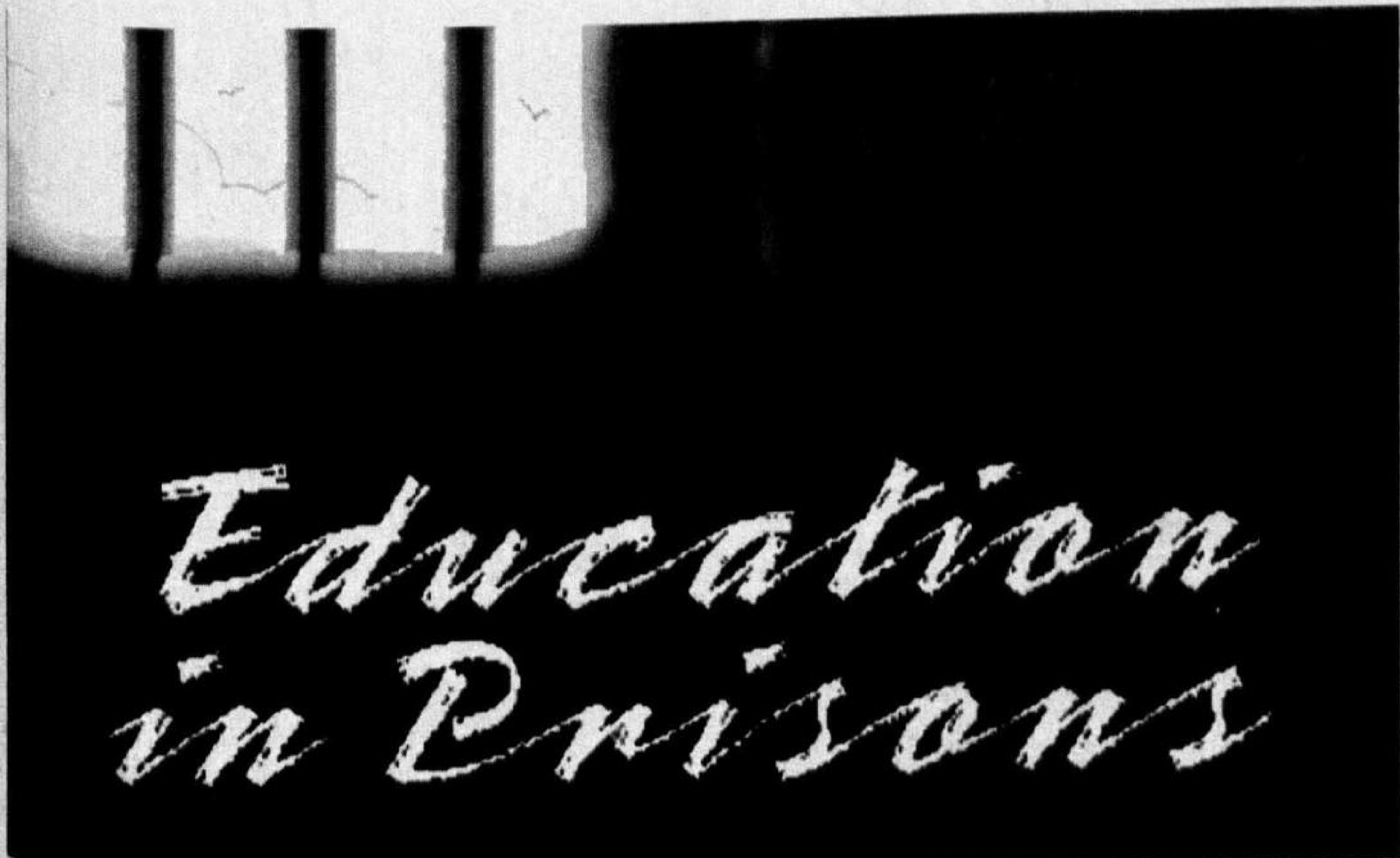
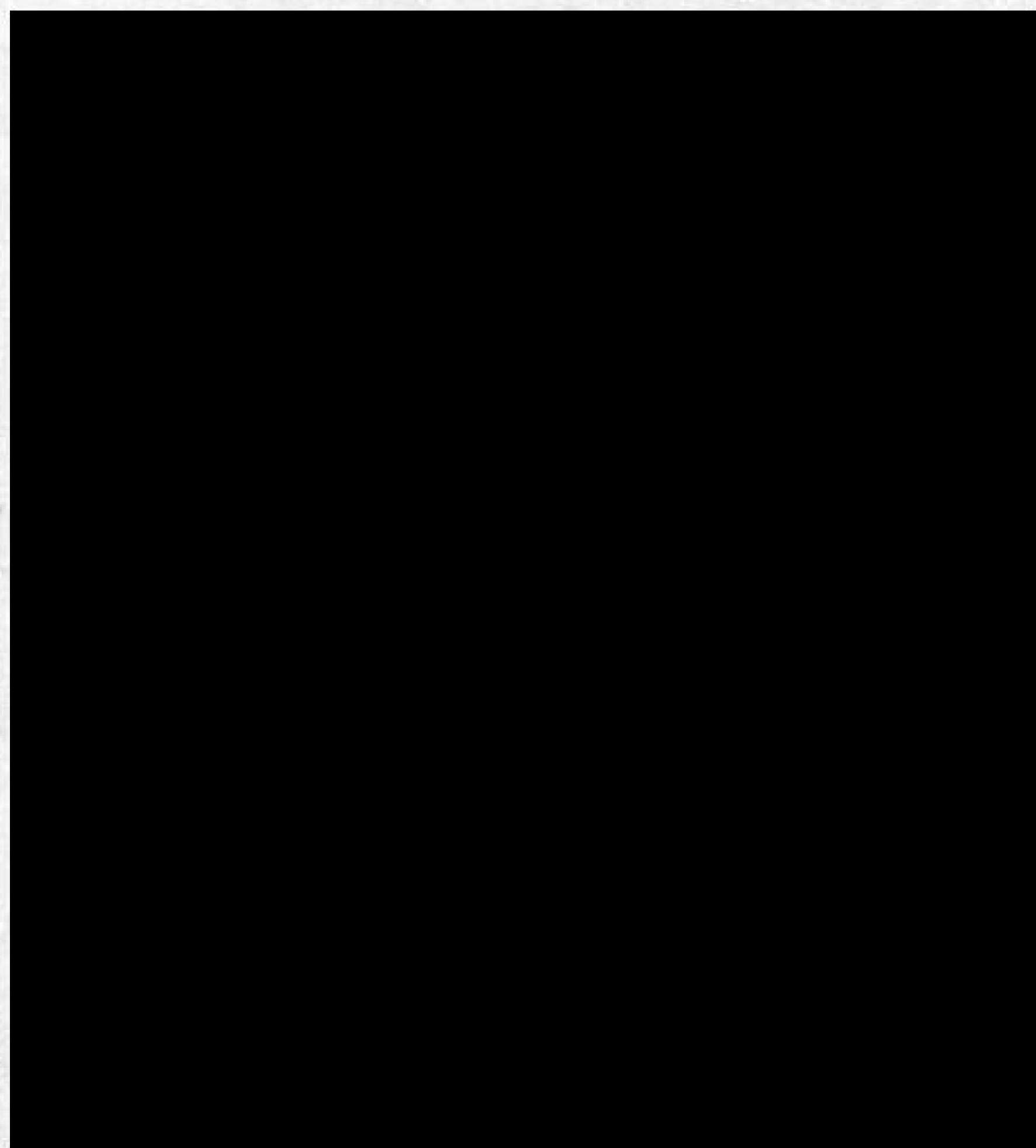


# J PRISON SERVICE JOURNAL

ISSUE NO. 91



# PRISON SERVICE JOURNAL

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# Comment

## INHUMAN BONDAGE?

In the Prison Service Museum at Newbold Revel hangs an ugly instrument of iron. It is in the shape of a band with hinges to open and close it and on either side rings also of iron, into which the wrists are padlocked. This particular belt was used in the mid 1700s and similar body belts were applied up until the 1820s. They were used to prevent escape from what in those days were insecure prisons. The ironing of prisoners, as it was called, was discontinued as prisons became more secure.

Such belts, modified by the use of leather rather than metal, remain in use but nowadays only for short periods of time and not to prevent escape but to control extreme violence when all other methods have failed. The belt may be used more now since doctors became less willing to order the forceable injection of drugs to control violent behaviour. Rightly doctors feared both the damaging side-effects of such medication and the threat that such forceable injection posed to any chance of subsequently working with the patient towards any long term therapeutic goal.

Critics of the use of the belt argue that it is barbaric, a relic of medieval times and say had it not existed we should not now invent it. Whilst all staff expect as part of their job to tolerate a degree of abuse and violence, when the threat of violence is persistent and extreme it is unreasonable to expect staff to do nothing to protect themselves.

To the prisoner who throws a bucket of excrement at staff whenever the cell door is opened or threatens violence and goes to carry out threats whenever a member of staff comes near, then the use of the body belt is reluctantly necessary in order that staff continue to carry out their duties free of intimidation. Neither is it good for the prisoner to feel he cannot be restrained. That only feeds the

fear behind the violence.

Perhaps handcuffs could do the work equally well? Apart from the advantage that handcuffs do not have the medieval tag, they offer less protection to any victim and do not allow the prisoner the opportunity to have one hand released in order to eat and drink while still being restrained.

The critics point out that the use of body belts is not uniform throughout the Service and quote Hansard to show that Brixton, Feltham, Full Sutton, Pentonville and Wormwood Scrubs lead the field.

Aside from the usual inaccuracy of figures collected centrally in a routine way and in too broad a category to mean much, for example, local records show that at Pentonville a body belt was used only once in the time quoted and at Full Sutton on four occasions, two of which were prisoners received in restraints from another prison, it is remarkable that there should be differences between similar prisons. It would be helpful if the Chief Inspector of Prisons could take this up in a thematic review, not only to look at the number of cases but the reasons for use and how some prisons facing similar situations respond differently and whether the outcome of alternative responses is less or more damaging than the use of body belts.

But the way to reduce the use of the body belt is to eliminate the situations in which the need for it arises. That's what was done in the Nineteenth Century when as a consequence of building more secure prisons the belt ceased to be used for routine imprisonment. We should not abandon the use of the belt and leave staff and prisoners defenceless in the face of extreme violence but find ways of dealing with the source of the problem which do not create more victims.



# 'METHOD' AND THE NORWEGIAN PRISON SYSTEM

Andrew Lattimore,  
Governor 5,  
HM Prison,  
Birmingham.

*In a short visit to Norway the writer found that despite obvious differences there was much of relevance to our Service in what was termed, "Method" and what we might call offending behaviour programmes.*

## Introduction

The first thing one needs to realise about Norway is its enormous size compared to its population. It is as far from Oslo in the south to Tromsø in the north as it is from Oslo to Rome. Less than 4.5 million people live in this vast area, which equates to just 13 per square kilometre.

These facts are largely reflected by the Norwegian Prison Service. The Prison and Probation Department (together, you will note!), as part of the Ministry of Justice, has very much a regional structure in operational terms. Four districts, each presided over by a Direktor (Governor) and one or more deputies, are by and large self-sufficient within their catchment areas, and it is only long-termers, loosely defined as those serving more than 18-month sentences, who go to one of the five state prisons (Landsfengsel).

The Southern Region, where I was based for my two-week study tour in March 1993, is perhaps typical; 13 prisons in four counties hold about 430 prisoners. The smallest establishment holds just 11 inmates while the largest holds only 108. Jaws invariably dropped when they heard that the roll at Birmingham before I left had been 860! The whole prison population in Norway numbers only some 2,700 although there is a 'queuing' problem, particularly in the east around Oslo where there are over 3,000 sentences waiting to be served. It is not unusual for an inmate-to-be to have to wait several months for a vacancy to come up so that he or she can go inside.

However, comparisons in terms of numbers are not the only things to surprise a British visitor. Oslo Krets-fengsel, Norway's largest prison with 360 prisoners, was described to me as dirty, old and cramped. On arrival however, it proved to be clean, pleasantly furnished with light airy landings, and not more than one occupant to a big well-equipped cell. These definitions are obviously relative! Televisions in cell, own clothing, conjugal visits, and dining in

association are common throughout Norway. Where there is not integral sanitation, there is 24 hour access to toilet facilities. Generally, the approach seems to be that as 'normal' an environment as possible takes away most of the stresses that could cause control problems. In terms of staffing, there is rarely a problem; the police are responsible for all escorts and transfers, so external commitments are not a drain on resources. Any predictable absences of sickness or leave can be covered by calling on a pool of part-time staff in the local community. This of course, is extremely expensive, as is the overtime system which still exists in Norway. Prison Officers routinely earn more than their Governor. Union power remains strong and influential.

## National Objectives

In much the same way as our own Prisons' Board sets priorities and objectives on an annual basis, so does Norway's. For 1993, they intend:

1. To increase the number of prison places to 2,791, and achieve 95 per cent occupancy as a minimum throughout the year.
2. To improve dynamic security by developing better positive relationships between staff and prisoners.
3. To increase programmes of rehabilitation through 'methods'.
4. To reorganise headquarters by developing a common administration structure for prison and probation work, and by clarifying the position of the Department within the Ministry of Justice. It is the third of these objectives in which I took particular interest.

## 'Method' in Prison

In recent years, the Prison Department has begun to embark on a programme of bringing 'method' into Norwegian



establishments. This is with the dual objective of firstly motivating prisoners to change in line with the rehabilitative ideal, and secondly expanding the role of the prison officer beyond that of a turn-key so as to fulfill his/her full potential. 'Method' can be defined as a common platform of means throughout the Prison Service by which the above objectives can be achieved. There is not one method, but several which can be used in different situations, and with different groups and individuals. Together they make up a range of tools that are available for use by staff in a particular establishment, or even on a particular landing, as they feel appropriate.

One such method, 'reality therapy' is borrowed from North American psychiatry, and in particular Dr William Glasser's control theory. Despite the jargon, this one-to-one technique is actually a straightforward process:

1. First, an officer must form a relationship with the prisoner by getting to know him/her and breaking down barriers of mistrust.
2. Second, the officer invites the inmate to examine his/her present position and behaviour. An evaluation takes place where the prisoner decides what is good and bad about his/her life.
3. A plan of action is developed. It must be specific and achievable (for example, one would not say 'I will not commit any more violent offences', but rather 'Tomorrow I will not raise my voice'). Of vital importance is that the prisoner develops and chooses the plan him/herself, taking responsibility for his/her own life. The officer is there to assist only, and if the plan fails the prisoner must go back to the beginning of the process. The approach can be summarised by three questions that the prisoner must be continually asked and challenged on;

What do you want?

What do you choose to do about it?

Will your choice work?

The aim of this method, therefore, is not explicitly rehabilitation, but rather positive change from which the prognosis for rehabilitation is improved. Any method cannot be introduced overnight. At Drammen Kretsfengsel for instance, a closed prison for 39 inmates south of Oslo, the

setting up process has taken over two years of education for staff at all levels. Nevertheless, they were keen to embrace the plan as they saw it was a way to improve their standing as professional Prison Officers rather than 'just security guards', and thereby increase their job satisfaction. I had the chance to see the Drammen system in action and was impressed by the positive and progressive atmosphere of the place.

Set against a backdrop of very good physical conditions, staff were involved in activities with prisoners both at work and leisure. Officers did not stand back to observe, but rather participated in what was going on. Running parallel, and really as part of the reality therapy at Drammen, was a system of contracts between prisoners and staff. Inmates may make a choice and agree in writing to behave well and to live a drug free life in prison. In return, they get extensive use of gym and recreational facilities. Convicted prisoners who have served one third of their sentence may enjoy considerable freedom inside whilst also being allowed frequent home leaves, and escorted absences to go swimming, skiing etc. In other words a firm, positive direction from a prisoner is rewarded by the system, and any abuse of the privileges involves being put back into a more restrictive 'no contract' regime. In this way, the contract system forms an integral part of the reality therapy; the prisoner makes the choices, takes responsibility, and reaps the benefit or the penalties of his/her behaviour. Urine testing for drug use is a commonly-used way of ensuring prisoners keep their side of the bargain. At the time of my visit 17 of 39 prisoners at Drammen had signed a contract. The Norwegians are pragmatic enough to know that some prisoners will not want to know about changes or choices, and that others will fail and have to go back to the beginning. So be it; it is all about choice.

I spoke to staff and prisoners and found widespread satisfaction with the system. The level of staff sickness had dropped from being as high as 60 per cent in the 1980's, to just 7.5 per cent in 1992, and morale was high.

Interestingly, by way of digression, Drammen was a mixed prison with male (including some sex offenders) and female prisoners participating jointly in regime activities under supervision. The only restriction was that they should not go to each others' cells.



### **The Plan For Berg**

Inspektor Kay Sudland, the Norwegian equivalent of a Governor 5, and my host for my two week-tour, was in charge of Berg open prison situated on the beautiful western shore of the Oslofjord near Tonsberg. He has felt for a long time that his officers are not sufficiently involved with the prisoners, and now plans to bring "method" to his prison. He will start with a staff meeting to discuss the options, and as in reality therapy, the officers themselves must evaluate their work and make the choices. A big cultural change will need to take place both for staff and prisoners. However, Inspektor Sudland feels that there is particular need in an open environment where it is easier with the inherent freedom of movement to avoid contact with the prisoners, and leave serious involvement to the establishment's specialist teachers and social workers. The change will not be easy, but it is hoped that within a few years everyone will be able to see the benefit.

### **Conclusion**

Could it all work in our own establishments? It is easy to be dismissive; in many ways we are not on a level playing field with the

Norwegians. They have a tiny prison population in comparison, all contained in small, more manageable units. Sentences are shorter and there are very few prisoners who could be said to have little or nothing to lose. Norwegian society as a whole is more homogenous—they do not suffer from squalid inner cities, terrorism, or many other of our ills, and consequently do not have the degree of sophisticated and subversive criminals that we do in our care.

However, looking back on two weeks of fascinating insight into a foreign culture and penal system, where anecdotes on both sides ran aplenty, I can say with some conviction that we have more in common than we do differences. The problems of often difficult, and always challenging prison work, cross international boundaries. The Norwegians, in a focused and unified way, have embarked on a process of attacking the most fundamental problem - how to bring about positive change in prisoners with their most valuable resource, the staff.

Thanks must go to Kay Sudland, Harald Fosker and the staff and prisoners of the Norwegian Prison Service and College, for their time and generous hospitality throughout this study tour ■

## ***What do you know about Aids?***

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# THE PROBLEM OF IRREGULAR ATTENDANCE (or how to nail the malingerer)

M K Pascoe, Governor,  
HMP Winchester.

**A discussion document which was presented to the Prison Service College as part of the senior command course of studies.**

When, in the dim and distant past, I was asked to pick a subject for presentation I remember being advised not to be too ambitious and not to pick too broad a topic. Previous efforts had apparently sunk under the weight of the subject. For this reason I have chosen irregular attendance, specifically dishonest irregular attendance, rather than the overall issue of staff sickness. I have also confined myself to prison officers as, whether we like it or not, their attendance record tends to be more important to us as Governors than that of other groups. The second thing I remember is that my tutor felt that my topic was rather negative and implied a preconceived view of sickness. Well, I did not get where I am today over-estimating the nobility of man. In truth I do feel that there have been enough positive – dare I say unrealistic – messages flowing from the Director General downwards of late and that a little bit of realism would not go amiss. It is true that I have a firm view of sickness which is based on gut feeling rather than scientific evidence. That's how I do my job. To be precise, every publication on my subject starts with the statement that the vast majority of sickness is genuine and deserves to be treated sensitively and sympathetically. Now I can fake sensitivity better than Bob Monkhouse but I don't believe it at least

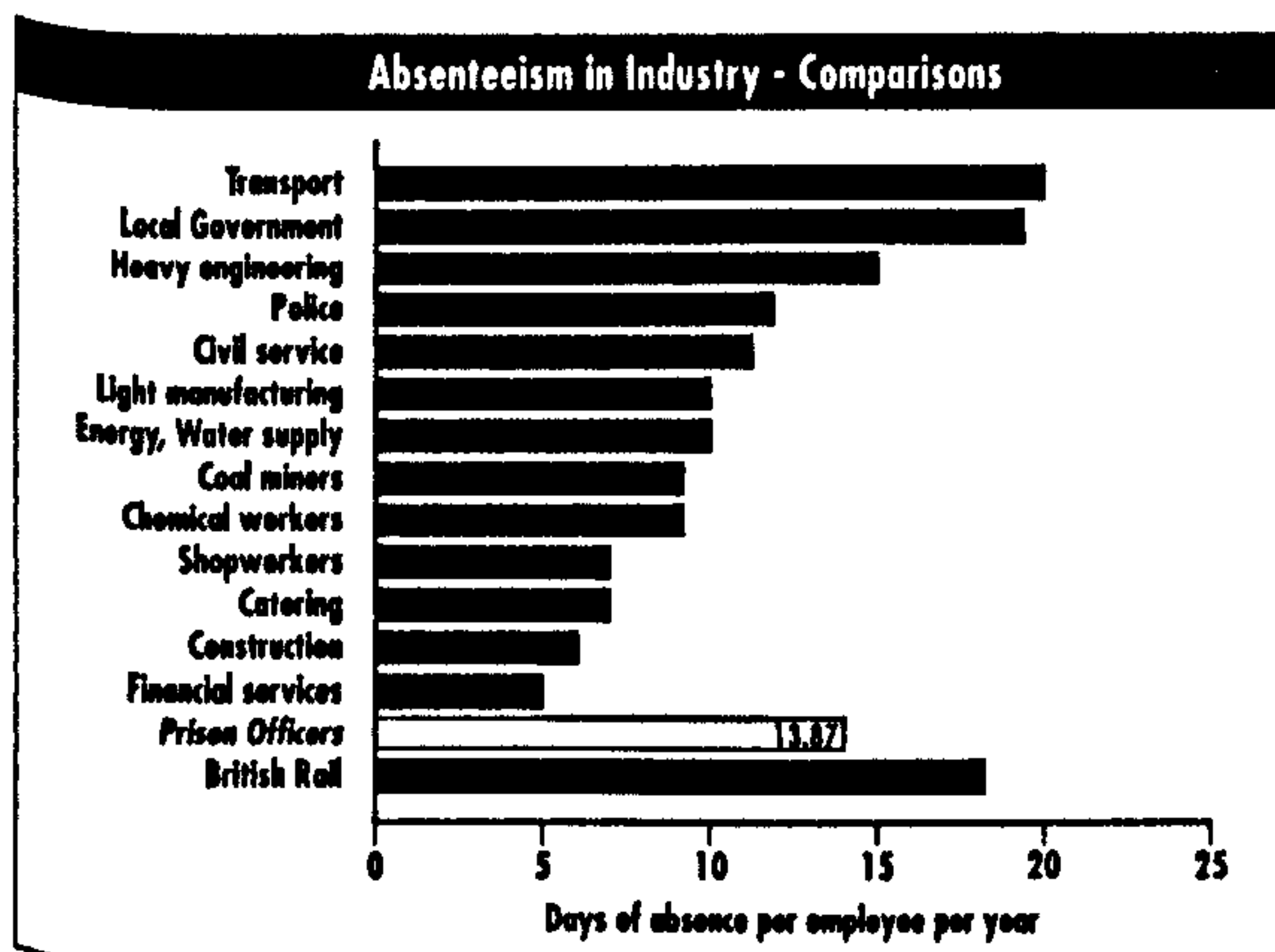
purpose of my presentation. I do not offer a thesis for a higher degree or a piece of faultless research. I just put forward some facts and thoughts which might spark off a useful debate, will at least occupy a slot in the day and will keep the Principal off my back.

Genuine or otherwise, the first question to ask is whether or not sickness is a problem for the Service. In the Civil Service generally, sickness ran at 9.4 days in 1990 (9.86 in 1991) and it may be of interest to note that certified absence increases with age (logical) and self-certificated absence decreases (less hangovers or football excursions as you get older?) Amongst prison officers sickness stands at approximately 14 days per person and 40 per cent of that is made up of the single day. Let us put that in perspective. Figure 1 shows comparisons.

As a result the Howard Report on the Management of Sick Absence in the Prison Service (1990) remarks that in terms of comparisons with other organisations and as a general statement the Prison Service does not have a particular problem with sick absence: an average of 13.87 is not a particularly serious problem and compares favourably with 17.7 days of wage grades at British Rail!

Against that, my investigations suggest that other organisations regard their present level as no longer acceptable in today's competitive world. The National Westminster Bank told me that their sickness rate of seven days was too high and would be reduced to five by the end of 1992. Moreover, the consequences of our sick may be more damaging than to others or, indeed, the Civil Service as a whole – the loss of association/classes leading to riots! A Steel Works manager told me that they could tolerate quite a lot of sick once the furnaces were up and running and churning out the product. A few men going sick made no difference to

Figure 1



with regard to short-term or irregular sick. It reminds me of that other maxim that the presence of women officers in male gaols has been a bonus. Actually the only hard evidence is that their sickness is worse than men. I digress. My last introductory point concerns the



production. British Rail told me that if an Inter-City train driver dropped dead, management just borrowed the driver from a minor service on which they had only a handful of passengers. It is the prospect of private competition that is making BR attack sickness.

I list the factors that make sickness a special and different issue for the Prison Service

### 1) Non-Flexible Work

A sick officer must be replaced if at all possible. We cannot catch up on his work as in the ordinary office. Evening classes get cancelled, not postponed, and the teachers get paid for nothing. Remember, we get only eight days as part of our 20 per cent non-effectives. While I get the chance I should mention special leave. We get no allowance whatsoever but Governors are being bombarded with applications. No doubt special leave to cope with the trauma of being burgled was OK in the law-abiding days of pre-war Britain, but can we afford the time off now that burglary of one's home is a bi-annual event?

### 2) The Political Context

The Civil Service (or rather Ministers) do not want any bad publicity in regard to their image as an employer. Criticism at an industrial tribunal or in the Press is dreaded. DPF2 explained to me that one case earlier this year was reported in the Guardian and showed us in a bad light. I myself would regard criticism in the Guardian as a mark of distinction. To be fair, compensation awards do come from the public purse and I don't want my taxes handed to a malingerer. Nevertheless, the political context may explain why the Wolds may have sacked more malingerers in one year than Walton has sacked since the war.

