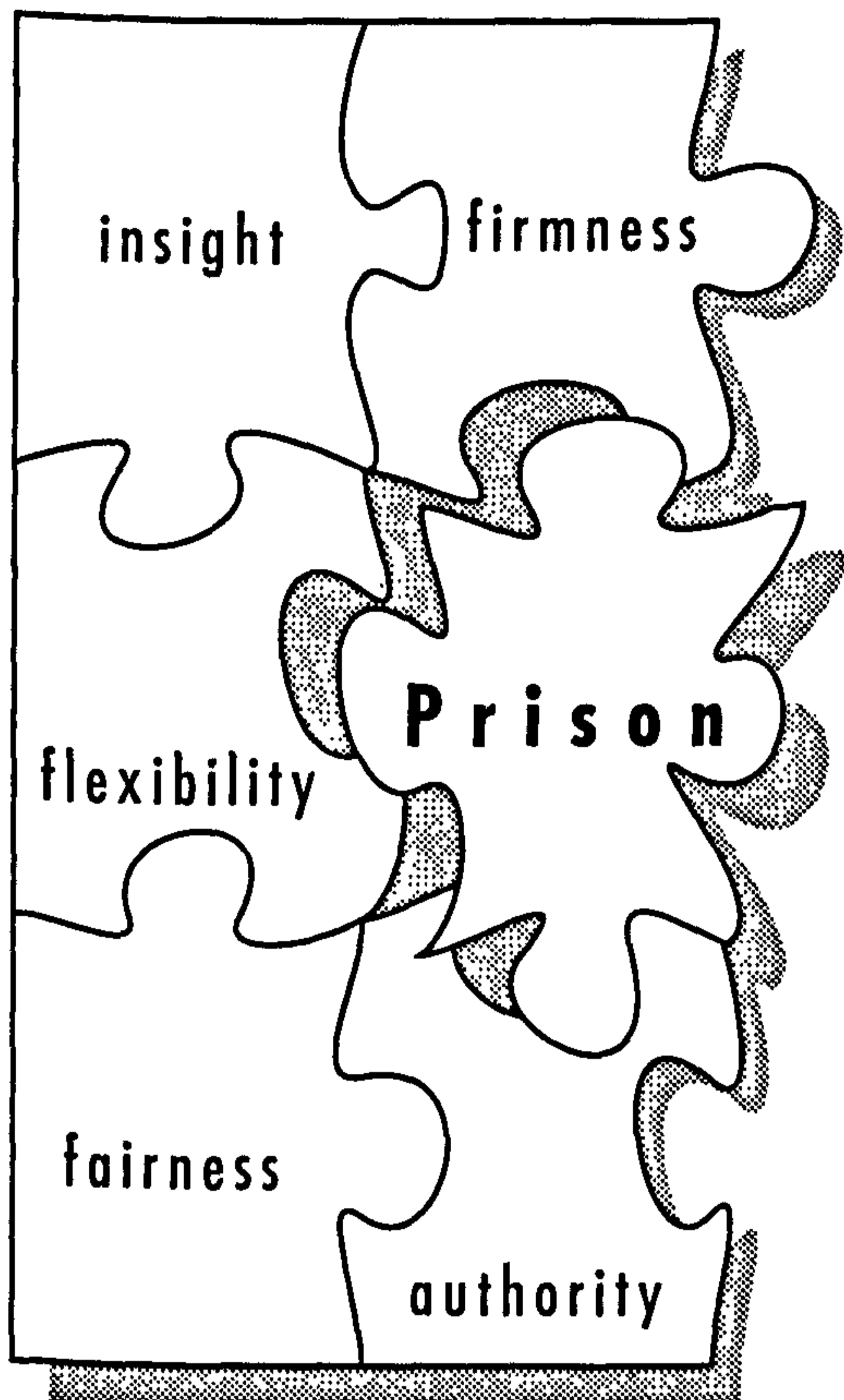
It seemed to us as we went about the prisons talking to many people that neither the "official discourse" of policy documents nor indeed the campaigning vocabulary of penal reform had yet said much about their vision of the occupational identity of the men and women who form by far the greater proportion of the people working in the prisons. Certainly they were not saying anything that was adequate to capture the interest and complexity of what those people had to say for and

about themselves and their jobs. This comparative silence in an area of otherwise lively and contentious policy debate struck us as both curious and suggestive. It also led us to resolve to find some way of bringing what our interlocutors were saying to us back into the picture, to explore their implications for the possible redefinition of the prison officer's role and for training.

The need for guiding principles

Of course, the failure to reflect on people's views and experience has something to do with the general blandness of official prose on almost any subject (the inability to speak in concrete terms which Stanley Cohen has identified as one characteristic of "control talk" (3)). It is more than this, though, in that the policy positions on the role and nature of the staff have hitherto been less specific and more evasive than on numerous subjects. Indeed, in some areas, spurred by the deep pessimism surrounding the prison system as a whole, there have recently been some welcome hints of *perestroika*. Much of the evidence placed before the Woolf Inquiry, for example, was well-informed and creative. Yet, in the wake of a period of endemic cries of order, purpose and material provision, and despite the new thinking on other subjects, the key question of outlining a viable future for the occupation of prison officer seems to us to have lagged behind and been left strangely underdeveloped. For example, even in the much lauded document *Opportunity and Responsibility* published by the Scottish Prison Service in May 1990 and hailed by many as the most innovative piece of governmental thinking on prison regimes for years we could find only a couple of paragraphs on precisely what the staff were supposed to be doing in the new order.

There are several reasons for this state of affairs. One is that it is actually much more difficult to state convincingly the full variety of things that the prison staff have to know and do than the official received wisdom has yet generally acknowledged (just as it is also much more difficult to *do* it and much more difficult to *train* people to do it). Where the policymakers have not known quite what to say, they have tended to pass over in silence. Let us return, for example, to an often quoted passage in the Control Review Committee's 1984 report *Managing the Long-Term Prison System*. The CRC report had at least the virtue of



recognizing that the question of skilled staff conduct was central:

At the end of the day, nothing else that we can say will be as important as the general proposition that relations between staff and prisoners are at the heart of the whole prison system and that control and security flow from getting that relationship right. Prisons cannot be run by coercion; they depend on staff having a firm confident and humane approach that enables them to maintain close contact with inmates without abrasive confrontation. (Home Office, 1984: para 16)

The central weakness of this interesting and widely debated statement (4) is that it is not clear how we are supposed to translate the "general proposition" about "getting the relationship right" into specific proposition about how to go on under any given set of circumstances. It is not even certain that a consensus exists on what a "right" relationship would be. The particular danger here is that the view adopted of the training and formation of prison staff will fall between two stools. On the one hand it can be presented as self-evident; the basic common sense of the sturdy men and women doing what comes naturally. On the other hand it can be regarded as too delicate and difficult a thing to be stated clearly at all: prison officers have special abilities, but we can't quite say what they are, nor teach them — they are simply learned in a long process of initiation and experience (like becoming a member of the magic circle). In our view each of these alternative notions ("common sense" versus "alchemy") is half

true and therefore dangerous. Neither of them is particularly helpful either in developing understanding of what goes on in prisons or in enhancing the professional status and self-esteem of prison staff. Prison officers have not always been their own best advocates in this regard, perhaps owing to some combination of modesty and impatience of the generally fickle and ill-informed level of public interest. Neither, however, have they been very well served by those above them whose job it is, or should have been, to provide them with a clear and consistent sense of identity and purpose, and a vocabulary with which to describe themselves and what they do. Part of the problem lies in being able to say what is usually simply *done*. Like a footballer who can score a wonderful goal but not really describe how he did it, prison officers sometimes exercise social skills of great refinement and complexity without dwelling upon or articulating what they are doing. Unlike the footballer they don't get a slow motion replay, a post-match analysis or much credit.

Meanwhile, it is all too obvious that conditions prevailing in the prisons continually set up the possibility of deep role conflict for the custodians. At the same time as there is something of a renaissance of ambitiously progressive and interesting penal thinking (amongst the evidence submitted to Woolf by the PGA, POA, NACRO, and Prison Reform Trust, for example) the reality of much of the experience of prison life for staff and prisoners alike is of deepening shortage, retrenchment and unrest. Under such circumstances the staff might be forgiven for not automatically taking the bright ideas altogether seriously or for not always agreeing that the reform proposals correspond to their own best interests. This problem is complicated and intensified by uneven development within the prison system. The sporadic growth of the schemes for shared working with probation officers, the bail information schemes, the better pre-release programmes and so forth, brings into sharper relief the struggle for subsistence regimes elsewhere. Here and there it does seem possible for the occupational identity of prison officers to edge towards integration with other public service professions, so that staff take as their reference groups probation officers or branches of the mental health services. Yet at the same time the more visible public representation of prison staff generally has them dressed in riot gear, or sweating and grimacing their way through C and R training. It is true, of course, that training in "human services" occupations always seems insufficient; ask any teacher or social worker. But the problem for the Prison Service is more profound because the demands placed upon the staff are both more vaguely set out and are more likely to be in contradiction with each other. The question is not simply, is

there a generic model of training which suffices equally well for Wandsworth and Grendon, Leeds and Littlehey? Rather, the question is: what kind of people are the staff supposed to be and how can they possibly be expected to know?

In search of the right direction

Meanwhile, the sourness of the industrial relations history in the prisons lingers. The Home Office is still prone to regard shifts in the position of the POA (the advocacy of minimum standards for example, or the advocacy of greater training) as special pleading, thereby squandering their creative potential.

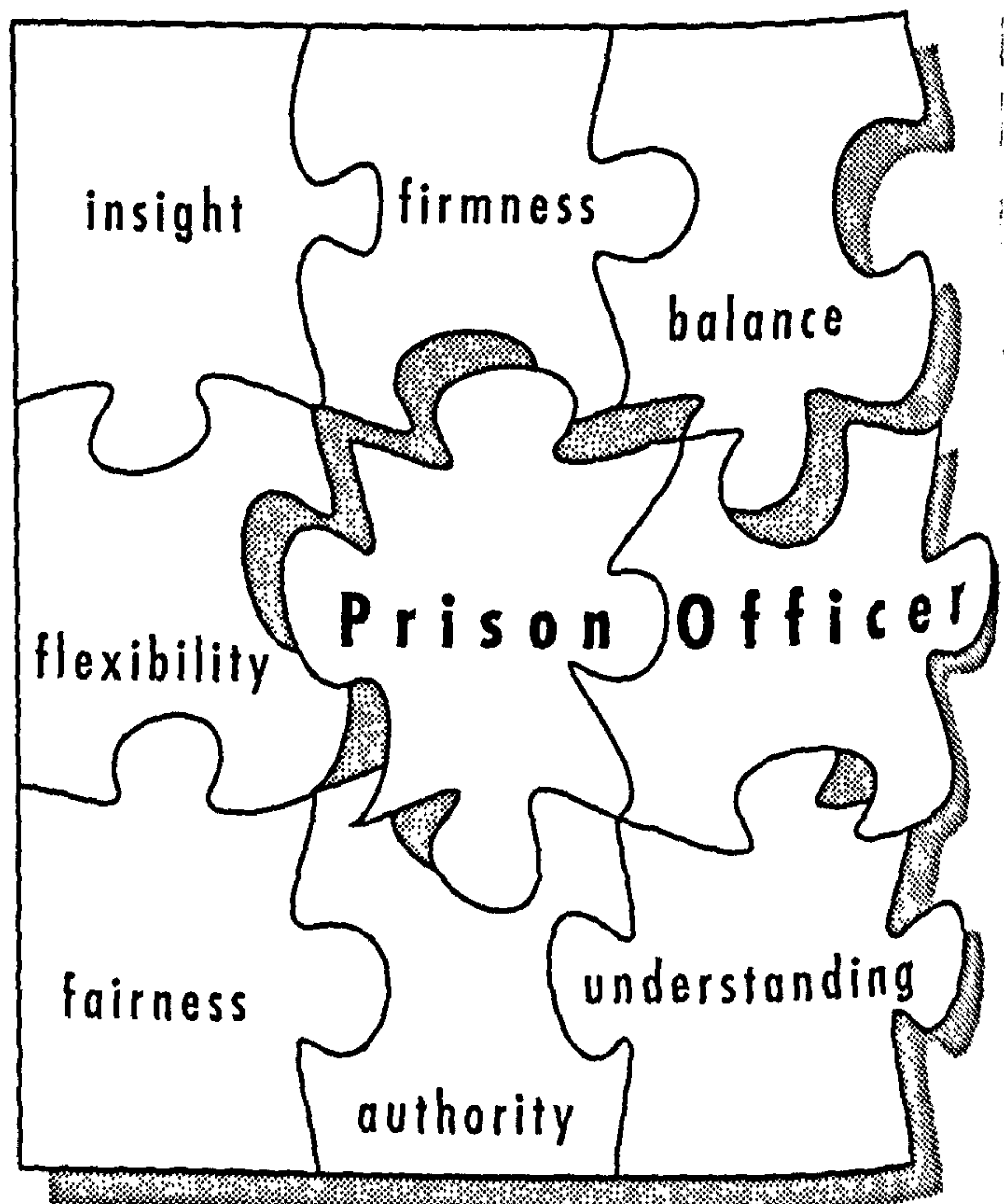
Amongst the provisions of the European Prison Rules which the U.K. Prison Service routinely fail to uphold are the following:

52. *Prison staff shall be continually encouraged through training, consultative procedures and a positive management style to aspire to humane standards, higher efficiency and a committed approach to their duties.*

53. *The prison administration shall regard it as an important task continually to inform the public of the roles of the prison system and the work of the staff, so as to encourage the public understanding of the importance of their contribution to society.*

The successful implementation of urgent reforms hinges partly, in our view, on overcoming the historical legacy of low esteem for prison officers. Many of the more adventurously radical proposals for penal change draw upon notions of consultation and empowerment for prisoners — of binding them into the “prison community” by offering them a more convincing stake in it (7). Yet surely little change in this direction is conceivable until the organization begins to act more democratically towards its own personnel. A system which is not permeable to the ideas and creativity of the junior members of its own hierarchy is ill-equipped to become more open and benevolent in the treatment of its captive population. The Prison Service must therefore be wary of the tone set by assertions about the “right to manage” but might usefully concentrate instead on setting up what the systems theorists love to call “positive feedback loops” in which the involvement of staff and the enhancement of regimes fuel one another.

Amongst the most disregarded items in the whole field of punishment are the human needs of the custodians, as the Rev Peter Timms made eloquently clear in his evidence to the Woolf Inquiry. Timms counsels against the over-specialization of the tasks and over-directive managerial



philosophies that have “effectively excluded the significant proportion of the staff from any significant involvement in what people have been saying the task is about.” In Timm’s view much of the recent history of poor industrial relations and low staff morale can be attributed to a process of de-skilling which established low expectations from prison officers about more or less everything except pay:

The clear message is, “We don’t think you are good enough.” That was the message that was given and that was the message that was taken, and all that followed from that, in terms of the exaggerated emphasis on pay and all the rest of it, seems to me to be because we said, “We don’t think you are worth very much when it comes to it, except guarding people.” That is how prison officers have seen it, and we have paid a very heavy price for that

Such attention, though implicit in much recent commentary, has rarely yet been concretely forthcoming — still less given sufficient priority as an aspect of policy. The only way forward from this point as far as we can see is to listen much more carefully than has been usual hitherto to what the staff actually say for and about themselves and their jobs and how they would wish to see their roles develop.

Bringing the staff back in

Uniformed staff are the people who have the

most contact with prisoners, often in the most difficult of circumstances. In the course of our research we had many occasions to ask staff what demands they felt their jobs made on them, what qualities and skills they felt they needed especially at moments of conflict, and what they would like to be doing which they currently weren't. We found that the staff in the different prisons that we studied tended to construct models of good practice based on personal experience and local tradition. These models are mixtures of principle and pragmatism: they are partly about what is 'right' and partly about what 'works' in particular cases. This means there is a moral dimension built into the job. Officers hold values and precepts which underpin and serve to legitimise their work, especially when it involves tasks which they would otherwise find distressing or unpleasant. These values are often held, sometimes in opposition to what is taken to be happening elsewhere. Some values, however, are adhered to by almost all staff. Foremost amongst these is a conception of 'fairness':

If you are fair, you give them what they are entitled to, and make sure every inmate gets the same . . . make sure you're seen to be fair to every inmate you mix with . . . They may call you names but they still respect you at the end of the day for being fair.

In terms of the practicalities of the job, staff speak of two salient concerns: first, stress is laid upon the personal attributes needed to withstand the daily pressures; and second, a similar emphasis falls upon social skills and aspects of personal style required to establish appropriate relationships with prisoners.

As regards the first of these, staff emphasise resilience and evenness of temper. On the second one main-grade officer observed:

You definitely need tact, a sense of humour, a lot of insight, and to a certain extent compassion . . . You've got to be quick, to use your mouth correctly. A lot of staff don't, and it can lead to assaults on staff.

On the question of 'style', most staff agree on the need for a 'mature' approach and a great deal of common sense. In part this relates to a wide spread tendency to de-intellectualise the job and to talk instead of a prison officer as being someone who acts intuitively and applies worldly wisdom. This tends to mask two important points. First, it plays down the complexities involved in the daily activities and relationships with which prison officers are engaged. Their work routinely generates moral dilemmas which carry potentially serious consequences. Indeed such dilemmas are very much a matter of concern and debate amongst

staff, and such debates necessarily involve issues of justice, fairness, consistency and discretion. Not only is there scope for injustice, but also for grave unintended consequences of a hasty decision. As one senior officer points out, guidance may not exist for every occasion, nor a right solution to every dilemma:

It's always vague. You've got to take into account the characters involved, the member of staff, the inmate and also the circumstances . . . There can't ever be two identical instances. It's always going to be a different time, place and circumstance, with different actors involved in it.

Our second point can be put in the form of a question. If the job is just about having a mature outlook and exercising common sense then to what extent can it be taught? Doesn't this negate the need for training at all? As we have noted above, some credence must of course be given to this view. For social workers, teachers, police, just as much as for prison staff, much of one's intuitive skill derives from experience rather than formal teaching; nor can abstract learning substitute for training on the job. Yet, paradoxically, officers themselves have drawn our attention to their sense of the need for more and better training and to their feeling of being forever unprepared for key parts of the job.

What then, given these difficulties, can our research offer to educators and trainers? We have no definite answers, nor do we see it as our role to provide them. There are, however, some areas of practice which staff experience as particularly problematic, and which they would wish to see discussed in training and consultative forums.