### 3) Privatisation

The Prison Agency will shortly be competing with the private sector who may well decide and be able to eliminate the malingerer much more efficiently. The Wolds do not pay an officer for one to three days sick.

### 4) Probation

The NEPO completes 52 weeks on probation. At the end of that period a recommendation is made on retention and is based largely on the report from the establishment. In other organisations I visited British Rail, Condor, such probationary

periods are used to rid themselves of any doubtful cases. Alas, the NEPO is a Civil Servant and after 52 weeks full employment is entitled to appeal against dismissal to the Civil Service Appeal Board. DPF2 does not receive the NEPO's ASR until some weeks after 52. A local recommendation for dismissal leads only to extended probation. The NEPO sees the amber light and improves sufficiently to get a box three and is confirmed in his appointment. We are stuck with mediocrity for 30 years.

Having outlined the problem, I am now obliged to come up with solutions.

### 1) Monitoring

Every organisation I visited agreed that you had to have the figures at your fingertips. You must have a foolproof system of identifying the target – if possible on computer. You must hold an individual responsible for the scheme, not just Management Services or the Personnel Office. Here I contrast British Rail with Winchester Prison.

### 2) Simple but tight procedures

Make the warning process as simple as possible. Make sure ASR's reflect the sickness, for example, by actually stating the number of days. Agree a national tariff for box four in terms of days absence. Why not make eight the limit, for that is all we get in the Budget? See that as few people as possible are involved in the process so that forms do not get lost. Get the officer to sign at each stage. This is where my thunder has been stolen somewhat. In March 1992 Headquarters issued the blue booklet *Managing Sick Absence, Guidance for Line Managers*. It follows on from the Howard Report. It does give a clear procedure and is very similar to other organisations, for example, oral warning, written warning, final written warning. However, too many people get involved and the officer does not sign that he has had the oral warning. By coincidence British Rail had a similar review by Miss Howard and it produced their April 1992 Guide to Line Managers called *Managing for Attendance*. There, the personnel manager for a sub-division checks weekly by computer those who have hit the trigger point on sickness. He gives orders for the relevant line manager to start the process and logs it all. He is accountable. Dismissal can be done at Station Manager level. British Rail's trigger is ten days in a rolling 52



weeks. Between April and July 1992 there have been three sackings in the South-West Division of Network South-East (2000 employees) and no union reaction. The National Westminster Bank (Solent & Channel Island Region) had sacked two and forced 20 resignations by mid-1992 as a result of their purge of sickness.

### 3) Remould the CSAB

It may be politically unacceptable to kill off the CSAB. Perhaps one can remould it. When conservative US Presidents of the 1970's and 80's found themselves saddled with a liberal Supreme Court, they altered the balance by appointing conservative judges (and back came capital punishment). We may actually be unnecessarily scared of the CSAB anyway. Certainly my experience at DPF2 suggests that the myth is stronger than reality. Let me just sketch the background to unfair dismissal.

Until the 1971 Industrial Relations Act, sackings were, if you like, governed by common-law and the doctrine of 'hire and fire' prevailed. At common law any employee could be dismissed by giving proper notice or payment in lieu. The concept of wrongful dismissal existed, for example, when a contract was breached, but not 'unfair dismissal'. The employer was not obliged to give any reason for dismissal nor did he have to follow any procedure. Common law provided for reasonable notice and custom and practice suggested six months' pay for an ordinary worker. The 1971 Industrial Relations Act introduced the concept of unfair dismissal, in addition to wrongful dismissal, ie, where the employer has acted unreasonably. Here I want to make a couple of points with regard to sickness and sacking.

Firstly, industrial tribunals have established that an employer is entitled to say 'enough is enough' with sickness.

In *Walpole v Rolls Royce* (1980) an Industrial Tribunal ruled that an employer did not have a fair reason to dismiss because all the sick absence was genuine and covered by medical certificates. This ruling was overturned on appeal and held to be 'an error in law'.

Secondly, I refer to Continuous Service Requirement. Unless a sacking is related to sex, race or trade union activities, an employee must serve two years' continuous employment (working at least 16 hours a week) before being able to claim unfair dismissal. But only 52 weeks'

employment is required for a Civil Servant to appeal to the CSAB. I now return to ways of neutralising that body.

The CSAB was established by ministers in 1972, with agreement by both the Official and Trade Union sides of the Civil Service Whitley Council. Its main functions are:

a. to decide whether a department's decision to dismiss was fair;

b. to consider appeals against a department's decision not to pay compensation and to decide an amount.

Its main objective remains to protect the individual from unfair treatment. The Board is required to apply two criteria:

i. to consider whether management acted fairly and in accordance with agreed procedures hence my point about monitoring and getting our act together; and:

ii. to consider whether dismissal was the right and most appropriate action.

Perhaps the Minister might review the method of appointing Board members and see that it becomes less sympathetic to the employee. Alternatively, the Minister and the Service might be less concerned with losing cases and gaining bad publicity. Of course, it may be that it is all a myth anyway. Let us look at some facts for 1991.

### Civil Service Appeal Board

In 1991 the Board heard 214 Appeals and 52 (24 per cent) were successful. Actually only 14 cases were Home Office grades. Four Prison Officers appealed successfully but none was reinstated by the Service. Compensation averaging £9,500 was paid. My conclusion is that:

— we should be less afraid of appeals

— we should be prepared to pay compensation and regard it as an acceptable business expense. That is how our competitors in the private field will view it.

### 4) Sack during probation

As I said earlier, a NEPO can, in effect, appeal to the CSAB. This has led to the inevitable extended probation cop-out. The solution is either to review for retention earlier, for example, 40 weeks, or alter the eligibility for appeal.

Once again my thunder has been



stolen. According to DPF2 plans will shortly be announced that make two years the minimum term of employment necessary to qualify for appeal (it was two years between 1972-1975 and as low as 26 weeks 1975-1979). Let us hope that this leads us to take a ruthless stance on retention at the end of probation. This is clearly the attitude of private companies that I noted. Leopards do not change their spots and you can spot at the one-year stage the one who is going to be a malingerer for the next 30.

#### **5) Recruitment - Check the past attendance record**

At present we only check that a candidate is in good health and has no obvious illnesses or disabilities. We do not check on his past attendance record. We could unknowingly recruit a man who has had loads of self-certificated sick with previous employers. We should seek out such information from the latter and not take on those with suspect records. I have just been informed that this action is to be taken in future and that appropriate forms are now being designed by the Recruitment Section at HQ.

#### **6) Contract Out**

The fewer actual employees you have the less sickness you have to worry about. My visits to Condor and IBM enlightened me on the benefit of contracting out. At present you may have mediocre dog handlers/caterers with mediocre attendance records. You may be stuck with them for years. If you contract out these services you get a good service or change the contract. The sub-contractor will not hesitate to sack. He takes a business decision, for example, £10,000 compensation against a £1 million contract.

#### **7) Attendance Bonuses**

Only one in seven employers make use of an attendance bonus scheme. There are some spurious moral objections. You are paying someone double to do what one should expect anyway. You are forcing sick people to come to work. Nonsense. We all have free will. We all have to make decisions in life. Some companies have run bonus schemes and have reduced sickness, for example, Peugeot. They paid one extra day's pay (£40) for every four weeks without sick. Toshiba employ 960 people in Plymouth, manufacturing televisions. Absenteeism ran at 5.4 per cent of working hours. The assembly line can only operate with a full complement of staff. Hence the Company employed 'floaters' to fill the sick absences.

It was very costly and as a result Toshiba introduced an attendance bonus in 1992. It gave a £100 lump sum to any employee with six months perfect attendance. Sickness has dropped to 4.2 per cent. I will not bother you with other variations (do dental appointments and funerals disbar you?). All I will say is that the concept is worth looking at. If it works it's worth trying. We can no longer afford to take the moral high ground. I suggest the Prison Service introduces an attendance bonus scheme backdated to 1969, the year when I was forced into labour.

#### **8) Performance Pay Linked to Attendance**

Governor grades already have performance pay but it is a moot point as to whether it is linked to attendance. As we have a specific box in the ASR marked punctuality and attendance I suggest that it certainly is. I tried to make it so at Liverpool. Prison Officers, unlike other civil servants, also have a similar box. Perhaps we could look at a system whereby officers get performance pay but that we would make attendance a crucial factor in the overall marking. At Liverpool we tried to do that. We said that any more than 28 days sick in a year was automatically a box four. HQ frowned on us but, in all honesty, can you fully meet the requirements of the grade with that much sick, genuine or otherwise?

Just out of interest, you may care to hear about the Nat West ASR and performance pay relationship: Fully satisfactory (Box three) equals 2 per cent of salary. Good (Box two) equals 3.5 per cent of salary. Outstanding (Box one) equals 4.5 per cent of salary. On that basis a Governor 2 like myself would be getting £1,800 p.a. (Work that one out!)

#### **9) No Work No Pay**

I understand that at the Wolds the employee that goes sick for one to three days gets no pay (remember 40 per cent of our sick is the single day). I know little about such a scheme. I suspect that Civil Servants' terms of employment prevent such action at present.

I am reminded of my conversation with the Personnel Manager of a leading bank. He told me that the financial world had become a cut-throat business and that efficiency was everything. Sickness could no longer be tolerated.

Well, you might not like it but unless we get better, tomorrow will belong to Group four ■



# POLICING THE BOUNDARY:

## THE SIGNIFICANCE OF SEGREGATION

"... prisoners should not be dismissed as a useless and unproductive sector of society but ... seen to perform a valuable social function by providing us with a powerful ... vision of our own ... health."

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In 1870, J. B. Thomson, the resident surgeon at Perth prison in Scotland, articulated the key elements of a previously indistinct concern about the nature of criminality. In his article, 'The Hereditary Nature of Crime', Thomson postulated that 'crime is generally committed by criminals hereditarily predisposed to it', that is by a criminal class identified by 'typical, physical and mental peculiarities' and by its habitation of distinct, usually urban, locales.<sup>1</sup>

In subsequent decades, Thomson's suppositions about the aetiology of criminality were extended to encompass a wide range of supposedly deviant behaviour: insanity, mental deficiency, poverty, inebriety, promiscuity, epilepsy and certain physical illnesses (in particular, tuberculosis), were explained by reference to their hereditary nature. The force of this explanatory framework was strengthened by the belief that these anti-social conditions were related to each other in what was perceived to be a large and distinct family of degenerates.

In the early years of the twentieth century this argument about the causes of abnormality persisted, albeit with a slightly different emphasis. By the Edwardian period, mental deficiency was regarded not just as a member of the deviant family, but had become the root cause of all other social problems.<sup>2</sup> The shared experience of prison medical officers, of teachers dispensing

compulsory education and of medical practitioners running asylums, workhouses and infirmaries led to the conclusion that social and racial degeneration could best be avoided by segregating the mentally deficient and preventing them from marrying and reproducing. Consequently, institutions built specifically for mentally deficient children and adults joined those already available for the reception of the mad, the ill and the bad.

In recent years, a number of authors have explored the manner in which specific boundaries were constructed in the past to differentiate deviance from normality.<sup>3</sup> It is not my aim here to analyse the precise historical development of these boundaries, but to examine the social significance of segregation and boundary formation *per se*. It is my contention that, in the process of defining and suppressing what is perceived as abnormal, institutions and their staff allow us to create and defend our own normality, to affirm our own goodness, health and sanity. Although this argument could be applied to many institutions, I shall concentrate primarily on prisons and psychiatric institutions for two reasons. In the first instance, these settings exemplify the physical and emotional concomitants of segregation. In the second instance, prisoners and the mentally ill are still widely believed to represent two related facets of the same social problem. Thus, criminality and mental illness are often conflated to

1. J. B. Thomson, 'The Hereditary Nature of Crime', *The Journal of Mental Science*, XV, (1870), pp.487-498.

2. In 1911, for example, at a Conference on the Care of the Feeble-minded convened by the Manchester and Salford Sanitary Association, A. F. Tredgold commented 'that the problem of the feeble-minded is one, not only of first-rate importance in itself, but one which is intimately bound up with, in many cases at the bottom of, many of these other defects in our civilization.'

3. See, for example: M. Foucault, *Discipline and Punish*, tr. by A. Sheridan, (London, Penguin, 1979); Stephen Watson, 'The Moral Imbecile: a study of the relations between penal practice and psychiatric knowledge of the habitual offender', (unpublished Ph.D. thesis, University of Lancaster, 1988).



produce what Michel Foucault termed a 'a psychiatric and criminal continuum'.<sup>4</sup> In practical terms, this finds expression in the phenomenon of transcarceration and in the involvement of medical practitioners not only in identifying the mentally ill but also in assessing suspects, testifying in court and contributing to the care and control of offenders.

### **'US' and 'THEM'**

Attempts by Victorian and Edwardian social reformers to purify the race and to eliminate crime, poverty and illness, clearly failed to achieve their objectives. The incarceration of increasing numbers of deviants and degenerates did not solve the social problems posed by insanity, poverty, crime and mental deficiency.<sup>5</sup> Whilst acknowledgement of this failure, together with declining support for strictly hereditarian accounts of behaviour and a realisation of the cost of institutional segregation in a period of economic recession, put the brakes on the building of new institutions in the 1920s and 1930s, it is clear that the ideology of segregating marginalised sectors of the community has persisted, not only in the form of psychiatric hospitals, prisons and special schools but also in the less apparent, but nevertheless identifiable, form of cluster homes and day centres. More particularly, the drive to segregate is evidenced by the current spate of prison building and by the resurgence of positivist, individualistic and biogenetic (as opposed to socio-cultural) explanations of criminal behaviour.<sup>6</sup>

Any form of institutional segregation serves, in the first place, to clarify and concretise the definitions of abnormality propounded by courts, doctors, social workers and teachers. Thus, not only are institutions recognised by the type of inmate that they contain, but criminals and the ill are identified, and their worth and level of freedom defined, by the form of the

institution to which they are sent. Significantly, however, definitions of the criminal and the insane are arrived at not solely on the basis of their behaviour but by comparison with the standards of 'normal' society. That is, deviants are identified, defined and segregated by virtue of their 'otherness'. Even for recent observers, this 'otherness' often takes the form of a distinct and recognisable class in society and is described in terms reminiscent of Victorian and Edwardian views about the hereditary and physically distinct nature of deviancy.<sup>7</sup>

The marginalisation and segregation of criminals and the insane represents a persistent need to define certain sections of the population as 'other'. However, such efforts to divide society into clearly defined categories of normal and abnormal, good and bad, ill and well, sane and insane, are misleading. The employment of patients as nurses in eighteenth-century infirmaries and the use of pupils as assistant teachers in nineteenth-century schools both testify to the lack of a clear divide between inmate and staff. Closer to home, doctors do get ill; judges, policemen and prison officers do commit crimes; teachers do make mistakes; criminals are not always in prison; and the mentally ill are not always confined in psychiatric wards. The differentiation between self and other, between normal and abnormal, is therefore not as clear cut as the institutional rationale would have us believe.

It is in the context of this fluidity of categories that the most important role of institutionally-defined boundaries should be seen. By formalising in physical terms the ideological divide between those inside and those outside, between 'them' and 'us' and by resolving the ambiguity inherent in social relations by the use of distinct and often stigmatising labels, institutions allow 'us' not only to identify and categorise 'them', but more significantly to perceive ourselves as normal, good and sane. In the process of defining the deviant and his attendant

4. For a discussion of this point, see: Deborah Cameron and Elizabeth Frazer, *The Lust to Kill: A Feminist Investigation of Sexual Murder*, (Polity Press, 1990), pp.92-3. I am grateful to Vicki Belt for drawing my attention to this work.

5. In more recent times, the expansion of demands on the National Health Service similarly highlights the misguided nature of post-war aspirations that, by improving the nation's health, the need for such a service would be self-limiting.

6. For an example of a recent positivist biogenetic account of criminality, see: Robert P. Brittain, 'The Sadistic Murderer', *Medicine, Science and the Law*, 10, (1970), pp.198-207. For a critique of Brittain's approach, see Cameron and Frazer, *The Lust to Kill*, Ch.3.

7. See Brittain 'The Sadistic Murderer'.



characteristics and by accentuating the differences between inside and outside, prisons, psychiatric wards and special schools (and their respective staff) enable 'us' quite literally to define ourselves.<sup>8</sup>

Given the nature of their role as protectors of the physical and ideological boundary between 'us' and 'them', between normality and abnormality, it is perhaps not surprising that those intimately involved in policing that boundary are found to adhere most strongly to a monochrome (or 'them' and 'us') conception of human behaviour. Significantly, the differences between people inside and outside institutions are frequently stressed by psychiatrists, prison officers and policemen, that is by those with the greatest interest (both emotionally and professionally) in maintaining the divide. As Frank Tannenbaum explained in his discussion of the inherently brutal nature of imprisonment in 1922, the adoption of a rigid divide between staff and inmate is indispensable not only for society but also more directly for the staff themselves:

*'After all, he is a keeper, an official, a good man (at least in his own judgement). Whereas a convict is a criminal. For his own clear conscience' sake the keeper must, and does instinctively, make a sharp distinction between himself and the man whom he guards. This distinction in the mind of the keeper is absolutely essential. It is essential because we cannot brutally impose our will upon equals and betters. We can do it only to those whom we believe to be inferior - different - and not as good as ourselves ... The keeper of course does not know all this. He does not see that his hatred and contempt for the prisoner is a shield for his own conscience and a cover for his own morality. He believes the prisoner to be worse, just because he is a prisoner ... The keeper succeeds in making a gap between himself and the prisoner, and the gap is filled by contempt.'*<sup>9</sup>

While the creation of this gap and the evocation of such distinctions by the staff of prisons and psychiatric hospitals, can be seen as part of a strategy of professional self-aggrandizement, it can also be understood as an effort to maintain self-identity in the face of persistent ambiguity. In this context, it is instructive that many of the professionals involved at the interface between the normal and the deviant wear uniforms and carry implements that serve to differentiate them from their charges.<sup>10</sup> Significantly, promotion often removes the need for uniform since it distances staff from the perplexities of dealing directly with an ambiguous and shifting boundary.

The creation of sharp distinctions between staff and inmates enables staff to identify themselves in a manner that overcomes the conflict and tension inherent in their work. In addition, however, it serves to fuel the stereotypical depictions of both staff and inmates: pigs, screws and shrinks confront the bad and the mad in a parody of the complexity of social relations. The adoption of these stereotypes by inmates and staff (and their diffusion into society in general) itself serves a particular psychosocial function, not only for the staff and inmates, but also indirectly for the rest of society. As Weinberg pointed out in 1942 in his study of the Menard Penitentiary in southern Illinois, 'in condemning the other, each group seeks to sustain morale by a collective self-elevation.'<sup>11</sup>

### WHAT 'WE' GET OUT OF IT

The suggestion that institutions serve to define those on the outside, rather than just those on the inside, of their walls carries several implications that need exploring. In the first instance, the argument presented here implies that crime and insanity (and the institutions built to house the mad and the

8. It is significant that the career of a deviant, and the precise institutional setting that will provide his 'home', is in all of these instances influenced by medical discourse. The authority invested in medical knowledge is extensive.

9. Frank Tannenbaum, *Wall Shadows: A Study in American Prisons*, (New York, 1922) reprinted by AMS Press, New York, 1975), pp.25-26. Tannenbaum served a one year sentence for unlawful assembly during unemployment agitation in 1913, and subsequently served as a member of a team formed to study penal institutions throughout the United States of America.

10. It is interesting that psychiatrists and psychiatric nurses have eschewed the traditional uniforms associated with their professions, possibly in an attempt to facilitate their own integration with both patients and the outside public. Their adherence to medical models of mental illness, their use of a distinct and marginalising language, and the employment of physical therapies serve nonetheless to locate them at the interface between inside and outside.

11. S. Kirson Weinberg, 'Aspects of the Prison's Social-Structure', *The American Journal of Sociology*, XLVII, (1942), pp.717-726.



bad) are an integral part of normal society. This suggestion is not new. Emile Durkheim discussed the issue in 1895:

*'In the first place, crime is normal because a society exempt from it is utterly impossible. Crime, we have shown elsewhere, consists of an act that offends very strong collective sentiments. In a society in which criminal acts are no longer committed, the sentiments they offend would have to be found without exception in all individual consciousnesses, and they must be found to exist with the same degree as sentiments contrary to them. Assuming that this condition could actually be realized, crime would not then disappear; it would only change its form, for the very cause which would thus dry up the sources of criminality would immediately open up new ones ... Crime is then, necessary; it is bound up with the fundamental conditions of all social life, and by that very fact it is useful, because these conditions of which it is a part are themselves indispensable to the normal evolution of morality and law.'*<sup>12</sup>

As a normal and inevitable component of any society, crime and insanity are manifestly social constructs, reflecting prevalent social values. By separating 'us' from 'them', institutions crystallise and legitimise those values, allowing 'us' in the process to confirm our collective social worth.

The second implication of this argument is that if such boundaries serve a distinct social purpose and if prisons, mental institutions and hospitals are microcosms of society, as has often been suggested, one would expect similar boundaries to be drawn between inmates themselves. It is significant then that prison populations are indeed divided by a labelling process similar to that described: sex offenders and informers serve as the yardstick of 'otherness' or 'badness' by which the bulk of prisoners measure their own superiority or goodness. Marginalised and segregated in this way, Rule 43 inmates inhabit prisons within prisons.

Finally, this argument implies that an understanding of any form of deviancy will come not only from analysing the criminal or the madman but, more importantly, from an analysis of the manner

in which 'otherness' is socially constructed by 'us'. From this perspective, as recent criminologists have suggested, crime and insanity must be seen not as isolated actions by isolated agents but as the product of a dynamic interaction between human beings with both shared and conflicting interests.

## WHY 'WE' POLICE THE BOUNDARY

In this article, I have argued that public attitudes and social policies demonstrate an urge to segregate certain members of the population in institutions specifically designed for that purpose. I have not attempted to explain the historical conditions that gave rise to those institutions or to their changing character over time. Instead I have concentrated on the social role played by institutions and their staff and inmates. While the precise institutional distribution of those perceived as 'other' has changed, the strategy of institutionalising the mad and bad has satisfied an enduring social need to identify ourselves on the outside in relation to those on the inside. Ironically, this suggests that prisoners should not be dismissed as a useless and unproductive sector of society but that they should be seen to perform a valuable social function by providing us with a powerful, socially constructed vision of our own physical and mental health. As Durkheim suggested:

*'Contrary to current ideas, the criminal no longer seems a totally unsociable being, a sort of parasitic element, a strange and unassimilable body, introduced into the midst of society. On the contrary, he plays a definite role in social life.'*<sup>13</sup>

This view raises important questions about the management of criminals in particular, since if 'crime' is not pathological at all, the object of punishment cannot be to cure it, and its true function must be sought elsewhere.<sup>14</sup> If prisoners and patients are a necessary and important part of society, why are they treated with such disrespect? Why do we not improve the conditions and status of the mad and the bad? The answer, I would argue, is that treating them well would remove their social utility. It is only through

12. Emile Durkheim, *The Rules of Sociological Method*, (8th Ed., translated by Sarah A. Solovay and John H. Mueller and edited by George E. G. Catlin, The Free Press of Glencoe, 1964), pp.67-70.

13. *Ibid.*, p.72.

14. *Ibid.*, p.73.



the identification of marginal groups as 'other', through their degradation in prisons and psychiatric wards, that we are able to maintain the divide between 'us' and 'them'.

The responsibility of maintaining the clarity of the boundary between 'us' and 'them' in the face of considerable ambiguity has been invested in distinct, and often uniformed, groups of professionals. While I would argue that such an approach to deviancy is predicated upon control rather than care, this argument is not primarily intended as a criticism of psychiatric or penal policy. It simply suggests that certain groups of professionals play a significant part in the maintenance of social cohesion by providing societies with a distinct and carefully controlled yardstick by which to measure their own worth. Ironically, by articulating two ideologically distinct subsets,

by reinforcing the social divide and thereby affirming their own hegemony, psychiatrists and nurses, policemen, prison officers and prison medical officers sacrifice their own identity. As part of the salaried workforce, with the power to define and control those that keep them in work, they stand apart from their charges. Working within the space inhabited by the mad and the bad, however, they become tainted with the stigma of 'otherness'. As a result, keepers themselves become prisoners. Prevented from being accepted by either 'us' or 'them', they are consigned to serve their time as insecure guardians of our fragile and artificial construction of ourselves as good, sane and healthy<sup>15</sup> ■

#### Notes

I am grateful to Cathy Crawford for her constructive comments on the first draft of this paper.

15. The ambiguous social space occupied by psychiatrists and prison officers may also explain the feelings expressed in the recent editorial comment in the *Prison Service Journal*, 85, (1992), p.1.

## VERBALS

"From an architectural point of view the remodelling of Strangeways has been a success. It would be sad if in a bid to satisfy the hang 'em and flog 'em Tory faithful, this kind of project is stopped."

*[Leslie Fairweather of RIBA in 'The Independent'] 1 September*

"Group 4 is very well placed to respond to future opportunities. We have invested a great deal in people and expertise and we are keen to develop our business."

*[John Bates, spokesman for Group 4 in 'The Times'] 1 September*

"It is very foolish to go further down the road of privatisation before the result of the first privatisation can be assessed."

*[Tony Blair, Shadow Home Secretary in 'The Times'] 1 September*

"It is easy for the executive to call for industrial action but when there are three million people unemployed, members will think very hard."

*[POA member quoted in 'The Times'] 1 September*



# PARTNERSHIP IN THROUGH CARE

*A report on a conference at Sheffield sponsored by the Joint Centre for Training and Development in the Personal Social Services.*

*Ms A. E. Roy, Assistant  
Chief Probation Officer,  
Lincolnshire Probation  
Service.*

'Partnership' is a word which has been used increasingly in recent years in discussions about the improvement of public service organisations and what they deliver to their 'customers'. Criminal Justice agencies have been required to reframe their view of themselves as insular organisations and to think instead in terms of a Criminal Justice System, therefore giving active consideration to working in collaboration with other agencies and creating a cohesive network for responding to crime and criminality. There are a number of requirements for such collaboration enshrined within the arrangements for delivering the 1991 Criminal Justice Act, as, for example, with sentence planning and the new arrangements for throughcare and the regional Criminal Justice forums.

The Probation Service is also being actively encouraged to enter into Partnerships with voluntary agencies to increase the range of services available to offenders; a recent Home Office paper indicated that Probation Areas will soon be required to spend five per cent of their total budget in funding such arrangements.

Most of us probably recognise that working in collaboration with other Criminal Justice agencies makes sense, but what of the idea of Partnerships with voluntary bodies? Is it likely to produce irrelevant or sub-standard service on the cheap, or are there advantages to be gained from this approach?

The Woolf report referred to the importance of building links between communities and prisons, and strongly advocated the development of Community Prisons. Whilst accepting the validity and desirability of this idea, those who work within the Prison system know that the complexities and expense involved mean that progress in that direction will be slow. It is however, important to consider in the meantime, ways in which communities can

become more involved in prisons, thereby lessening the isolation of the custodial experience and making rehabilitation a more likely prospect. Collaboration with voluntary agencies is crucial to achieving this and there are many examples of innovative and constructive Partnership schemes in prisons throughout the country.

A recent one-day conference on the theme of Partnerships in Throughcare was held at Sheffield University, sponsored by the Joint Centre for Training and Development in the Personal Social Services. It was chaired by Robin Halward, Governor, HMP Strangeways, and keynote speeches were made by: John Harman, Deputy Chief Probation Officer, South Yorkshire and Helen Edwards, Assistant Director, NACRO. It gave participants the opportunity to hear about a number of existing Partnership schemes and the issues which must be addressed in setting them up. Its purpose was to demonstrate that Partnerships between voluntary and statutory agencies can:

- i) extend the range of options open to prisoners and ex-prisoners;
- ii) enhance their quality of life;
- iii) allow a flexible and relevant response to those from minority groups;
- iv) allow a flexible and relevant response to those with special needs;
- v) allow a wider provision of service than would otherwise be the case;
- vi) complement and enhance the sentence planning process;
- vii) facilitate rehabilitation and lessen the likelihood of re-offending.



Some of the schemes described at the Conference are inspiring in their capacity to deliver on the points set out above.

Examples are as follows:

### 1) The Swansea Listener Scheme

Brian Davies, Senior Probation Officer and a speaker from the local Samaritans Group, described how HMP Swansea responded to the suicide of a 15 year old prisoner in 1990. The Governor decided to 'raise the barriers' and start the process of sharing concern for prison suicide with the local community. Discussions involving staff, prisoners and representatives from a variety of local agencies and the Home Office eventually produced the idea of a Listener Scheme which actively involved prisoners in suicide prevention. The local Samaritans group already offered a service in the prison, with a commitment to visiting prisoners within one hour of referral, and they now took a lead role in training selected inmates to become Listeners. Thus a scheme was established which supplemented good practice by prison staff and created extended networks within the institution to respond to those who are feeling suicidal. Since it was set up the number of self-injuries has been halved, there have been no deaths and the use of the strip cell has declined.

The Scheme demonstrates the potential of a shared approach to problem-solving between the institution, prisoners and the local community. It has other positive spin-offs in encouraging a more open approach to the difficulties faced by inmates both during sentence and on release, and in encouraging a sense of responsibility and citizenship amongst them.

### 2) The Activity Centre, HMP Holloway

Di Melvin, prison officer at HMP Holloway, spoke about the Prison Activity Centre which has the aim of educating and informing women about issues of relevance to them, such as housing, employment, drugs, relationships, health, HIV, and so on.

Various outside agencies are invited to contribute, and this then creates links with the outside for prisoners on release. The four main courses which run are:

Pre-Release :

Induction :

Health Information (drugs/alcohol) :

Vulnerable Prisoner Group.

In addition to this there are regular 'surgeries' with a number of voluntary agencies, such as Women in Prison, the Black Female Prisoners' Scheme, Kelly House Bail Hostel, and the Parole Release Scheme. Most agencies give their services free of charge, unless they offer a more specialised service, such as hypnotherapy.

The Holloway Activity Centre illustrates how it is possible to offer a wide range of services to prisoners, catering for specialised needs and responding to the needs of minority groups. It facilitates the creation of a supportive and useful network which the women can plug into on release, and allows for reflection and learning in a number of areas in which difficulties are frequently encountered.

### 3) Working with Substance Abusers

Andrew Shephard works for a voluntary agency called Turning Point. He talked about the importance of an inter-agency approach to the problems posed by substance abuse. In most areas of the country there are voluntary and statutory agencies involved in this area of work. It is crucial that in the course of sentence planning relevant links are made with those who may be able to assist the prisoner during sentence and on release in facing the problems associated with substance abuse, should she or he be motivated to do so. Some drugs agencies may be willing to attend the prison to participate in group work, or to offer individual counselling. Others may require additional funding to enable them to offer such a service. There are some examples of inter-agency consortium having successfully bid for money to enable the setting up of comprehensive schemes to tackle substance abuse, such as that operating in HMP Hull. The links with hostels and local health services are also of vital importance and should not be ignored.

Andrew Shephard's input underlined the importance of comprehensive local planning in responding to problems of addiction. Although it may be helpful to obtain funding for developing major schemes, it is not always possible to do so, and the importance of a strategy which uses local networks is crucial to effective work in this area.

Other inputs to the Conference looked at Partnership arrangements relating to employment (Janice Black and Martyn Gleaden from Prospect Training), and the



mechanics of setting up formal and informal Partnerships and obtaining funding (John Spencer, Senior Probation Officer, Durham).

Michael Denton from HMP Styal ran a workshop which helped participants to think about the 'nitty gritty' issues of Partnership. Some of the points drawn out were as follows:

1) Planning for the use of Partnership arrangements in Prisons should be done on an inter-disciplinary basis. This will encourage greater clarity about the service which is to be provided and will encourage ownership of it amongst staff. This may be crucial to its success.

2) Details of how the Partnership will work need to be thought through before it goes into operation. Issues such as access, confidentiality, financing, screening of volunteers, communication and lines of accountability need to be discussed and resolved to pre-empt any misunderstandings which may occur.

3) Regular review of the Partnership arrangement and the service delivered is important, and should be carried out in a spirit of co-operation to ensure that

problems are sorted out and improvements are made where necessary.

4) The views of inmates regarding their needs and their views of the service offered should be sought. Minority groups should be encouraged to identify services which may be helpful to them. This will help to ensure that what is provided relates to what prisoners genuinely need.

The Conference, which is an annual event focused on issues relating to Throughcare, was a useful vehicle for looking at the potential of Partnerships. The message is clear:

— Partnership between statutory agencies is vital as we move into sentence planning and engaging in work which will reduce the likelihood of re-offending.

— Partnership with voluntary agencies increases the range and level of opportunities and services open to prisoners. It may prove to be the vital link for many in facilitating successful re-integration into the community.

Prisons should seek to develop and exploit the potential which exists within Partnership arrangements ■

## VERBALS

"... the contracts between the Prison Service and private firms must become much more open. Parliament has a right to know essential details such as the staffing levels of companies running prisons, the procedures used to review contracts and the penalties for incompetence ..."

*[Times leader] 1 September*

"This is a very serious challenge to the Prison Officers' Association and its members. I have no doubt that we will respond in an extremely forceful way. Strike action will undoubtedly be one of the options discussed ..."

*[David Evans of the POA on the Government's plans to contract out more prisons in 'Evening Standard'] 31 August.*



# THE 'Scrubs Annexe COMES OF AGE

*The author describes the work of a small therapeutic unit, the Annexe, located in the depths of HMP Wormwood Scrubs. He tells of the tensions of being located in a multi-purpose establishment and how the Annexe is tackling that issue. The unit has done more than simply survive since it was begun 21 years ago although that in itself is an achievement.*

Lawrence Jones,  
Principal Psychologist,  
HMP Wormwood Scrubs.

The Annexe at HMP Wormwood Scrubs has been operating as a therapeutic community for over 21 years. It was started in 1972 by Dr. Max Glatt and has run under the leadership of several medical officers developing as an integral part of the 'Scrubs. Catering for a maximum of 30 men it takes a mixture of sex offenders, people with addiction problems and - more recently - lifers and inmates with 'personality disorders'. In addition to regular small groups and twice weekly community meetings the unit runs a variety of cognitive behavioural interventions ranging from anger-control to relapse prevention. A distinguishing feature of the programme is the integration of focused thematic interventions - mainly cognitive behavioural - into the therapeutic community model. A modified version of the core programme from the national sex offender treatment programme has been running since the beginning of the year. In addition various time limited packages are run on the basis of identified need. The underlying principle being that any intervention at the individual level is greatly enhanced if it is nested within interventions on the group and regime level.

Being situated in London offers the unique opportunity of utilising the variety of resources that are within easy access of the Prison. Regular Narcotics Anonymous and Alcoholics Anonymous meetings are held each weekend. In addition a recently established link with New Bridge will enable inmates to keep a realistic perspective on the whole problem of finding work after release. This relative accessibility also allows ex inmates to come back and visit the unit.

As a small unit embedded within a large prison the Annexe has much in common with special units such as those in Hull and Parkhurst. These regimes fit neatly into Woolf's notion of a 'community prison' if this is interpreted as a prison with a variety of different regimes that are operating together. At the Scrubs the Annexe has served to highlight some of the wisdom behind this model in that it has substantially influenced the ethos and functioning of the rest of the prison. For example many of the Scrubs' hospital officers have worked in the Annexe at one time

or another and have developed a body of expertise that they have then used in other areas of their work - such as working with psychiatrically disturbed inmates or inmates undergoing personal crises in the hospital. Currently officers who are interested in group work on other wings are being recruited for a 6 month minimum training period on the Annexe. It is intended that they will bring their skills back with them onto the wing. It is also intended that this scheme can be included as part of a NVQ certificated course in group-work skills.

A feature of the kind of tolerance of cultural diversity in regimes such as that at the Scrubs is that there are tensions across regimes. Staff through-out the prison identify strongly with their own patch. Often when talking to people working in small units, whether they are therapeutic communities or special units, the issue of cultural conflict is raised ... "people don't understand what we are doing" ... "I sometimes think that people (i.e. antagonistic staff in the rest of the prison) are trying to sabotage what we are doing" ... "I don't know if we are going to be closed down". These attitudes are a natural consequence of staff 'owning' the regime that they are working in and demonstrating their loyalty to it. This territoriality can engender a tension or inter-regime rivalry that at worst leads to behaviour that corroborates the sense of persecution described above and at best is dynamic and motivating. Managing this tension creatively entails keeping the prison as a whole informed about what is going on in each part and giving the firm message that debate and discussion rather than sabotage and non-cooperation are the best way of making progress. Plurality of regimes necessitates tolerance of cultural diversity.

The question most often asked of treatment programmes is : does it have an impact on reconviction? From the beginning the notion of a continual process whereby the treatment regime responds and adapts to the outcome of research conducted on it has been an essential part of the concept of therapeutic communities. It has not been so much a question of 'does it work?' but more a question of : how can we best



change the regime to facilitate the change process of those who are living in it and, furthermore, how can we use the results of research to this end? Framed in this way the question of clinical utility no longer carries the kind of threat posed by the simple question of 'does it work' which if asked prematurely can lead to us throwing out the baby not merely with the bath water but before even knowing whether it has had a bath.

The potential contribution of therapeutic communities to the knowledge base about offending behaviour and what can influence it is perhaps one of the most under-examined uses of such regimes to the service. The relative transparency of inmates in therapeutic communities makes this kind of environment ideally suited for researching into the nature of offending behaviour and ways of intervening with it. The knowledge gained by these means can be of great use to professionals throughout the Service.

Having said this it may be useful briefly to review the current state of play with regard to research into the effects of this kind of regime. The best known traditional evaluations of prison based therapeutic communities in this country were done on Grendon. Both Newton (1971)<sup>1</sup> and Gunn & Robertson (1978)<sup>2</sup> found that there was no difference in reconviction rates between inmates undergoing treatment in Grendon and a matched group of inmates that did not undergo therapy. These results lead to a degree of pessimism about the utility of treatment in Grendon. It was not, however, possible in these studies to match these two groups on all relevant variables. One important example of this is the recent study by Lau (1991)<sup>3</sup> that found that motivated inmates who apply to go to Grendon had significantly lower levels of self esteem than a matched group of inmates who were not motivated for treatment. This study also found that levels of self esteem of inmates improved significantly during treatment - eventually reaching the same level as those in the control group. As low self esteem has been shown to be linked to reconviction in a variety of studies this study has raised a question mark over the validity of using unmotivated control groups in treatment evaluation. The problem of finding a suitable control group is an old chestnut in the treatment evaluation literature.

These findings can not be interpreted as meaning that Grendon does not have an impact on reconviction rates. Other equally viable

explanations are possible, for instance that, for some people, particularly those with low self esteem (who are also those most likely to put themselves forward for treatment), treatment in a therapeutic community may have an impact on reconviction by bringing their risk of reconviction down to the same level as inmates with high self esteem. More than anything else these results suggested that there was a need for more systematic evaluation of therapeutic communities. More recently Genders and Players (1989)<sup>4</sup> have looked systematically at changes in inmates undergoing therapy at Grendon. Using self-report data and a more qualitative approach they found significant changes in prison behaviour particularly amongst inmates who had been in therapy for a period of 18 months or more.

Research into the effect of treatment in the Scrubs Annexe (Jones 1988)<sup>5</sup> has found different patterns of reconviction depending on how individuals respond to treatment. Those inmates who 'drop out' of treatment have a very high probability of going on to reoffend - they also have a higher number of previous convictions and are generally more criminally sophisticated. For those who stay the course however the picture is different. What research seems to show for this group is that they get worse before they get better, the implication being that if they spend long enough in treatment (12 to 18 months) the likelihood of reconviction is reduced, but premature termination of treatment may be detrimental. Recent analyses of reconviction data from Grendon (Cullen 1992)<sup>6</sup> have replicated this finding and have corroborated the results of Genders & Players (1989)<sup>4</sup>. These findings have been used to inform the referral policies on the Annexe - only inmates with enough time left in their sentences to benefit from therapy are accepted into the unit. In addition increased efforts have been made to retain in therapy inmates who have behaved poorly in response to crises brought about by the therapeutic process. An example of this might be aggressive behaviour as a response to diminished self-esteem brought about by confronting lack of victim awareness. Dismissal from therapy at this point would reinforce avoidance and aggression as coping strategy. The conflict between the therapeutic needs of the individual and the impact of the inappropriate behaviour on others has to be weighed carefully in managing this eventuality.

Similar results - highlighting the

1 Newton M. (1971) Reconviction after treatment at Grendon, **CP Report Series B**, No.1, Prison Department, Home Office.

2 Gunn J. & Robertson G. (1987) A Ten Year Follow-Up of Men Discharged From Grendon Prison; **Brit. J. Of Psychiatry**, 151, 674-678.

3 Lau E. (1991) The effect of therapeutic communities on offenders' self esteem. **M.SC. Thesis**. University of Surrey.

4 Genders E. & Players E. (1989) Grendon: A study of a therapeutic community within the prison system. **A report to the Home Office**. University of Oxford Centre for Criminological Research (Unpublished).

5 Jones L.F. (1988) The Scrubs Annexe: a preliminary evaluation. **CP Report Series B**, Prison Department, Home Office

6 Cullen E. (1992) The Grendon Reconviction Study. Part 1 (Submitted for publication)



importance of time in treatment - have been found with some prison based therapeutic communities in the USA (Wexler et. al 1990)<sup>7</sup>. In addition a recent review (using a statistical method called meta analysis) summarising the effects of treatment in prison based therapeutic communities in Germany (Losel and Kofler 1993)<sup>8</sup> found an overall reduction in reconviction rates of between seven and ten per cent.

Some people argue that treatment in therapeutic communities is not primarily oriented towards changing reconviction rates but rather that it is aimed at reducing the distress typically experienced by people suffering from personality disorders. This approach to treatment efficacy would hold that changing reconviction rates is only a secondary or subsidiary aim of treatment; the prime aim is to improve psychological adjustment. There is ample evidence suggesting that therapeutic communities have an impact on self-reported distress. In addition recent research at Barlinnie (Cooke 1989)<sup>9</sup> has shown that inmates' behaviour improves substantially whilst on the unit when contrasted with that before arrival.

An under-examined issue here is the question of treatment integrity. Canadian researchers (Gendreau and Ross 1987)<sup>10</sup> have recently argued that many of the treatment evaluations of programmes in prisons that they had encountered turned out, on closer inspection, to be very watered down versions of the kinds of treatment that were supposed to be taking place. The consequence of this being that many

treatment methods may end up being dismissed not because they have been shown not to work but because they have not been conducted properly. All treatment programmes have to take into account the threat to treatment integrity posed by scarcity of resources, lack of training and the erosion of therapeutic regimes by the various prison cultures that surround them. This is not to say that the task of conducting treatment is impossible, it is simply to highlight the importance of being honest about the integrity of the kinds of treatment we do offer - particularly when they are interventions that are being evaluated.

In conclusion then, therapeutic communities are very much a part of the current penological landscape both internationally and in this country. Rather than remaining static and unchanging the Scrubs Annexe has adapted to the times by both contributing and responding to changes in current best practice. The debate about the efficacy of approaches to intervention such as that exemplified by the Annexe is very much alive and has followed the general trend towards cautious optimism in the intervention literature. What does the future hold for the Annexe? In the near future the Annexe is to be re-located within the prison to an improved site. This will afford the opportunity for the consolidation of the unique approach being offered by this unit. In the medium to long term we are looking at establishing a hostel for ex-inmates where a staged re-entry into the community can be engineered ■

<sup>7</sup> Wexler, H.K., Falkin, G.P. & Lipton, D.S (1990) **Outcome evaluation of a prison therapeutic community for substance abuse treatment.** Criminal Justice and Behaviour, 17, 71-92.

<sup>8</sup> Losel, F. & Kofler, P (1987) **Evaluationforschung zur Sozialtherapeutischen Anstalt: Eine Meta-Analyse.** Gruppendynamik. 18 Jahrg., Heft 4, 1987 s. 385-406.

<sup>9</sup> Cooke D. (1989) **Containing violent prisoners: an analysis of the Barlinnie special unit.** Brit. Journal Of Criminology, 29, 129-143.

<sup>10</sup> Gendreau P. & Ross R.R. (1987) **Revivification of rehabilitation: Evidence from the 1980s.** Justice Quarterly 4, 349-407.

## VERBALS

We've been concerned for many years about the commercialisation of the management of prisons. We believe that gives commercial companies whose motive is the pursuit of profit, the vested interest of keeping prisons full all the time."  
[Frances Crook of Howard league for Penal Reform in 'Daily Express'] 1 September.

"Imprisonment is one of society's ways of punishing those who break its laws. This is emphasised most strongly if the State retains responsibility for the direct running of the prisons. An offence against the State should be seen to be punished by the State."  
[Leader in 'Daily Express'] 1 September



# THE BRIXTON DIVERSION PROJECT

*For many years Brixton was required to hold up to 300 prisoners who needed some form of psychiatric assessment or supervision. Many of these men were seriously disturbed. Most of them should have been in hospital rather than in prison: The shame of Brixton's 'F' wing was the shame of the criminal justice system.*

*F Wing is no more, improvements made in Brixton were recognised in the report of H.M Chief Inspector of Prisons which was published in August 1993. In respect of the treatment of mentally disturbed offenders at Brixton the Chief Inspector had this to say:*

*'All staff deserve credit for the improvements which have resulted in the warm and positive approach to care and the treatment of patients as people'.*

*There is still a disturbingly high number of prisoners at Brixton who require psychiatric oversight. The diversion project described in the following report is an exciting example of the new spirit of co-operation between the Prison Service and the National Health Service. The diversion team who are working in Brixton provide an important link with provision in the Health Service. The team has also confirmed that the type of individual with whom they are concerned has multiple needs. Homelessness, for example, is a major factor which needs to be taken into consideration. The benefit of the team's work is already being felt and the lessons of this project will be of great benefit throughout the Service.*



A.G COYLE  
Governor

August 1993

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# THE BRIXTON DIVERSION PROJECT

## EVALUATING A NEW SERVICE FOR MENTALLY DISORDERED OFFENDERS

*Ros Savourin,  
Research Psychologist  
Phillip Brown, Psychiatrist  
Kam Bhui, Psychiatrist*

The difficulties faced by mentally disordered offenders (MDOs) in gaining access to adequate health care services have been given considerable attention in recent years. This piece of research based at HMP Brixton and funded by the Department of Health addresses this problematic area: the main focus of our project is to design and experimentally test a new service aimed at making more efficient the process of diverting remanded mentally disordered offenders out of the criminal justice system and into more appropriate facilities. This article briefly reviews the issues and describes our current plans for the project, which, following a pilot phase, has been running since 1 April 1993.

### **Mentally Disordered Offenders: the need for early diversion**

The Butler Committee reported that 'the overriding need is to provide the best possible treatment for the patient's mental disorder and he should have full access to treatment in the best location that will suit his needs'. Given this tenet, and the existing pressures on the criminal justice system, it is clearly desirable to identify and divert MDOs at the earliest possible stage. This view was expressed as policy in the Department of Health Circular 66/90.<sup>1</sup>



Offenders can be diverted from the criminal justice system at several levels: some are diverted to psychiatric services before appearance in court through the use of section 136 of the Mental Health Act by police officers where they suspect mental illness. Court liaison schemes are now operating at some magistrates' courts, and the evidence available supports their effectiveness both in increasing discontinuance rates, for example amongst homeless mentally disordered offenders (Joseph and Potter, 1990)<sup>2</sup>, and in reducing the time between arrest and admission to hospital (Joseph and Potter, 1993)<sup>3</sup>. However, given the current strains on psychiatric services, it is likely that, despite current policies of diversion, significant numbers of MDOs will find their way into the prisons. It is this group with which we are concerned.

### **Brixton prison**

HMP Brixton, until recently the largest remand prison in Europe, has attracted publicity of late concerning the closing of F wing, which was used to house the overflow of psychiatric cases from the prison hospital, with accommodation for up to 239 men. Such prisoners will now be kept in the newly opened hospital facilities, consisting of three 15-bedded dormitory wards and a nine-bedded Acute Care Unit for the most disturbed. Parallel with these changes, reorganisation of the prison service in London has taken place: other London prisons are now also receiving defendants on remand, thus reducing the size of the remand population at Brixton. These recent changes have made numbers difficult to predict; it is likely that Brixton will continue to receive significant numbers of remand prisoners who are mentally ill, or homeless, or both.

### **The Brixton Diversion Project**

This project is concerned with all remand prisoners admitted to the prison hospital who have been identified as requiring psychiatric assessment, for whatever reason. These men fall into three groups: those who require psychiatric assessment by nature of the charge against them, those who have been remanded in custody for medical reports (those with purely physical health problems are excluded), and those who are identified as at risk within the prison, either once on normal location, or, more commonly, at reception. For the purposes of our research, prisoners are included in the experimental group if their address is in the catchment area of the South East Thames Regional Health Authority (RHA); this group has been chosen because the research team is familiar with, and therefore able to provide the most effective liaison with, catchment area services within this RHA. Also included in the experimental group are the homeless, using a broad definition of homelessness which includes unstable, temporary accommodation. A control group of comparable size is being drawn from the remainder.

1. Home Office (1990): Provision for mentally disordered offenders. **Home Office Circular No. 66/90**.

2. Joseph P. and Potter M. (1990): Mentally disordered offenders diversion from custody. **Health Trends** 2: 51-53.

3. Joseph P. and Potter M. (1993): Diversion from Custody 1: Psychiatric Assessment at the Magistrates' Court. **British Journal of Psychiatry** 162: 325-330.



## **The New Service**

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The intervention planned for this project is based on the creation of an extra tier in the service for MDOs. The Prison Medical Officers continue to work in exactly the same way as before; the project team provide additional on-site services and liaison between the prison and NHS psychiatric services for those prisoners in the experimental group. This section describes the role this extra tier is intended to play in the process of assessing, and arranging care for, mentally disordered remand prisoners.

The Brixton Diversion Project team consists of two psychiatrists and a psychologist; one of the psychiatrists is always on site at HMP Brixton during office hours. All prisoners that are referred to the team, and fulfil the criteria for inclusion in the intervention group, are seen for a clinical assessment as soon as possible following their reception; this means that a second opinion is automatically available for these prisoners, regardless of whether or not it would normally have been requested by prison medical staff.

If prisoners in the intervention group require transfer to hospital under the Mental Health Act, this is organised by the research team; this process is facilitated by established links between the team and catchment area services in the South East Thames Regional Health Authority. For these prisoners, team psychiatrists are, as far as possible, acting on behalf of catchment area psychiatrists. This aims to reduce the need for visits to the prison by catchment area consultants; waiting for such visits, and the resulting reports, can significantly increase the time spent in custody while on remand.

An audit of remand prisoners transferred from Brixton under the Mental Health Act between February and July 1992 identified 91 men. The mean time from remand to transfer was 60 days, a figure inflated by a small number of men spending long periods in custody; for the majority (67 per cent) the time spent was less than this mean of 60 days. By means of the service described above, the team hopes to reduce the time spent in custody by those who are admitted to hospital under sections 35, 36, 37 and 48 of the Mental Health Act, as well as improving the service by providing prompt second opinions and reports for some prisoners who would otherwise have to wait for outside visits.

## **The research**

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We will attempt to demonstrate that this system is superior to the existing one, by collecting information about the 'careers' of all prisoners included and comparing the experimental group with the control group on such outcome measures as time spent in custody. We will be examining outcome for men who are released from either prison or the courts, as well as for those who are transferred to hospital.

## **Needs Assessment**

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The Reed report (Reed, 1992)<sup>4</sup> strongly supports the decision to contract to prisons a full mental health service. One of the report's

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4. Reed J. (1992): Review of health and social services for mentally disordered offenders and others requiring similar services. Department of Health/Home Office.



recommendations is that prisoners should receive continued care on release or transfer from hospital, via effective discharge and care programme arrangements; that is, prisoners being released or discharged to other services should receive the same kind of discharge and aftercare arrangements as patients being discharged from hospital. The Community Care Act, implemented since 1 April 1993, encourages comprehensive needs assessment and the development of a care programme for each patient being prepared for discharge.