First, how close or distant should staff be in their relations with prisoners and, relatedly, how flexible or consistent is it reasonable to seek to be? It is sometimes a source of insecurity that the answer to this question varies in relation to the managerial philosophies and regimes of different prisons. In general, staff insist upon the strategic necessity of a known 'line' between acceptable and unacceptable behaviour, enforced firmly but fairly. Nonetheless, the question that prison staff can tenably ask of those who govern and train them is: given that rules are fluid, are broken all the time, and that not every infringement can be acted upon, what guidelines can be followed which would maintain an appropriate sense of proportion and avoid needless antagonism?

Second, it should be recognised that this will require shared understandings between staff and prisoners. This raises the vexed question of power: who has it? What are its boundaries? Every member of prison staff knows in their heart, and the history of disturbances in British jails de-

monstrates, that in the last resort prisoners also have a degree of power. What are the staff meant to do with this knowledge? It may well be that the maintenance of order in the longer term (what the sociologist Anthony Giddens calls the "smooth flow of power" (5) may be enhanced by some clear recognition of the ways in which prisoners themselves retain some degree of influence over those responsible for their confinement. Otherwise staff may both feel confused and that they are bound to fail. For at present staff are often asked to pretend that they are imposing a kind of total domination which they know to be neither possible nor desirable.

Third, it should therefore be axiomatic that prisoners' voices must also be heard. For not only do prisoners retain certain formal rights, they also build up (less formal but equally important) legitimate expectations of their custodians. It is in the hands of staff to either aggravate or alleviate the inherent "pains of imprisonment". Prisoners more often acknowledge the complexity and difficulty of the staff's task and the various role strains and tensions within it than is generally recognised. At the same time, and for the same reason, their expectations of staff are often more modest and less extravagant than is widely held. Prisoners' discourse, as anyone working in prison knows, centres more than anything on what they consider to be "petty". This incorporates a variety of concerns. It means anything that is arbitrary, inconsistent, personally vindictive, which is a "wind-

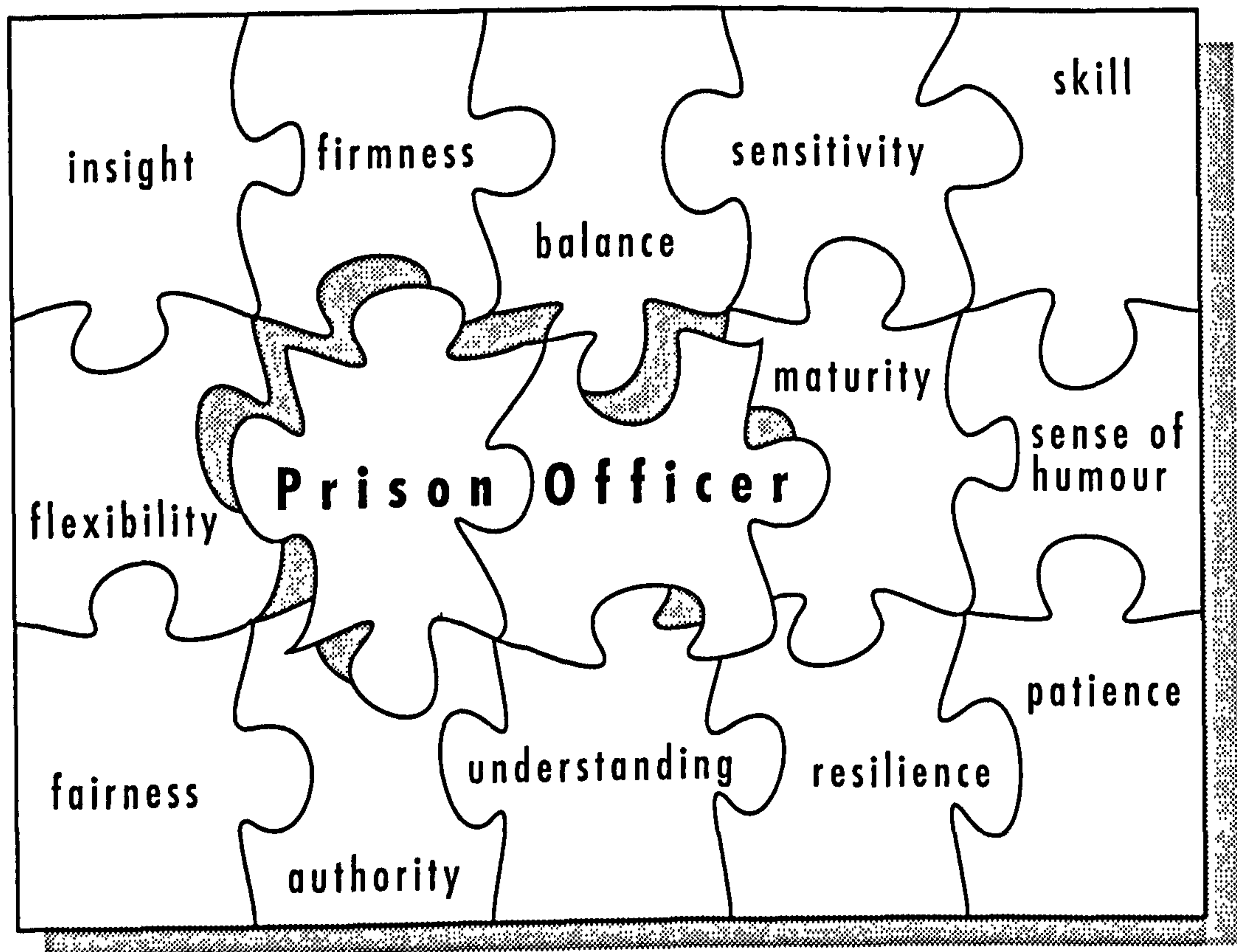
up" or a "mind game", which has no visible justification, which is done because someone can't be bothered, which departs from custom or which interferes unnecessarily with the pursuit of a quiet life. The smaller the bone of contention, the more it can affect prisoner's perception of staff in general and the legitimacy of the regime. Above all, prisoners (and many other staff) resent and dislike those whom they regard as over-zealous, erratic, rude, untrustworthy or confrontational.

The prisoners' demand for freedom from "pettiness" reminds us of the moral dimensions of being a prison officer. It is not quite enough to be 'fair'; it is also necessary to demonstrate some measure of respect for persons and their privacy and their attempts to retain dignity. Only then can staff hope to facilitate prisoners' chances for what Martin Davies calls "survival and growth" (6).

Some tentative conclusions

In this essay we have tried to establish two fundamental points. First, given a general recognition of the need for new thinking and training, there must also be a more serious acknowledgement of the complexity and difficulty of what staff already do. Therefore a basic resource of knowledge and insight in the process of renewal lies in what members of prison staffs say and feel.

Secondly, innovations in training have to address the relation between doing and being. What prison officers *do* is practically dependent on what



being a prison officer is taken to be all about, and on the satisfactions and frustrations involved in the lived reality of that experience. This is necessarily so because doing more than 'going through the motions' of being a prison officer means engaging in a creative use of the self — in the kind word that turns away wrath, the flash of humour that defuses an impending confrontation, the moment of insight and fellow-feeling that might forestall a dreadful self-injury or suicide. But where the frustrations predominate over the satisfactions and one's outlook on the world is pervaded by anxiety and mistrust that creativity is hard to find and a spiralling downwards towards anomie, cynicism and mere time-serving tends to follow.

Luckily, human sociability is a resilient thing. Most staff and prisoners retain some basic sense of their shared humanity most of the time, in spite of the obstacles which the state of the prisons places in their way. At the same time, if the staff are to be equipped to resist being worn down and burned out by the demands of the job, or co-opted into regressive local subcultures, then they must be offered a clear and viable vision of what being a prison officer means at the outset of their training. Fed up, disappointed, quietly resentful, joked about, routinely defined as part of the problem, condescended to, pulled this way and that, under-achieving, hurt and sometimes brutalised by their experience, the staff are nonetheless central to any process of penal change.

Legislation, management initiative, the courts; however important, each of these is doomed to remain peripheral to the quality of the prison experi-

ence unless it finds concrete expression in the tone and character of daily life established by the staff on the landings. Staff already frequently display great insight, sensitivity and skill. A major task for policy makers and trainers concerns how to harness this "practical consciousness" (as Giddens calls it) in determining and developing the roles prison officers are expected to play and the moral principles which should inform their task. ■

Footnotes

1. The following comprise perhaps the core of a small but increasingly interesting research literature on prison staff: J. E. Thomas (1972) *The English Prison Officer Since 1850*, Routledge and Kegan Paul.
J. E. Thomas (1978) "A Good Man for Gaoler? — Crisis, Discontent and the Prison Staff" in J. Freeman ed *Prison Past and Future*, Heinemann.
J. B. Jacobs (1978) "What prison guards think" *Crime and Delinquency* 24.
J. B. Jacobs (1983) *New Perspectives on Prisons and Imprisonment*.
L. X. Lombardo (1981) *Guards Imprisoned*, Elsevier.
Poole and Regoli (1980) "Work relations and cynicism among prison guards" *Criminal Justice and Behavior* 7,3: 303-14.
Poole and Progrebin (1987) "Judicial intervention and work alienation among prison guards" *Howard Journal* 26,3: 217-231.
2. The full report of that research, entitled "Control Problems and the Long-Term Prisoner" was submitted to the Home Office in 1990. We hope that a somewhat revised and updated version of it may be published in the not too distant future.
3. Stanley Cohen (1985) *Visions of Social Control*, Polity Press. See especially the Appendix entitled "a Glossary of Control Talk".
4. See the papers collected in A. E. Bottoms and R. A. Light eds (1987) *Problems of Long-Term Imprisonment*, Gower.
5. Anthony Giddens (1984) *The Constitution of Society*, Polity Press.
6. Martin Davies (1985) *The Essential Social Worker*, Gower.
7. For example; Peter Young "The concept of social control m and its relevance to the prisons debate" and Mike Fitzgerald "The telephone rings — long-term imprisonment" both in Bottoms and Light eds op. cit.

Film Reviews

Wild at Heart

Director — David Lynch

Crime is not so much background in David Lynch's *Wild at Heart*, rather the hinge on which everything in the film turns. Sailor Ripley — brilliantly played by Nicholas Cage — is a "manslaughterer" and armed robber who is introduced at the beginning of the film brutally killing the man hired to stab him. Having served his sentence at the Pee Dee Correctional Institute he's released back into the arms of Lula, who meets him at the prison gates

with his snakeskin jacket — the symbol of his "individuality and personal freedom." Lula, played by Laura Dern, the sweet, fair-haired, virgin of Lynch's last film *Blue Velvet*, is far from virginal in *Wild at Heart*. She's hired a room at the Cape Fear Hotel, and various steamy, sexy scenes ensue throughout the film, with Laura Dern's nipples especially prominent. After the required puff on a Marlboro (why is sex and smoking so universally linked?), Lula and Sailor hit the road, and the film revolves around Sailor's flight from parole on various southern highways in North Carolina and Georgia.

Lynch, whose previous credits include *Eraserhead*, *The Elephant Man*, the awful *Dune* and *Blue Velvet*, has always been at his best when dissecting

small town American values, and exposing the sickness, tragedy and violence which so often lies beneath their seeming calm. Nothing or no one in his films is innocent, nor without a sting in the tail. Lula, for example, discussing the merits of various cigarettes asks Sailor when he started to smoke. "When I was four," replies Sailor, and then proceeds to reveal that both his parents died from "smoking related diseases". This is not so much a Lynch joke, as an affirmation of the dangers he sees in the everyday; in being 'normal'. There is of course a tremendous appeal in all this as it reflects life-styles so much like our own, and satirizes situations with which we can all identify. It is no surprise therefore that Lynch has started to work with American television, and has scored a

major hit with *Twin Peaks*, the story of a murder in a small town on the Canadian border.

Murder, rape, robbery, and other associated forms of interpersonal violence permeate the film's structure. Heads are blown off, or banged on floors until the brains ooze out, hands are ripped off (and a dog steals the hand as if it was a bone), and Lula is deflowered by a business associate of her father's, who is himself murdered by being doused with petrol and set alight. Even poor old Harry Dean Stanton, the hero of most American art-house movies — from *Paris-Texas* to *The Repo Man* — has his brains blown out by some particularly weird, drug-crazed, hired killers. It all gets a bit too much, and eventually even for poor Lula, manically switching channels on her car radio, only to find 'news' accounts of lurid sex crimes or serial killings. She stops the car, and screams at Sailor that she refuses to drive any further until he gets some "music on that damn radio".

The film concludes first with Laura pregnant, having survived another rape attempt — this time by 'Christ' himself, Willem Dafoe — and then five years later with Sailor being released from prison for his part in the armed robbery which saw Dafoe parting company with his head. However the violence isn't over yet, and it is only after receiving a broken nose at the hands of a street gang that Sailor sees the error of his ways, and dashes back to Lula — across the roofs of traffic-jam-

med cars — to sing to her *Love Me Tender*, the key that he would, after all, take Lula for a wife. For all this *Wild at Heart* was the Palme D'or at Cannes, and deservedly so. Go see it for yourself, and remember do take a sick-bag, but don't, as I did, take your wife — its not so much the violence, as Laura Dern's nipples.

MIAMI BLUES

Director — George Armitage

Miami Blues is the first of Charles Willeford's Hoke Moseby detective stories to join the run of paperback crime currently reaching the cinema. Moseby (Fred Ward) is a dissolute, downbeat Miami homicide cop who lives in a seedy hotel and stores his false teeth in a glass of whisky. Investigating the death of a Hare Krishna he crosses swords with Frederick J. Frenger — 'Junior' — (played by Alec Baldwin), a Californian ex-con who works him over and relieves him of cosh, gun, badge and teeth.

Thereafter Frenger goes on a Miami mugging spree to underwrite his relationship with girlfriend Suzie (Jennifer Jason Leigh), an amateur hooker. Despite his penchant for robbing people who rob people — and this poetic justice offers Frenger many moments of humour and sympathy — there's no disguising the film's potent undercurrent of violence.

George Armitage's brisk

direction gives Miami Blues pace and good performances define two of the chief characters sharply. Frenger the case-hardened psychopath, lurking beneath sub-Harrison Ford good looks and designer T-shirts is nicely offset by the round-eyed naivety of Suzie. Against these, the shambling Moseby seems curiously incidental, if only because we see so much less of him than the others. Surprisingly, if this is the forerunner of further Moseby tales. It's also hard to know where the film's going. Frenger's attempts to fit in with Suzie's dream by going straight, settling down in a 'nice little house with a white picket fence' are clearly doomed. Though we do get an interesting glimpse of the screwball values of the criminal mind when, in the film's only moment of tenderness, he steals her a ring, and kills two people in the process.

But the end comes in mid-flow, and the most powerful feeling you're left with is nausea from the spare-you-nothing special effects gore. As the pristine Frenger becomes increasingly damaged by his skirmishes with local low life a wincing audience has to endure first his eyebrow being severed and sewn back on, then his fingers being sliced off with a meat cleaver. Just a little more attention to the narrative would have saved resorting to such cheap technical tricks.

Anthony Woodward

Letters

Prison Based Bail Schemes

Dear Sir,

I read with interest Dr Silvia Casale's article on the Holloway Bail Unit and its effective work in facilitating bail for remand prisoners. In particular I would want to support her call for a coherent framework for such initiatives which builds upon 'existing infor-

mation and skills' . . . rather than allowing individual establishments to re-invent the wheel'.

As a small contribution to this process can I draw your readers' attention to the Brockhill Bail Project which, to my knowledge, remains the most extensive piece of evaluated work on strategies to improve the bail prospects for prisoners on remand?

Between 1986 and 1988 a probation officer, Mrs J Boldero from the Hereford and Worcester Probation Service and funded by the

Home Office, gathered information on approximately three thousand receptions into Brockhill Remand centre. She intervened in a number of these receptions to explore several strategies for improving the information available to courts at the time of the decision to remand an individual on bail or in custody. Defendants from three groups of courts (the largest in the West Midlands) were interviewed and the information passed by Mrs Boldero either to the Crown Prosecution Service,

local Probation Services, or the defendant's own legal representative. A fourth group was chosen from amongst the young men remanded into custody from other courts. The results of her intervention with each group were encouraging but it was working with this fourth group that she was able to help almost three quarters (72%) to obtain bail at their subsequent court appearance. Equally as important, three out of every four bailed from this group (73%) remained on bail until their

trial or sentence. Clearly not all were bailed as a result of Mrs Boldero's intervention but the results did produce evidence that a probation officer working in a remand centre could identify and intervene with a group of defendants to dramatically improve their chances of bail at subsequent court appearances.

Unfortunately, neither the Hereford and Worcester Probation Service nor the Prison Establishment at Brockhill were given the resources to pursue the development with all its implications for reducing the remand population. Such a lack of support may be the most telling evidence in support of Dr Casale's point that the lack of an integrated approach will reduce the effectiveness of individual bail initiatives.

I attach a short summary of the bail project which I hope the Prison Service Journal will make available to its readers on request and if any reader wishes a full copy of the Bail Project is available, at the cost of reproduction, from Ms A Matthews, Research and Information Officer, Hereford & Worcester Probation Service, 3/4 Shaw Street, Worcester WR1 3QQ.

Yours faithfully,

Barry Johnson

Assistant Chief Probation Officer

A SERVICE FOR PRISONERS FAMILIES

Dear Sir,
I am an Officer serving at Deerbolt YOI. We received your Autumn edition of the PSJ at a time when I was preparing for a promotion board. Having now been interviewed I would like to offer a response to the article by Stephen Shaw 'A Service for Prisoners' Families'.

He uses as an opening the timed response to a telephone ringing. What he has missed perhaps, is that we are a 24 hours a day, 365 days a year organisation (at establishment level) with

either an officer in a gate; a typist/switchboard operator; a full time telephonist on a large frame switchboard; or any combination of all three depending on the time of day or night.

He then goes to talk of the liberalisation of the mail and use of the telephone. We here are a semi-open YOI and have unlimited privilege (canteen) letters if the inmate has the cost of postage and 5% censorship; use of a card phone, but this for cost purposes is kept to cheap rate times although use has been made in peak time with the inmate in full knowledge of what will happen to his credits! Having worked in a long term dispersal I can understand his stance and must agree with him.

I have watched the Department close many small establishments on economic grounds and open larger prisons in out of the way places. Now Lord Justice Woolf is recommending the use of smaller jails nearer to prisoners' homes. I hope the department implement the recommendations of the report and not only the ones which could be done at no cost.