Responding to these recommendations is the focus of the second main part of this project. We are assessing the needs of all individuals included in the project, whether control or experimental. To this end, the team has developed a Needs Assessment for use in this setting. A problem orientated assessment will be carried out for each prisoner; assessment of functioning incorporates evaluation of symptoms and behavioural problems (including substance abuse and violence to self or others, as well as psychiatric and physical symptoms), of social and personal skills, and of social situation (including finances and the availability of company as well as housing problems). This evaluation is standardised, and made on the basis of information from the baseline interview with the prisoner. Interventions for each problem have been specified in advance, along with a method for selecting interventions based on such considerations as whether or not a treatment has been offered or tried before, and the suitability of particular interventions for that individual.

Once appropriate interventions have been selected, this informs the construction of a Care Programme, that is, a plan for the discharge of the individual specifying the services needed by that individual, and the agencies that will provide them. Such services might be inpatient treatment; those being released into the community may require outpatient treatment, help with housing and so forth. Setting up these services requires, in many cases, a great deal of liaison with different agencies (NHS facilities, Social Services, the Probation Service, community voluntary organisations and so forth): for the experimental group, the team aims to organise aftercare using a similar approach to that used by hospital inpatient mental health services. This includes holding '117' meetings, where representatives from agencies involved in aftercare are invited to attend for discussion of a case.

### **The problem of homelessness**

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At present, there is a dearth of accurate estimates of the extent of homelessness in mentally disordered remand prisoners. An audit of all men on remand admitted to the prison hospital who were identified as 'psychiatric' between July and August 1992 identified 216 such prisoners. Whilst the information available about these men was variable, of the 184 men for whom address information could be found, 11 per cent were recorded as No Fixed Abode and a further 27 per cent had given a hotel address, or no address at all. The quality of information varied greatly; however, these figures are suggestive of a high rate of homelessness within this group of at least 11 per cent and possibly as high as 35 per cent.

This group poses a variety of challenges to the provision of effective follow-up services; in particular, there may be difficulties in determining which agencies are responsible for providing services for a homeless individual. Homelessness



research highlights the particular difficulties of psychiatrically ill, homeless people, in terms of both arranging appropriate housing and ensuring that, as patients, they receive continuing care for their mental health problems. Those that are mentally ill, homeless and offenders are particularly challenging to services because of the diversity of their needs; to meet these needs appropriately requires a greatly improved degree of co-ordination between the NHS, Social Services, the voluntary sector and the Criminal Justice System.

We aim to obtain an accurate assessment of the degree of homelessness in MDOs on remand at HMP Brixton; a prerequisite of studying this group is that homelessness is assessed reliably. There are difficulties with obtaining this information from records; at different stages, it may be to the prisoner's advantage to give inaccurate information to the authorities: for example, a defendant may provide a spurious home address in the hope of being released on bail; conversely, describing oneself as of no fixed abode may be advantageous, for instance in order to secure a larger discharge grant. Furthermore, the situation is often complicated by changes in the prisoner's housing situation while in custody; those in rented accommodation may lose it while on remand; those living with family or partners may not be able to return to their previous home after release. These considerations, along with the problem of 'hidden' homelessness, where a valid address may turn out to be a hostel or a friend's floor, mean that detailed discussion of housing problems with the prisoner is likely to provide a much more accurate picture. The baseline research interview, therefore, pays particular attention to the social circumstances and domiciliary status of prisoners.

The Needs Assessment serves two purposes; firstly, it is an intervention aimed at improving the aftercare received by prisoners in the experimental group. By following people up through aftercare it is possible to examine both the uptake of services and the success of follow-up arrangements; in this respect, we are particularly interested in the 'careers' of the homeless group, hypothesised to be particularly prone to losing contact with services altogether. Secondly, it enables us to assess the needs of this population as a whole and compare them with the services available. MDOs have particular aftercare requirements, which in many cases require services from a number of different agencies. Furthermore, there is concern about them 'falling out of care'; an integrated approach to follow up care may be the best way of preventing this. Needless to say, effective aftercare for such offenders should reduce the possibility for future re-offending.

This project is one of many pilot schemes addressing the needs of MDOs. Such schemes should be extensively evaluated from inception. The innovative service we are developing should be generalisable to other prisons in other parts of the country; we hope therefore to inform the development of similar schemes nationwide. A prison-based service such as this can be seen as complementing other services, such as court liaison and bail information schemes, in facilitating diversion. Only through a combination of strategies can we hope to improve the care offered to mentally disordered offenders ■





# Education in Prisons

## Introduction

**E**ducation of all sorts forms a vital part of the regime for people in prison. Almost half of the prison population attend either full or part time classes, although education is voluntary for prisoners over school leaving age. The nature of that education is wide and varied. Many prisoners cannot read or write on entering prison and consequently much prison education is devoted to providing that fundamental literacy, numeracy and other basic skills. This is designed both to make prisoners function more effectively within the prison regime but also to equip them better for their life after release. In addition to this however, there is a wide variety of vocational and educational courses available up to and including university level. In all of these areas prisoners are given the opportunity to acquire the same qualifications as people in the community.

The number of student hours increased in 1992-93 to 7.57 million from 7.55 million the year before at an average class size of eight. This in itself reveals how fundamental education was and is to the Prison Service both as an occupier of prisoners and as a regime resource in attacking offending behaviour.

In the light of changes brought by the Further and Higher Education Act 1992 it was decided that in future education services should be bought directly from education suppliers selected by competitive tendering. This in itself was in line with wider Government policies outlined in the 'Competing for Quality' White Paper.

Following this decision 241 organisations were invited to tender for provision and 155 did so and a tendering evaluation process was set up in January 1993. During these processes the legal position with regard to



the contract became clouded by a number of legal cases including judicial reviews and the process of awarding contracts became more protracted and complicated than had originally been the case. Even the process as envisaged was difficult enough to achieve in the required timescales, but the complications added by the various challenges to the legal position produced a phased implementation which is still underway.

That, of course, is a bald factual statement of the process and does not engage with the real management and human issues involved in a change of this scale and nature.

When the core to this issue was planned it was envisaged that the timing would mean that the new contracts would have been in operation for a short time and have given those involved the opportunity to reflect and make an early contribution on the way they felt the process had gone and where they now saw the development of education in prisons being. It was intended that the core would reflect a range of views from practitioners involved in different elements of the process of change. Despite many attempts to secure contributions the complexities of the issues, the progress of the contracts and the strength of feelings raised by the process all mitigated against individuals wishing to commit themselves at this stage.

Many of the issues involved still remain sensitive at many levels within the Service. A good deal of work remains to be done to secure the benefits that should arise from the contracting arrangements. Given the importance of this area to prison regimes, it is sincerely to be hoped that stable and improving delivery is achieved as quickly as possible.

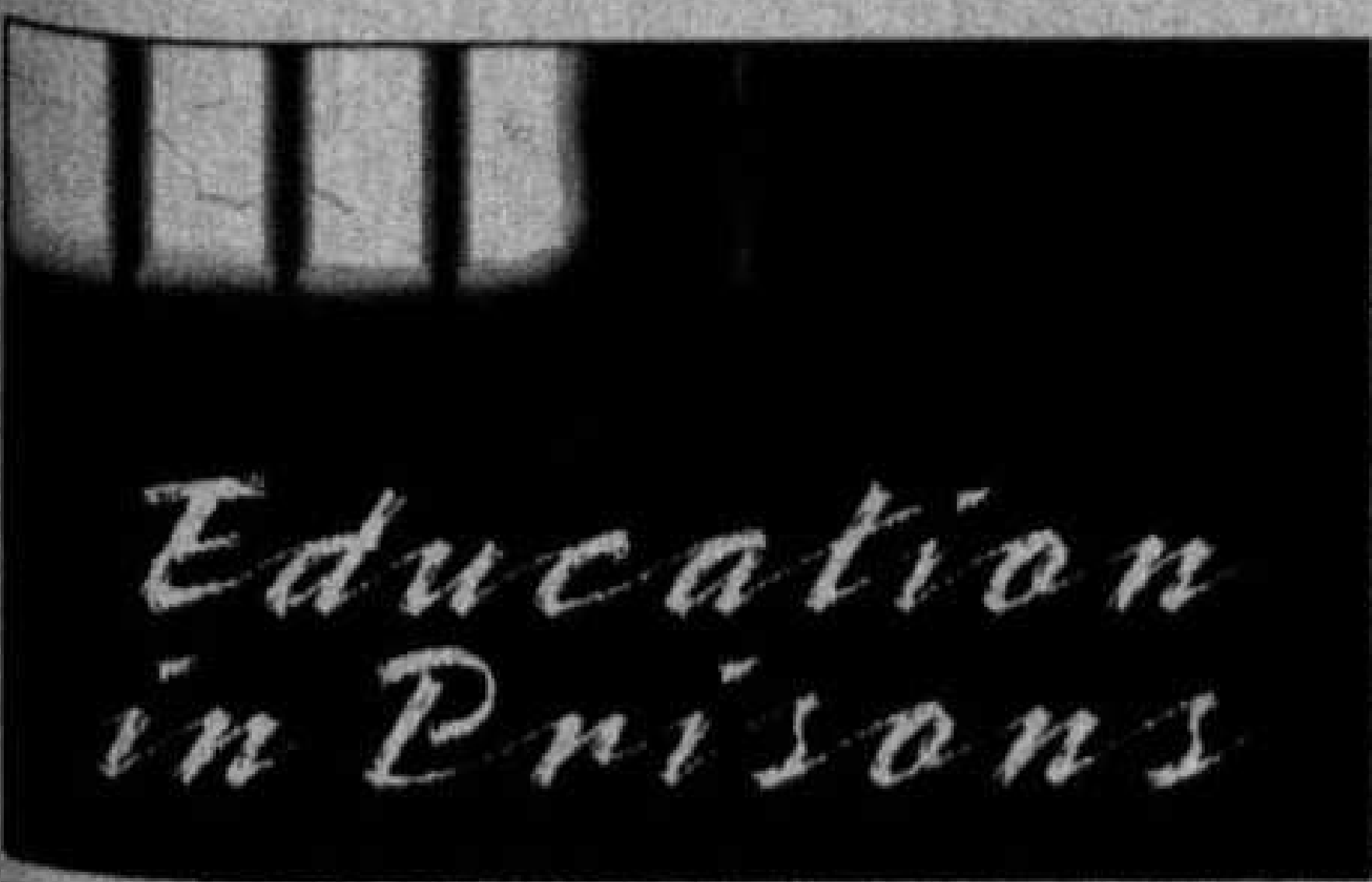
We are grateful to the two contributors who felt able to express a perspective. Shane Bryans is Head of Inmate Activities at Channings Wood Prison in Devon. He explains in his submission the change of role from what was a rather loose managerial oversight to that of contract manager.

Gillian Squirrell heads the Prison Education Unit of the University of Bristol. They were successful in achieving the contracts for a number of local prisons in the South West and South Wales. The work of the unit in bidding for and gaining the contracts and in implementing has been highly regarded. Although both are frank in their views of the difficulties and uncertainties, it seems that the seeds of development and progress are present in both.

### **Libraries**

Libraries in prisons have always traditionally been seen as a linked resource with the provision of education, sometimes indeed been co-located. Undoubtedly also a major part of the regime provision in a prison, their roles and responsibilities were reviewed in a report by the Standing Committee on Prison Libraries published in July 1992. Prison Governors and Chief Librarians of Local Authorities are now in the process of producing service level agreements with performance indicators and a formal system of monitoring library services. This recognises some of the points raised in the article by Tony Stevens and Bob Usherwood as to the role of prison libraries in the rehabilitation process. Tony Stevens is a PhD student at the Department of Information Studies at the University of Sheffield currently researching in co-operation with the Prison Service Chief Education Officers Branch, the role of prison libraries. Bob Usherwood is Senior Lecturer in the Department of Information Studies at the University of Sheffield ■





## *Education in Prisons*

# Prison Education and the Aftermath of Competitive Tendering: *Entering as a new Provider*

Gillian Squirrell

is head of the Prison

Education Unit of the

University of Bristol which

took on for the first time a

number of education contracts

for prisons.

### Introduction

It is a year since the first questionnaires went out for institutions and individuals to tender for educational services. In a few weeks it will be the anniversary of the various stages of the process of tendering: the prison visits, the research to underpin the tender documents, drawing up the budget, waiting to present to the Home Office and for the first tranche of contracts to be announced. During these eight months since the announcement there has been the turmoil of Acquired Rights and concerns that the decision of 24 March would be challenged. There has been further upheaval as staff tried to determine what was meant by the non-withdrawal of redundancy notices and the confusion surrounding early and enhanced retirement packages.

### The impact of the Competitive Tendering process

The destructive effects of the Competitive Tendering process should not and cannot be under-estimated. Teaching staff were notified that education was going out to tender. Some colleges and LEA's chose to tender, others did not. Where institutions and authorities cut the painter, departments often already isolated, felt further abandoned and left to face the upheaval of not knowing alone.

The messages which were implicit in the way tendering took place and explicit in what was said, and which ran rife through the education departments over this period, were those of the limited value of the contribution of existing teaching staff, of their expense, and of the better quality of staff and provision which would come with private tenderers. Like the experience of many teaching staff in mainstream schools

and colleges of several years before, prison teaching staff felt undervalued, disregarded, confused about the changes which were taking place, and concerned about what roles there might be for them to play, and thus they entered a spiral of negativity and demotivation and experienced acute feelings of paralysing stress. There were outbursts of bitterness towards those new to the field who were tendering and towards CEOB which was thought to be treacherous.

The process of tendering was particularly bloody. In most instances tenderers were rushed past teaching staff and there were not surprisingly, occasions of 'tenderer-baiting' through verbal comments and posters. The media and educational press fuelled the fires of concern about the paucity of the educational quality of the tenderers and the fiscal gleam in the eye of many a would-be Provider.

Into this arena of distrust announcements about various Providers were made. Not surprisingly, given that the University of Bristol became a new Provider, there were some expressions of disappointment on the part of teaching staff, although not from senior managers. This was perhaps only to be expected as the University was perceived as distant geographically and as removed in its educational ethos and experience. At a practical level, it was not the local college and there were concerns about resources.

The further overlay to teachers' concerns and feelings at this time was the issue of Acquired Rights.

### Acquired Rights

The issue of Acquired Rights set back the process of advertising posts and recruiting staff for the April session. There were, of course, similar delays in recruitment for the



Autumn start where LEA's were dilatory in making decisions about early retirement packages and where staff were hanging fire trying to determine how to get the better deal.

This period seemed to teaching staff to be marked by existing providers, LEA's and the Home Office rapidly passing the buck of responsibility for them. It was a painful time for those who had yet to know who was the New Provider, and difficult for those who knew that they had Acquired Rights but had little idea of how their working future might pan out.

During the period prior to the transition there was much to be done in trying to determine what staff might be left after voluntary and less voluntary retirements had been taken. The distress which the process generated was palpable during visits to the various education departments and during the course of interviews held with sessional teachers and when interviewing staff from prisons not in the University's group who were applying for teaching posts. There was a universal sense amongst teachers of competitive tendering creating ill-conceived upheaval, misdirection and the stresses of poorly managed changes.

The human element of the whole process seemed, from the point of view of a new entrant into the field of prison education, to have been severely forgotten.

### **Facing Forward**

The most important task faced by any provider trying to make systematic changes has surely to be that of developing a new team, of creating a working and committed group of staff who are on a range of old and new terms, of staff who have been acquired and of staff who have been chosen. There are suspicions fired by tales from other institutions that changes continue to go badly. There are hankerings after old ways of working and old providers.

The staff who have been acquired have to be encouraged to believe that they would have been chosen and to work in the new administrative and pedagogical ways, to be receptive of other ways of structuring the delivery of education and to work alongside other colleagues in a less isolationist way. For acquired staff there is the peculiar burden of not having been chosen through interview. For some this means a re-doubling of effort; for others, though, it means trying to ensconce themselves more firmly within an institution and shunting further along a railway siding. Acquired Rights leaves a number of management issues within its wake.

### **The effects of the New System**

A part of a complex system has been broken off and it would appear to be being rigorously scrutinized and

prodded. The new delivery is hedged about with new paper systems, with monitorable orders for educational hours and with a number of changing expectations about what will be offered. At a time when education departments are trying to become established, Heads of Inmate Activities adjusting to new roles and New Providers considering what prison education may best look like, and looking towards the systematic process of piloting what is possible, it would appear that another agenda is being fashioned: CEOB offers direction on what to deliver and on the assessment processes which will best underpin it. Teaching staff within mainstream education are all too aware of the processes through which the National Curriculum has passed and its impact.

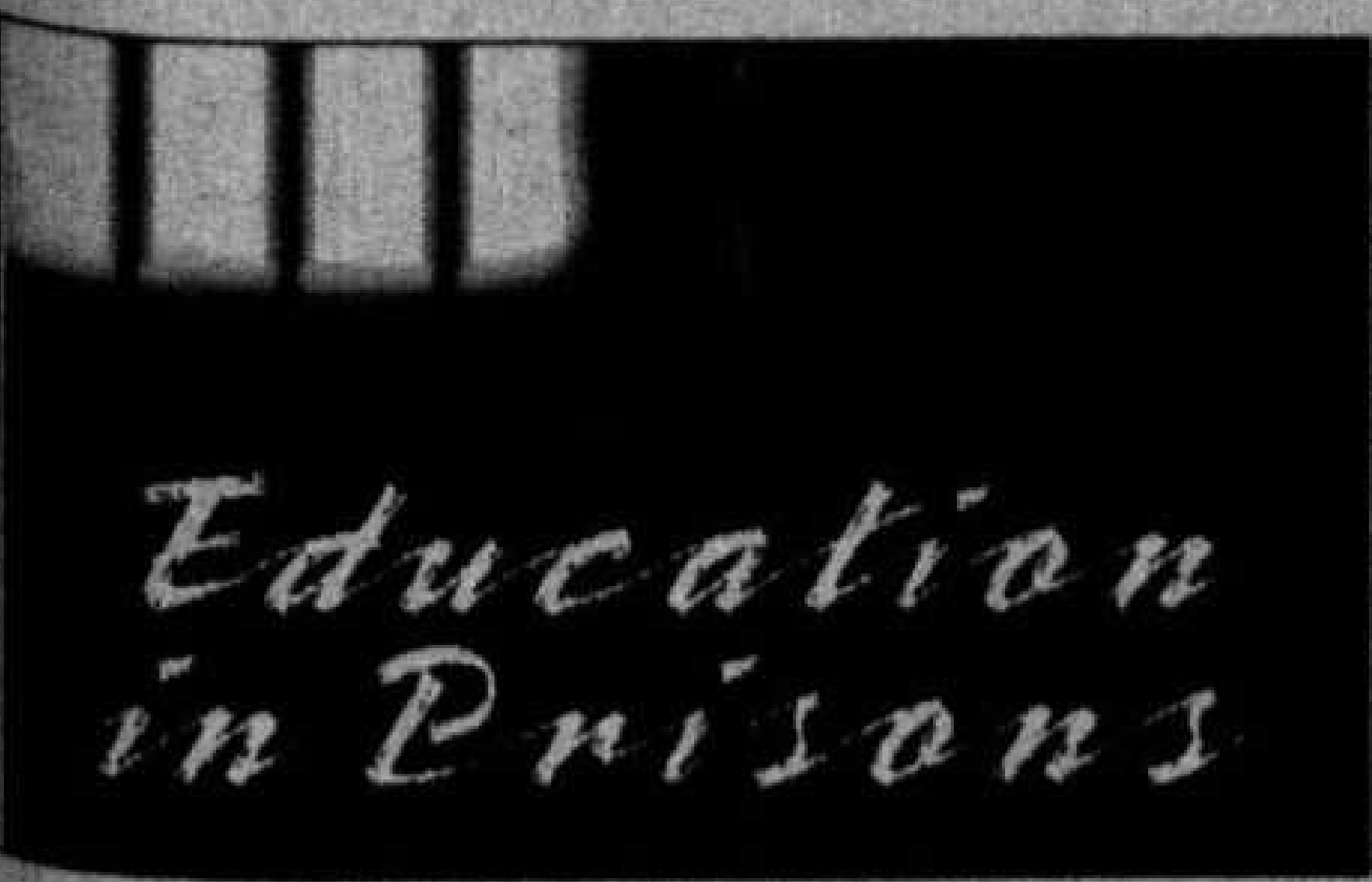
### **Where it might go - what might be done?**

There are clearly a number of tasks which face the Prison Education Unit and the consortium of education departments. These may be common to others involved in the development of education. Amongst the six departments we have targetted a number of areas of the curriculum and teaching practices for development. What is meant by that protean area 'social and life skills'? How might it be given more structure? There is a need in some instances to up-date basic education and to permeate the opportunities to acquire such skills throughout the curriculum. It is clear that there are within any prison education department the opportunities to create a truly integrated curriculum and to underpin its integration through individualised and formative assessment processes. Amongst our departments there are opportunities for creating common understanding and structures for Open Learning and to update the materials on offer.

The essence of the Prison Education Unit's tender is to institute a system of formative assessment which will enable the development of a range of core skills and competences, will encourage a more systematic view of future education and training and will allow for a more reflexive view of the education which is being offered within the education departments. It is the intention that the six institutions with their common client group will work together in the creation of common curriculum guide-lines, will develop highly modularised, one-off courses and will therefore share teaching experience, elements of good practice in addition to resources.

The possibilities for realising these and other goals currently seem high so long as it is appreciated that they will be reached through due and developmental processes ■





## *Education in Prisons*

# Managing the Education Contract a Head of Inmate Activities' perspective.

Shane Bryans

is Head of Inmate Activities  
at HMP Channings Wood

### Background

Governors, for the most part, enjoyed a close working relationship with the Education Department and saw Education as being an effective part of the prison regime. Few Governors were aware of the impact that the 1992 Further and Higher Education Act, and the decision to put Prison Education out to tender, would have on their establishments.

The initial plan and timetable for the tendering exercise produced in the Summer of 1992 seemed straight-forward, if somewhat rushed. This turned out to be far from reality. The confusion and uncertainty over the applicability of the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) led to the postponement of the deadline for tenders and to the delay in the announcement of which potential contractors had won the Prison Education contracts. Within establishments, the ongoing uncertainty resulted in Education staff becoming disillusioned, confused and demotivated. Morale reached an all time low with high levels of depression and sickness amongst Education staff. The inmate population was aware of the changes and bore the brunt of the fall in staff morale. Classes were cancelled due to staff sickness, exams postponed and a general unease about the future of Prison Education existed. Education Officers and Heads of Inmate Activities put much effort into keeping the departments functioning, albeit at reduced levels.

The announcement of the names of the successful tenderers was met with some relief, if only because it put an end to the uncertainty. For some teachers the announcement meant deciding to take early retirement, for others taking up employment

elsewhere but for the majority, for whom TUPE applied, it meant being employed by a new employer. For Heads of Inmate Activities, it meant adopting a new and additional role – that of Contract Manager.

### The Role of the Head of Inmate Activities

The contracts were issued by the Chief Education Officer's Branch. Their clarity extended to the definition of terms, indication of priorities, fixing of time scales/deadlines and the specification and procedures for penalties and rewards. There was a general belief in some establishments that once signed the contracts would somehow run themselves. However, the Chief Education Officer's Branch made it clear that Head of Inmate Activities (HIAs) would take responsibility for the planning, financing, ordering of provisions, monitoring and evaluating of the contract. Improved performance and increased value for money would only result from effective contract management by the HIAs. Following a two day course on Contract Interpretation HIAs were sent forth to manage the contract.

### Issuing of Orders

The formulation and promulgation to the contractor of 'orders to provide services' proved to be the first task. Each prison was allocated a number of teacher contract hours which the contractor would provide at an agreed price. Consideration had to be given by the HIA to the curriculum content, class size, use and weekly distribution of teacher contact hours, length of the Education day, length of the Education year and level of evening class provision. No simple task for a non-educationalist. Existing Education staff in most cases provided detailed assistance and support.



## Monitoring the Service Provided

The cost of monitoring the contract has been given little explicit consideration. Whilst the direct monetary cost of monitoring arrangements is low, the opportunity cost of staff time and energy is high. In most establishments the role of contract monitoring has been left to the HIAs. This new time consuming role has been taken on without reduction in other work. It is clear from elsewhere that monitoring arrangements require significant quantities of management time and effort. The training for HIAs monitoring multi-million pound contracts has been inadequate, compared to the training provided to Works staff and managers in the private sector. These two points (time and training to monitor the contracts) will need to be reviewed if value for money and improved efficiency are to be achieved by contracting out the Education provision in prisons.

Setting up a monitoring system which would be adequate to detect slippage from the terms of the contract, which met public accountability requirements and which did not impose an unrealistic monitoring load on management proved to be problematic. Decisions had to be made about the scope of the monitoring function, the level of detail which should be pursued and the criteria upon which judgements should be made. Unlike other prison contracts it was difficult to define precise outcomes in terms of quantity and quality.

The limited amount of managerial time available to monitor the contract resulted in monitoring focusing on a select few key performance indicators. In addition, HIAs in many cases have asked contractors to do most of the detailed monitoring, with only significant departures from the contract's terms being reported back through a negative feed-back loop. HIAs have therefore been able to focus on checking the contractor's own system of monitoring to ensure that it is well designed and operated rather than on doing the monitoring themselves. For this system to operate there needs to be a high level of trust that the contractor will provide reliable information. Spot checks to ensure the reliability of the information are possible where doubt exists.

## Evaluating the Service Provided

The monitoring system provides information on the quantity and quality of the service provided. This information needs to be evaluated and discussed with the contractor. Regular meetings with the contractor to discuss changes to the orders and problems with the provision have proved to be useful but time consuming. Establishing a simple system for resolving disputes has proved to be a key element in managing the contract.

Provision of credible and effective sanctions for failure to comply with the terms of the Education contract is difficult. Termination of the contract is the ultimate sanction but is not feasible in the short term due to the

defacto local monopoly of provision in some areas, long lead-in time scales for a new provider and the unsettling effect on the inmate population of once again changing the Education provider. We await a model of best practice for dealing with sanctions.

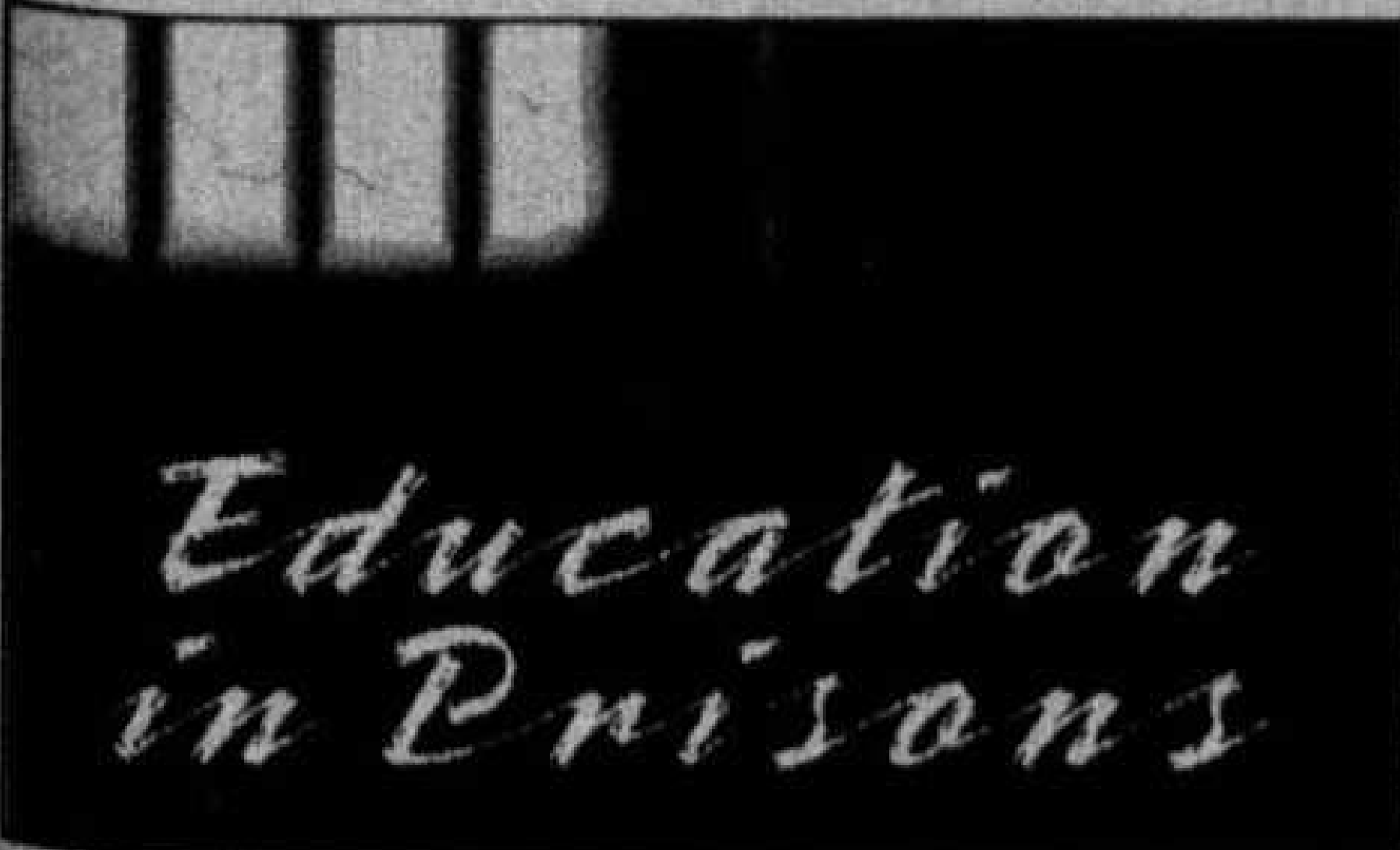
## General Impressions

The contracting out of Education provision in prisons has resulted in a more flexible and responsive Education programme. Employment of more part-time teachers, on short term contracts, has enabled the contractors to respond to the changing needs of the inmate population very quickly. Whether the Education contracts prove to be more cost effective only time will tell. However, there have been longer term problems associated with the contracting out. The move to more part-time staff meant that some teachers are no longer willing, or able, to adopt a full role within the life of the prison. Many of the duties previously performed by Education staff are no longer provided for under the new contracts. There is a danger that the Education Departments will become isolated from the routine operation of the prison as they will be staffed by teachers working only a few hours a week in the prison. In many cases HIAs have had to manage the sudden influx of staff who have had no previous experience of working in prisons or with inmates. The various security and control problems of this were obvious.

It should also be noted that some issues have not been addressed through the contracting out exercise. For example, inmates moving from prison to prison will still be unable to continue their studies due to incompatible courses or styles of teaching. Urgent attention needs to be given to core curriculum of Prison Education and to the improvement of Education accommodation facilities in some prisons.

The key point remains that the Head of Inmate Activities, as a public sector manager, is responsible for the public resources spent on Education, whether they are dispersed through a contract or not. Contracting out Education may result in a less flexible and less efficient service unless there is a well designed contract which is monitored and evaluated by HIAs who have developed the necessary skills to manage a complex, commercial contract ■





## Education in Prisons

# Getting better all the time?

## *The prison library and its role in the reform and rehabilitation process*

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### Books for change

It has been a longstanding and widely-held view that 'books in some manner might change people's attitudes' (Floch, 1952, p454) and that prison library functions can help rehabilitate the criminal (Hartz, 1987, p6).

However, very little evidence has ever been provided to support this assertion. Indeed, doubts have been expressed whether it is possible to induce positive change at all in the attitudes and behaviour of prisoners, or for there to be any lasting change in orientation after release. Goffman (1962), observed that while in institutions, some inmates become adept in delivering appropriate responses to those perceived as possessing authority, while suppressing antisocial or abnormal behavioural tendencies. Thornton (1987, p145), has argued that the nature of the inmate subculture, the pattern of interchanges between staff and inmates and the essentially coercive nature of prison itself, may make it impossible for a prisoner to act out any new moral perspective, and this will tend to limit any transference of positive attitudes into the post-release environment.

Other writers have noted that even if some prisoners do develop a new set of positive values whilst in prison, upon their return to the community, where there may be a strong criminal sub-culture and a range of powerful social and economic pressures, the new learned values are not applied (Zamble and Porporino, 1988, p148). Finally, it has been argued that recidivism rates seem to show little correlation with any changes in regime (Prins, 1982, p281).

### Operational Constraints

In addition, any rehabilitative potential of prison libraries may be diminished by a range of operational constraints. Inadequate resourcing, in terms of funding (Nottinghamshire County Council, 1989, p6) and accommodation (Wright, 1987, p6), inappropriate staffing arrangements (Stevens, 1992, p69) and a sense of being regarded as a 'peripheral' resource within the prison (Pybus, 1992, p11), have been identified as particular problems by some studies. Certain prison libraries also have very restricted opening hours and particularly where prisoners have to be escorted to the library, they may have very little time to make full use of the library's resources. A staff member from the Education Department in a large prison, who was recently interviewed by the authors, recalled: "I've heard officers say 'Come on, you've got five minutes to pick a book lad'. By the time they find something it's a lottery, or worse still they don't take a book out at all".

Even though a library may be open during the daytime, many inmates may not have access to it, for example, if they are engaged in prison work. In addition, the lack of adequate prison officer cover may also reduce the time the library can be open.

There are also other sanctions restricting use. The Chief Inspector of Prisons, has complained that orderlies have denied remand prisoners library access because they were more likely to damage library stock (Library Association Record, February, 1992). Library services may thus be significantly influenced by the particular nature of the regime and the type of inmate population at that establishment.



## Priorities

The extent and quality of library service also varies greatly as a result of differing priorities held by both individual establishments and the supplying local authorities (*Standing Committee on Public Libraries, 1993, 6.14*). However, by October 1993, it is envisaged that written agreements between individual establishments and their supplying library authorities will be in place. These are intended to outline roles and responsibilities, to define levels of provision and introduce some monitoring procedures.

In addition to these problems, there is also some debate surrounding the concept of rehabilitation itself. For example, in its recent report on prison education (*Council of Europe Report on Education in Prisons, 1990*), in which library services were identified as a key element, the Council of Europe argued that institutional definitions of rehabilitation were too narrow and 'treatment orientated' to help determine the nature of either prison education programmes or prison library services (*Warner, 1991, p15*). Instead they advocated a broader approach where the overall objective was to develop the 'whole person', in order that inmates could 'choose for themselves to turn away from crime' (*Warner, 1989, p7*). The role of prison libraries within the different models of rehabilitation which have evolved (*Player, 1992*) and the effectiveness of the library's contribution are two questions which have not yet been fully addressed.

Reviewing all this evidence, it has been concluded: 'there is little or no valid philosophical or psychological data to support the contention that books and libraries are a viable rehabilitative force' (*Hartz, 1987, p6*).

## What works?

Yet, almost in spite of these difficulties, current research by the authors has identified a number of ways in which prison libraries can and do, provide a range of tangible benefits to inmates. Some of them are discussed below. Many go unrecognised, sometimes even by those personnel who are delivering the service.

- Libraries provide information and resources, to inmates directly and also to other departments within the prison. Such provision can be a significant factor in reducing institutionalisation (*Plotnikoff and Woolfson, 1992, p17*), maintaining contact with the home community, in empowering inmates in order for them to assume responsibility for their own actions and in helping prepare them for their release.

- Libraries can help inmates develop a range of basic, practical skills. In some cases, prisoners may prefer to obtain informal help with their problems from library staff than to risk embarrassment by making a more formal approach to other sources of help: 'Well, I've only been in

31 months, but when I came in I couldn't read or write. I've learnt how to read and I've learned how to write since I came in to the library. I can read books the same as every body else can now. So I thank them for that, you know what I mean?' (inmate interviewed by authors).

- Libraries can help raise self-confidence: 'I felt really ashamed of myself that I couldn't read. I just felt useless, not being able to read' (inmate interview). McGuire and Priestley have argued that, in some individuals, low self-esteem may be closely correlated with offending behaviour (*McGuire and Priestley, 1985, p60*). As a result of perceived negative information and implicit labelling from sources of authority, together with immersion in a delinquent subculture, some individuals will try to increase their self-esteem by committing criminal offences. Providing a non-criminal activity to raise self-esteem may be a way of reducing the motivation to offend.

- The library has a crucial supportive role to play in regard to the process of prison education and also in encouraging independent learning amongst inmates: 'Self improvement follows self respect in the process of rehabilitation and the chance to complete one's education is a necessary step' (*Roth, 1970: quoted in Burt, 1977, p27*).

- Reading may be a learning experience in itself. A prison librarian interviewed said: 'There's inmates in here who'll say 'I've never read a book on the out', and they'll come in here and read three or four in a week ... it's educating them. At least they can go on and read books on the out to give them something to do'.

- Because going to the library is a voluntary activity, it may have an important role in developing self-motivation. It encourages conscious choices to be made about how that person will spend their time and what they will read. Even the strategy for passing time by using services such as the prison library can change from a 'cynical manoeuvre to real enthusiasm' (*Williams, 1993, p46*).

- Reading offers the inmate a chance to use time constructively. As about 20 percent of inmates are still locked up for over 20 hours a day (*Walmsley et al, 1993, p3*), reading is an important activity for many of them (*Evans and Jones, 1991, p386*). Addressing a group of prison librarians in 1982, the Minister for the Arts argued: 'The man or woman who finds a creative use for time, through education or the use of library facilities, is to be envied, even in prison, and can be the more easily helped towards rehabilitation on that account.' (*Channon, 1982, p3*).

- Reading can offer an opportunity to escape from the inmate sub-culture. An Education Officer who was interviewed argued: 'When they're out, they're not themselves. When they are locked up, they are themselves - they can read or whatever. If they're reading they are



within the culture of the book. Then they are available, they make themselves available to other thoughts'.

● Reading in prison can be a chance to partake in an activity that is considered to be socially acceptable. When inmates are released, the time spent in such activities potentially reduces contact time with the delinquent sub-culture in the community. A prison officer librarian interviewed noted: 'If you can get them doing something that's normal, because a lot of what these lads do are not what normal people do, and that's why they've got the behavioural problems they have a lot of them, because they live a lifestyle that's alien to the lifestyle you or I lead. So if you can get them doing something that's more like a reasonable, ordinary person you've gone some way to overcome the factors that brought them to jail in the first place'.

● Reading can help provide insight and help, both at the 'crisis point' and on a longer term basis. This not only applies to factual or self-help material, but also to works of fiction. Van Riel has argued that when people read novels they compare their own experience with those of the characters and review their own behaviour (*Van Riel, 1993, p84*). An inmate recently interviewed by the authors shared a similar opinion: 'Say I pick up a book and it's the story of someone who's been in trouble. He's put it into his mind that he's going to stay out of trouble this way. OK, so I've read it and I could go off that way myself. When I start getting into bother, I've already read about this, so I can try that. Things like that, you know what I mean?'.

● While reading can offer the inmate a mental stimulus, it can also have a calming effect. Even at the most basic level, the library is another activity in the regime to keep prisoners occupied and to keep them out of trouble. This may have some effect on subsequent behaviour. Research by Sinclair and Clarke (1982), has indicated that establishments with less misconduct also tended to have lower reconviction rates.

● Reading itself can act as a positive change agent, awakening consciousness and reason (*Hendry, 1984, p97*). Malcolm X argued that the opportunity to read, presented by the long periods of time the prisoner spends alone, were invaluable: 'In the hectic pace of the world of today, there is no time for meditation, or for deep thought. A prisoner has time that he can put to good use. I'd put prison second to college as the best place for a man to go, if he needs to do some thinking. If he's motivated, in prison he can change his life' (*quoted in Engelbarts, 1972, p149*).

● Many critics still retain a strong belief in the power of the written word to alter an individual's pattern of moral behaviour. The Standing Committee on Prison Libraries argued that libraries can help 'fulfil aspirations' and assist prisoners 'to achieve a full and useful role on

their return to the community' (*Standing Committee on Prison Libraries, 1993, 3.9*). Others have put forward the view that reading can help the inmate become 'spiritually enriched, morally recreated and intellectually reinforced' (*Murison, 1988, p184*), as well as ensuring the prisoner is less 'susceptible to the corruption of the recidivist' (*Murison, 1988, p196*). Mazurkiewicz has argued that reading decreases alienation and increases self-understanding, enabling the inmate to develop positive role models and to change behaviour patterns (*Mazurkiewicz, 1974, p502*).

● Prison libraries provide an opportunity for change – inmates will do things in prison they would never have done on the outside. In some ways, the nature of the prison environment may tend to encourage this personal, developmental process. As the value of reading increases to the inmate as a time filler, as an enjoyable activity and in some cases, as a learning experience, then potentially the impact of that experience may be heightened.

● The atmosphere and environment of a prison library can help ameliorate some of the harmful effects of imprisonment, such as depersonalisation and desocialisation. Staff interviewed often commented that because the library is perceived as a calm, quiet area inmates tend to behave in a calm and quiet manner. One inmate said: 'You're regarded as a normal, sentient, thinking human being. You realise you're not totally absorbed into the animal kingdom. You become more human.'

● Reading can stimulate new interests, which can be carried over to when inmates are released. An inmate who was interviewed recalled: 'I've had books sent in for me for sign language. I've started that myself. The only reason why I've learnt it is because the librarian got me some sign language books'.

● If inmates become familiar with using the library as a resource to solve their problems, they may be more likely to develop the necessary information skills which they will need to solve problems they will face upon their release.

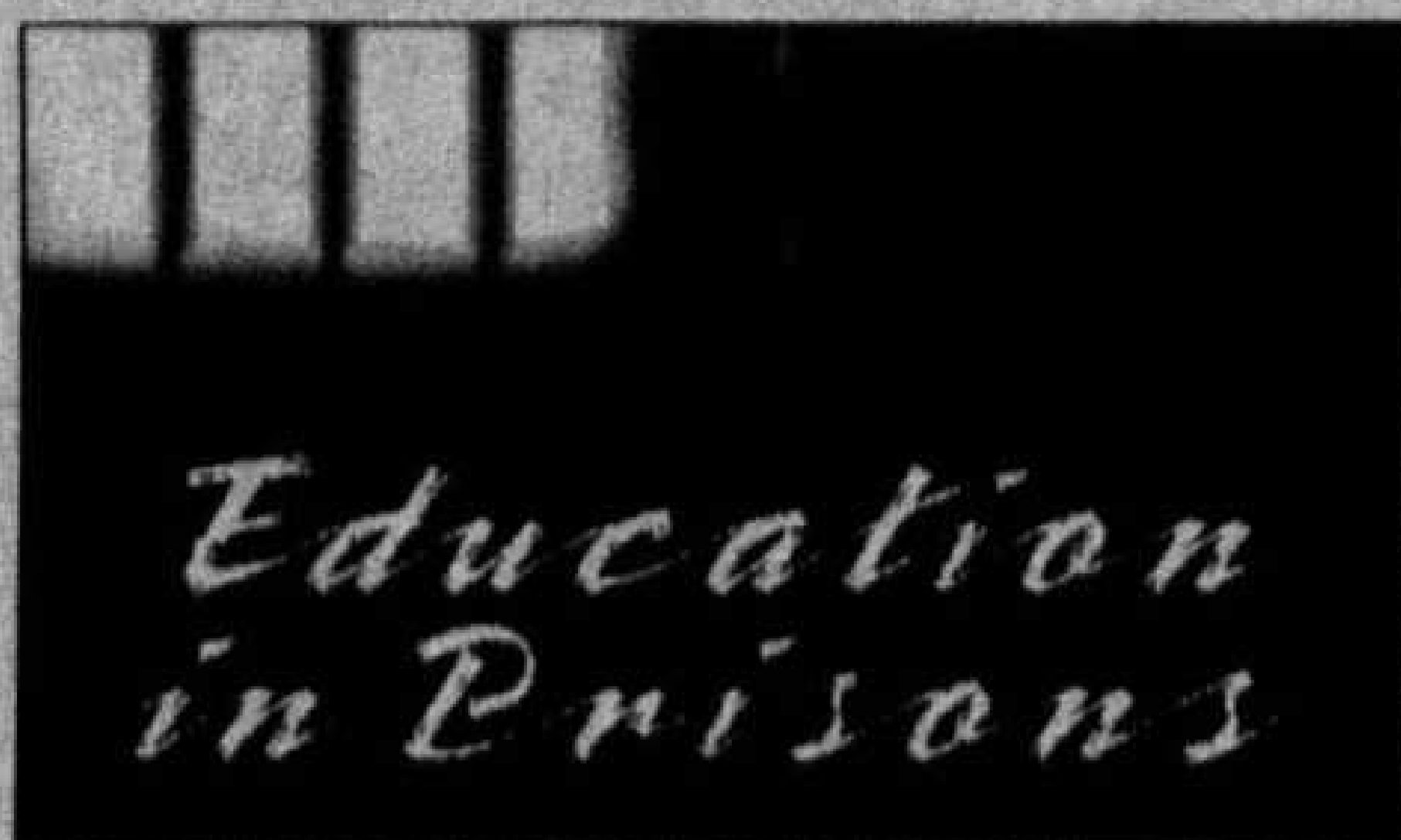
### Getting better all the time

In summary, prison libraries can provide, irrespective of whatever model of rehabilitation is currently in favour, or the nature of the regime or composition of the inmate population a range of positive services which can assist the individual in rejoining the community as a law-abiding citizen. One of the benefits of using a library is using a library, and when inmates visit their prison library they are experiencing the outside world again, and become better prepared for their own return to it ■



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# Education Programs in Prisons

## An Australian Perspective

*In this article, the expansion of education provisions in prisons in Victoria, Australia is described with enthusiasm. Readers in this country will recognise common problems over such issues as competing for prisoner time and will envy the optimistic approach.*

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Education/Industry  
Training Officer  
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*Reprinted from 'Keypoints'  
the official magazine of the  
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of the Victoria Department of  
Justice. June 1993*

A Dramatic change has taken place in the planning and delivery of adult basic and vocational training programs in Victoria's adult corrections system since 1989. Education, once a small part of prison activities, is now a recognised and much sought-after component of many prisoners' daily routines.

Victoria has approximately 2,300 prisoners and nearly 7,000 offenders under the supervision of the community-based corrections (CBC) system at any one time. Figures in the 1992 and 1993 Corrections Industry Training Plans reveal that 84.4 per

cent of prisoners and 82.5 per cent of CBC offenders had completed only part-secondary education at the time of their sentencing. Further, 58.1 per cent of prisoners and 54.1 per cent of CBC offenders were unemployed when they were sentenced. Figures for females were 79.0 per cent and 60.8 per cent, respectively.

Cross-tabulating the figures shows that 82 per cent of all those who were unemployed at the time of imprisonment had achieved part-secondary education only. Since the opportunity for training has been offered, this profile has improved significantly.



## Planning and Delivery

In 1988, the Office of Corrections saw that little vocational training was being undertaken in the corrections system. Moreover, education in prisons was restricted mainly to literacy and numeracy programs, reflecting the outdated view that a prisoner's offending behaviour could best be addressed by learning to read and write.

Changes in the type, range and delivery of education and training came about when the TAFE system responded to a request from the Office of Corrections and formally took responsibility for education at the State's fourteen prisons. A budget of approximately \$1 m in teaching salaries was transferred to nine TAFE colleges.

Planning and funding changed in 1991 when the State Training Board agreed to establish the Corrections Industry Training Board. The Broadmeadows College of TAFE became network manager for corrections education and training, with responsibility for statewide curriculum development. It also has the role of advocate for corrections education and training in the State Training System.

As a result, Broadmeadows College immediately set up a consortium comprising senior managers from colleges with prison campuses, what was then the Division of Further Education, Victorian Prison Industries Commission and Office of Corrections. The program priorities for 1992 were planned and costed by the Office of Corrections.

It was agreed that the courses should be similar to those available to the wider community. To do this meant changing from traditional classes in an education centre to being an integral part of prison industries and services. Drawing on a number of prison system activities, the plan argued, for example, that as each prison contained a kitchen, then hospitality industry training should be available. This would offer prisoners working in the kitchen an accredited, industry-recognised credential.

The plan also focussed on courses with labour market potential. These would need to be delivered in modular form to fit in with the shorter sentences served by most prisoners. It was also planned to link training with existing programs offered by the Commonwealth Department of Employment, Education and Training (DEET), and what is now the Adult, Community and Further Education Board.

By 1992, Broadmeadows College had assumed responsibility for the four Melbourne metropolitan prisons, including the reception prison for female prisoners.

The kinds of training available in the prison system have

begun to change as TAFE Colleges are now using strategies for competency-based training and for recognition of prior learning in many courses. Other methods of training have found their way into two maximum security prisons. An open learning project is being conducted in the business (computing) studies field with the women's reception prison.

The Victorian Prison Industries Commission, a statutory authority separate from the Office of Corrections, developed its own training strategy, specifically for its prison industries. The Commission also contributed \$30,000 in 1992 to programs linked to its strategy. Individual TAFE Colleges have also been asked to deliver fee-for-service courses for a number of prison industries (eg, powder-coating courses).

The problem of finding accommodation for the increase in the range and level of programs made available by early 1992 has been resolved by the delivery of new training facilities to a number of prisons and by the allocation of prison space to training at other locations.

## Treading the Pathways

For the system to work successfully, a prisoner employed in a specific industry or service training program has to be able to continue the training through and after serving his/her sentence. In addition, the Corrections Industry Training Board and the consortium expressed serious concern that allocations of funds to training in corrections should not be wasted through a lack of provision from one prison to the next.

So, TAFE Colleges on the consortium helped develop *training pathways*, which enable a prisoner to start an accredited course of study at any point of a sentence and continue this study with a planned program through the various security regimes.

Both the Board and the consortium discussed with the Office of Corrections Classification Committee how best to develop the pathways concept. The Classification Committee now takes a prisoner's training situation into consideration when altering his/her classification status and ensures that continuity of training is available upon transfer.

Development of industry training pathways has not been restricted to the prison system and includes the pathway to training upon release, particularly for persons on parole or undertaking a pre-release program. As a result, the Office of Corrections Custodial Community Permit Program has been swamped by requests for leave to attend classes at TAFE College, including leave from country prisons to attend metropolitan colleges.

By design, most of the education and training is carried out in prison environments through the linking of accredited courses with prison industry and services.



However, prisoners have attended courses on a College's main campus, being escorted on a daily basis to undertake their training. Such arrangements have proved successful for two Gippsland prisons in relation to construction industry courses (eg, dogman/crane chaser).

The traditional shutdown of education centres for the school holidays caused difficulties for prison officers and often mean that prisoners discontinued their studies once other activities took precedence during the break. College evening classes have met with mixed success. Positive results followed the decision by a teacher in a minimum security prison to restructure her timetable to be available from 2-8pm on three days per week so that prisoners returning from work outside the prison could have access to the education centre in the evening.

Another development has been the attempt by at least two Colleges to introduce workplace adult basic education to complement prison industry training. Individual teachers have gone to industry locations to assess prisoners' basic education needs and deliver industry-relevant basic education classes. There have been difficulties with these initiatives, but they are being addressed by the relevant Colleges and the Commission at a local level.

### Constraints

The rapid increase in the range and level of vocational education and training programs in the prison system has created some problems, not least the competition for use of a prisoner's time between industries, education and other activities. This problem is more difficult to overcome in smaller sized locations, particularly where prison management has commitments to industry production schedules and does not have the flexibility to release workers for education at specified times.

A further problem exists in using prison facilities for training when there are distractions from other activities or security requirements demanding a custodial presence.