It would be nice to think that all establishments could operate on the same lines to inmates and whilst I can agree that inner city prisons often leave something to be desired we have a large foyer with toilets for visitors to wait in, although many prefer to stay in the car. Our car park is a carefully landscaped area and is cleaned regularly and the ample bins emptied, but used disposable nappies, beer tins or spirit bottles litter this site. Once inside the small children are often left to run wild, I do not use this lightly, although I find it the best description. As for supplying books and toys, I speak as one who has to dodge low flying toy soldiers, bricks, animals and chalk from the black board. The sooner they went the better! Visits begin at 2.00 pm and vis-

itors are allowed to enter at this time. In line with our 24 hours a day policy, lunch has to be staggered and visits staff are often on late lunch i.e. 1-2 pm. If for any reason normal lunch is delayed then the knock-on effect can be imagined. I must confess that I have never seen staff selected to work in visits. Just a hole in the detail which needs to be filled by anyone available, not the carefully selected officer as he intimates.

We, like the inmate, are hostage to the visitor coming and they have the liberty to do as they wish, leaving the staff to cope with the abuse or any problems the prisoner may have. The installation of the card phone made some changes here though. The maintenance of a family has to be a two way street. The inmate often becomes abusive if visits are not made, or letters not sent, which alienate relatives further. A recent Questions in Parliament (P.S.N.) highlighted the response to the point of how long and often visits can be made. Only a few allow 30 minute visits and most allow more than one a month. The size of the room for visits to be held in often dictates the numbers, bearing in mind Saturday and Sunday are busy. What else can you do with a large room with tables and chairs in (no staff though).

The statement that 'All establishments should regard it as their duty to keep families properly informed about the outcome of parole applications, transfer decisions and anything else that relatives may phone or ask about'. First and foremost is what about the rights of the inmate not to have people told of certain matters. For example, a man who has two girlfriends. Second, what about security matters relating to some transfers, i.e. cat A's, supergrasses etc. Thirdly who is on the other end of the phone? Is the person you are talking to who they say they are? Another point is that a

recent Home Office Notice drew to staffs attention the items of legislation which are covered by the Official (State) Secrets Act and others. All Civil Servants, administration and officers alike are signatories to the Act. Whilst some cover secrets, others cover disclosures from a criminal record and others even to where a prisoner is being held.

I feel his call to change attitudes is mis-directed and should be aimed at the public who only want to know when something goes wrong. To highlight this I draw your attention to a visit made by the Right Honourable Mrs A. Rumbold M.P. as Minister of State at the Home Office (*Sunday Express* 3/2/91). She is quoted as 'Having preconceived ideas of what prison is like' . . . 'terrible places where conditions were awful, the smell ghastly and graffiti frightful.' When she entered she found the establishment 'Not as Dickensian as I (she) had imagined' . . . 'but the iron gate clanging shut was very eerie and frightening. Perhaps this is more an attack on our Public Relations or lack of them. However, that is another letter.

The article continues with visits to those who have little or no experience of baseline prison work. I am not an expert, but when last was the views of staff as a whole acted upon. We could change our service to the public in the way he envisages but what happens when other groups want our service to change and interests conflict.

The flexibility of being able to deal with people who were headline news last week is not unique to the Service, but containing and protecting them is. We are not ideal, but do not rebuke us for trying to do our best, in difficult and unusual circumstances with limited resources.

Andrew J. Hobbs

HMYOI Deerbolt,
Bowes Road,
Barnard Castle, Co Durham.

The Federal System of Canada

The author describes some penal institutions he visited in Canada. He considers the Mission Statement adopted by the Canadian Service and the ways used to motivate and control prisons.

Jan Benson
Chief Education
Officer for the
Prison Service.

Introduction

I was fortunate enough to visit Canada in the summer of 1990 to participate in a seminar and attend the 45th International Conference of the Correctional Educational Association in Vancouver. Although both the seminar and conference were excellent, I feel that for the readership of the Prison Service Journal it might be more relevant for me to describe the visits I made to establishments. Clearly, a crowded itinerary with on average a half-day at each establishment was not an exercise in research. All I can do is record impressions, and I make no claims that either the observations or the discussions were either representative or typical. Furthermore, because it seems more useful to concentrate on approaches from which we may wish to learn, this will inevitably be an account which concentrates on the positive and ignores the negative.

Background Facts

The Federal system holds people who receive a sentence of more than two years. In addition to secure units, establishments are graded maximum, medium or minimum (open), and there seem to be intermediate gradations between these categories. Thus I observed a system which was concerned only with sentenced offenders — none of whom were serving a short time. Furthermore, it is a system concerned only with adults, as any Young Offenders who are sentenced to more than two years are (by agreement) held in a provincial prison near to their home.

There are approximately 12,000 people held in Federal establishments which, from my limited observation, are purpose-built modern establishments, accommodating two and three hundred prisoners with no discernible overcrowding.

The Commissioner and the Federal Headquarters are based in Ottawa. The country is divided into five Regions, each of which is the responsibility of an Assistant Commissioner who has Deputy Assistant Commissioners in support. There must be enormous difficulties in managing a system given the distances involved. Most senior staff in Regions have to meet monthly in Ottawa with their colleagues, and for those in the Pacific Reg-

ion for example, this involves a single flight time of five hours.

Each establishment is managed by a Warden, who is responsible for the work of intermediate managers (Deputy Wardens), one of whom is responsible for inmate programmes. As in the United Kingdom, the work of Wardens is managed through a budget/delivery contract with the appropriate Assistant Commissioner. It seemed to me that the main focus of Wardens' work was the management of staff, and personally they did not get involved in day-to-day problems of prisoners. They saw themselves more as managers than figure-heads, and did not feel it necessary to have a high profile in the establishment or to carry out regular routine rounds. Clearly this is only an impression, and I was not able to either test its validity or enquire about the background experience of Wardens or their training.

Visits

I visited nine establishments — three in the Ontario Region and six in the Pacific. They were extremely varied, and included the only womens' prison in the system, the oldest (Kingston Penitentiary), maximum, medium and open. Particularly in the Pacific Region, it was too easy to be over-awed by the setting. Many were in open fertile valleys, surrounded by snow-capped mountains — resembling a travel agent poster. How edifying such a setting is for those incarcerated from downtown Toronto is, of course, questionable.

The first thing that struck me was the cleanliness of the site and of the accommodation. There is probably a cultural explanation for this, as I saw little evidence of litter in towns or cities. I was, however, told on numerous occasions that prisoners themselves would take action on any potential culprit. Thus there seemed to be a greater feeling of inmate pride than is often seen in the UK. I can only speculate on the reason, but perhaps if the accommodation provided is of good quality, those incarcerated will be less likely to damage the environment. There is visible perimeter security, and towers are manned by armed guards. However, within each establishment very few uniformed guards were observed — the majority of staff.

being casework officers.

The atmosphere invariably seemed relaxed, with plenty of free movement. In each establishment there was communal dining in a bright, clean, well-furnished area complete with tablecloths, soft drinks dispensers, etc. This facility was used by both inmates and staff and although inmates ate first, I observed considerable overlap. At no time did I get the impression that there were two distinctly separate groups of people (prisoners and staff), and the relationship between the two seemed both natural and positive. At a formal level, the meetings between Wardens and the elected members of the Inmate Committee, seemed both purposeful and co-operative.

The Mission Statement

This was approved by the Solicitor General in 1989.

'The Correctional Service of Canada, as part of the criminal justice system, contributes to the protection of society by actively encouraging and assisting offenders to become law-abiding citizens, while exercising reasonable, safe, secure and humane control.'

The Mission Statement contains the following five Core Values:

Core Value 1

We respect the dignity of individuals, the rights of all members of society, and the potential for human growth and development.

Core Value 2

We recognise that the offender has the potential to live as a law-abiding citizen.

Core Value 3

We believe that our strength and our major resource in achieving our objectives is our staff and that human relationships are the corner-stone of our endeavour.

Core Value 4

We believe that the sharing of ideas, knowledge, values and experience, national and internationally, is essential to the achievement of our Mission.

Core Value 5

We believe in managing the Service with openness and integrity and we are accountable to the Solicitor General.

I tried to discover the significance of this innovation and certainly one Deputy Warden indicated that its impact had been less than revolutionary. According to her it had not changed the views of those who had previously either rejected or believed in the underlying philosophy of the statement. She did however believe that the statement had influenced those staff in the middle of these two extremes and more recent recruits. This view was apparent in a conversation I had with one of the guards in a segregation block. He explained that he had come into the federal correctional sys-

tem from a career in the armed services. He tended to deal with any recalcitrant prisoners in an authoritarian manner but had now learnt to respond differently when his authority was challenged. He would invariably try to defuse the conflict rather than confront. 'You see' he said, 'our job is to correct them'. The changes that followed the mission statement seemed to me to be largely concerned with empowering prisoners: giving them an increased range of rights and privileges based on care and responsibility. I shall dwell on these aspects which appeared to control and motivate prisoners in their day-to-day existence and throughout the period of their sentence.

Prisoners Rights

Each prison I visited had its own courtroom (complete with a picture of the Queen and Canadian Flag) and a member of the Judiciary visited sometimes weekly to hear allegations against prisoners or brought by prisoners. This was a stark symbolism of the acknowledgement of prisoners' rights under the law.

The parole system seemed not only to be fair but to be seen to be fair. I was told that each prisoner sees all the evidence on their parole file and during its compilation have had the opportunity to challenge any statements or judgements. The Parole Board visits the establishment and the inmate attends the hearing accompanied by a friend. He/she is able to challenge any statements and to argue their case. The prisoner withdraws whilst the board makes the decision but appears before them in order to hear the result.

There is an elaborate and detailed programme to enable natives (Indians) to pursue their culture. They are allowed their own facilities and specialised visitors and 'native programmes' are organised.

Shortly before I arrived two prisoners had escaped from Kent Penitentiary (a maximum security institution). To my surprise they had been returned to that establishment on recapture although of course they were kept in segregation. I was told that it would have been extremely difficult for the Authorities to have transferred them to another establishment against their will. In Matsqui Institute (a male medium-secure establishment) there is a woman prisoner who appealed against being sent to the only woman's prison in the federal system which is in Ontario. Her husband (who is ill) lives near the West Coast. Her appeal was successful and she joined in the full activities of the establishment living in the prison hospital.

Caseworkers, who are responsible for producing monthly reports on the progress made by individuals, collate contributions from other staff.

The comments are discussed with the prisoner concerned. He/she can challenge their judgments and as a result reports may be rewritten. This practise not only ensured that individuals believed in the justice of the system but also enabled them to make increasingly reliable assessments of themselves.

Privileges

These monthly reports were used as the basis for deciding on both long term and short term plans. At a maximum secure establishment, for example, prisoners began their sentence by having to share double accommodation. The privilege of moving into a single cell would be conferred when the prisoner had demonstrated good behaviour.

A similar incentive operates at a medium security establishment. On arrival a prisoner had his own cell with a curtain in place of the door. Provided he showed evidence of behaving well, he could expect eventually to graduate to a special wing where he himself would have a key to his cell thereby ensuring some privacy and safety of his possessions. How ironic that a reward for good behaviour should be a key! Finally the same system operated in the open establishments. On arrival the prisoner will be allocated to a cell but depending on monthly reports would be given increased opportunities to stay overnight at home.

This system of increased privileges being aligned with a demonstration of being able to exercise increased responsibility was also used to determine the prisoner being de-categorised and allowed to move to other establishments. For this to work the facilities and regime at lower security establishments had to be attractive. This was certainly achieved.

William Head Institution is a minimum security establishment on Vancouver Island with 140 acres of Pacific Headland complete with wild deer and nature trails. There was a nine hole golf course, a beach where swimming was allowed and a pontoon for salmon fishing. The visits officer told me that he sent out of the establishment more than 250 pounds of frozen salmon to prisoners' families each year. The average stay is eight months and the entire regime was based on preparation for release. Here (as at other establishments) very limited time was spent in the cells, there was free movement with inmates having to report at fixed times each day for roll call.

Ferndale Institute is an open establishment with 110 on roll. 35 were serving life and 20% were sex offenders. Despite this the establishment issued 1100 day passes per year, many of which were carried out unaccompanied. They did however have 65 'citizen escorts' — approved volunteers

who took prisoners on day trips, etc.

To my mind the most significant privilege was that of family visits. Each establishment I visited had a discreetly placed bungalow within the perimeter. By agreement an inmate could transfer to that facility for 2-3 days whilst his family visited. In this regard families can sometimes mean parents — but invariably it means a partner who is normally accompanied by children. Privacy is absolute and twice each day a guard visits the facility so that the prisoner can come to the door to have his presence noted. The sight of an imprisoned father playing football with his two young children whilst keeping half an eye on the barbecue, did not seem strange.

In terms of short term needs and long term goals such family visits must be enormously valuable. No-one must know this more than prisoners and I heard no examples of this privilege ever having been abused. Furthermore as access to this facility depends upon overall behaviour in the establishment it is a vital part of the contract between the establishment and the individual whereby appropriate behaviour is realistically rewarded.

Core Values 4 and 5

My description thus far shows that on the basis of my limited observation there is much evidence to support the fact that the Correctional Service of Canada is making remarkable progress in delivering the first three Core Values. They are essentially about attitudes towards and the treatment of, prisoners, and the relationships between them and staff. The final Core Values however, are more about the management of the system. Here too I found much encouraging evidence to support their adoption. I spoke with an Assistant Commissioner, Wardens, Guards, Casework Officers, Teachers, and found a genuine willingness to share ideas. Indeed, the Service as a whole was well represented both at the seminar organised by Simon Fraser University and at the 45th international Conference of the Correctional Education Association. The overriding impression I got from talking with all staff was that they were well-motivated and sufficiently confident so as to show no signs of being defensive. There was generally an outward looking ethos, and at establishment level there were growing links with the local community. At national level, there were no signs of complacency and a genuine desire to learn from other systems.

Core Value 5 is concerned with openness. Perhaps I can report progress in this area by giving two examples. The first is that the Correctional Services of Canada publishes (bilingually) an enormous amount of information. It is widely av-

ailable to those within the system (not least prisoners), but also to members of the public, and this approach may have enabled them to work wholeheartedly for improvement and to demonstrate to tax payers their achievement. The second example of openness concerned a day conference held at Matsqui Institute (a medium/secure prison) in the Pacific Area.

This was arranged by the Simon Fraser University in conjunction with the prisoners and took place on the day after the International Correctional Education Association Conference. It was open to all delegates and no security clearance was obtained. Approximately 50 people representing perhaps 15 countries were driven to the Institution to attend the seminar. The Deputy Warden was present, as was the Assistant Commissioner for the Region. A panel of prisoners made presentations on various aspects of the correctional system, and following each there was a lively discussion with the audience. Not surprisingly, many of the presentations were highly critical of the system, but perhaps more surprisingly the way that this was handled by the establishment enabled the debate to be productive so that learning was achieved. From my perspective, much of the strength and validity of prisoner criticisms was diminished by the fact that they were able to voice them openly in such company.

Conclusion

The running costs of keeping prisoners in the federal system varies from £33,000 in the woman's prison to £6,500 in an open camp with the average throughout the system being £23,000. It is clearly difficult to make comparisons with the UK system but it is obvious that the buildings and facilities in the Canadian system give them an enormous advantage. So too does the fact that they are dealing with adults on medium to long term sentences with no discernible overcrowding. That having been said there are real signs that the aspirations of the mission statement, including the Core Values, are being put into effect. Purposeful programmes of activity are provided, lonely lockups are kept to the minimum, there appeared to be a closer relationship between the custodians and the prisoners, and the system and its staff seemed confident and undefensive.

Above all, the Canadian Correctional Services seem to start from the assumption that all prisoners will behave sensibly and should be offered the chance to learn and change. It gives them increasing freedom and privileges — in line with their ability to demonstrate that they will behave responsibly. No doubt it is possible for prisoners to be recalcitrant and difficult. Their system of rewards and benefits makes this an unattractive option. ■

Interview

Antony Woodward works for the advertising agency Collett, Dickinson & Pearce. He is an award winning copy writer who has received the Campaign Press Gold Award, and a D and A Commendation for his work, which has included the recent sugar campaign, Army Officer recruitment, and Water and Electricity privatization. Inevitably we met in a wine bar in Covent Garden.

DSW: How would you advertise the Prison Service?

AW: Easily, it is a fascinating subject, but why would you want to?

DSW: Well, we get a bad press, both from people who know about the job that we do, and especially from those who know nothing of our work, and I don't think that it is fully appreciated the pressures that people within the service work under. At the moment we are also threatened with privatization.

AW: So you want to protect yourself from privatization?

DSW: That is only part of what I said. Do we really need these ground rules?

AW: Yes. An advertising campaign has got to be focussed.

DSW: Well let's concentrate on the fact that we are a public service, spending a great deal of tax-payers' money, and yet doing a job that is extraordinarily badly understood.

AW: But there has to be a purpose. What is it you are trying to achieve?

DSW: On this occasion to be understood.

AW: Look, as far as I can see what you are trying to say is that you should be protecting yourself from privatization by educating people about the work that you do, and that is a valid reason to advertise.

DSW: So what should we do?

AW: For a start you need to tell people what you do, as most people's knowledge about the Prison Service is limited to Strangeways and overcrowding. You've got to make yourself more accessible.

DSW: More caring?

AW: Not necessarily. You've got to tackle all the issues — caring and tough.

DSW: We are often both — which should we emphasise?

AW: I think what you want to explain is how com-

plicated the issues are, and therefore how important it is to have a responsible body to tackle them. People have immense faith in government institutions, and are actually worried by private companies, who may cut corners for financial reasons.

DSW: So you think that we've got an image that we can sell?

AW: Yes, of course, and we would be the advocate for your argument.

DSW: What is the media image of the prison in your experience?

AW: I can only rely on my own, which is total ignorance. All the images come from the Nine O'Clock News — suicides, riots, and overcrowding. This would suggest that you should have an informative campaign.

DSW: Anything else, like 'Porridge', for example?

AW: Obviously yes, and that is also a problem in that I presume all those images from that programme are old fashioned, and archaic. Indeed, the whole of the image that I have is rooted in the Victorian era, and little has changed. Perhaps that is what the public wants.

DSW: Do you really think that that's so?

AW: Difficult to generalise, and actually that is why you need to advertise. You need to bring issues to people's attention, and then make them relevant to the way that people think about offenders.

DSW: So what are the issues?