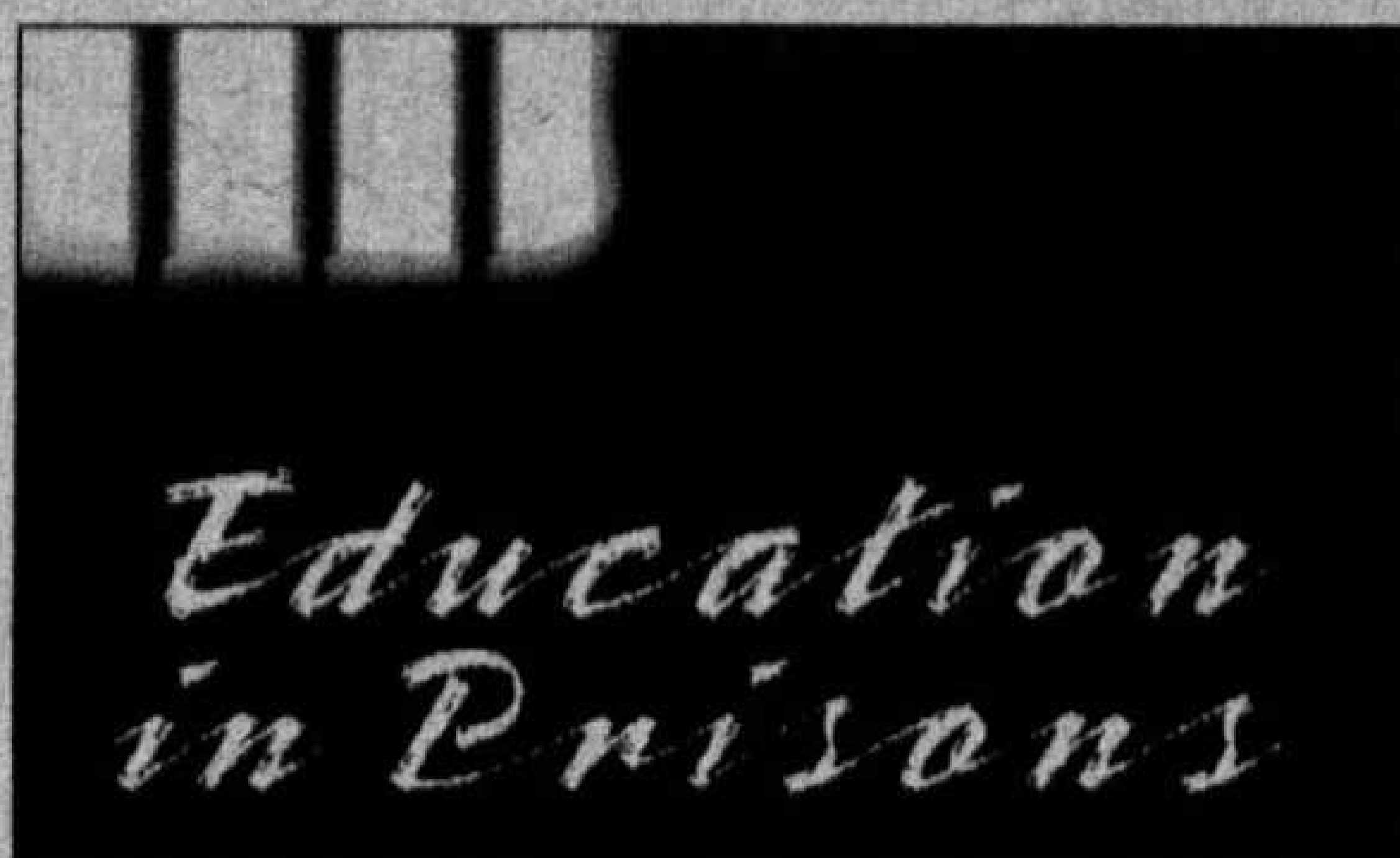
One difficulty with scheduling evening classes in some prisons is the additional cost of providing custodial support, which incurs an overtime cost against the prison budget.

Both the Corrections and State Training Systems have to deal jointly with the difficulties created by a high turnover of prisoners as many serve sentences of three to six months only. The mismatch between starting courses and starting sentences often means that both prisoners and CBC offenders are unable to attend a preferred course during the time of the sentence.

Both the Correctional Services Division and Colleges have endeavoured to present units of courses in modular form to allow prospective students to undertake parts of a preferred course and receive a statement of attainment for studies completed. Increasingly, Colleges are moving to structure their prison programs in 30-40 hour modules to accommodate the difficulties presented by short sentences.

There is no direct Commonwealth Government involvement with education and training programs in the prison system and Commonwealth regulations for CBC offenders restrict their access to DEET labour market programs.

The National Board of Employment, Education and Training Report No. 17, presented to the Commonwealth Minister for Employment, Education and training in July last year, contained a number of important recommendations regarding the provision of Commonwealth programs to prisoners and offenders. Many of the recommendations, if approved by the Minister, would provide for considerable advances to be made in the currently effective delivery of adult basic and vocational education programs to Victoria's corrections system ■





# MANAGING *Behemoth*

## CRISIS PREPAREDNESS IN THE PRISON SERVICE

**Denis Smith**

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### Introduction

The disturbances at Perth in early December and at Reading Remand Centre on Boxing Day 1992 raised the spectre of crisis over the Prison Service once again. The incident at Perth was the third which involved taking a prison officer hostage within a five month period (Donegan, 1992). The damages to Reading Remand Centre were extensive and have been put at over £1 million according to early estimates (Mullin, 1992). Media reports have expressed concern over the staffing levels at the time of the incident and speculation has been rife over their contribution to the disturbance (Mullin, 1992). At the same time that the media was carrying reports of the Reading riot, the Guardian newspaper<sup>1</sup> was also detailing the reported sale of prisons on a regional basis under the guidance of the new Director General of the Service (Wintour, 1992). The appointment of Derek Lewis as Director General, with no previous experience of the Prison Service, following a career at Granada Television and UK Gold, has fuelled concerns about privatisation and prompted considerable criticism of government policy by stakeholder groups (Rowan, 1992). The ideological basis of state managed prison reform and containment versus rehabilitation policies for offenders seems to be moving inexorably towards privatisation. This very change in managerial philosophy on the part of the state exudes the notion of crisis in the eyes of some commentators if the service were performing then there would be no need for such drastic measures! Such a perception, which is far from the reality of the situation, combined with a series of disturbances and other events to lead a number of media observers to portray the service as one in crisis (Bunting, 1992; Carvel, 1991b).

The purpose of this paper is to explore that issue in more detail and, hopefully, to shatter the myth that the Prison Service is a crisis prone organisation.

At the outset, a distinction needs to be made between a crisis event and a period of **controlled** change in a short period of time. Rapid change, if correctly managed, does not constitute a period of crisis. Indeed, it could be argued that such a turbulent period is beneficial to an organisation's learning process, thereby preventing certain crises from occurring (Smith, 1993). Within the prison service, many of the events that have been portrayed as crises are simply the manifestations of the change process. The ways in which that change has been managed may generate crises for the organisation at a later date. The 1990s began a turbulent period for the Service and have resulted in the media portraying it as an organisation in crisis. Starting with the riot in Strangeways gaol in 1990, the Service has experienced a number of major disturbances and 'scandals' which have captured the imagination of newspaper leader writers. The costs of rebuilding Strangeways, the development of the UK's first private prison and the continued threat of privatisation have combined to enhance the image of crisis still further. That prisons seem destined to deal with crises should not come as a surprise. Prisons have much in common with chemical plants: both contain 'substances' which are deemed to be hazardous if released in an uncontrolled manner into the 'environment'. Both chemical plants and prisons are generally considered to be unwanted neighbours. Given the function that prisons are designed for – that is reform as well as incarceration – then it is not surprising that the resentment of those who are imprisoned should spill over on occasions. In addition, prisons are, by definition, subject to the whims of those politicians who determine the policy environment.

Changes in policy can and do have a profound effect upon the management of prisons and their subsequent ability to cope with crisis. An example of such an impact can be found in the announcement, in December 1992, of the appointment of a chief executive with no previous

<sup>1</sup> The choice of the Guardian as a source of many of the media reports referred to in this paper is purely arbitrary. The events referred to here were given coverage within virtually all of the quality press.



# THE PROCESS OF CRISIS MANAGEMENT

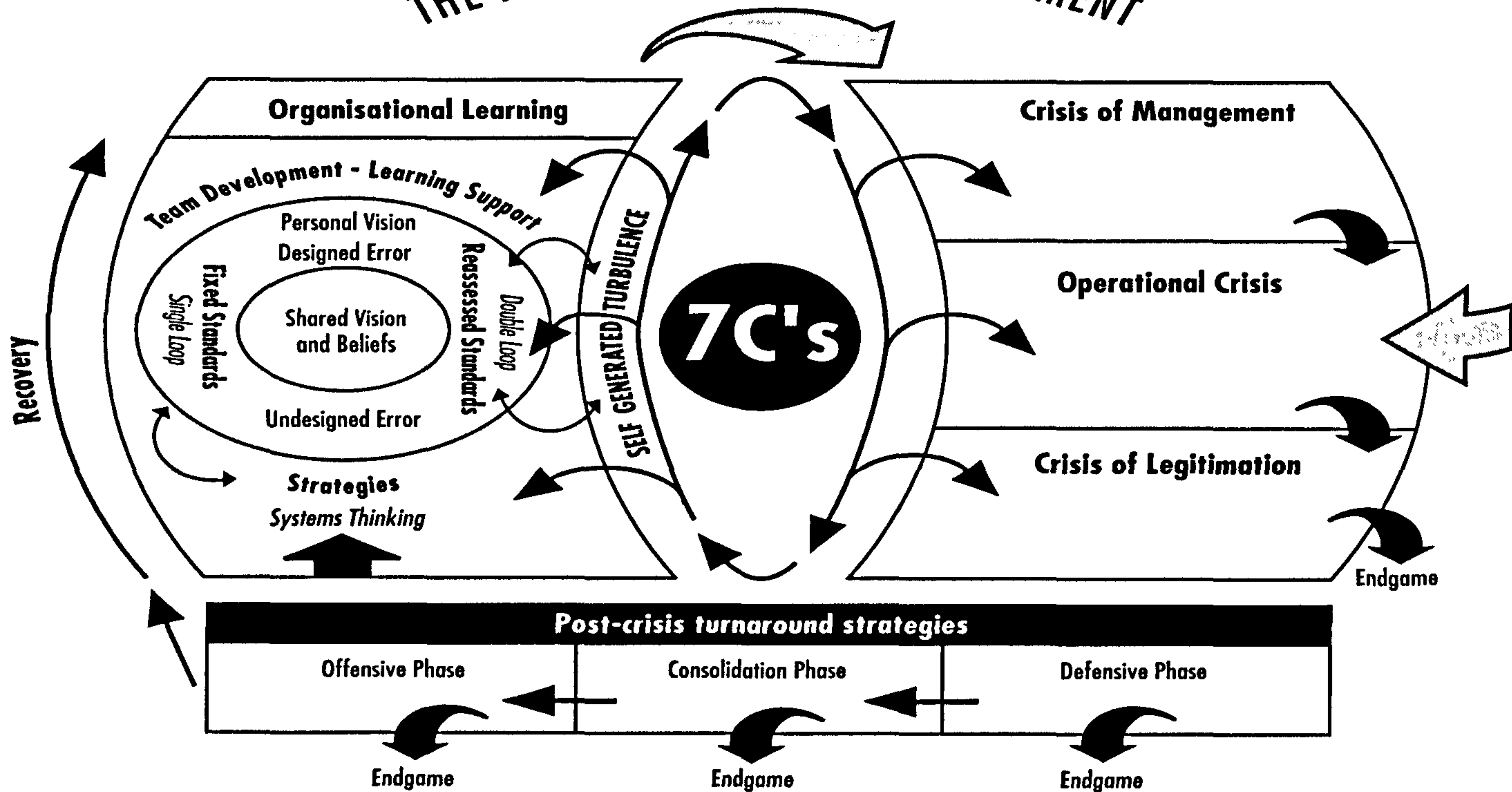


fig. 1

experience of prison management. Such a move has raised more fully the spectre of privatisation over the service. However, media speculation and popular opinion are not accurate indicators of crisis in organisations and require further analysis. The purpose of this article is to examine the nature of crisis management and to assess the extent of crisis preparedness within the Prison Service. What follows is not a definitive statement of crisis management within the UK's prisons, but merely a snapshot of the views of governors taken during the early part of 1992.

## An organisation in crisis?

The process of crisis management has received a considerable amount of attention within the academic literature (see, for example, Pauchant and Mitroff, 1988; 1992; Mitroff et. al., 1988; Shrivastava, et, al., 1988; Smith, 1990; 1992a; 1992b; 1993). This paper assumes much in terms of the background of crisis theory, as a full discussion of the process is beyond the scope of this paper.<sup>2</sup> A number of definitions of crisis exist within the literature. One of the better descriptions of the term is provided by Shrivastava et. al. who see it as,

*organizationally-based disasters which cause extensive damage and social disruption, involve multiple stakeholders, and unfold through complex technological, organizational and social processes (p.285)*

Crisis portfolio for the Prison Service			
Cell 1	HUMAN/SOCIAL/POLITICAL		Cell 3
	<ul style="list-style-type: none"> <li>■ under capacity/overcrowding</li> <li>■ unemployment/social conditions and criminal behaviour</li> <li>■ privatisation</li> <li>■ social riots</li> <li>■ negative external reports</li> </ul>	<ul style="list-style-type: none"> <li>■ drug abuse amongst inmates</li> <li>■ lack of effective officer/governor training</li> <li>■ "Fresh Start"</li> <li>■ prison security</li> <li>■ prison disturbances</li> <li>■ cutbacks in prisoner education</li> </ul>	
Cell 2	TECHNICAL/ECONOMIC		Cell 4
	<ul style="list-style-type: none"> <li>■ instantaneous adverse media coverage of events</li> <li>■ copycat disturbances (riots)</li> </ul>	<ul style="list-style-type: none"> <li>■ financial provision (prisons as cost centres)</li> <li>■ communication failures</li> <li>■ equipment shortfalls</li> <li>■ poor design of goals</li> <li>■ prison conditions</li> </ul>	

fig. 2

<sup>2</sup> For a discussion of the literature relating to crisis management see Pauchant and Mitroff, (1992); Pauchant and Douville, (1993). The model detailed in this paper is developed more fully in Smith (1993).



For the purposes of this discussion, the term crisis will be seen to encompass those events which threaten the strategic aims of the organisation (including its image and standing within society) and may ultimately affect its ability to survive. In terms of the theoretical frameworks for crisis, Smith (1990; 1992b; 1993; Smith and Sipika, 1993) has outlined a developmental model which sees the process moving from the incubation phase (the Crisis of Management) through the active period (Operational Phase) into the turnaround and learning process. The model is driven by 7Cs of crisis management which are deemed to be of importance in determining an organisation's propensity for crisis and its ability to cope with the demands of those events that occur. The model is shown on Figure 1 and the rationale behind it is given in a series of other articles (Smith, 1990; 1992a; 1992b; 1993; Smith and Sipika, 1993). What follows here is an assessment of the media coverage of events within the Prison Service during 1990-92 which raises a series of incidents that have been used as indicators of crisis by the media.

By classifying these incidents along two axes – their human/technical dimension and the external/internal dynamics – it is possible to categorise events within a matrix and the four groups of events are shown in Figure 2. Of the events shown in the matrix, those which are human in their focus and are generated by external factors (Cell 1) have attracted a considerable amount of media attention. Amongst prison officers, perhaps the greatest fear is that of privatisation and this has been given considerable media coverage (Carvel, 1991a). Building upon this fear, the opening of the country's first private prison and the government's continued dalliance with the allure of an American mode of prison management which is driven by the private sector, has detracted attention from the fundamental problems of the service. These problems centre around funding, staffing, training and the need for widespread penal reform. Overcrowding and under-staffing within prisons have also been an issue for concern amongst both staff and inmates. The need to construct modern institutions which are capable of dealing with the current demands imposed upon the service rather than those prevalent during the Victorian era, has also been an issue of some considerable priority. The increased pressure on the system arising from social riots, such as those which occurred over the community charge, have increased the need for remand spaces within the system and compounded the problems of current prison building stock.

As we move into Cell 2, then technical and economic criteria serve to escalate the potential for crisis. In the case of the Service, the irradiation effect of cypcat riots is a major problem for individual prisons, as inmates become aware of disturbances at other institutions. A major factor in this process is the media coverage of disturbances and the often adverse coverage of policy decisions and conditions which create an image of crisis in the minds of the various stakeholder groups. Many of the events listed are value laden and would not constitute a crisis in the

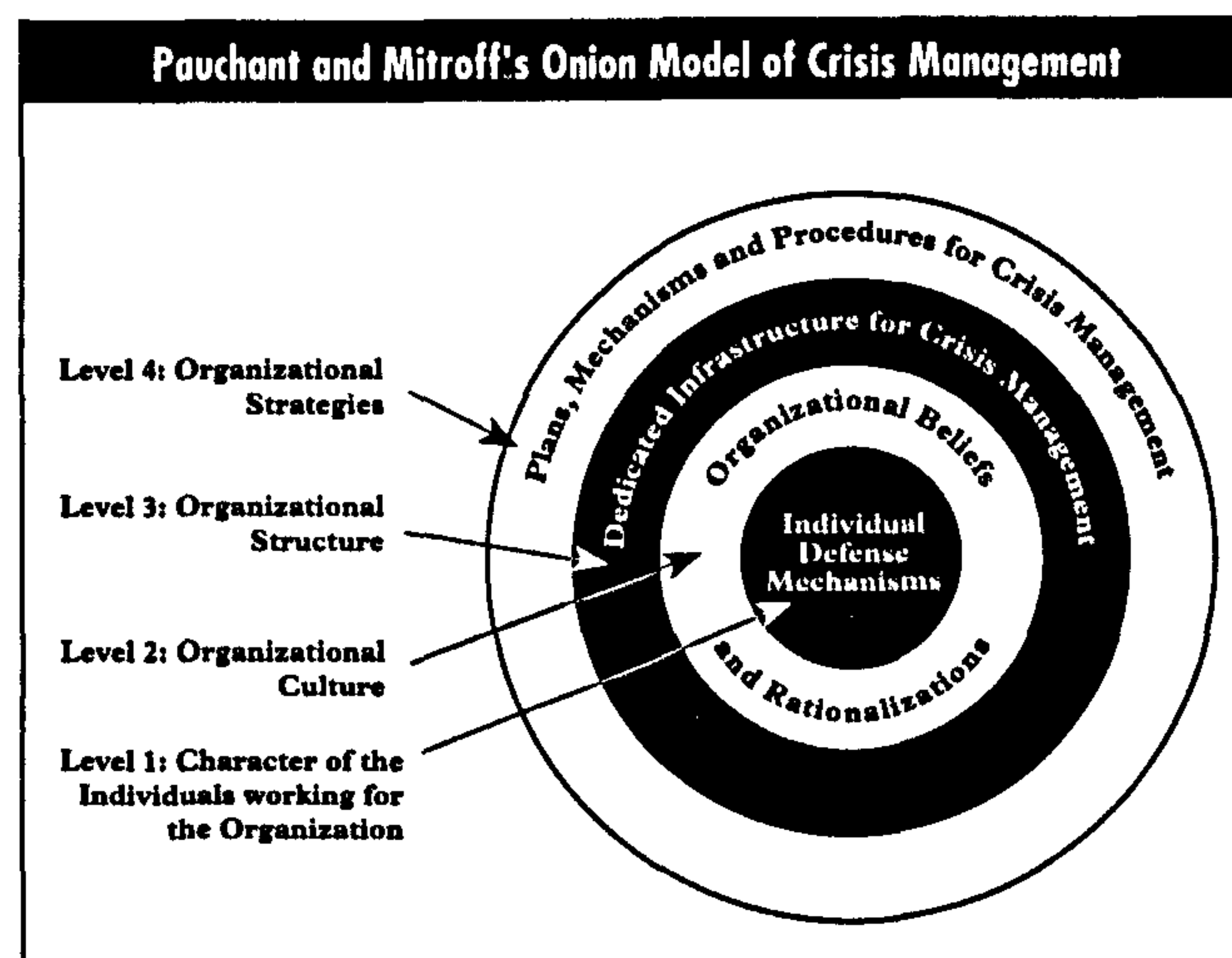


fig. 3

eyes of some observers. They are listed here to reflect on the events that are listed by the media as providing part of the mosaic of crisis that is held to exist within the service. The process of privatisation, whilst essentially a political agenda item, sees its realisation through economic criteria. The impact of privatisation affects the provision of services, morale and technical support available to staff within the Service.

In Cell 3 the crises emanate from internal factors which have a human-political dimension. Issues relating to drug abuse amongst inmates and the possible effects upon their behaviour continue to receive coverage in the media, as does the risk of a high incidence of HIV amongst the prison population. Other, more managerially related, crises have been seen to centre around the demise of the prisoner education programme, the lack of an effective officer/governor training programme and the performance of 'Fresh Start' (Carvel, 1991b; 1991d). More dramatic instances of crisis include escape attempts (Carvel and Campbell, 1991) and the general issue of security, along with the seemingly continuous risk of disturbances within individual establishments (Donegan, 1992; Mullin, 1992).

Finally, in Cell 4, the technical and economic factors which exist within organisations serve to precipitate events, as do a series of historical factors which incubate crisis potential. By moving prisons towards a commercial basis, the government may be creating the potential for crisis as individual institutions are forced to change their modus operandi and operate as cost centres, with the myriad implications that such a process brings with it in the absence of effective management development strategies. If the decision is taken by government to drive down the unit of resource within the Prison Service, as it has done within Universities, then the implications for the Service are considerable. Given the age of many of the country's prisons it would be difficult to reduce their operating costs without considerable capital investment.

Within a climate of short-termist cost reduction, such investment is unlikely to be forthcoming. The lack of sufficient resources to ensure that overcrowding does not occur and that individual prisons are sufficiently equipped



for their purpose, has also been raised as an issue within the media. The status of some of Britain's Victorian prisons attracted considerable adverse attention within the press following the Council of Europe's Torture Committee criticisms of conditions in Wandsworth, Brixton and Armley (Carvel, 1991a; 1991c; 1991e; Wainwright, 1991). Such criticisms spilled over into other establishments as external agencies and prison inspectors expressed reservations about the conditions under which prisoners were kept (Carvel, 1991c; 1991g). Even the country's newest prison, at Full Sutton, was exposed to criticisms concerning its design (Carvel, 1991f), promoting the image of organisational crisis still further. The incidents listed in figure 2 serve to illustrate the breadth of events that form the mosaic of crisis within the service that was mentioned earlier.

Against this background of media speculation over the health of the service, it is important to ascertain the nature of crisis preparedness. However, such an 'audit' is a highly complicated and, some would argue, uncertain task. In an organisation as complex as the Prison Service any attempt to determine its crisis-prone nature is bounded by inherent uncertainty. There is no truly scientific method for determining the state of crisis preparedness of an organisation although a number of instruments do exist (Kets de Vries and Miller, 1987; Pauchant and Mitroff, 1992). The following section details the findings of a survey of Prison Governors which was carried out in late 1991 early 1992 in an attempt to

explore the use of such instruments and assess the nature of crisis management in the Service.

### **Auditing the crisis preparedness of an organisation.**

As the literature on crisis management has developed, so too have the attempts to both create typologies of crisis-prone organisations and to construct instruments that allow managers to assess their capability to cope with such events. Both Kets de Vries and Miller (1984; 1987) and Pauchant and Mitroff (1992) have outlined a series of organisational types which are deemed to be crisis prone. Kets de Vries and Miller (1984; 1987) suggest that a number of neurotic organisational styles exist which are a function of four main elements: personality, structure, culture and strategy/decision making. Pauchant and Mitroff (1992) also identify four main organisational characteristics which they liken to the levels of an onion: strategy, structure, assumptions and core values/beliefs (Figure 3.)

Using their notion of an onion model, Pauchant and Mitroff (1992) suggest that up to 81 different 'crisis profiles' can be identified between the two extremes of crisis-prepared and crisis-prone. The similarity between the characteristics identified by both sets of researchers is apparent and they represent both the visible and imperceptible aspects of organisational activity. As a result of the interaction between these principal elements, a

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### Characteristics and forms of organisational neurosis

Type	Organisation	Executive	Culture	Strategy	Guiding Theme
<b>DRAMATIC</b>	Too primitive; Overcentralised; Poor information systems; Power concentrated	Needs attention & stimulation; Tends towards extremes	CEO dominant force; Subordinates mirror the CEO	Hyperactive & impulsive; Dangerously uninhibited	<b>GRANDIOSE</b>
<b>SUSPICIOUS</b>	Elaborate information processing; Power centralised	Prepared to counter all threats; Hypersensitive; Too many rules; Vindictive	Fear of attack; Emphasis on the power of information; Lack of trust	Reactive; Secretive; Overly analytical; Diversified	<b>PARANOID</b>
<b>DETACHED</b>	Internal focus; Little external scanning; Self-imposed information flows	Withdrawn; Sometimes indifferent	Conflictual; Lack of warmth; Insecure	Vacillates and indecisive; Inconsistent; Parochial in its perspectives	<b>ALOOF &amp; ISOLATED</b>
<b>DEPRESSIVE</b>	Ritualistic & bureaucratic; Hierarchical & impersonal; Resistant to change	Lacks self-confidence & esteem or initiative; Tolerates mediocrity; Needs a Messiah	Lacks initiative; Passive; Leadership vacuum; Lacks motivation	Inward looking; Avoids decisions; No direction; Confined to mature markets	<b>INADEQUATE &amp; DEFEATIST</b>
<b>COMPULSIVE</b>	Rigid & formalised; Elaborate information systems; Hierarchical with power associated with position	Dominant executive; Dogmatic; Perfectionist; Obsessive & ritualistic	Rigid & inward directed; Uncreative & insecure	Calculated & focused; Unadaptive; Obsessed with a single aspect of strategy	<b>DOMINANT</b>

table 1

number of organisational types can be identified. For Kets de Vries and Miller (1987) there are five principal forms of neurosis which manifest themselves in organisations as shown in table 1 above.

Given that these categories represent the characteristics of the crisis-prone organisation, it is important to consider them within any audit process. If we examine the media criticisms of the Service then it is obvious that a number of the criticisms made are indicative of crisis according to the Kets de Vries and Miller's classification. They acknowledge that in practice organisations will probably not fall neatly into any one of these categories but may span any number of them and this is evidenced from the media and government reports published in recent years. Such issues include charges that the Service is overcentralised, hierarchical, internally focused, resistant to change, rigid, low in morale and motivation, unadaptive and secretive. If we accepted the views of media commentators then one could classify the Service as being either depressive or suspicious. However, such an analysis could be determined to be biased, and justifiably so. What is needed is an assessment of the views of those who work within the organisation in order to balance the perceptions of external commentators.