AW: You as a client would have to tell me that.

DSW: Well, let me ask you something in a different way. Should we play down overcrowding, and slopping out?

AW: No, it might be better to address them head-on.

DSW: If I said 'Prison Officer', what image does that conjure up for you?

AW: McKay from 'Porridge'.

DSW: And what image is that?

AW: Oh, I'm thinking. There was also the softer one — Barrowclough — they set each other off. I saw them as characters, rather than as prison officers.

DSW: If I said 'Prison Governor' what image does that suggest?

AW: Does that include you?

DSW: No!

AW: Stuffy, establishment figures, and probably ex-Army.

DSW: You worked on the Army Officer recruitment campaign. How would you recruit people to join the Prison Service?

AW: I'd have thought very much like the campaign we did for The Metropolitan Police — hang issue campaigning, and recruitment on the same peg. Perhaps you remember the 'Turn the other cheek' ads, with the man spitting in the policeman's face?

DSW: Do you think that we've got an advertising asset?

AW: Yes, you are an essential service.

DSW: What do you mean by that?

AW: You are a fundamental part of the Criminal Justice Process, and you have to tell the public why you are well-equipped to perform in that role.

DSW: Some trivial stuff. Given the overwhelming amount of crime shows on TV, why is there no advertising using prison as a background?

AW: Most of the big, regular advertisers sell crisps and chocolate bars.

DSW: But that is my point. Why can't a crisp be sold appealing to the same emotions as 'The Bill' appeals to?

AW: I think that it does — security, happiness, contentment — fundamental advertising roots.

DSW: We see ex-policemen in advertising — John Stalker selling double-glazing, and Robert Mark selling tyres. Why are they appropriate advertising images?

AW: They are perceived as honest!

DSW: Would an ex-prison governor do just as well?

AW: No.

DSW: Why?

AW: The other characteristics that I mentioned — stuffiness, and old fashioned values — would be perceived before the honesty.

DSW: Perhaps we could advertise Volvos?

AW: Advertising is moving away from personal testimonials of the kind that you mentioned.

DSW: What budget do you need for the kind of campaign that we've been discussing?

AW: You could do a lot — in advertising terms — with £500,000. The press would be your best medium, rather than TV, because we would need to discuss the issues very carefully. After all, these are important issues. The government has a duty to bring prisons and their problems to the public's attention. We should have a view. The work that you do with sex offenders, the provision you make for creche facilities, life sentencing, and so forth would have to be brought out.

DSW: If you did have a TV campaign, who would you get to head it?

AW: Someone balanced, intelligent, and responsible

DSW: A newsreader?

AW: That wouldn't be bad, but the problem with them is that they are puppets, and don't have a definable persona. We'd probably recommend a senior political figure, who is also quite well known.

DSW: Angela Rumbold?

AW: No, she's not populist enough.

DSW: Well who?

AW: You would have to pay me £500,000 to answer that. ■

On The Move To Derby

The theme of this edition of the Journal is the Re-organisation of the Service above establishment level. Mike Jenkins and Phil Wheatley consider the change from the Area Manager's point of view, the former critically, the latter with more sympathy. Mitch Egan and Madeline Moulden discuss the work of the support teams and Brian Caffarey and William Fittall give a senior administrator's perspective. Interestingly no governor I spoke to was willing to offer any thoughts on what impact the change had made because they had felt no difference. I received a similar response from several Area managers but for different reasons: overwork and general tetchiness.

Reorganisation

M D Jenkins, Area
Manager, Central

When the proposals for reorganisation at HQ were published I sat in Queen Anne's Gate with HM Prisons Inspectorate, where distance lends enchantment. Like others in the HO I was sharply critical of the proposals, mainly because 'areas' made a nonsense of the policy of greater co-operation between the Criminal Justice agencies as a means of reducing both crime and incarceration. I am still amazed that the proposals came to pass — was there some greater good or higher imperative? I have no doubt there was but it has not yet been revealed.

Reorganisation was pressed upon us as improving communications between establishments and HQ, making accountability clearer and integrating policy and operations through structural and physical co-location. Perhaps I should have been optimistic like some of my colleagues but I was not convinced and, after three months at the time of writing, I remain uncon-

vinced. Other benefits were claimed to be the abolition of unnecessary boundaries between regions and greater efficiency through the abolition of the intervening bureaucracy at regional office. I should like to examine these benefits in turn.

Communication

Communication would be better because the Area Manager would have one foot in an establishment and one foot in HQ; communication would be direct. To some extent this is true but not enough to justify the change. Governors used to speak to the Regional Director who sat on the Prisons Board; their views may or may not have informed the Board's discussions. Now the Governor speaks to the Area Manager who does not sit on the Prisons board, rather he has to compete for the Operational Director's ear along with four other AMs and a variety of senior policy makers. My

experience so far is that Operational directors are resistant to communications from below (perhaps because of communications overload) and one has reminded AMs that their job is to manage Governors not represent them. The old problem was not necessarily the thickness of the bureaucracy but that HQ would not listen. Communication to be healthy must be an exchange, both sides must listen and then engage in dialogue. We have not yet achieved that.

Accountability

Accountability would be clearer after reorganisation. On paper this is true; the Governor is accountable to the Area Manager through his 'contract' and the AM to his Operational Director through his Personal Responsibility plan. But this again is a top-down concept and a set of one-sided relationships. When I first worked in a Regional Office, my Director gave

me these words of wisdom — 'Governors and prison staff are doing the essential work, your task is to support them.' His watchword to his Governors was 'Do your best!' and by and large they did. Accountability was to be aided by a small, dedicated team with immediate access to management information. My team is small and thankfully very dedicated but management information is only coming slowly — with financial information seriously short. What other organisation would give a manager £80m per year and no accountant! Are 'they' serious? If I believe current work requires more money than is allocated, how can work and finance be brought into balance? And as two Central establishments, Birmingham and Stafford prisons, have been accurately criticised for destitute regimes, how can I 'manage' them responsibly without either a lower commitment or better resources or a combination of the two? Or does accountability simply mean compliance? Institutional compliance is dangerously unhealthy. Frequent visiting is an asset and I have been able to visit most of my establishments twice in the first three months. This has not yet given me the intimate knowledge I need but is building up a picture. Attention needs to be paid to perhaps 100 aspects of institutional work, so this can only be partial. But the main difficulty is the hour-glass effect: because the AM is the focal point of accountability and communication the traffic through him would have to be enormously fast if it is to succeed. Have you tried to read in a venturi? Most sections outside the direct line of accountability describe themselves as advisors but for this arrangement to work, however correct it may sound, the area team must be able to digest the advice. I doubt our capacity to do this successfully.

Integration

The *integration* of policy and operations was the third rediscovered virtue. Again this contains at least an element of truth. The DIA Area Managers have been involved with senior administrators on subjects such as Suicide Prevention and Race Relations; one presumes that AMs in other Directorates have been similarly involved. In addition AMs are on numerous consultation lists but it seems that attention to policy work is usually at the expense of operational work. Many eager members of HQ see the group of eight or nine Governors (with or without their senior managers) as the ideal groups for pursuing initiatives. And the expectation is that the AM will either chair or 'grace' the day. (A day — what else could be done in a *whole* day?) Integration, like communication and accountability, is put at risk by the volume of valuable work to be done.

But at least tactical management is done by someone else and there are no *artificial barriers* between bad, old regions. Perhaps one should not judge the new systems by the early complaints but how can it be right to use Stafford as the training prison for Londoners, Liverpoolians, Geordies and East Yorkshiremen? The new complaints procedure is, of course, as new as Area Managers but it will take much administrative time and, at present at least, contributes to the immobilising tendency of the new organisation. The TMPU has stated its commitment to clustering and keeping prisoners within easy reach of their families and localities. This is welcome news and could indeed be better than regions but will require more attention to detail.

Bureaucracy

Bureaucracy is seldom a neu-

tral word but 'infrastructure' is all right. There is detailed work to be done in a large organisation and especially so where the Prison Department is locking up so many men and women at such a high cost. The regional bureaucracy has gone, but is the new infrastructure adequate to cope with bills, bids, 'contracts', complaints, regime monitoring and reviews, 'returns' of all sorts and frequency, Ministerial Visits, Inspections etc? With regional staff 'lost', they are unlikely to be recovered. Delegation is the prompt answer to overload but Governors are at just as much risk of immobilisation as Area Managers. We must address the weeding out of work.

We know from Martinson that innovative work can improve the resettlement of inmates but the burden of his research was that 'with few and isolated exceptions, the rehabilitative efforts that have been reported so far have no appreciable effect on recidivism.' Lord Justice Woolf may have had to remind us that inmates have to be treated humanely, kept near home and prepared optimistically and practically for release. If they are offered nothing, the vicious circle of control, resistance, more control, etc, will undo us again. The Prison Department must respond nimbly to such wisdom but will also need easy, natural relationships with other agencies in criminal justice. Schemes for delinquent juveniles thankfully have reduced institutionalism and recidivism; local co-operation can and has produced a good outcome. Such initiatives are being pursued 'up-tariff' and 'up-age' with little or no contribution from the Prison Department. Should the Area Manager not be playing a part with Probation Services, NACRO, the courts and others? The natural answer should be 'yes' but the 'Areas'

pay very little respect to local services and the confusion adds unnecessary work. The reason is that 'Area' is a misleading misnomer; the over-riding criterion of having a 'superior' for Governors I in charge of establishments has distorted the whole structure. It may technically have saved pennies, but magnified the problems of inte-

gration and communication with field agencies to the point of prevention.

Reorganisation

Reorganisation — for me at least — is bad news but it was worth using some time off to clarify why it felt so wrong. It

does not seem good in its own terms as organisation and it rightly makes few claims to benefit inmates or make our institutions benign. ■

References

Martinson, R. (1974) *What works? Questions and Answers about Prison Reform*, The Public Interest No 35, pp 22-54

The Role Of The Area Manager

Phil Wheatley, Area
Manager, East
Midlands

The Prison Service is a large, expensive and complicated organisation. Imprisonment is one of the strongest, coercive powers that the state has, short of using military force.

The use of imprisonment is central to any Government strategy for maintaining civil order and containing crime. There are always concerns about how those who exercise the state's power over prisoners behave. In a democratic state there is vital concern that such power is not abused, either formally by the state or informally by those who operate prisons.

A moment to consider this context in which we carry out our job should be enough to remind prison Governors that those responsible to Parliament for providing a Prison Service will expect prison Governors to be properly controlled. The public funds involve 2 or 3

million pounds for even a small establishment and political and civil liberties issues are too great for prison Governors reasonably to expect to be able simply to do what they want.

Building In Control?

The task for those devising a management structure to exercise this control is not easy. Any structure is likely to require constant adaptation, and occasionally radical change, to cope with the changing public order and political climate.

I was always sure before anyone had asked me to become an Area Manager that the existing regional structure, implemented in the early 70s, was inadequate. In my view Regions did not always know what was happening in institutions, nor did they successfully communicate to institutions what Ministers and Headquarters wanted.

Systems of financial and manpower allocation were inadequate and unfair, and fuelled resentment which led to industrial action. I approached reorganisation convinced that what we had did not work, but unclear, in spite of the shower of briefings, what the new structure would offer.

At that point, having failed to get a job offer as Governor of an establishment in the North, I was invited to join and become part of the new Headquarters structure. This was somewhat of a surprise having established, over the years, a reputation for being unduly abrasive to my superiors, a reputation which up to this point seemed to have kept me clear of Region or Headquarters.

Making A Change

The first preparation seminar for Area Managers was even

more of a shock. It immediately became obvious that at the very top of the Service there was a genuine desire to change. It was also obvious that the ground rules and operating procedures for the new structure were as yet largely unplanned and that Area Managers as a group were being offered the chance to lay out those rules and ensure that real change took place.

I saw no evidence then, and have seen none since, that the reorganisation scheme was all a ploy by first division civil servants to seize power from prison Governors. On the contrary, if one considers that reorganisation involves proposals to move Headquarters to the Midlands, a large number of Governor grades moving into key HQ management jobs, and a commitment to keep agency status as an option, all these changes will disrupt the smooth paths of administrative careers and could be, and often are, seen as a very real threat to those senior civil servants who are alleged to be using the reorganisation as a plot against prison Governor grades.

The development of the new structure in the period between June and 24 September was rapid and in my view genuinely linked to a desire to improve the way prisons operate. The key to success included the introduction of a reliable, accurate and well presented management information system, a commitment to keep Area Managers free to visit establishments and genuinely get to know how they operated, and a stated resolve to use information from the field to inform all Headquarters policy decisions.

Time To Test?

It is now possible to begin testing how far the change has been successful. Management information has proved patchy. The new computer performance

indicator system has not worked effectively. This has wasted Area Manager and Support Team time as they have struggled to distill crucial facts out of a mass of overlapping systems. Colleagues in the field might be interested to know that even basic information was missing, on day one filing systems were non-existent, so were files, paper and filing cabinets. Even now Area Managers do not possess simple sources of information like Prison Rules or Standing Orders.

Most Area Managers have kept their time free to visit establishments and to learn about them. In my view they have already developed closer knowledge of institutions than most Regions had. There has also been a real attempt to deal more sensitively with establishments and reduce the feeling of distance between Headquarters and the field. The biggest hindrance to maintaining close contact in some areas has been the time-consuming nature of the industrial disputes procedure which has taken a disproportionate part of Area Managers' time. The final and crucial area is the judgement on how much Headquarters is beginning to draw on field information in taking decisions. Within the Operational Directorates there is, in my view, a real change. It is plain that Operational Directors care about the proper running of their establishments and they have a real concern to ensure that policy is no longer made in a vacuum.

Crucial Exception

There is an exception and one that may be crucial. The key areas of finance and manpower which belonged to P6, 7, 8 and 9 Divisions are not part of an Operational Directorate. Yet finance and manpower are the most important policy areas operationally. There is hardly an area

of the prison system that is not driven by these 2 factors. There are indications that some of these Divisions, wearing their new DPF 'hat', are treating the operational service as somewhat of a nuisance rather than the reason for their existence. Manpower and finance are being allocated without close attention to the operational realities. It is early days yet, but unless these tendencies can be curbed the new structure will not fully deliver. Given the complexity of both financial and manpower planning and allocation it would probably be more realistic to judge the new structure at the beginning of the next financial year.

Even if there are improvements in this area I should not hold out hopes that there will be increased resources available, as I have discovered working at Headquarters winning those from Treasury is remarkably difficult. The point to make is that if they are scarce, then decisions about allocation must be taken with a very clear view about what the operational demands are and what the operational consequences will be of particular allocations. I am not yet satisfied that a non-operational division can truly manage that. ■

A Double Culture Shock

Brian Caffarey,
Head of Division in
Directorate of Inmate
Administration.

On the great day itself I was on holiday, windsurfing in Greece, so it was a double culture shock to come back the following week to find a reorganised Prison Service Headquarters. First impressions were of chaos and confusion: not knowing where anyone was or what their telephone numbers were, including my own staff!

Slowly but surely in the subsequent months some of the fog has cleared, as we have gained a better understanding of who does what. (Not surprisingly, staff in establishments are, in my experience, still mystified by 'DIA', 'DOC' and 'DIP'.) Of course, there are still a lot of teething problems, for example over budgets and the new requests/complaints system. But these will be overcome in time. No doubt we shall have settled down just as relocation throws another big spanner in the works!

We in the old P3 Division had strongly supported the creation of 3 new Directorates, and we have been disappointed by the new structure. The old P3 Division (and, for that matter, the Directorate of Operational Policy of which it was a part) had had a rather curious mix of responsibilities. The focus of the Division in many ways was its concerns with prisoners' rights and privileges (but not those relating to women, the unconvicted and young offenders!). But there were also some security-focused concerns, in particular the Category A Section and responsibility for policy on CRC special units. Last, but not

least, the Division had major caseworking responsibilities. There was even, arguably, a latent responsibility — which the Division never had the capacity to address — for regimes issues affecting sentenced male prisoners. Following reorganisation and the related introduction of the new request/complaints system, DIA 1 has a much clearer focus on policy relating to prisoner's rights and privileges (or, post Woolf, 'expectations'). I am pleased in this connection, to have gained responsibility for Boards of Visitors and prisoner's earnings. We are also beginning to think that our concern with suicide prevention will compel us to assume a wider role in relation to the care/treatment of prisoners.

This greater coherence is already helping to generate a much clearer sense of purpose — dare I even say 'mission'? I am sure that, in time, we shall be able to develop and articulate this as a Directorate. Disappointingly, the pressures on all of us in these early days have made it quite impossible for the Directorate as a whole to sit down and think seriously about its purpose and its priorities. The APR exercise could have provided a focus for this but we were not able, in the time available, to involve the area managers properly. The same has been true of other exercises like the Prisons Board's priority letter and the Board's short-term objectives.

The creation of three Operational Directorates with fairly distinctive roles has, I believe, also shifted the balance of

power. We now have two prisoner-oriented Directorates (Inmate Administration and Inmate Programmes) whose interests coincide in many areas. (We have had very useful exchanges with DIP 1 in particular.) I hope that this development will help to redress the Service's historical preoccupation with security. I think that it is too early to say whether there is a serious danger of producing 3 mini prison services (in place of the old 4 regions), each with different priorities. I certainly expect the DIA Area Manager to be particularly sympathetic to our policy objectives in, for example, the 'family ties' and race relations fields. I suspect, though, that the common concerns of the Operational Directors and the area managers as a whole will provide a sufficient check against any tendency for Directorates to become blinkered in their approach.

As a Division we have undoubtedly benefited already from the close contact we have had with the DIA area managers and their support staff. On a number of issues (for example, 'family ties' and suicide prevention) their advice and encouragement, rooted in the kind of operational experience which we lack, have been very valuable. They have also helped us to take forward initiatives in the field by encouraging their establishments to work with us in developing proposals or taking part in pilot schemes. I hope it is not wishful thinking to believe that area managers and their staff may also come to gain a better understanding of the con-

tribution which people from an administrative background can make to the Prison Service. I see no difference in our commitment to produce a better prison system.

But, as many of us predicted, the area managers do seem to me to be substantially overloaded. (I was interested, in this connection, to discover from William Fittall that the number of staff employed above establishment level is about 100 fewer than be-

fore reorganisation.) It is quite impossible for at least some of the area managers to carry out satisfactorily their line management tasks, executive tasks (eg casework) and contribute properly to the development of policy. Perhaps the most worrying aspect of this is that the pressures on them may prevent them from really getting to grips with implementation on the ground — which seems to me to have been the Regions' greatest

weakness. Moreover, the burden on the area managers will undoubtedly increase as they get more deeply embroiled in the line management of their establishments (contract setting etc) and as demands on them to take part in steering groups, working parties etc grow. I hope they will not be expected to struggle on too long before additional support staff are provided. ■

"Governor 4 Supports"

*Madeline Moulden
Governor 4
member of support
team for Area
Manager, Mercia.*

On sitting down at the word processor to draft this piece I distractedly keyed for the Word Perfect Thesaurus on 'support', for to be honest, the title of the job had come as something of a disappointment to those of us attending the week's training at Newbold Revel in September: some had been Heads of Activities, others Heads of Custody, some of our contemporaries were even in charge of small establishments, so we had been rather underwhelmed when told that we were to be 'Governor 4 Supports'. One person had half-heartedly suggested that we might be 'assistants', which merely elicited a well-rehearsed set of reasons why we could not, in fact, claim to be other than 'supports'.

The Thesaurus obligingly provided me with a whole range of possible alternatives, including (as I suspected) 'truss', 'prop' and 'brace' (were we really destined to be the zimmers of the Prison Service?). But read on: also given were 'livelihood' and 'sustenance' (both true), 'patronage' (it was said that some had been hand-

picked!), 'succour' (did it really mean sucker . . . ?). More encouraging were 'strengthen', 'reasoning' 'advance', 'champion' and — wait for it — 'promote'. The job seems to be really shaping up! Finally, and reflecting more than a touch of realism, came the group including 'endure', 'suffer' and 'tolerate'. These machines are no fools.

From conversations during our week of inauguration, I gathered that I was not alone in approaching the job with cautious optimism. As we were the first occupants of these new posts we were aware that they would be very much what we made of them. We were told they were 'key' positions in the new organisation, but also that it was expected that we would normally be captive in Cleland House, Monday to Friday (were we to swell the ranks of the paper shufflers?).

It must have been a daunting task for those preparing our week of training to decide on a programme that would take a group from such a wide variety of backgrounds. Several had spent their entire career in pris-

ons; some EOs, who had never worked in the Prison Department, did not know what an EDR was. We were to be built into teams of two and a half staff able to field most of the work done by Regional Offices, some of that done previously by P Divisions and, as it transpired, any messy tasks that those specialist departments who were sufficiently quick thinking could slide sideways in our direction.

They seized the challenge and provided a week packed with casework: the new request/complaints procedure, adjudication scrutiny and Ministerial and Parliamentary questions in particular; Corporate Objectives, Management Information Systems (including a 'hands-on' session for the prototype Area Manager Information System. This last in fact turned out to be a 'hands-off' session for our group, as the printer packed up, which in a strange prophetic way provided more realistic training than we had realised at the time. There was even a session on 'the Headquarters Culture'. Nevertheless, some unfortunates still left Newbold Revel on Friday asking, 'what is a

PO?'.

The session on Headquarters culture was fascinating and in some ways the most useful. The more discerning members read sufficiently between the lines to realise that they would be well advised to leave their key chains at home, but most wondered if they were being 'wound up' when tipped off to write 'notes' as 'memoranda' are now considered naff! With the benefit of hindsight we might have asked for the whole week to be devoted to the topic of Headquarters culture. As the concept of the Induction Programme has not yet taken off at Headquarters, it took uncommon tenacity to discover the sources of the necessities of life. How does one order stationery? The reply from one SEO: 'Oh! I just get the AO to do it' (in the event we did not get our half AO in post until over two months later). The location of Standing Orders and Circular Instructions remains something of a closely guarded secret as does (perhaps with more reason) that of the Cashier. An important requisite skill not mentioned in the HQ culture session, but which one has to learn fast or else risk being reduced to a pile of thin slices, is the art of entering and leaving a door which is revolving at high speed. The experts do so without interrupting the flow of their conversation!

On arrival at Cleland House we found our accommodation in various states of preparedness, but soon we received the furniture and equipment as promised, including computer equipment with *colour* screens, which we are reliably informed are the envy of all. We had new furniture and filing cabinets and were promised early redecoration of the offices. Could we live up to the hype? Imagine my disappointment on the third morning to find that my chair had been stolen! I immediately carried out a special search of the

offices of other support teams on the same floor which merely demonstrated the truth of their protestations that they had no more than their correct TSF (Target Seating Figure). Having considered my position (standing up, I might add, which begs the question: who supports the Area Manager's Support?), I took advice from a colleague who had served previously at headquarters. His advice was: 'Write a memo (note?) to the Accommodation Officer'. At this stage I still had not discovered how to order stationery! I decided that the personal touch was required and after judicious enquiries, made my way into the bowels of Cleland to find two nice young men, half buried in memos, who showed ill-concealed amusement at my plight. With all the dramatic effect I could muster at 09.30 hours on Wednesday, I declared, 'I have worked in prisons for years and never had so much as a pin stolen!' one of the pleasant young men replied drily, 'Welcome to the real world'. I never did discover the whereabouts of my chair, but I *did* discover that the personal touch beats the memo (or even the 'note'), as I had another chair within the hour.

Have I anything serious to say about Area Manager Support? A good deal. It is a demanding role. As mentioned earlier, the 'team' comprises the Area Manager, a Governor 4, an EO, with an AO and a PS half time: each shared between two teams. We were told repeatedly on our preparation week, 'You are not "mini-regional offices"'. This message was unfortunately not relayed to establishments. Indeed, judging by the routine submissions from establishments during the first month or so, one doubted that some had heard even that regional offices were no longer there!

Nature abhors a vacuum and establishments understandably expect every service previously

provided to continue. Much of the work we do had formerly belonged to regional offices. In fact we perform most of the functions of regional offices, with the exception of Tactical Management (though we monitor prisoner accommodation), Incident Management (though we are responsible for incident follow-up action), Works Accounts and the area specialists (for whom, however, we have a degree of responsibility which involves substantial liaison). Admittedly, the Financial Support Section perform all the arduous business of accounting, but the responsibility for allocating, monitoring and coming in on budget rests squarely with the Area Manager. The support team is Registry, Casework, Manpower, Industrial Relations and that's just for starters. We have taken on some work previously done by other headquarters departments: staff complementing and regrading issues from P6, scrutiny of appeals against Governors' Adjudications, litigation and Special remission from P3 and oversight of Regimes from RMU. We even inherited responsibility for detached duty for catering officers from Corby. We attend Major Works meetings and are closely involved in the commissioning of new establishments (which, I found, includes commenting on the proposed provision of television points!) The Area Manager manages, inspects, assesses, arbitrates and monitors *everything* in the area for which he is responsible. In addition, a weighty part of each Area Manager's workload also looks 'upwards': not only as regards responsibility for the area, but in contributing to policy and specialist areas. All this needs 'support'.

The support team provides an obvious first point of reference for staff in establishments with headquarters queries and conversely, for headquarters and

specialist staff with queries about our establishments. They need to be aware of everything significant in the area's establishments from Major Works programmes to the attendance systems for Night Patrols. In addition to the more obvious elements of 'jail-craft' they need to be au fait with office skills: setting up comprehensive and robust filing systems and paper-handling systems. They need to be conversant with information technology (Luddites need not apply!). They need more than a passing knowledge of budgets, attendance systems and the mysterious headquarters art of the staff bidding process, which if described on a flow chart would probably bear a close resemblance to the convolutions of a Celtic Cross. Drafting of replies to Minister's cases, processing litigation and request/complaints originating in the area's establishments, handling the Area Manager's routine business, all these form the day to day work in the support office. Occasionally, too, Press Office need information from us.

The breadth of the work is common to all areas and is in itself a challenge. The volume, and to some extent the complexity, as anyone with any knowledge of establishments across the country will realise, varies enormously between areas. This is surely one reason why the Area Managers themselves were recruited from two different grades. In view of this variation, it is surprising that the support teams were all the same size: one Governor 4, one Executive Officer, half an Administrative Officer and half a Personal Secretary (since it is in the nature of things that AOs and PSs tend to be packaged as whole persons, one fortunate team benefits from the spare halves). The difference in workload between teams is in some cases staggering. As a result, one or two teams have already accumulated

substantial backlogs of casework and can only expect the situation to get worse. In this age of matching resources to work I still find the initial complementing of the support team puzzling.

It goes without saying then that work in the support office is varied and stimulating. We were given a draft job description at the start, but that inevitably omitted more than it included. The job provides a privileged overview of the Prison Department for people at the Governor 4 or Executive officer level. It is a valuable chance to see things from the other end of the sausage-machine — to observe policy in the making. For all of us returning to establishments it offers a wonderful opportunity to survey best practice to store for use at a later date, and a useful chance to learn from other people's mistakes. Where teams are completely over-stretched, however, this stimulation can result in exhaustion, anxiety and demoralisation.

One of the early difficulties we all experience was that people making contact expected us to be familiar with their par-

ticular business: in reality all we had at that stage was a set of trunks containing files sent by Regional Offices, different sets of information from each Region. Quick absorption of information was the order of the day — the 'new girl' line has a limited shelf-life.

Management by Areas as opposed to Regions has some clear advantages: the smaller area and exclusive involvement of the Area Manager and team with the eight or nine establishments creates a more intimate relationship than Regional Office could afford. The fact that one person has responsibility for and knowledge of all that goes on in the establishment means that it is more likely to be treated as an integrated whole rather than a series of associated sections. Under the new structure smaller establishments are less likely to be overshadowed by the 'giants' which, according to the 'squeaky wheel gets the grease' principle, inevitably attracted the focus of regional attention. At least, this is the feed-back we have received so far, but then, of course, you only hear the good bits . . . ■

"Living At The Office"

M. Egan Governor 4
member of support
team for Area
Manager, North
East.

Arriving at Cleland House on 24 September 1990 was undeniably exciting. I remember hoping that we had been allocated a decent location, although I didn't realise at the time that I would actually be living at the office with brief absences for sleep. Some Area Teams had already visited their new offices. I couldn't even remember what Cleland House looked like, having been unconscious of my surroundings (and much else besides) when I last visited to attend a promotion board.

I eventually found the Area suite, the last occupants of which had obviously celebrated their departure in time-honoured fashion by holding a party and decorating the carpet with various unidentifiable fluids. My office had an open, spacious feel - mostly because it was entirely innocent of furniture. It did house the EEC's transit envelope mountain but I wasn't terribly impressed. I thought of using some to cover the worst of the stains on the carpet and perhaps stacking the rest into assorted piles to use as makeshift desks and chairs. Unfortunately, probably an oversight on someone's part, the telephones were connected and began to ring almost immediately. Post soon followed and concern about somewhere to sit evaporated in the growing horror of the realisation that the job had no visible boundaries and that there really were only two of us in the Team.

The scope of the job continues to amaze me, it makes the work both interesting and exhausting. Establishing priorities is still an inexact sci-

ence and I work in a constant state of apprehension, wondering which major issue we have overlooked this week.

The greatest and most visible proportion of the Team's time is spent on casework, initially on a backlog of petitions and latterly on Requests and Complaints, General Correspondence, Inmate Litigation, Parliamentary Questions and Minister's cases. In the first three months, this office received over 200 assorted cases and completed more than 76% of them: almost 3 cases completed each working day, and there are other Areas which are busier.

Other issues such as Staffing, Management Information Systems, Work on Prison Board Priorities, Industrial Relations, Regimes, Contingency Planning, Budgets, Inspections and Visits are high priority, but difficult to quantify and certainly less visible. The initial work on complex issues such as staffing or Industrial Relations, was perhaps the most difficult. Building up working knowledge of the establishment from someone else's filing system meant much late-night reading, comforted only by the hope that it would not need to be repeated and that a comprehensive picture of the prison would emerge from the unfriendly files. Surprisingly, that has turned out to be true.

It would be easier, and probably wiser, not to address the question of staffing in the Area Teams. Re-organisation has not been universally welcome and it feels almost like betrayal to confess that I am not convinced that the job in busy Areas is manageable. Three months after re-or-

ganisation, it is possible to see the Areas as separate entities. I know that time and effort were spent in dividing the Regional structure into Areas of comparable weight but the reality is that there are enormous differences in workload and the standard team size does not fit every Area.

I know that we are not working alone, Policy Divisions and other operational arms provide help and support where necessary — and often beyond — but there is still more work on my desk than anyone could cope with in a standard working week. There are few objective measures of performance available, but I hope that they will demonstrate the need for a re-assessment of Team size or workload. There are so many things that could be done: it is frustrating that there is only time to do the things that must be done.

There is a danger of creating a bottleneck in the Area office, certainly by failing to use the available expertise in other Departments but also, insidiously, by becoming overburdened and losing the capacity to discriminate. I know that a little of the work currently arriving will eventually disappear. The myth of a Headquarters organisation, full of experts who needed to be consulted on everything, should have been dispelled by re-organisation. I can assure everyone that my knowledge and experience increased not one jot between leaving Frankland on 23 September and arriving in Cleland House the following day. There are occasions when it is difficult to know who some of the callers think is on the other side of the telephone

line. I often remind them, hoping that they will give up in disgust and reach for the perfectly adequate solution they had abandoned in favour of asking me. Video telephone would be a sound investment. See those two tired people in the cluttered office, deafened by telephone bells, dazzled by the VDU display and sinking slowly in a sea of paperwork? Well, that's your Area Team. All of it. I would not

want to discourage anyone from applying for the post. Despite the work load, it is the best job I have ever had (except on the days when it is quite the worst job that anyone ever had). Every day is different, almost every piece of work is different, and nothing could offer more variety or interest. This has been my first opportunity to stand back and look at the broad picture, and I know that my perception

of the Prison Service has changed considerably as a result. There has been welcome support from individuals, establishments and Divisions, both in terms of practical help and in the exercise of patience as the new structure has settled down.

I think that the furniture arrived later on in that first week, it's certainly here now. And we've used all the transit envelopes. ■

The Prison Service Reorganisation — A personal retrospect

*William Fittall
Head of Division,
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It is a tribute to the persuasive skills of the editor — or perhaps an indication that I am a softer touch than people usually seem to assume — that I have been prevailed on to perform the thankless task of producing an article for the Journal on the Prison Service reorganisation.

For many the subject has become a bore. For others it always was a bore. And for those caught up in the disappearance of jobs and the closure of offices it was far worse than that. In personal terms it was inevitably an unsettling episode which, for all the care taken by line managers and the personnel division has left some unhappy memories.

It is, moreover, far too early, writing as I am just before Easter, to reach a judgement about the success or otherwise of the changes. The Prisons Board has decided to carry out a stocktake after the new organisation has been in place for a year. Even that will be in the nature of an interim assessment given the scale of the reorganisation and the time that it will take for people to adjust to new roles and struc-

tures.

What then can usefully be said at this stage? The best that I can offer is a personal retrospect which may be of interest in casting some light on why things happened as they did.

By the time that I arrived as head of P6 in November 1988 the decision to proceed with the review had already been taken and announced. Work was proceeding on the drawing up of tender documents for the consultancy which was to be let. Within a few weeks of my arrival we had had the standard beauty contest from which PA had emerged as the victors. Inevitably there had been some agonising over whether it was sensible to choose a firm who had been so closely involved with Fresh Start. They won because the team they fielded, the methodology they proposed and the price they offered were clearly ahead of the competition.

So at the beginning of February 1989 we got under way. Following the Fresh Start model we had a joint team of consultants and Prison Service staff. It was an approach which was

wished on me rather than one that I chose. But I am now firmly persuaded that it is the right way of tackling this sort of exercise. If an issue is important enough to warrant bringing in outside consultants at great expense it is by definition too important simply to hand over to them to solve. Their expertise, wider view and independent judgement are invaluable. Yet they cannot hope to know an organisation as well as the insiders or have the same stake in it. A joint team, provided there is a good relationship between the senior consultant and the head of the in-house contingent, is the answer. It was also particularly important with this exercise to have an in-house team with a mix of field and headquarters experience.

The most sensitive part of the operation was inevitably the interaction between the team, the top management of the Service and of the wider Home Office and Ministers. At the end of the day the responsibility for what went into the report was going to be shared between the Prison Service team led by me and Peter Chapman and his PA col-

leagues. If people did not like our recommendations they could reject them. But there was no point in our seeing ourselves as a mini Royal Commission or a departmental committee like the Carlisle Committee on parole which I had just served as secretary. We needed to work closely with senior management and test out ideas with them so that our recommendations, even if they did not prevail, would at least have taken account of the preliminary views of those who would ultimately have to make the decisions. So in the course of conducting the review we had two meetings with the then Home Secretary and Minister for Prisons (Douglas Hurd and Douglas Hogg), a long discussion with the Permanent Secretary, Sir Clive Whitmore, a number of sessions with the Prisons Board and lengthy exchanges with the Steering Group consisting of Chris Train, Michael Moriarty, Brian Emes and Joe Pilling.

Although I have said it to many people since the report was published on 10 August 1989 I have still failed to persuade most of them that we genuinely did not know at the outset of the exercise what the outcome would be. Nor, in my view, did any of the Steering Group. Of course it was a widely shared expectation that the four regional model would not survive. But whether we would advocate five, six or seven regions — or none as proved to be the case — was anyone's guess.

At our first interview with him the Director General declared what I believe was a genuine agnosticism about the best solution. My own private prejudice at the outset, and I think that of one or two members of the Steering Group, was to think that a functional model might prove attractive whereby regions would be replaced by directorates for locals, young offender institutions etc. Mr John

Lewis of the BOV Co-ordinating Committee has spent the past 18 months telling me that I should have stuck to my guns! But when the team actually came to work out in detail what such a structure would look like the appeal evaporated pretty quickly.

What we came up with was in one sense rather familiar in that we concluded that it did make sense to continue managing establishments in geographical groupings. But by producing a much larger number of units, each consisting of the sort of number of establishments which one person could reasonably be expected to manage, we produced something very different from the traditional regions. Moreover our analysis of the stand-off between the governor dominated regions and the mandarin dominated headquarters led us to advocate an ambitious attempt to weld together operational managers and policy developers into a more creative partnership. The separate identity and geographical isolation of the regional offices had to go as did the Directorate of Operational Policy with its unsatisfactory arms-length relationship with operational management. It was clear to us that to work, the new structure would require a wholesale move from London to the middle of England. But relocation would take time whereas a reorganisation, once mooted, could not be kept on ice.