For the purposes of this study, it was decided to utilise the instrument provided by Pauchant and Mitroff to test crisis preparedness within the Prison Service. The survey was targeted at prison governors, as these were deemed to be akin to the chief executives of private sector organisations, a group that had been subject to

investigation by other researchers. Both Kets de Vries and Miller (1984; 1987) and Pauchant and Mitroff identify the Chief Executive Officer (CEO) as being of critical importance in determining the crisis-prone nature of an organisation. The issue of CEOs has also been addressed by other researchers (see, Bryne, et al, 1991; Radell, 1990; Sipika and Smith, 1992) who have argued that this group was particularly important in developing the strategy of the organisation as well as setting many of its key assumptions and values. Kets de Vries and Miller (1987) argue that

*In...troubled companies, strategy, organizational structure, and culture will often reflect the personality and fantasies of the top manager...When a personality has serious quirks, it is often the source of problems that affect the entire organization, particularly when the chief executive holds the balance of decision-making power. The depth of the problems created makes them resistant to change. (p.10).*

For these reasons, it was decided to assess the views of prison governors. By assessing their views only, it is acknowledged that this study fails to incorporate the views of other significant actors involved in the management of prisons and, as such, can only ever represent a partial assessment of the issues.

In addition, it is also acknowledged that the questionnaire used within the study also has its limitations. In the first instance, the instrument was developed primarily for use within North America and within the private sector and some minor translation was required in order to use it within a UK context. The

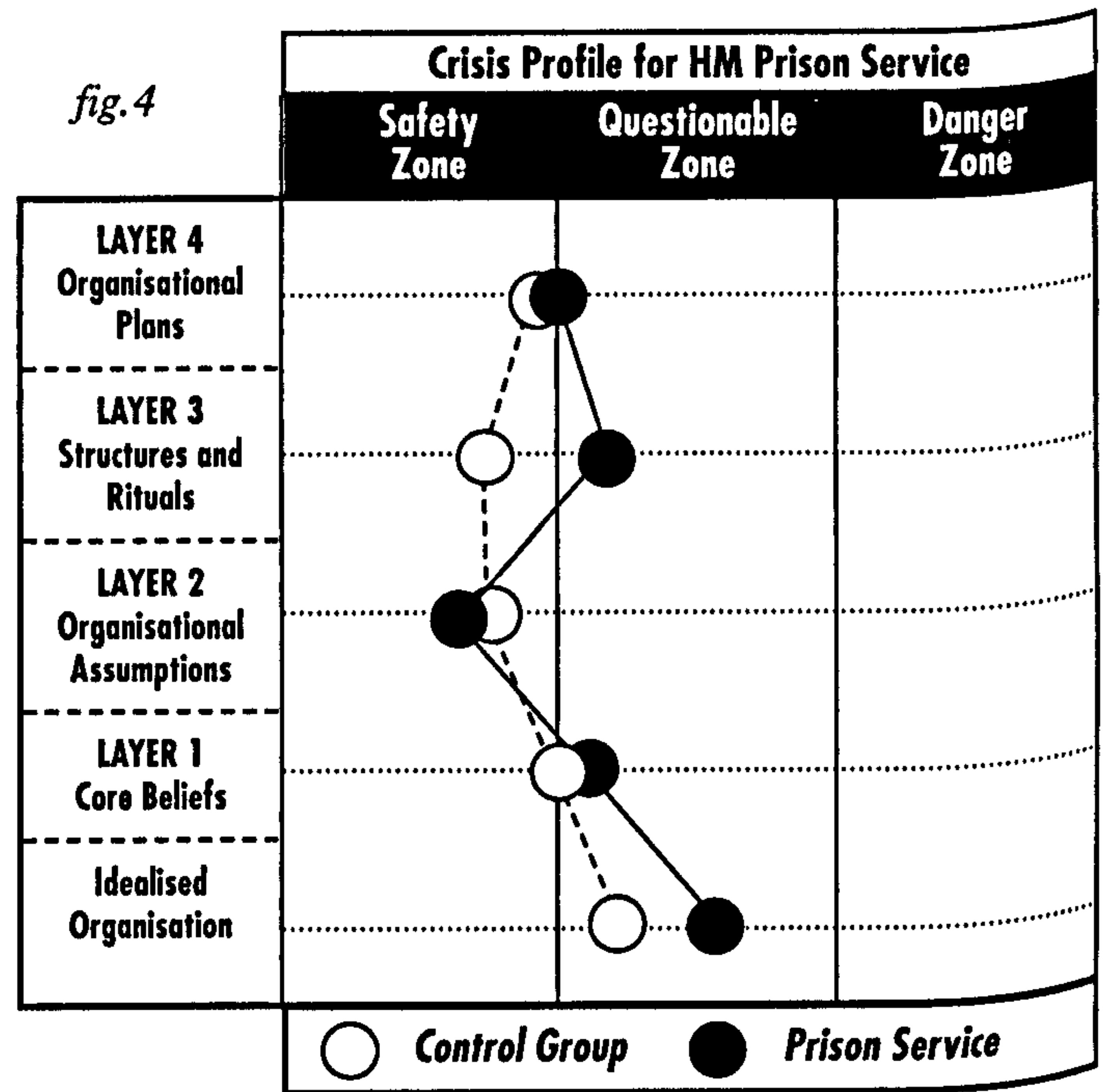


language used within the questionnaire is essentially private sector. Given that the instrument was used as part of a larger study of organisations, both across the public-private sector divide and in an international context, it was necessary to leave some private sector language within the questionnaire in order to facilitate comparisons. This caused some concern amongst a small number of the Prison Service respondents who felt that some of the questions asked did not reflect the *specific* problems of the Service (although other public sector workers used as a control group did not show the same concerns of specificity). Perhaps the reaction of Prison Service staff may be understood when it is realised that the survey was distributed during the period when the UK's first private prison was opened and that the 'language of profit' used within the questionnaire was one of the principal areas of concern. The results of the questionnaire are not scientific, in the strict sense of the term, but rather provide a basis upon which an organisation can assess its strategies in order to improve crisis preparedness within the context of the onion model (Pauchant and Mitroff, 1992). With these provisos in mind, it is now possible to discuss the findings of the survey and assess the possible implications for the Prison Service.

### Peeling the onion: Crisis preparedness in the Service

The questionnaire was distributed to all governors in England and Wales and some 59 complete responses were made. The questionnaire was divided into five sections - four of which represented the layers of the onion model and the fifth compared the organisation to the idealised crisis prepared organisation. The results of the survey, and those of the control group, are shown in figure 4. The pilot group used within this study was drawn from a number of crisis managers who attended a seminar at the Home Office Emergency Planning College. This group, drawn from both the public and private sectors, represent the views of those whose primary focus is essentially one of crisis management. The responses suggest that the Prison Service is perceived as being generally crisis-prepared by its senior managers in levels 4 and 2 and just questionable in levels 3 and 1. However, when asked to compare the Service with an idealised crisis-prepared organisation, prison governors felt that it was more deeply rooted in the questionable zone. What the survey showed was that, whilst the media were constantly portraying the Service as being in crisis, the procedures in place within the organisation were deemed to represent a serious attempt to take the matter of crisis management seriously by Governor grade staff. Although there are undoubtedly areas which require further attention, the Service has improved its communication and decision-making processes and is deemed to be making the required structural changes required to ensure that the organisation continues to seek to prevent and cope with the trauma of crisis events.

The resulting profile suggests that governors see the



Service as having both effective strategies and a series of assumptions which contribute to a crisis-prepared profile. Where governors see the potential for further improvements are in terms of the core beliefs and structure/rituals of the Service. In both cases these are areas that are heavily influenced by government policy. Perhaps the greatest potential for change can be seen in terms of the Service's relationship to the idealised crisis-prepared organisation. Whilst staff acknowledge that there are problems within individual prisons, it is held that the Service has attempted to learn from adverse experience and incorporate such learning into its procedures and strategies. However, despite such advances, it is held that there is still scope for considerable improvement compared to the ideal organisation. Following interviews in a small number of prisons, using the framework provided by Pauchant and Mitroff, Rouse (1992) identified a number of key issues that were of concern for staff. These concerns centred around the configuration of the Service and the communications processes therein, which were both held to be important in determining the extent of crisis preparedness.

By using the 7C framework outlined by Smith (1992a; 1992b; 1993) it is possible to list the various concerns that were raised by respondents during the course of this survey. Table 2 illustrates those elements of the Prison Service that may give rise to problems in the future. In the wake of the Woolf report (1991) there has been considerable concern expressed over morale within the Service and the extent of communications both within individual prisons and between such units and headquarters. Part of this problem rests with the lack of the perceived power held by governors to effect changes at the local level; and also with the lack of support given to them from outside of the institution under conditions of crisis. Control is also an important facet of the internal management of individual units. A significant number of



UK prisons were built during the Victorian period, and can, in certain cases, create difficulties for the control of the prison population during the period that they are outside of their cells. Again the levels of contingency planning within the Service need to be constantly addressed and modified. However, organisations need to move beyond the simple reliance upon contingency planning and strive to address the fundamental issues relating to 're-engineering' the organisation to make it better able to cope with uncertainty (Smith, 1990). What table 2 serves to do is to highlight areas of concern within the Service that need to be addressed before they allow further crisis to incubate within the organisation.

## Conclusions

This paper represents a speculative assessment of crisis preparedness within the Prison Service following in the wake of such reviews as those carried out by Lygo (1991) and Woolf (1991). However, it should not be seen as a definitive statement for a number of reasons. The first of these is simply that such statements cannot be given for any organisation. All that can be done is to highlight areas of concern and assess the views of senior managers within the organisation. Secondly, the instruments available to provide a framework for analysis are not absolute scientific indicators.

What they serve to do is to assess the perceptions of those who are charged with managing organisations and simply evaluate their perception of the organisation's state of crisis preparedness. In this particular case, the necessity to provide a control group prevented the use of a purpose-built questionnaire and had to incorporate private sector questions in with the more obvious public sector ones. However, the rapid move towards privatisation creates the climate within which questions of profit are becoming addressed more often by the public sector and so those questions may assume a greater poignancy over time. These considerations aside, the survey does represent a snapshot of the state of governor's perceptions concerning the state of crisis preparedness within the Service. It suggests that despite the adverse publicity and political rhetoric that surrounds the criminal justice system in the UK, the Prison Service is not as crisis-prone as is often suggested. Whilst there are obvious problems within the organisation (it is hard to imagine an organisation without problems) attempts have been made to address the more fundamental issues. However, it is recognised that the degrees of freedom available to local management to effect changes are constrained by government policy. The solutions to complex problems will not be found overnight and it is unlikely that the process of privatisation will prove to be the panacea that some believe it to be. The Prison Service needs to be seen in the context of the much wider framework of public sector management and the problems that exist therein (see, Hood and Jackson, 1992). The process of cultural change that is being required of the UK public sector cannot be achieved quickly if such a change is to be sustainable. The

problems of change in the private sector are also considerable (see, Hampden-Turner, 1990) and it is necessary to *learn* from problems elsewhere rather than to simply emulate a *modus operandi* that is inappropriate to the distinctive mission of the Service. Whilst the Service has to cope with the day to day management of crisis, the origins of such events can often be seen to lie in the actions of Westminster.

What is clear from current disturbances is that government policy relating to the prison service appears to have a number of inherent flaws. The apparent reluctance to recognise the possible relationship between economic factors and crime and the obsession with the control of

Table 2

### The 7 C's of Crisis Management applied to HM Prison Service

<b>Culture</b>	<ul style="list-style-type: none"> <li>■ need for a recognition of the likelihood of crises at all levels of the organisation</li> <li>■ need for strong leadership during conflict situations</li> <li>■ lack of trust and confidence in Headquarters</li> </ul>
<b>Control</b>	<ul style="list-style-type: none"> <li>■ design of prisons and the numbers of prisoners require that inmates spend long periods of time in cells</li> <li>■ inability to isolate disturbances in some prisons due to design factors</li> </ul>
<b>Communications</b>	<ul style="list-style-type: none"> <li>■ need to improve internal communications and external liaison</li> <li>■ revise methods of communications with Headquarters, especially within operational crises</li> <li>■ new initiatives to be channelled through one source (Lygo Report)</li> </ul>
<b>Configuration</b>	<ul style="list-style-type: none"> <li>■ need for a tighter relationship between the prison service and the judicial system</li> <li>■ need to redesign away from a hierarchical structure</li> <li>■ need for more local prisons</li> </ul>
<b>Contingency Planning</b>	<ul style="list-style-type: none"> <li>■ training for riot situations increasing</li> <li>■ need to undertake crisis simulations on a wide scale within the service</li> <li>■ need to implement the recommendations of the Woolf Report</li> </ul>
<b>Cost</b>	<ul style="list-style-type: none"> <li>■ public sector cut-backs and need for efficiency measures</li> <li>■ revision of staffing levels to accommodate increased occupancy levels</li> </ul>
<b>Coupling &amp; Complexity</b>	<ul style="list-style-type: none"> <li>■ revision of prison design and adaptation of existing prisons to allow for isolation and containment of riot affected areas</li> <li>■ installation of electronic gates to facilitate containment and control</li> </ul>



public spending (almost irrespective of the needs of the service provided) are critical weaknesses in government policy. The attempts to de-unionise the prison service is fraught with potential problems should the government be successful in implementing its policy in that regard. These caveats aside, there are problems with the prison service and these are evident in the events of recent years. What is less clear is the issue of the service's ability to cope with such events in the face of current government policy. There would appear to be little doubt that the prison staff are committed to the job that is required of them. However, morale is low and has been constantly undermined by policy decisions and events since the Woolf report. Low staffing levels have been seen as a critical factor in the generation of a number of disturbances and in determining the possible responses that could be made by prison management to disturbances in their early phase. The volatility of the prison population should be treated as given by government policy makers and the strategies for the service developed accordingly. A failure to do so will result in a recurrence of disturbances almost irrespective of the actions of local managers. One can only speculate as to what might have happened had the money now spent on repairing the damage caused to prisons been spent on improving conditions in them a number of years ago. What remains glaringly obvious is that the current policy of firefighting in the wake of disturbances is wholly inadequate to deal with the problems of the service. The blame for such a strategy has to lie with the government, not the prison service.

This paper does not provide solutions to complex problems, what it seeks to do is widen and hopefully to inform debate about the process of crisis management. The process of organisational learning needs to be applied to crisis management if we are to avoid making the mistakes of the past (Smith, 1993). Such a process entails challenging many previously held assumptions within organisations, challenging the conventional wisdom of decision-making practices and opening debate more fully to include all levels in the organisation. The process of organisational learning provides a major challenge to the management strategies that are currently in vogue, by turning organisations on their head (see Senge, 1990; Pedler et. al., 1991). For crisis management, organisational learning provides an opportunity to move away from reactive strategies aimed at damage limitation on to the process of crisis prevention. For the Prison Service, such a process should build upon the events of the 1990s and the process of organisational change that is currently under way. If this brief paper serves to stimulate a wider debate within the Service then it will have served its purpose ■

## Acknowledgements

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You are invited to apply to join the editorial board. You need to be a member of the Prison Service in England and Wales, have an enthusiasm for stimulating discussion about penal issues, commit yourself to five meetings a year, and persuade your line manager to finance you. Alongside those five meetings will go commissioning articles, working with contributors on editing and much reading. If you can give such a commitment I should like to hear from you wherever you may be working, at whatever level in the organisation and in any function. Give me a ring to discuss it on 0759 372447.

Editor



# H.J. (Bob) Taylor

## 1904 - 1993

(Prison Service 1928-1968)

With the passing of Bob Taylor - as he was universally known - at the age of 89, the Prison Service has lost the last of the professional members who guided it through the stresses of the post-war years with their population explosion and the rapid expansion of the prison system.

Bob was born in the Wirral on 7 May 1904, but grew up in Dorset where his father moved to take up a post on a large country estate. It was there that Bob acquired the love of the countryside which his subsequent Borstal postings gave him full scope to develop.

He was educated at Blandford Grammar School and Southampton University where he qualified as a teacher. One of his subsequent posts was in a residential school for the blind; where he introduced a form of dormitory rugby, with its own formal rules, to provide more scope for letting off steam than the somewhat strict daytime regime permitted.

Bob joined the Prison Service in 1928 in the heyday of Alec Patterson's influence. Borstal training as a sentence was still restricted to young offenders whom the Prison Commissioners regarded as suitable for it and there were only three borstals dealing with young male offenders. Bob was posted to the somewhat stark setting of Portland with its notably austere bachelor quarters. He commented a few months before his death that he still remembered by name most of the officers serving there with him. In 1933 he had an unusual break in his service to help in the development of a young offender system on borstal principles in Burma. Bob greatly enjoyed the experience, though it proved an expensive one as the secondment was not pensionable and, despite later official strivings on his behalf, he was never able to recover the lost years.

On his return he was promoted to be governor of Feltham borstal in 1938. He married Olive, who was a member of the staff there, in January 1940 - the beginning of 53 years of marriage. In 1941 he was transferred to take charge of Lowdham Grange and in

1946 became governor of Camp Hill (then reverting to use as a borstal). A change of direction came in 1949 when he was transferred to take charge of the open prison at Sudbury.

In 1951 he came to Headquarters on promotion to be one of the two assistant directors responsible for young offender establishments and in 1957 he was appointed to succeed R L Bradley, who had dominated the borstal scene since 1938, as Director of Borstal Administration, becoming a Prison Commissioner and a member of the Prisons Board. These were the years in which the young offenders system had to adjust to the extension of borstal training as a medium sentence for all young offenders and to the introduction of junior and senior detention centres and separate remand centres for young offenders against the background of an unprecedented increase in the young offender population. A large number of new establishments had to be planned and staffed.

Though, like most of his Prison Service colleagues, he regretted the abolition of the Prison Commission in 1963, he accepted it loyally. When Duncan Fairn was promoted to take charge of the Prison Department as an Under Secretary of State in 1964, Bob succeeded him as the second, and last, Chief Director with responsibility for the professional oversight of adult as well as young offender establishments. As Chief Director he helped the service to adjust to the implementation of the Mountbatten Report. When the subsequent headquarters re-organisation introduced an inspector-general in addition to the directorate he continued to provide an essential professional link between headquarters and the field until his retirement in 1968. His contribution was recognised by the award of the CBE in 1966, and there was a large attendance from all levels of the service at the dinner given to celebrate his completion of forty years service.

As an operational chief Bob's outstanding characteristics were his absolute honesty and integrity and his imperturbability. He had great inner strength on which considerable demands

were made. He was a stocky figure, always neatly turned out, with no trace of flamboyance but having no doubt about his firm authority. At no stage did he show any overt sign of advancing years. He was a convincing advocate for the Service he loved - and made sure, both by discussion and accompanying them on their initial visits to establishments, that administrators newly seconded to headquarters learned to understand the Service.

He was always concerned for the careers of his governors and it was painful for him when he had to explain to one of them that in their own interest and that of the Service, no further promotion would be possible. He had the strong Christian commitment of his generation of recruits to the governor grade and never lost his belief in the influence of personal example by staff on the rehabilitation of young offenders. He had a natural rapport with the young which he and Olive were always happy to extend to the families of his colleagues.

After his retirement he and Olive settled in Pagham outside Bognor Regis where he took a full part in community activities. He was an active member of the parish church, sang in the choir and took to bellringing with enthusiasm. He was secretary of the local branch of the Arthritic and Rheumatic Council of which Olive was chairman and helped in the administration of a play-group. In more recent years he had to take increasing care of Olive whose deafness and diminishing vision affected her mobility but not her active mind. He always maintained his interest in the Service and delighted in news of his former colleagues and their families.

Bob had a stroke on 28 May and though he was able to chat to visitors in hospital the next morning, he died that afternoon after a second stroke.

His beloved Olive, now aged 97, survives him. Their adopted son Sandy died in 1991. His brother Bill who also joined the Prison Service and was for many years governor of Usk borstal died in 1966.

**Terry Weiler**



# Letters

Dear Sir,

I am responsible for the distribution of the Prison Service Journal at Woodhill Prison and am writing in response to G. R. Deacon's letter published in Issue No. 88. In carrying out that responsibility, I ensure that all Heads of Functions/Departments, together with all Wing Managers receive a copy. The remainder are placed in the Administration Reception Area (which is used by most staff be they working in Admin, or just passing through), with a notice to staff inviting them to help themselves. I have found that unless I get a copy immediately, I will dip-out, as they rarely stay around for more than a day such is the uptake of the Journal. I would go as far as to say that we could 'shift' a lot more if given the opportunity. Certainly it is read by quite a number of my colleagues as well as myself. For me, I read it to keep up-to-date with current trends and ideas within the Service and find it interesting to read how others see us. I must admit that G. R. Deacon does have a point. As a layman, some of the articles can be 'dry' or heavy-going when reading and on the odd occasion I have felt the need to have a dictionary close at hand when reading it. Having said that, the majority of the articles are readily understood and those 'difficult' ones are in the minority. The articles themselves can be both interesting and thought-provoking the article on Spanish Prisons (Penitenciaros) by Anver Jeevangee in Issue No. 88 is a good example. I normally read the Prison Service Journal when I have plenty of time on my hands. It comes in very useful when travelling by train and has been the catalyst for some interesting conversations. As a result of these conversations, I am aware of the lack of understanding about what we (the Service) are about. If we are to rid ourselves of the mystique that surrounds us (which in my view is long overdue) and to get a greater understanding of what we are about to those outside of the Service then a widening of the Prison Service Journal's distribution could help to this end. Copies could be sent to libraries for example

(County, Local ones even College and School ones), or to local ministers, local Members of Parliament, Councillors on local councils. The scope is endless. Prison staff could even do their bit, in the spirit of Issue No. 88, by recycling them and leaving them in the waiting rooms of their Doctors, Dentists and Opticians. It would certainly make a refreshing change to the run-of-the-mill magazines or out-of-date National Geographic.

M. J. Snell, Administrative Officer,  
Supplies Office, HMP Woodhill.



# Reviews

## **SLIVER** (18) Joe Eszterhas 1993 US.

Carly Norris (Sharon Stone) is a woman looking for a new home and some excitement in her life after she walked out on seven 'wasted years' of marriage.

She finds a 'Sliver', what New Yorkers call the narrow high-rise apartment buildings unique to Manhattan, only to find it is the scene of some mysterious deaths.

Enter Zeke Hawkins (William Baldwin) and Jack Landsford (Tom Berenger), two men living in the same Sliver. Baldwin plays a wealthy young bachelor and owner of the building. He is between lovers but soon finds Ms Stone between his sheets.

Berenger however plays somewhat of a complex character who unfortunately is not explored fully. Landsford is a suave but pushy real-life crime writer and although he too has a sex scene with Stone he spends most of his time investigating the recent fatal events that have occurred in the building.

The film, billed as an erotic psychological thriller, never really lived up to my expectations. With a limp script and whodunnit plot narrowed down too early, it left me wondering what Ira Levin, the author of the book from which the script was taken, would make of it all.

Ms. Stone must have assumed that with sex, voyeurism, murder and another script by Joe Eszterhas she would attain a level of hype she achieved by uncrossing her legs in Basic Instinct. The crossover into acting is much harder.

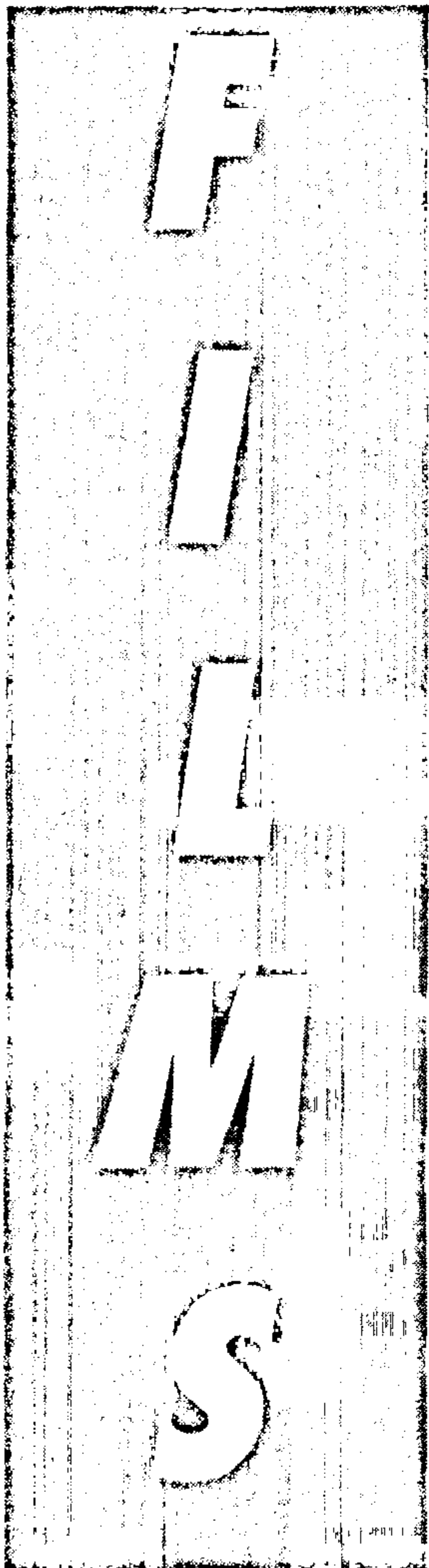
To be fair, there are occasions when 'Sliver' hints at more than it delivers. The idea of voyeurism is largely unexplored except for a few fascinating glimpses of the lives of those in the apartment block. This is done by Baldwin who has installed a six million dollar TV system which has hidden cameras in all apartments. A multi-cinema from hell.

The film is a vehicle for Ms. Stone, but if she thinks looking bewildered and rolling your eyes are classic acting skills then she is very much mistaken. Unfortunately she possesses as much talent as underwear.

Although the film ends with a twist, I left the cinema not knowing whether I'd seen a bad thriller or a good soft porn film. A more in depth study of the occurring murders and voyeurism would have made 'attractive' viewing, but yet again the desire to make money rather than entertain must have been foremost in the director's mind.

The hype tells us, 'you like to watch don't you.' Not really, I'd rather read the book, thank you.