We hesitated initially over the post of deputy director general. It was clear to us that it symbolised at the highest level the gulf between 'us' and 'them' (or 'them' and 'us' depending on the side to which one belonged) and needed to go. But a succession of much respected incumbents, starting with Gordon Fowler, meant that already, only 10 years after its creation, the post had acquired a special importance. In the end we backed our convictions and recom-

mended its disappearance.

The period from 10 August 1989 to 25 September 1990 proved to be one of the more turbulent in the history of the Service, for reasons which none of us could have predicted. The surprise resignation of the Chancellor of the Exchequer, Nigel Lawson, and the sudden departure of Douglas Hurd to the Foreign Office removed any hope of decision in time for announcements at the Governors' Conference in November. Douglas Hurd had been Home Secretary for over four years. Some of his most difficult moments as Home Secretary had involved the Prison Service (the 1986 industrial action and associated disturbances including the burning down of Northeye, when for a while it was thought that two inmates had perished in the flames, the 1987 prison population crisis and consequent decision — strongly criticised from the Government backbenches — to introduce 50% remission for short sentence prisoners). It was his personal commitment to Fresh Start — though not extending to putting governors into uniform — which had carried the Service into a new period of opportunity. He was conscious of the structural weaknesses at senior management levels and saw the force of the argument for change though left just too soon to have the benefit of the considered views of the Prisons Board and finally to weigh the specific options for himself.

The need to reach decisions on a proposed management reorganisation is not one of the most attractive subjects to have to lay before a new Home Secretary and Minister for Prisons. When there is a strong whiff of controversy with a mandarin school of opinion fearing that, taken together with relocation, it represents a sell-out to the governors and a governor group fearing that it is game set and

match to the mandarins, an already unappetising prospect starts to look a pretty daunting starting point for Ministers in their dealings with the Prison Service. But what was clear was that the reorganisation could not for long be left in limbo. The mere publication of the report in August had had a profoundly destabilising effect on the organisation in general and the regional offices in particular. An early 'yes' or 'no' was needed before the uncertainty became intolerable.

Having heard the arguments Ministers made up their minds and on 11 January 1990 announced that the reorganisation would take place on 25 September with relocation to the Midlands following as soon as a site for a new headquarters could be found. They also signalled that the agency issue would be further explored.

Then on 1 April the Strange-ways riot occurred. Once again the reorganisation was back in the melting pot. How could we press on with a major restructuring when the Service was reeling from the shock of the worst disturbances in living memory and when an Appeal Court judge was about to embark on a major inquiry? Had the events of April called into question the review team's analysis I have no doubt that the reorganisation would have been stopped in its tracks. But in many ways they had underlined the problems of the old structures — the long communications lines between establishments, regions, headquarters and Queen Anne's Gate, the absurdity of having one person at grade 3 level with responsibility for more than 120 establishments.

Moreover by early May when Ministers came to consider the PGA's request for a postponement (which in practice would probably have meant going back to the drawing board) regional offices had already started to

run down so that 'returning were as tedious as go o'er'. On 21 May the Home Secretary confirmed that the reorganisation would proceed though with all of the initial batch of area managers drawn from the ranks of ex-governors. Appointments to the new posts were quickly made, training launched, new systems and procedures tested and on 25 September, as planned, the old gave way to the new.

Looking back do I have any regrets? It is impossible to be, part of an exercise of this kind and not to come to believe that the solutions which you have helped to identify are the correct ones. Time will tell whether we were right. But if I have no regrets about the outcome there are three things which, inevitable though they were, I wish could have worked out differently.

First, I regret the pain that was caused to all those in regional offices who suddenly saw their jobs disappear from under them. The visits which Chris Train, Brian Emes and I made in August 1989, and again in January 1990 with Bill Jeffrey, Angela Smith and Peter Wright were an attempt to explain and give every reassurance that was possible. But in the nature of things the underlying message was deeply unwelcome. Although in the end the changes were made without redundancies many people had to face quite considerable personal turbulence as a result of taking up new posts away from Bristol, Woking and Manchester.

Second, I regret that the reorganisation and relocation could not have been synchronised. There was no way in which they could have been but my belief is that some of the anxieties would have been considerably reduced if the whole operation could have been carried through in one go. Such was the suspicion in some quarters that it was genuinely believed that once the

part of the exercise least liked by the governors was completed some way would be found of going back on the part of the package — moving headquarters from London — which was unpopular with many administrators.

Third, I regret that in the event it proved necessary to defer the appointment of non-governor area managers. In the circumstances it would have been a mistake to proceed before we had had time to reconsider, in the light of Strange-ways, what preparation non-governors would need before taking up post. The Service is not, however, going to be able to stand aside from developments occurring elsewhere in the public sector where, increasingly, traditional career patterns are changing. Nor should it seek to. My personal belief is that exchanges with the private sector and other parts of the public sector, the appointment of some senior staff on fixed term contracts and the introduction of open competition for posts traditionally filled internally could all be with us before very much longer. The great majority of posts at senior levels will continue to be filled by those who have spent most or all of their careers in the Prison Service or wider Home Office. But there will be a leavening from outside just as other organisations will start to benefit as individuals from the Service take their considerable skills and talents outside on secondment. By not being able to start that process last September at area manager level we have deferred one area of controversy for another day.

For, as Dr Johnson wisely remarked in the eighteenth century, no doubt writing prophetically of all the management reforms which we have made in the Prison Service over the past few years, 'Change is not made without inconvenience, even from worse to better'. ■

The Young Offender, Violence and Attitudes to Authority

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During the summer of 1986 I was asked by the Governor of HMP Winchester to investigate the behaviour of the young offenders located in the Remand Centre. There was a general belief amongst staff that the youngsters now being received into custody were increasingly becoming more troublesome and lacking in respect for authority. It was felt that they showed a complete lack of respect for staff, other inmates and other people's property. These feelings were exacerbated following the serious assault of two inmates by a group of other inmates.

In undertaking this piece of research I decided to concentrate on the two aspects of the young offender behaviour which appeared to be of greatest concern to staff. That is, violence and attitudes to authority.

Anti-social, violent and confrontational behaviour may be regarded as the reflection of a negative relationship between the young person and formal authority. The negative quality of this relationship is expressed both behaviourally and verbally. The behavioural expression takes the form of involvement in activities proscribed by formal authorities. Verbally it takes the form of negative attitudes towards those manifestations of formal authority that are particularly salient to young people. In the case of a young offender we might assume that the Prison Officer is a salient manifestation of formal authority. Therefore, if inmates were shown to be expressing negative attitudes towards authority generally, and to Prison Officers in particular, then could this be having an influence on their confrontational and violent behaviour?

The inmates' attitudes to authority were investigated by administering the Attitude to Authority questionnaire (Ray 1971). Attitudes to prison staff were investigated by administering the Prison Life Questionnaire II (PLQ II), (Thornton, 1981). A total of 80 young prisoners in the Remand Centre completed the questionnaires.

The Attitude to Authority scale presents the subject with a list of statements, beneath which are five responses ranging from Strongly Disagree to Strongly Agree. Each response has a numerical value ranging from 1 (Strongly Disagree) to 4 (Strongly Agree). The inmates total score is the sum of all these values. (See Figure 1).

Figure 1
Example Statements from
Attitude to Authority Scale.

1. There is generally a good reason for every rule and regulation.
2. There is far too much regimentation of people today.
3. The army is very good for straightening out people.

The PLQ II presents the inmate with a series of statements below which are six responses. These responses possess numerical values ranging from 1 (Never) to 6 (Always). Once again, the inmates total score is the sum of all these values. (See Figure 2).

Figure 2
Example Statements from PLQ II

1. Staff treat prisoners fairly.
2. I find it difficult to trust staff.
3. It is difficult to talk to staff.
4. Staff order prisoners around.

For both of these questionnaires a total score lower than 20 indicates a negative attitude whereas a score higher than 20 indicates a more positive attitude.

With regard to the Attitudes to Authority scale, the sample of 80 inmates produced an average score of 44.65. The Average score for the PLQ was 58.2.

These results indicate that those inmates sampled held fairly positive attitudes both towards authority in general and towards prison staff in particular. However, there remained a substantial minority (about one third) of inmates who held fairly negative attitudes towards staff.

A further analysis of the results involved an investigation of the correlation between the results of the two questionnaires. Correlation coefficients vary between -1.00 (perfect inverse relationship) and $+1.00$ (perfect positive relationship). The observed correlation in this study was $+0.31$, indicating a mild positive relationship.

This result indicates that there is a mild tendency for those whose general attitudes to authority is hostile to also take a critical view of staff. The most interesting feature of this result is that the

COULD YOU TURN THE OTHER CHEEK?



COULD CUSTOMER are you? Okay, let's see how far you can get before you blow your stack. You are walking down a street. Some youths start seeing at you. "Ello, ello, ello!" Smile. You've heard it all before. Every name a copper can be called: rozzet, old bill, pig, fuzz, peeler, flatfoot, the fah. And some less complimentary. Shrug it off.

You're out in the patrol car when you see a car without lights weaving through the traffic. You flash your headlights at him to stop. Instead, he accelerates away.

Siren on. Ahead your target, still without lights, narrowly misses a woman on a pedestrian crossing and then goes the wrong way round a roundabout, while a youth leaning out of the passenger window showers you with empty beer cans and two-finger salutes.

The car skids round another corner

As a police officer, sooner or later you're bound to encounter abuse, threats, provocation, even physical violence. Be careful how you respond. Lose your temper and you could lose your job. **Photograph by Don McCullin**

"You can't go on the attack, whatever the provocation"

Still in control of your temper? Okay, try this.

A demonstration is turning into a riot. You're bussed in, nervous and not sure what to expect. It's frightening. The crowd, in ugly mood, surges against the rail police line.

Suddenly a lone voice calls your number "11201, 11201". The others take

it up. "11201, 11201". They're all staring at you, trying to psyche you out. Who you? It gets worse. Bottles are down and burst in showers of flame. Stones and half bricks drop out of the air and threaten to brain you. You cannot leave the line.

At last the crowd starts drifting away. As the tension ebbs, you see a man step forward and deliberately stub out his cigarette on the flank of a police horse.

This all sounds a bit melodramatic, but we've made none of it up. Each of the details we've described really happened.

How would you have reacted? Strangely, people often find that in a real emergency they stay calm. But stress builds up in the body like static and can earth itself without warning.

Three days after a riot like the one

above you may arrest a well-dressed drunk. "Look here," he draws, "do you realise who you're talking to?" And jabs you in the chest.

Careful. This trivial annoyance may become the lightning rod for all that pent up stress and rage.

If, in any of the situations we have described above, you were to lose your temper, you might also lose your job.

It doesn't seem fair, does it? But then being a police officer is no ordinary job. As someone sworn to uphold the law, you of all people cannot break it.

And the law says that you may use no more than reasonable force. You can't go on the attack. No matter what the provocation. So what should you do? Should you say: "Are you going to come quietly or do

I have to use carplugs?" In fact, a bit of humour can often defuse a potentially ugly situation. As can tact, restraint and good common sense.

Of course, it's a strain being on best behaviour 24 hours a day. Never switching off. With the very highest standards to set and live up to. Sometimes, all that bottled up stress can make us difficult to live with.

An officer on motorway patrol raced to an accident. A car was on fire. The heat was ferocious. He had to watch, helpless, as a child the same age as his own daughter burned to death before his eyes.

When he got home, his wife produced supper. Without a word, he picked up his plate of food and flung it through the window. Until then he had kept control of his emotions. But that night of all nights he could not face a cooked meal.

As a police officer you will inevitably endure your share of unpleasantness and you'll have to evolve your own way of dealing with it.

But why are we dwelling on these

traumatic subjects? Isn't this supposed to be a recruitment advertisement? Are we trying to put you off?

Actually, yes. If you're put off by an advertisement, you'd never be able to cope with the reality.

"It gets worse. Bottles are down and burst in showers of flame."

And we need people who can cope. People who are tough, tender, sensitive, strong and disciplined, all at the same time. They aren't easy to find. At present we take only one in five applicants. We'd rather look at fewer, better candidates.

Seeing you've got this far, we'll now admit that a career in the Met isn't all grit. Few jobs are as rewarding.

Ask the much-loved Streatham home beat officer who, helmet under arm, cigar stuck firmly in mouth in flagrant disregard

of regulations, can tell you the name of every child in his manor.

Ask the constable who, while patiently unravelling the intricacies of gang warfare in all places, Southall, has been invited to six Indian weddings in the last year.

Ask the sergeant who now runs what is virtually a Bengali advice centre in Whitechapel.

We can offer 28,000 more examples. If you don't believe it, stop any police officer in the street and ask.

When you've learned what they get out of the job, ask how they got in.

They'll tell you about our two-week

basic training course at Hendon. And life on the beat at one of London's 187 police stations where, under the tutelage of a sergeant, you will learn the art of handling people. And yourself.

Right now, your next step is to fill in and post the coupon below.

We're looking for mature, fit people aged between 18 and 18, especially from the ethnic minorities. You should be at least 173cms tall if you're a man, 162cms if you're a woman.

Ideally, you'll have some 'O' level passes or their equivalents, but we value your personal qualities more.

To find out more, please telephone 01-725 4492 (nights 01-725 4574) or fill in the coupon or write to: The Recruiting Officer, The Metropolitan Police Selection Centre, Department M13 960, Freeport, London W2 1HH.

Name _____
Address _____
Postcode _____



tendency is only mild. This suggests that when inmates take a hostile view of prison staff this is more likely to be because of their experiences with staff than as a result of their attitudes to authority in general.

In practice, this means that when we encounter inmates who behave in a hostile and confrontational manner towards staff we must resist labelling this behaviour as purely the result of the inmates anti-authority attitudes. Instead, we must also examine the inmate's relationship with staff and his interaction with the regime as a whole.

Despite the favourable views towards authority expressed by the inmates in this study, this does not mean that the subtle subversion of authority is not likely to occur. Indeed, it could be argued that this subversion is a feature of most institutions where a minority is in charge of a majority. It is the case that many inmates will 'see how far they can go' with staff. No doubt some inmates do this to 'have a go' at authority in a way which those in authority will find difficult to deal with. However, I believe this type of behaviour is a specific response to their imprisonment and does not reflect their attitudes to authority in general.

Turning to the issue of violence amongst young offenders, too often this hostility and aggression has been explained away as being the result of an inherent anti-social and anti-authority characteris-

tic of the perpetrator. I believe the results of the survey outlined above show this to be a rather simplistic and, indeed, false theory.

It must be emphasised that trying to find an explanation for violence is not the same as condoning it. If we are to discover ways of effectively managing hostility and violence then it is important that we gain some understanding of how it develops and manifests itself.

The causes of violence are complex. Each violent act is unique and, as such, has its own cause. Because of its complex nature, it is not possible to provide 'short cut answers' to the problem of violence. Nor is it possible to provide a recipe for its effective management. Indeed, it could be argued that violence and disruption cannot be eliminated completely: all that can be done is to reduce the possibilities and the likelihood of it occurring.

Perhaps one of the most unpleasant forms of violence is bullying. While bullying is most obvious in the form of physical violence, it can also manifest itself through verbal abuse and intimidation reinforced by the threat of more direct action. Victims of bullying have two courses of action open to them, they can either resist and become involved in an escalating cycle of violence, or they can acquiesce and thereby further assure their exploitation.

Bullying creates a form of control and discipline

completely separate to that directed by staff. In effect, a comparative handful of inmates willing to use force can dominate a much larger, albeit less aggressive group.

Bullying is often accepted by some inmates in the knowledge that 'grassing' will result in further abuse. Therefore, the strong inmate norm against informing is enforced by retaliatory violence. Because of this, staff are often unable to deal with violence associated with bullying because they are either unaware of it or are unable to identify those inmates responsible for it. The intimidation used by some inmates restricts the flow of information to staff so reducing the effectiveness of the management of these situations.

The occurrence of self-injury can be an important indication of bullying. Often the victims of bullying will injure themselves in order to be relocated in the prison hospital and so away from their tormentors. This self-injury very often takes the form of what appears to be attempted suicide.

This type of behaviour has been termed 'parasuicide' (Power and Spencer, 1986), and the most common form of self-injury is wrist laceration. The avoidance of expected inmate confrontation is one of the prime motivators for parasuicidal behaviour.

The most effective management of bullying involves the reduction of opportunities for its occurrence and the increase in the likelihood of its detection.

Dormitory accommodation, because it poses problems for staff supervision, provides ideal opportunities for bullying to occur. The location of inmates in cellular accommodation obviously reduces these opportunities.

Staff supervision and vigilance is important. This can only be achieved when staff are patrolling units and not when management allow staff to congregate in offices. Supervision is particularly important in such areas as showers and recesses.

A major factor in the reduction of bullying and violence in general, is the staff response to it. If the perpetrators are not seen to be punished this may be interpreted by inmates as indicating that staff cannot be relied upon to protect them. It is important that a thorough investigation is made of all injuries sustained through suspicious circumstances and the culprits, if identified, are suitably punished. This will indicate to inmates that these incidents are taken seriously by staff and will not be tolerated.

An important factor in the management of violence is the interaction and relationship between staff and inmates. In the case of bullying, in order to increase the probability of it being detected, the 'code of silence' among inmates must be broken down and this can most effectively be achieved if inmates and staff relate well with one another and inmates feel they can trust staff. For this reason, constructive relationships between staff and inmates must be encouraged. The promotion of



ANOTHER EXAMPLE OF POLICE PREJUDICE? OR ANOTHER EXAMPLE OF YOURS?

Do you see a policeman chasing a criminal? Or a policeman harassing an innocent person? Wrong both times. It's two police officers, one in plain clothes, chasing a third party. And it's a good illustration of why we are looking for more recruits from ethnic minorities. **Photograph by Don McCullin**

PREJUDICE, from the Latin *praejudicare*, means to pre-judge. To make up our minds before we've examined the facts. White, black, brown - we all do it.

You've just done it yourself. And if you think it was unfair of us not to give you the whole picture - not to show you the men the two policemen were chasing - remember that in reality you rarely get more than a fleeting glimpse of an incident.

Yet if you're a police officer you have to act instantly.

This is why it's so important to keep

an open mind. Particularly in sensitive situations. Especially where issues of race are involved.

In the Metropolitan Police, we are opposed to all forms of prejudice. Be it racist, sexist, anti-black or anti-white.

Unfortunately, as the following photograph demonstrates, we don't always live up to our own ideals.

A police constable came across a young black man waiting in a car outside a house in a well-to-do neighbourhood.

The following conversation took place.

▶▶

staff involvement in such activities as SWIP, pre-release, etc, enable positive relationships to develop. This helps break down barriers and enables staff to gain a better insight into inmate behaviour and problems.

Many young offenders have achieved little in their lives and have had little opportunity to develop any notion of self-esteem or status. Violence tends to feed on low self-esteem and, subsequently, inmates use violence to reinforce their own status and obtain the gratification of respect. For example, an inmates' manliness is often equated with his desire or willingness to fight.

The hostility associated with status seeking is difficult to deal with because of the poor opportunities available within prisons to develop an inmate's self-esteem. However, it is the responsibility of management to create opportunities for inmate development and, indeed, progress can be made in creating opportunities for success in activities such as educational courses, sporting activities and involvement with underprivileged members of the community.

The quality of the relationships between inmates may also influence the level of disruption. In addition to measuring the inmates attitudes to staff, the PLQ II also measured inmates attitudes towards other inmates. The results produced an average score of 17.35, indicating that the inmates surveyed held negative views of one another. They tended to view their fellow inmates as unreliable and untrustworthy. This distrust and suspicion is likely to lead to violence, particularly when tempers become frayed.

The effect of 'labelling' may often cause prob-

lems and must be guarded against. By labelling an inmate as aggressive, staff are often primed to expect aggression and hence their attitude and subsequent behaviour may encourage unwanted acts. Such stereotypes may persist over time unmoderated by an inmates controlled behaviour.

A further issue is that of the predictability of staff behaviour and of the regime in general. Basically, inmates tend to feel more secure if they 'know where they stand', even if the rules being enforced are considered strict. If inmates are uncertain as to what is expected of them or what to expect from staff then this may lead to insecurity, which in turn may lead to tension and frustration 'boiling' over into violence.

Therefore, it is important that the regime is managed in a consistent manner. By providing a clearly identified regime for inmates and one which is consistently administered by staff, the degree of uncertainty and tension among inmates is likely to be reduced and, as a result, the probability of violence occurring is also reduced.

In conclusion, the arguments outlined above concerning violence among young offenders are by no means exhaustive in terms of the causes and management of aggression. However, it is hoped that the article has stimulated the reader to consider the problem in a more lateral and objective manner. ■

References

- Power, K G and Spencer, A P (1986) *Parasuicidal Behaviour of Detained Scottish Young Offenders* Unpublished report.
Ray, J J (1971) An 'Attitude to Authority' Scale *Australian Psychologist*.



Justice and the Penal System

This talk was one of a number addressed to the Lincoln Conference on "Punishment". The talk by Professor Nils Christie to which Professor Norval Morris refers was published in the Winter 1990/91 issue of the Journal.

Professor Norval
Morris, Chicago

It is obvious that I should concentrate on American matters because that's where I have worked and studied for some 25 years. Any hints of criticism about imprisonment, or the use of imprisonment, should not be thought to refer to England and Wales or the United Kingdom. A long while ago I learnt that it was unwise when visiting another country to say what you thought about it!

Hostility, for example, started with Nils Christie when I made the mistake of telling him that his figures were wrong. I said, that 407 per 100,000 in custody for America must be age aggregated, not total population. We parted for a little while and he went off and did his mathematics. The horrible part about it was that he was right! I had looked at it from one perspective and he from another more precise perspective; but still my perspective isn't a bad one!

Some time this year, before the end of the year, there will be one million adults, 18 and above, in prison or jail in the United States. It's not quite that figure yet but the rate of increase of prisoners is about 3,000 a month — that is, intake exceeding discharge. To put some round figure on it there's about two and a half million on probation. If you add other parole conditions and other court orders you will have on one day this year roughly four million people under punitive disposition by criminal courts — roughly 2% of the population. These are enormous figures. Burdening you with these figures just sets the stage.

Prison, Race And Class

The black/white ratio per 100,000 is something in excess of seven to one. That figure underestimates the problem because when blacks move into the middle class they and their children have roughly identical, slightly lower in some areas, higher in others, crime rates/arrest rates/punishment rates as whites; so the group that produces the seven to one differential ratio is locked into the black underclass. I work in a lovely university building. The offices on the north look over a

middle-class integrated attractive neighbourhood, with roughly the same crime rates and arrest rates and imprisonment rates as obtain in more pleasant areas of this country and Western Europe, but the south side of the building looks out over one of the destroyed, sort of ultra-Brixtons, that we have even more than you have. It is the produce of the inner city locked in areas and is a formidable problem. I'm going to try to set that in context of prisons but I think I've got to make another preliminary point, if I may.

In one way I don't know that you've got much to learn from the United States in this area at all. On the other hand I think you would make a mistake to reject it entirely, because I think there are some interesting subsidiary lessons and some interesting ideas. Certainly there's some interesting analysis and scholarship which is really much better than elsewhere in the world. In my view you've got to start looking at details, not at overall patterns, before you can get any gain from international comparisons.

Too Severe Or Too Lenient?

So our prisons are bursting at the seams. The costs of imprisonment are huge and beyond the resources of the localities and states, though not so much of the federal government, but even there the strain is great. Everyone appreciates that.

What is less appreciated is that probation is more overcrowded. The problem in probation is, in a sense, worse, though it's of a different kind to the problem in prison. You frequently find in the inner city areas caseloads of 200 carried by probation officers, who also spend a great deal of their time doing pre-sentence work for the judges. This means that in large part probation supervision is in many of the cities merely a token. It's not even good record keeping. So talking in terms of leniency and severity, what you've got is a system which is neither too severe nor too lenient. It is both too severe and too lenient. It is both insufficiently responsive early on and then it is suddenly excessively responsive, excessively punitive. If you thought of it in terms of child training it would be of course utterly the worst way to design

the system. Threaten, threaten, threaten, do nothing, do nothing, and then really put the boot in.

The reasons for this state of affairs could be our business: we could put headings to them like:—

- changed attitudes in the community,
- mischievous publicity in relation to crime,
- mischievous use of crime problems by politicians of both parties for effective electoral vote-gathering in complete neglect of the problem by both parties when in power. In America it is odd that they are prepared to employ academics like me in government provided they are equal in their criticisms of everyone. When elected, politicians give increased resources in prosecution, increased resources in police, no increase in resources worth talking about in the post-conviction state — so it's a mis-allocation in resources. There is also a sentencing reform movement that is important and has lessons for us, but which regrettably concentrates on two issues mainly in its effort to minimise disparity of sentencing and on just disparity. It concentrates first on the issue of in or out, the in/out line, and secondly, if in, on how long. Yet they really are only small parts of the total problem if we are to be responsible about it.

Now I want to move from those recent developments to talk about one area where America is different from this country. I think there may be some lessons for you — though I'm not sure about that. The little document, the Constitution, particularly the Bill of Rights, applies in the prisons. One of the major developments since 1971 has been the active involvement of the judiciary, particularly the Federal judiciary which is, by any standards, an excellent group of judges. I would not for a moment say the same about the state local judiciary, but the Federal judiciary is comparable with any judiciary in the world in quality, in intelligence, and in training. They have become involved — some say excessively involved — in running prisons.

Let me give you some important facts which I don't think are an exaggeration. At present in 44 States, as well as the District of Columbia, Puerto Rico and the Virgin Islands, either the entire prison system, or a prison, is functioning under court order. Very few States, roughly five States, do not have prisons running under court orders at the moment in the United States. Between 300 and 400 County Jails, remand and short-term prison sentence institutions, are under court order. In 15 States their entire prison system is operated under a court order or a consent decree or a remedial order. Those words may mean very little now, but let me take a moment or two to tell you about them.

In nine States Special Masters monitor court orders and remedial plans. Sixty-five jails have Special Masters supervising for the courts. There

are now about 90 Special Masters in America doing supervision of conditions in prisons and jails. This is a wholly desirable development, entirely collateral with the question of rational punishment in terms of the imposition of pain, as Nils was pursuing. Here's how the argument goes and let me deploy it briefly for you because I think it's not without some interest.

The Law And Prison

Let me do it in personal terms. I've been spending the last six months as a Special Master in relation to a paradigm American prison. It's been a fascinating experience, I've enjoyed it and propose to do a little more if there is anyone silly enough to employ me. Those sub-headings, 'cruel and unusual punishment' and 'equal protection of the law', are the propositions that have been most important from the Bill of Rights in facilitating this litigation. What happened is that some prisoners are held under what we call protective custody — Rule 43 I think is the analogue. These are prisoners who predominantly are weak or who are isolated. They are in situations where in the big mega prisons close to the cities, dreadfully influenced by gangs, it is less possible to protect the weak from the strong, and to protect the isolate from the determined group. Today there are about 400 prisoners for whom I am Special Master. This is in a prison of 2,000, known as Stateville.

Stateville is a prison some 30 miles south of Chicago. It's quite rare in some ways in that it used to have four panopticons. Those of you who know Jeremy Bentham's panopticon, will know about the circular building where one guard could watch 700 prisoners and 700 prisoners could watch one guard! This prison still has one of these functioning there and I'm pleading with them not to destroy it. I think it's a national landmark. (During the war some prisoners petitioned on the grounds that they were unduly subjected to the risk of bombardment from the air because their prison looked like an oil well!) In this institution there are 400 who have said (and they have persuaded the prison authorities that they speak the truth) that they are in danger, that they will be brutalised, raped or possibly killed, or pushed into criminal conduct by virtue of gang activity or individual obligations mainly for gambling debts and other favours. They are put then into protective custody. When I started six months ago they were being kept in the protective custody wing twenty-two and three-quarter hours, six days a week, and on Sunday, 24 hours. They got association in small groups of about a dozen for an hour and a quarter three days a week and they got a yard three days a week for an hour and a quarter.

Equal Rights?

One prisoner, called Willie Williams, wrote a *pro se* petition to a Federal District Court in Chicago saying that (he didn't use these words but this was the idea), 'I richly deserve to be in prison; it is entirely appropriate that I should be in prison and I'm not complaining about that, nor am I complaining about my sentence, but because I am weak, or because I am isolate, or because you agree I need protection you have put me in a situation where my prison programme is grossly different from that of other prisoners who are not weak and who are in groups. I lack the opportunity for congregate worship (he'd read the first amendment), I lack sufficient contact with the law library (he'd read the first amendment), I lack the same educational, recreational, vocational opportunities of the other prisoners (he'd read the fourteenth amendment — the Equal Protection of the Law)!' He finally said 'On the face of it there is some injustice'. Of course he's right; he's completely right. There isn't a rational argument against it. The only negative argument is, 'You asked for this.' The reply to that is, 'Would you agree I need it?'.

Enforcing The Court Order

So the judge then asks some very good lawyers if they will, for modest fees, take on the case. They form a group and bring a civil action in damages against the state and against the prison authorities. That was six years ago. There's a ten day trial and the judge agrees with them. They are right: this is failure of constitutional protection. He awards damages which have not yet been set, and then says to the prison authorities, 'You may have six months to rectify these unconstitutional conditions and to bring this institution into conformity with this little document'. I'm afraid the prison authorities do nothing. Please don't think I'm being critical of them. I'll come back to that in a minute. They come in with silly little ideas. He gives them more time; he says 'I am contemplating punitive damages'. They still do nothing and then what is he to do? He then exercises his power as have other judges throughout the United States. These are not sentimental silly people; if anything they are on the square jawed, punitive, side, rather than bleeding heart liberal side. They said, 'Well I, the Judge, can't go out and tell you what conditions will apply in protective custody, I don't know how to do that, but I do know you've got to bring this place into conformity with the constitution and so I will appoint a Special Master. He will have no authority other than delegated authority from the court. He or she — there are very

good women Special Masters — will bring back the proposed plan to me, detail for detail. Then you can have an argument before me and I'll settle and order it. Then the Special Master will see that that's done.'

Well I've done that for six months now. The thing that's interesting is, you might think I would have had a hostile reception when I arrived at the prison. Strangely this is not the case. The people running Stateville have become my friends because the fact of the matter is that publicly they will say how terrible it is that the courts will interfere, but privately they will say, 'That's wonderful, just wonderful.' It brings pressure on the Governor; it brings pressure on the legislature; it creates public pressure to get funds and resources. This isn't boasting because the people who did the planning, who wrote the detailed plan, were the Deputy Director of the Prison Service and the Superintendent of the institution. They were given the opportunity to do what they wanted to do under the cloak of protection of the law.

I tell this story for no particular reason except I think it's interesting in itself, and it speaks to minimum conditions. Whatever one says about how many are in prison, entirely apart from any effect on later crime rates, for us this story is the affirmation of minimum conditions for everyone, and that certainly includes the prisoner. The writ of the law should apply to prisons. Let me be really offensive and say, I don't think it does in England. I think it should.

Bill Of Rights

I think that's a lesson from our horror that might be usefully thought about by you. One problem, of course, is that you don't have a Bill of Rights by which the law can find leverage. Under the European Human Rights Conventions you get very close to it and that's of course the reason why you are the most frequent failed defendant in that court. Your standards aren't worse. The reason is of course that English judges are never answerable for prison conditions. They ought to be. Prison is a very unpleasant place and it's not the way a person should live. If it is not all evil it justifies itself only as a necessary evil. If it be necessary, and the issue in the heading is, 'how necessary?' I take the minimalist position, I don't know what is the proper imprisonment rate for a country, I know ours is too high and yours, I think, is too high.

It was really rather sad yesterday, Nils was trying to persuade you how very high English imprisonment rates are compared with other countries. He made the mistake of mentioning America, and then everyone latched onto that. It was a sad failure on your part Nils, you should never have done

it. It's always so nice to find one's friends in greater trouble; it is such a comfort, because it really distracts one from the problem. The problem is not that; the problem is what's the proper rate for you.

The Minimalist Position

Now what are the steps that one might follow towards a minimalist position in prison? You advertised Nils Christie's book. Now I ought to say I've got a book coming out in March, which has the happy title of, *Between Prison and Probation*, or more fancifully, *Intermediate Punishments in a Rational Sentencing System*. I've been working on it for some years, helped a lot by the National Institute of Justice and by the Edna McConnell Clark Foundation, a private foundation. It has brought together conferences of people actively involved in the more intensive probation supervision that is being experimented with in various ways in the United States. I didn't know how to present the book to you. I tried reading every 17th word; that was interesting but not very persuasive. So let me see if I can summarise it impromptu.

There is in the United States a great deal of experimentation with various forms of intensive probation after our earlier experiments with variable caseloads, which weren't very successful. We have begun to have a sense that when we picked higher risk probationers and intensify supervision control and assistance in relation to need we are able to provide a better service for them, and for the community. We have been experimenting with community service orders. The Federal sentencing commission is also proposing greatly to extend house arrest. There has been the usual experimentation with electronic and telephonic monitoring systems and of course Nils is clearly right, part of that is driven by private enterprise desire to sell equipment, but part of it is also driven by the belief that it is possible to provide effective community-based responses to conviction that will satisfy the community, do less harm than imprisonment, and assist the convicted offender. There's a great deal of experimentation, but very little has been institutionalised. It's not seen as an integral part of a comprehensive graduated punishment system. I'm not going to argue about this word punishment; for ease of communication I use it as a synonym for the community's official reaction to crime.

Use Of Fines

There's not been enough experimentation with the use of the fine. We now have a day fine system

being introduced throughout Staten Island in New York on a genuinely measurable basis. Many of these experiments have started by, what I would call, soft money. Funds that are available for experimental test developments, either from government, federal state, or from foundations, particularly the Edna McConnell Clark Foundation, which is very active in this field, and also to a degree, Ford. When the money dries up the enthusiasm wanes; the people that started it go off on to another job and the institutional structure of the sentence never takes place, so we function at the polarities of punishment.

Alternative movements have had some support, but I'd have thought, and that's the reason for the next heading, that they have sailed under false colours, that is, I think that they have sailed under some false promises. Today, the day after Bastille Day, it's the best of times and the worst of times for alternative or intermediate punishments. At this juncture it's the best of times because everyone is concerned about imprisonment because of prison overcrowding. It's the worst of times because that is the context in which it's seen, not as a principled independent part of the sentencing system. Our experience with alternatives wherever they've been measured reasonably well has been that they do not much decrease numbers in prison and do not much decrease jailing. They tend to draw their customers more from those who were previously treated more leniently than from those who were previously treated more severely. They provide more space within the total system when the vacancies are filled up. When you add failure rates of intermediates we don't have a sense that they are doing much about reducing imprisonment. Their promise of being cheaper is not true. Marginal costs of difference in numbers don't make much difference to prison costs. It is only when you can make marked variations, close a wing, close a prison, not run an institution or a part of it, that you begin to get cost savings. Intermediate punishments, if they are to be useful, have to be rigorously enforced, adequately staffed and should be quite expensive. We found that the better experiments have not been that much cheaper — particularly when you take into account their longer duration for each case. Some of the middle level, shorter-term sentences that alternatively would have been imposed can be quite expensive.

"Who Should Go To Prison?"

What I think has to be decided and what I struggled with in this book is the more principled question, which is not 'who should not go to prison?' but 'who should go to prison?' It's not the negative of the question that is difficult: it is the affirmative:

that needs answering. I would just put down the following proposition to what we have been arguing about: I think the only grounds on which imprisonment should be ordered, and these are fairly generous terms, are that any lesser punishment would depreciate the seriousness of the crime or crimes committed. This is a genuflection in the direction of the ladies of Guildford. They are right. We live in a political world. These are political issues.

First, it is unrealistic of us not to take cognisance of the political pressures, and it is a dream world if we think we don't function within them. The attitudes of the ladies of Guildford, or whatever analogue you use for them, are going to determine minimal tolerable community levels of punishment for certain crimes. They are going to fix the minimum and we and others are going to fix by our attitudes to the seriousness of the crime the maximum. We can't balk that reality. So, any lesser punishment would, in the context of that community at that time, offend the ladies of Guildford.

A rare second condition — imprisonment is necessary for general or special deterrence. I doubt that is often the case but where it is the case it seems to me relevant. The view that my colleagues and I have taken of this whole question is, whenever a term, in America at least, of two years imprisonment or less is imposed then intermediate punishment should be first considered as a possible alternative.

Then I suppose that the third ground is that less restrictive punishments have been tried and failed.

Sentencing Reform

It seems to me that one of the problems that we then have to face is that the whole sentencing reform movement has not encompassed intermediate punishments. This covers the whole area between traditional probation and imprisonment. In the American context, the whole sentencing reform movement, which I'd love to talk to you at enormous length about but won't, has by-passed this question. Let me leap to what is a most advanced or frequently considered pattern for future sentencing, which I think will emerge in America. We will have, I think, throughout America in a few years, guideline based sentencing. That is to say, I think guidelines either devised by legislatures or by the judges, which is happening in many places, will relate the criminal history record and the severity of the crime on a grid which will guide the judge as he or she is guided in other areas of the law to the general principles that operate in sentencing. The presumptive sentence will be the normal sentence imposed. It is happening

in those States and in the federal system where there are presumptive guidelines and where for good reason the judge thinks that a departure from that guideline should be made. The judge will set out reasons for that departure and those reasons will be subject to appellate review, either by prosecution or defence. It will be the beginning of a common law of sentencing, which should in time emerge.

Judges Need To Be Guided

In matters that we care about, like contract or business arrangements, the judge doesn't consult his conscience and his wisdom or experience of the world, but is guided by a decent respect for the opinion of others. This is a central point from which he moves. We have to do the same thing in sentencing. Unfettered discretion almost always creates injustice.

Now Minnesota in the United States is the model case here and the Minnesota Grid is a document that has across its horizontal axis a criminal history score and down the vertical axis crime rates in degree of severity. You then get in the grid the presumptive sentence. That's the model that's being followed and it is fatally flawed. Here is why it's fatally flawed. That black line that some of you can see running down the chart, on the presumption side, is for a non-prison sentence. On the other side it is for a prison sentence. There is an assumption that the presumption of sentencing must be either in or out, prison or no prison. The truth of the matter is that that grid should be more complicated and should have not two presumptions in it but four. One presumption would be imprisonment. The next one would be imprisonment 'unless', in which there would be choice between incarcerative and non-incarcerative punishment for that offender. The next one would be out 'unless', in which there would be choice between a non-incarcerative and an incarcerative sentence, but the presumption would slightly favour community based. The fourth would be the typical 'out' presumption.

Why is that so? It is exactly in that whole middle area of severity where the judiciary is unsure and it's not only the judiciary. Jenny Roberts was certainly right about this; it's everyone involved in the process. It's hesitating between the incarcerative and non-incarcerative that we should set our choice, that we should create an 'exchange rate' between punishments in which within those limits we can say to the ladies of Guildford, 'We set punishment, determined by deontological not utilitarian grounds.' We will still use utilitarian arguments on grounds of community protection, response to need, and I hope, parsimony in punishment, parsimony in pain — alongside that we will

guide the judiciary in how to impose a sentence. Now there have been some efforts to do this. You say it's too complex, yet in the things we care about in the commercial world this is childish but simple. I am making a comparison for example with economic problems of debt and tracing money in bankruptcy. You know they get complicated and we wrestle with them. This isn't complicated judicially; it's only complicated in the tradition that somehow the wisdom of the saint in the wilderness will guide punishment.

The United States Sentencing Commission is moving now in the direction of greatly increased principled use of intermediate punishments so that it can begin to reserve prison space for where there is genuine need and where it can give guidance to the judiciary on established principles. It is beginning to move to the details that give meaning to the ethical values that I suspect are strongly shared in this room on the minimalist position.

Individualising Sentencing

Here are some of the problems. The first one is that it looks unfair. What is this clown from America saying? Is he really saying that like cases should be treated differently? Is he really suggesting that the principle of the law that you must treat like cases alike is wrong? Sure I am. Ever since H.L.A. Hart's major lecture on this question anyone skilled in this area should be saying that. The purposes that are achieved by judicially imposed sanctions are different from the purpose that will be achieved by a particular judicial sentence. The overall purposes of the system may differ from the particular purposes in one case sentence. Nils, of course, is quite right, for example, when he says that crime rates and prison population are not related; they aren't. We have had nearly a doubling of the prison population in America during a period of stability or reduction of crime rates since 1981. The crime rate is the back-drop against which this system functions and there is an amplitude of offenders out there for us to enlarge or reduce our prison population. In that context are we really saying that the more privileged offender with resources for treatment and community support, and with family to support him or her, and in the United States, of expecting too much from the criminal justice systems. Neither leniency nor severity seem to have much impact on crime rates. Reforms, either of the left or of the right, neither the bleeding hearted liberals like me nor the square jawed steely eyed judges and the politicians running for office, neither is likely to make much difference. An English historian phrased it very well, I thought: 'Reform, Sir, Reform, Don't talk to me of reform, things are bad enough as they are!' It sounds like a cheap point

but who's done a crime of the like severity to the less privileged, that the more privileged need not go to prison and the less privileged may have to? Yes, I am.

The criminal justice system is capable in my view of rectifying social inequities. It will do well if it doesn't exacerbate them. If you want to rectify social inequalities and the pressures towards crime, don't look to criminal law. Look to housing, education, health, you know the story. I could take you to any city in the western world if you didn't know its name, fly you over it, drive you through it and say, please tell me where are delinquency and high crime rates, and you'd do it very well. We can't rectify that, not through criminal law. It is a lousy equality that insists on applying the largest pain to all. It seems to me, however, that there is a great deal to be said for the contrary position.

I think, therefore, we have to have interchangeability of punishments in which those ethically alike and those equally wrong will be differently treated. Let me put it another way. In the idea of a deserved punishment, a sort of just punishment, the role of retribution never defines a proper punishment. All it does is to define the outer limits of the punishment process. Within those outer limits other values, utilitarian values, humanitarian values, must become operative. This will have a race and class bias; it's unavoidable. The seven to one difference, black to whites, that I referred to, is not in America largely the product of the criminal justice system. I think it is true that the criminal justice system in its sequence of discretions from victim through to parole slightly exacerbates the racial disproportion. But the overwhelming problem lies clearly in the grossly different social and personal conditions of the black and hispanic locked-in underclass. There are analogues of that in other countries.

Enforcing The Punishments

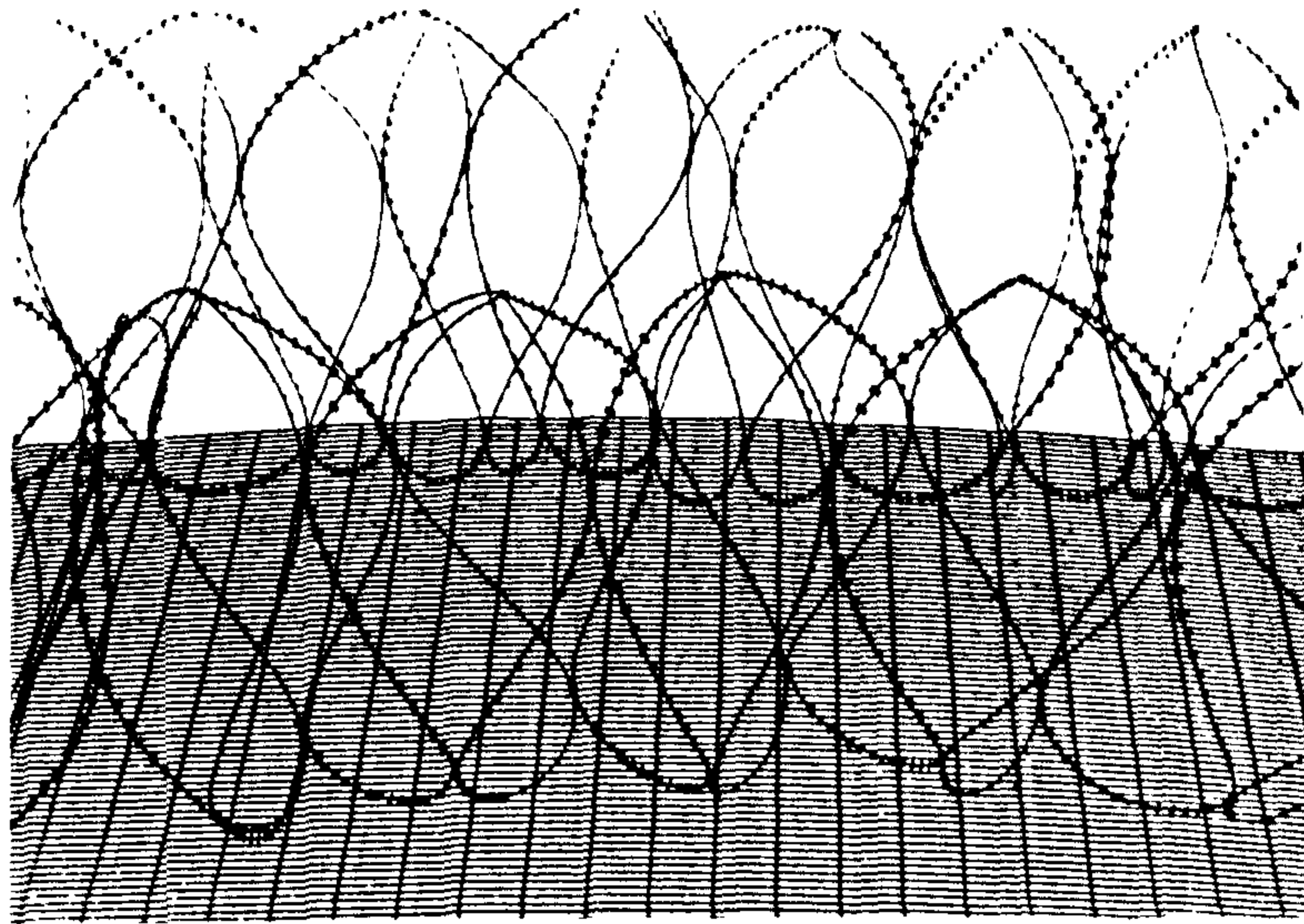
Also if we are to be serious about this we have got to be serious about our intermediate punishments. If fines are imposed then they have to be collected. It's astonishing that America, a country dedicated to financial incentive, makes so little use of financial disincentive for serious crime. Community service orders have to be enforced.

I've gone on at length and anyone who wishes to pursue these matters with me can do so in the later group but let me conclude with a last point, which I think is really the background central point, the departure point for me. I hope that it will give meaning to intermediate punishment. I think there's a general lesson, I think it's this.

There's a long tradition, I think, in this country

but it isn't. The criminal law controls the largest powers that the State exercises over the citizen in time of peace. It defines the difficult balance between the autonomy of the subject and the authority of the State — a balance on which a democratic society ultimately depends. In my mind prison is a sort of barometer for that balance. If we get the balance right here and hold it steady we won't be likely to go wrong elsewhere. Justice, *not* social protection, *not* crime reduction, is the over-riding purpose of the criminal law. We won't achieve that over-riding purpose until we have a more adequate armamentarium of responses to crime and make more parsimonious use of imprisonment. ■

Copies of this talk and others given at the Lincoln Conference in 1989 can be obtained from Bishop's House, Eastgate, Lincoln.



Drinking At Work

'All staff are urged to refrain from drinking alcohol during and immediately before their periods of duty. Ideally the working day should be "dry"'. (Prison Service Notice to staff 87/88).

It is suggested here that prison officer's backgrounds, their working relationships and the nature of their employment makes them particularly vulnerable to alcohol abuse. It is also urged that since alcohol affects the very skills which are used most in the work of prison officers a culture needs to be developed in which mixing drink and work are unacceptable.



An enhanced role?

For many years the special nature of prison officers' work was used to support the case for improved pay. In 1957 a departmental committee was set up under the chairmanship of Mr Justice Wynn-Parry to look into remuneration and conditions of service. In its memorandum of evidence to the Wynn-Parry Committee the prison officers association spoke about the personal influence which staff could exert over prisoners. '... there can be little doubt that an ever-increasing importance will be put on the personal relationships between the prisoner and the staff, and that more and more will be expected of the prison officer' (Klare, 1960)

But this argument was not new. In 1911 when the issue of warders holding general meetings was raised the Home Secretary, Winston Churchill ruled that prison officers were like policemen and members of the armed services and it was inappropriate for them to form unions. But the cause was already won: 1910 saw the foundation of *The Prison Officers Magazine* which was published outside the service and had a reputation for being radical. In 1915 the underground Prison Officers

Federation was formed. The Federation used the special role argument to support a request for better pay to Lord Stanhope's Committee in 1923. The title warder had been changed to officer in 1921.

'(He is) no longer a turnkey or disciplinarian but is required to take his part in endeavours . . . to restore (the offender) to sound citizenship' (Thomas, 1972)

An officer is one to whom a charge is committed: he or she is a person occupying a position of authority. Let us examine the effects of alcohol on the behaviour to determine whether its use at work is compatible with the officer's role.

Effects of Alcohol

Alcohol affects individuals psychologically and physiologically. The expectations of its effects are very important but circumstances produce a greater change in behaviour than alcohol itself. Accepted norms of behaviour between drinking groups vary considerably but in an environment of control, the way in which that control is exercised is of paramount importance. For a group of men the subculture of drinking can be very important in establishing a masculine (macho) self-conception. The exercise of the freedom to drink can also be important in defining the boundary between controller and controlled.

There is incontrovertible evidence that alcohol impairs motor skills and co-ordination, and slows reaction times. Alcohol lowers tolerance to both frustration and aggression. It limits the flexibility of response to stress resulting in an increase of tension and the likelihood of an aggressive response. Alcohol reduces attentiveness and behaviour is more randomly determined, more affected by emotional fluctuation. Alcohol induces emotional liability: behaviour fluctuates between elation, boisterousness, aggression; feelings of guilt, resentment, anger, frustration, hostility, anxiety, depression and irritability.

Awareness of behavioural acts is reduced with a narrowing of the perceptual field. Alcohol increases misunderstanding of others' intentions leading to aggressive responses. It increases both concern about and feelings of power. Stress, unanticipated or cognitively complex situations are misinterpreted and responses are both limited and clumsy resulting in embarrassment, danger, and increased stress. The innocuous is perceived as threatening. Responses are unstable, being determined by the immediate situation and are typically impulsive and lacking in cognitive control. If an event occurs which the drinker perceives as a threat it evokes a power display.

Alcohol increases the likelihood that another's mental actions will be interpreted as intending aggression. Where aggression occurs it cannot be





managed appropriately because of the drinker's difficulty in dealing with problems verbally. Behaviour is determined by misperceptions rather than experience (see Collins, 1982).

Core Skills

How do these effects of alcohol equate with the core abilities, skills and personal characteristics of prison officers identified by the directorate of prison psychological services? (Home Office, 1966).

Mental abilities such as: alertness, vigilance, and awareness, the ability to make use of new information, to understand what is being said and to make decisions based on the information, the ability to process information to solve problems, the ability to communicate ideas and exchange information effectively, the ability to deal with paperwork accurately and quickly.

Interpersonal skills and personality characteristics including:

empathy, interpersonal sensitivity, consideration for others, reliability and a sense of responsibility, a sense of humour, social extraversion, personal presence, and confidence, the ability to direct others, assertiveness without aggressiveness and control of emotions and behaviour, the ability to cope with the variety of duties, long irregular and sometimes unexpected working hours and the geographic mobility of the job, the ability to tolerate strained relationships and conflict situations.

A way forward?

Education is required to inform about the social, physical and psychological effects of alcohol. It is important to get away from the concept of problem drinking since almost anyone can find a reason why they don't belong to a particular group. Perhaps the inappropriateness of drinking

in particular situations needs to be understood. There must be a challenge to the heavy drinking macho status which is wholly at odds with the enhanced role referred to earlier.

Disapproval of drinking at work could be linked to professional assessments and career advancement. Employers should be responsible for providing alcohol-free environments where eating and recreation can take place. Lastly employers and professional organisations should provide alcoholism treatment facilities on a private basis. ■

References

1. Collins, J.J. (1982) *Drinking and Crime*. London: Tavistock.
2. Home Office (1986) *Selecting Prison Officers in Great Britain*. Directorate of Psychological Services Report. Series I. No.26.
3. Klare, H.J. (1960) *Anatomy of Prison*. London: Hutchinson.
4. Thomas, J.E. (1972) *The English Prison Officers Service 1850: A Study in conflict*. London: Routledge and Kegan Paul.



Lookout

Not so long ago I spent a very enjoyable week being entertained by my sister-in-law in Hong Kong. As a Senior Crown Counsel she was also able to organise for me a trip to Stanley Prison. It was like returning to the Victorian era. Every blade of grass was neatly cut, every inmate was required to stand up in my presence, and say, sometimes in faltering English, 'Good Morning', there were no 'shit parcels', and all the staff saluted as we walked past. Was this Heaven?

I asked the Governor, who had not yet secured his British passport to escape in 1997, what were his biggest problems. 'Ah, lack of staff — we need more staff', he replied. I looked around the place, and tried to count the hundreds of staff I could see, but I think that the Governor knew what I was doing and quickly moved me on to the kitchens. As we turned a corner I noticed a large grey building in a compound courtyard. 'What is that,' I asked with all the self-confidence of an old colonial abroad. 'Oh, that is the sleeping-in room — every night we have 18 members of staff sleep in the prison in case there is a riot.' 'And that is extra to your normal night-duty staff', I queried. 'Yes',

came the hesitant reply.

In my heart of hearts I knew I shouldn't ask the next question, but I had just done my 'Contract Course' with DPF1, and so thought I was bringing good news from across the water, a little like Livingstone bringing Christianity to the Africans. 'But have you ever had a riot?' I smiled, thinking he'd see the error of his ways. 'No,' he replied, 'but that is because we have 18 members of staff sleep in the prison every night!' There was a logic in all this which was inescapable, and realising that we were going to get no further in the argument the Governor bowed to me, I bowed to him, and we moved off to taste lunch.

After we had parted I realised that we didn't so much exchange views, as remind each other that what was good in one system, and the rational by-product of analysis and investigation, might not necessarily be appropriate somewhere else. I still think that the Governor was wrong, both in his view that he needed more staff, and that a sleeping-in room prevented riots, but then again he doesn't have to go through 'Fresh Start' for another six years. ■

PRISON SERVICE JOURNAL

PSJ is a quarterly journal with an independent editorial board which publishes views and opinions from within and outside the Service. It is issued in winter, spring, summer and autumn. The editor welcomes correspondence and articles which should be sent to:

John Staples, Newbold Revel, Rugby, Warwickshire CV23 0TN.

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The Mental Health Foundation

GRANTS FOR COMMUNITY PROJECTS AND RESEARCH CONCERNED WITH MENTALLY DISORDERED OFFENDERS

The Committee on the Mentally Disordered Offender of the Mental Health Foundation wishes to foster sound research and community projects on the subject of the mentally disordered offender. Initially, the primary concern of the Committee will be to support projects focussing on diversion from custody.

Allocations of funds will be made two to three times a year for the support of salaries and specific revenue costs for academic researchers or workers in community projects. The deadline is 1 March 1992 for research proposals and 1 January 1992 for community work.

For further details please contact:

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