**Andy Rogers (Officer)**  
**HMP Woodhill**







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**S**cene  
from here

# PRIORITIES FOR PRISON RESETTLEMENT OR CONTROL... THE CONTINUING DILEMMA

Sally Simon MSc

*Under this title the Journal invites someone who is not a member of the Service but who knows us well to contribute a reflection on some aspect of our work. Sally Simon is a member of the Board of Visitors at HMYOI Feltham.*

**T**he purpose of this article is to draw to the attention of managers in the Prison Service how a resettlement project, which is acknowledged as successful by those prison staff involved with it, is nevertheless constrained by competing aims within the Prison Service.

The quotations below illustrate the central dilemmas revealed in a study of how young offenders are referred by young offender institutions to a voluntary agency, Community Service Volunteers (CSV). CSV organises face-to-face volunteering opportunities in the community. The study revealed that unit officers make judgments on whether to recommend inmates for referral to CSV within a frame of reference that contains not only risk assessment for public safety, but also the competing demands of rehabilitation and control within prison. In plain language this means that some young offenders are not being referred to the CSV project, not because they are likely to be a danger to the public through offending while on a placement nor that they are likely to abscond, but because they are penalised for their bad behaviour or attitudes in prison.

Prison Officers speaking about the referral of inmates to the project, Community Service Volunteers' pre-release volunteer scheme, said:

*'I suppose we've always used it as a carrot, which maybe we didn't ought to... CSV over the years suggested that we ought to take far more risks than we do. Unfortunately it's our neck on the block if we do take too much of a risk. It's a calculated gamble every time you send a prisoner outside the gate for whatever*

*reason, it's a calculated risk and if we can... cut the odds down... we are obviously (going to do so) because we get a bad enough press without sort of making it any worse.'*

*'Sometimes we get people who are nominated on a reward basis, but often in doing that we are missing where the real need is...'*

Personal officers writing internal reports on inmates for the CSV project said:

*'I think that A would be suitable for a four week CSV placement as he is a mature and self-confident individual. He is usually cheerful and gets on well with his peers and is always respectful towards staff. On the wing he keeps himself clean and tidy and has been no problem.'*

*'S: Not recommended! Anti-authority, lazy wants everything his own way.'*

*'B has done little with his time here. He has continued his immature behaviour. He finds it difficult to do what is required of him in closed conditions. I do not feel that he is a suitable candidate for the CSV.'*

*'Y ... I therefore conclude that a valuable CSV placement be given to a candidate who has made some effort to improve himself and his attitudes.'*

In this article I will summarise why the study took place, how it was done and give the main findings. At the end I want to challenge managers in the Prison Service to consider how they would improve the referral process if such a scheme operated in their prison. Unfortunately, it is not possible in a short article to do more than highlight

**"...CSV over the years suggested that we ought to take far more risks than we do. Unfortunately it's our neck on the block if we do take too much of a risk."**



*CSV's philosophy is that 'everyone has something to offer'.*

the main points, but the full analysis and supporting evidence are contained in a report for CSV<sup>1</sup> and in my MSc dissertation<sup>2</sup>.

## BACKGROUND

CSV offers volunteers, young people up to the age of 35, from all walks of life including inmates, opportunities to help others and themselves by working face-to-face with people in community projects. Projects include those for people with mental handicap, physical disability, children in care, elderly people and homeless people. CSV has a non-rejection policy: every applicant is guaranteed a placement. CSV has run a pre-release volunteers scheme for 21 years in partnership with the Home Office, offering inmates a chance to volunteer, usually in the last 4-6 weeks of their period of custody. Readers of Prison Service News will have seen an article in December 1992 on the scheme by Irène Nembhard, CSV's Resource and Development Manager, Offenders. Currently the scheme operates from 14 closed YOIs (including one women's YOI and prison) and six open adult prisons.

## THE PROBLEM

CSV managers were concerned that the referrals for interview were consistently below the targets set with the Prison Service. In 1991-2 less than 60 percent of the target numbers for interviews were taken up. This was despite enthusiasm for the project by prison staff organising referrals. All the staff interviewed acknowledged how much inmates had got from CSV placements: improving their self-esteem, increasing their awareness of others and their problems, job experience, etc. Their aim of the study was to find out what factors might be affecting the level of referrals and by implication whether the targets themselves were realistic<sup>3</sup>.

## METHOD

I was fortunate to have the co-operation of the governors of all 14 YOIs. More importantly, I had an encouraging response from all the 'link officers', the member of staff<sup>4</sup> in each YOI who is responsible for organising the project. The six adult prisons were not included because they only joined the project in the autumn of 1991. As a one-woman, short-term research study I was limited in the amount of information I could gather and I could not include interviews with unit officers or inmates. The main source of evidence was interviews with the link officer in all 14 YOIs, from November to January 1991-2. Additional information came from preliminary interviews with CSV staff, from statistics provided by YOIs and the Prison Service, and from written reports on inmates from one YOI.

It may be helpful at this point to outline the stages in the referral process:

First a young offender is identified by the establishment. Secondly, if they seem interested in volunteering, s/he is considered by staff for 'suitability' for release for a CSV placement. This is primarily a judgement of staff in the residential units, normally the personal officer. Thirdly, a decision is made on whether or not to recommend for CSV, which is the responsibility of the governing governor, but is usually delegated to a G5 governor.

If recommended, the inmate then fills in a CSV application form and a date for interview is arranged with a 'volunteer director' at a convenient regional CSV office. After interview the volunteer director finds a suitable placement, which may take a few weeks. When a placement is found the inmate is released on licence and works for four weeks (or more). Board and lodging are provided by the placement and the Prison Service provides the normal CSV 'pocket money', currently £21 per week, and travel

1. Simon S., (1992) From Prisoner to Volunteer: A Report on the Referral Process to Community Service Volunteer Young Offender Project, CSV, 237, Pentonville Road, London N1 9NJ., Unpublished report.
2. Simon S., (1992) From Prisoner to Volunteer: Referral to Community Service Volunteers Young Offender Project. University of Surrey, Unpublished MSc Dissertation.
3. It is important to note here that this study was not designed to measure how the individual factors might affect referrals in terms of actual numbers: the sample size was much too small for that kind of analysis. Nor was it intended it compare the performance of one YOI with another.
4. The 14 link officers in 1992 included three G5s, five POs five SOs and one basic grade officer.



expenses. The inmate returns to the prison for only two or three days for discharge procedures. The whole process takes approximately 3-4 months.

## THE MAIN FINDINGS

The study focused on the first, second and third stages of the process. Not surprisingly the interviews with the link officers, together with the prison statistics, revealed a number of factors which could be affecting referral numbers. These operate at different points of the process: some factors are outside the control of an individual YOI, others are concerned with the way the project is organised within a YOI, and so involve the discretionary judgements of prison officers. For the analysis, these factors were grouped under three main headings which are discussed below: Eligibility, Identification and Suitability.

**1. Eligibility.** In order to get some idea of whether the annual targets for interviews (which varied between 8 and 36 per YOI) were realistic, the first question was: How many prisoners are discharged each year from a YOI who could have been considered for referral to CSV? In other words: Who is eligible for CSV?

Without going into details, the 'eligible pool' of inmates consists of those inmates discharged at their EDR, or on parole<sup>5</sup>, who are serving sentences of more than 12 months and who will be serving at least the final six months of their sentence in that YOI. In practice it proved extremely difficult to estimate the size of the eligible pool in all but one of the YOIs, as most link officers did not identify all eligible candidates, and prison statistics for discharges unfortunately do not use the same categories of sentence lengths.

However, there were indications that in the short/medium term YOIs the eligible pools are large and targets are realistic and achievable. On the other hand, in the long term YOIs the targets are about 50 per cent of the annual discharges and are perhaps

less achievable. It became clear that the targets for each YOI were largely based on historical practice and bore little relationship to the size of this notional 'eligible pool'.

**2. Identification.** The size of the eligible pool may be outside the control of a YOI, but the identification of eligible inmates is not. It became clear that the way YOIs organise identification is significant in the referral process.

Most of the link officers left it to unit officers to both identify and refer 'suitable' candidates<sup>6</sup>. The result was that most link officers had no knowledge of the size of the eligible group, or who had had been considered and rejected, nor what criteria were actually being used. As one officer remarked:

*'So it's simply whenever I feel there's a need to refer some more, let's give them a kick again... if the scent goes a bit dead then I need to remind them... it's a bit ad hoc, I must admit.'*

Only four link officers (at the time of the study) were systematically identifying all inmates with suitable discharge dates. Only one kept records of the actual numbers. It became apparent that if an ad hoc system is used then the personality, commitment and status within the prison of the link officer were more important for achieving targets, as s/he has to sell the project regularly to residential units to keep up a supply of referrals.

**3. Suitability.** Who is suitable for CSV? This was the central question. CSV's philosophy is that 'everyone has something to offer' and their skill lies in finding challenging but achievable placements for all inmates who want to volunteer whatever their individual strengths or weaknesses, and matching these with the needs of projects for volunteers. Prison Service policy is contained in Circular Instruction 40/1988 and in guidelines for the CSV project<sup>7</sup>. These indicate the importance to resettlement. The policy suggests that all inmates should be offered the opportunity of

*"... one of our best successes was that stropky little bugger we had in B unit."*

5. Many officers would only consider those with fixed parole dates. Short notice parole discharges and transfers to open conditions affect the pool to a limited extent, but they do include inmates who would be likely to be considered suitable for CSV. This problem will diminish as Automatic Conditional Release is introduced following the 1991 CJA.

6. Other methods were used, eg, some of the link officers accepted self-referrals from inmates or they were considered during sentence planning.



*"...they are judged on their performance here... probably youngsters who feel they have nothing to offer but who really do, even if it's only a sense of humour and very little else."*

a CSV placement unless they are likely to be a risk to the public through offending or absconding while on a placement

Assessment of risk is normally left to personal officer's professional judgement. Link officers suggested that very few inmates would be disqualified from CSV on security grounds by their offence record. If the criterion of success is lack of failure (as it so often is in the Prison Service), then currently YOIs are successful in their assessment of risk when referring inmates for CSV over 90 per cent successfully complete placements with little or no offending (none reported in 1991-2). But there is no incentive for officers to take more risks than at present. Einhorn<sup>8</sup> has indicated that this is how institutions maintain criteria for making judgements:

*'As long as a high proportion of acceptees actually do succeed, it may not pay to experiment with a change of rules.'*

The fear of failure is a major constraint on referrals. It also explains why some link officers mentioned the problem of losing inmates to short notice parole or transfer to open conditions they would be obvious 'low risk' candidates for CSV.

In an ideal world an assessment of risk would be the only criterion for 'Suitability'. But link officers admitted that this was not the only one used by personal officers in deciding who was suitable for CSV. As the quotations at the beginning suggest, link officers indicated that referral is also used as a 'carrot', ie, as part of the reward system for good behaviour and control in prison. There was additional evidence of this from the only YOI which required written assessments of eligible inmates. These 73 brief reports by personal officers contained 29 rejections and 32 recommendations for

CSV, with 12 not processed for other reasons. It is worth emphasising that less than half the reports contained any mention of risk either directly or indirectly. Of course, this does not mean that risk was not considered, but it leaves it open to question. As the examples at the beginning also indicate, many of the reports concentrated on the behaviour of inmates in the prison setting, on their attitudes to officers and even, in a few cases, on their personal hygiene. These reports tend to confirm link officers' observations that in some cases CSV may be used as a reward for 'good behaviour'.

There are indications of other factors affecting the judgements of unit officers, as link officers said:

*'It's the officer's own personal views on the lads really that starts the ball rolling.'*

*'I think we've got to be honest and say that there is quite an amount of staff who are anti-CSV.'*

*'Some of them have the idea that prison is for prisoners and they shouldn't really get out.'*

*'They're the ones that will think workshops and everything else is skiving... and you've always got a minority like that in any jail.'*

However, it was not possible to ascertain in this study how many staff might hold such attitudes nor whether these attitudes would in practice affect their decisions about referral of inmates to the project.

To summarise:

It appears that personal officers make decisions about 'suitability' for CSV in the context of the competing ends of rehabilitation and control (Adler and Longhurst<sup>9</sup>). For both these ends they use

7. Circular Instruction 40/1988: para. 43: 'Rule three... requires links to be fostered between young offenders and the community as a means of using and developing their social skills'.

Ibid. para. 45: 'selected young offenders from closed establishments... are given... the opportunity to take part in a four-week residential placement... CSV offers a means of giving young offenders valuable work experience outside the establishment as part of the preparation for release'.

Prison Service letter to Governors 12/91 re CSV: 'Although the scheme may be seen as an attractive option by many inmates it should not be treated as a reward for good behaviour, nor should an inmate be denied the opportunity to participate solely because of bad behaviour in the institution.'

8. Einhorn H. J., (1980) 'Learning from experience and sub-optimal rules in decision making', in Wallstein T. S. (ed.) Cognitive Processes in Choice and Decision Making, Hillsdale, N. J. Erlbaum.

9. Adler M. and Longhurst B., (1992) identify the struggles of three sets of competing 'ends' discourses (rehabilitation, normalisation and control) and the struggles associated with how these are used by different 'actors' in the prison service. Discourse, Power and Justice: towards a new analysis of accountability in Scottish Prisons, Paper presented at the British Criminology Conference, University of York, July 1991.



behaviour to assess the degree of reward and whether a CSV placement is 'deserved'.

## THE DILEMMA

I would be surprised if these findings would come as a revelation to managers in the Prison Service. Link officers are well aware of the conflict inherent in the selection of suitable candidates. They are also aware that behaviour in prison is not necessarily a good indicator of risk to the public. For example, some link officers had experience of sending out more 'difficult' young offenders:

*'I want the lads going from here who are a little bit stropky, a little bit about them, who can manage outside... one of our best successes was that stropky little bugger we had in B unit.'*

*'And some of the successes we've had... they've been pests in here but they go out on CSV and they've been extremely successful.'*

But despite continual encouragement from CSV staff, referrals of more 'difficult' inmates seem to be the exception rather than the rule. One link officer summarised the dilemma:

*'I think that the ones who perhaps do not conform here are the ones who have the most to offer to other people less fortunate than themselves, but the ones who do not conform here are the ones I cannot clear to go out, who nobody's willing to take the chance of signing that release paper... because they are judged on their performance here... probably youngsters who feel they have nothing to offer but who really do, even if it's only a sense of humour and very little else. It is a shame that because of their behaviour they're unlikely to get fitted for outside.'*

## SOLUTIONS?

This study has suggested one organisational change which may improve the numbers of referrals: that link officers should systematically control the identification part of the process and require written referral reports, so that unit officers have to 'opt inmates out' of the process rather than 'opt them in'. This would also enable managers to monitor the process and to have some insight into what rationales personal officers are using to support their judgements.

Another suggestion:

CSV has acknowledged that it could do more by improving the currently patchy feed-back to the units before the inmate is discharged, it may encourage personal officers to refer more young offenders with 'difficult' behaviour.

But neither of these suggestions deals with the central problem of how personal officers should handle the priorities of their welfare role, with its concern for the resettlement needs of inmates, and their informal reward and privilege systems used in the day to day control of prisoners. Indeed, one of the YOIs in the scheme has recently embarked on a formal 'points' system of levels-based privileges to improve behaviour and control: in future, apparently, only those inmates on high levels will be considered for outside community work. This will only serve to legitimate the discrepancies between current practice and Prison Service policy on CSV.

## THE CHALLENGE

The aim of this study was to discover what factors might be affecting the referrals. The dilemmas have been revealed. The challenge is left with managers in the Prison Service:

**How should managers encourage risk-taking and reduce the current fear of failure?**

**Where do priorities lie: should resettlement always take second place to control?**

**If the balance is wrong, how should managers tackle the problem at unit level?**

If the Prison Service cannot solve these problems, a re-settlement project, of recognised benefit to both inmates and the wider community, will continue to be under-used ■



# Interview

**Eric Caines is Professor of Health Services Management at Nottingham University. He played a central role in the launching of "Fresh Start" in 1987, as Director of Personnel and Finance in the Prison Service and unsuccessfully applied to become Director General.**

**David Wilson** Why did you leave the Civil Service, and go off and join the Academic world?

**Eric Caines** *I was stifled by Whitehall. I'm interested in making organisations work - moving forward - which is what I was attempting to do for the last 15 years. I wanted to make the public sector effective, but felt that there were political pressures which made that difficult.*

**DW** What were those?

**EC** *Oh, you know - you can't make things move forward without some element of public risk. If at a local level - as you know, you're trying to take a prison forward, you will encounter challenge. Depending on those challenges, these could escalate into having political consequences. People at the centre cannot therefore afford to allow you to have the freedom, and initiative to decide what might be best for your organisation, even though you are in the best position to judge.*

**DW** That makes me rather question why you would choose the civil service at all.

**EC** *Oh, I didn't do that - which is what always made me rather suspect to civil servants. I read law at Leeds, and came into*

*the civil service to do specific jobs as a solicitor. That's why I've never felt the same pressure to claim that the public sector has any God-given right for the higher moral ground over the private sector - which is of course what prisons, and the police always claim. I have never regarded myself as a "career" civil servant, and always said that if I grew tired of the civil service, I would leave. I never saw myself retiring at 60 - with an OBE having had a career in Whitehall. The majority of the work in the civil service is not policy - it is working with the management of large organisations.*

**DW** In that respect - your work with a large organisation like the Prison Service - you are best known for "Fresh Start". Can you sketch in for me how you became involved in this, and what you saw as the main issues at stake?

**EC** *I had been involved with social services, and was asked by my boss at the time what I would like to do next. I think I said I wanted to go to the Prison Service in Northern Ireland, but eventually wound up, after being seen by Chris Train, on the Prison's Board as Director of Personnel. I knew that this was going to be a tough job, as it was felt by almost everyone that the Prison Service was by and large run for the benefit of the staff. It wasn't seen as a particularly enlightening organisation. Prisons may have had walls to keep prisoners in, but they also used those walls to keep ideas out. It was very much a "closed shop", but also a big spending "closed shop". More and more money seemed to get ploughed in, but it wasn't*



*exactly evident what came out. It was, of course, overtime driven. People were being required to do a professional job, exercising a lot of discretion, in what one would hope would be an humane, and reasonable way. But, being driven by a series of manual pay systems which I think were used to exploit that system so as to increase earnings. Some governors did try to get to grips with this, but to no avail. I myself bid my time - especially as my predecessors had done much of the same analysis, and came to many similar conclusions. They also launched like-minded initiatives too.*

**DW** Why do you think these failed?

**EC** *Oh a range of reasons, but I suppose a lack of political will. I came to realise that everything floundered because trouble in prisons brings no good to anybody. It brings no good to the service, no good to individual prisons, and certainly no good to the prisoners. But most of all, trouble in prisons is dire for ministers. Of course the Prison Service keeps alive a little history of everything which has gone wrong - the Hull riot, the Wormwood Scrubs riot - and these would be brought up as a means of keeping people at bay.*

**DW** So, if there had been all these initiatives, why did Fresh Start succeed? Who was the main driving force behind Fresh Start?

**EC** *I think it was a feeling on my part that if I had done a good job I really had began to see some of the answers. I wasn't content to just let things lie. Of course I knew I had to get people to sign up to this - not just the politicians, but also the prison managers, and the Prison's Board. On the Board I had a very enlightened boss in Chris Train who gave me the strongest*

*support around these issues I could ever have wanted.*

**DW** So Chris Train was helpful?

**EC** *Tremendously so. He was the best boss I ever had in terms of being supported. He was a man of tremendous wisdom and insight. He had an understanding of how far you could go at any one time, coupled with a determination to make things improve.*

**DW** Was Hurd any good?

**EC** *It wasn't him at first. First of all it was Brittan. I never had to face Brittan with the big challenges as the package hadn't been finalised during his time, but he was, by and large, supportive of the ideas that were around. Of course, a big supporter was Brian Cubbon, who knew how to get things through the civil service and political machine.*

**DW** So it was a combination of people?

**EC** *Yes, but basically I had to convince Chris. Once he was on board and trusted the package, we had to convince Brian Cubbon and sell him the concept. Of course, it all got more difficult once people realised what the practical consequences would be of this package.*

**DW** Who was the biggest obstacle to all this - I don't necessarily mean politically - but you've just alluded to consequences.

**EC** *The POA, who saw their tight grip over events being challenged. I remember being warned off time and time again. They'd say "remember what happened in Hull" - this history of failure I've talked about earlier - and "be careful, or you'll see a prison burn". I thought this was nonsense, and blackmail, and I*



*didn't want to be deterred by blackmail. I had done quite a few jobs with professional bodies, and I've always believed at the end of the day the collective will would succeed - as long as it was built on sound principles. You may have some difficult times, but if there is an improved way of doing things, that will win through. I'm not certain I necessarily formulated this at the time, but it struck me that there was a deal to be done - between the service and the POA. The deal was that in return for an agreement about how people will be employed - which gives both parties something - pay and conditions for the staff, and a means of assessing where all the money goes to for the service, the POA would give back something about how regimes in prisons ran - which would give prisoners something. In broad terms, that was the deal. In essence, reduce overtime for a judged level of fair return. Of course, I knew that there would be some who would lose by this, but many who would gain. However, the POA refused to talk about this at all! This was the best thing that ever happened, as I took them at their word, and didn't discuss it with them. We barely spoke to them about Fresh Start, but you will recall we bombarded the Service with documents about Fresh Start. That taught me about the power of information. Also, by that time, we had Douglas Hurd at the Home Office, and he proved to be extremely helpful.*

**DW** You're not an old Etonian are you?

**EC** No - absolutely not. My father was a miner, and I still remember being taken to the mine when it was nationalised. But Hurd was convinced we had analysed the thing properly, and that we would get - if Fresh Start was implemented - reasonable solutions. When we went direct to the staff, the media got

*interested as they thought that trouble might be brewing. So Hurd started talking to the press, and was occasionally on TV, talking about the package...*

**DW** ... I remember him on "Question Time".

**EC** Yes, he was good on that. He made the public understand that something was being offered which was reasonable, and of course the public includes prison staff. They felt that they were being addressed directly by politicians about what was happening, and in this way the POA were leap frogged. I learned an enormous amount at this time about the power of the media, but it needed a really enlightened political boss. Do you remember how all this came to a head?

**DW** Yes - the POA'S stated overtime ban.

**EC** Yes, not many times in one's life does it happen that you know what you say next will have a major effect on what will happen directly in the whole of the Prison Service, and this was one of those times. The POA executive were in session on the Sunday morning, and I got a call at my office from David Evans, who is a wily old bird, and who gives the POA some respectability. He asked for some compromises and amendments to make things easier on two or three occasions in the course of that Sunday morning. I did make some compromises. However, I knew it couldn't go on or the integrity of the package would be ruined. At around 12 the 'phone went again, and I knew I had to say no. That was that - the overtime ban, but I knew that we had good contingency plans. However, I thought we were going to be very vulnerable in the evening. We had an office, and we were all in there, gnawing our nails. We left



about nine o'clock, and it seemed fairly quiet - I got home at ten, switched on the news, and Northeye was burning, and we started receiving reports about escapes and all that sort of thing. Politically it was just about as bad as it could get. Ministers were extremely anxious, and we had a few difficult days ...

DW ... So did I.

EC ... Yes, I'm sure, but it did calm down. Largely I think because the more reasonable POAs didn't like what was happening - they didn't like all that mayhem. All at once things changed, largely through the memberships exercising pressure on the NEC. So we started to talk again. Now, when I think back, the one thing that sticks with me was Hurd being very calm and saying that we had to go through the trauma to get a good outcome.

DW So you think the legacy is a positive one?

EC Well, it was a long-term thing. Terms and conditions of service in return for reasonable conditions for prisoners. There was a middle bit as well which revolved around how prisons were complemented. When I left it was really only half finished. All I was able to do thereafter was look on from the outside. I did not see all the regime benefits I had expected. By the time I left we were as near as ever to seeing the POA off as a hindrance. I can't say what's happened afterwards, but looking in, there seems to have been a draining off of the will to deliver the rest of the package. Someone should have insisted that once the staff had got their goodies they had to start delivering the regime we wanted.

DW Didn't Strangeways do that?

EC Partly. It may have been that Strangeways was the catharsis which brought the same kind of pressures to change the regimes side as Fresh Start had provided in relation to pay and conditions of service.

DW You've obviously retained an interest in the Service. Did you support the Woolf package?

EC Yes, as the other half of what I thought should be delivered. It was, though, too violent a wrench, rather than a gradual change, which was what we were trying. I don't know if violent changes make for the best outcomes.

DW It rather suggests you've retained a great interest in the Service. Did you apply for, or were you asked to apply for, the post of Director General?

EC I'm obsessed with any work in prisons. It presented the greatest and most testing challenges. I do retain a feeling that I succeeded with Fresh Start, and that gives me great satisfaction. I enjoyed working with the people on the Prisons Board, and I did want to come back after Chris left. I did apply, but for various reasons it didn't come off.

DW Were you disappointed?

EC Incredibly.

DW Were you short-listed?

EC No. I'd had enormous numbers of letters asking me to come back - people liked my plain speaking. I was open and honest, which is what I think the Prison Service values. I felt at ease in the Service.

DW This is the arch question - feel free to dodge it!



How do you think Derek Lewis is doing?

**EC** *I'm not that close to what he's doing, but I'm staggered by how quickly he appears to have grasped the sensitivity about how issues have to be tackled and approached. I've no great dogma about him coming from the private sector.*

**DW** Were you never given any reason at all as to why you didn't get the job?

**EC** *No reason at all, but you'll know I'm regarded as a renegade in Whitehall. There are some people in Whitehall who saw Fresh Start as unnecessarily challenging. After all, it wasn't civil service behaviour taking on a big group like the POA.*

**DW** So you're saying that you were seen, as a consequence of Fresh Start, as someone who was too prepared to "rock the boat".

**EC** *Yes, or as one Minister put it recently, as someone who "breaks windows". There is very little that a Director General can do when faced with a Minister who instinctively is going in other directions. All he can do is hope for a good compromise. The Service should never blame the Director General too much.*

**DW** Well, so much for Agency Status! Are you happy in academia?

**EC** *Yes, but you know I still would like to keep contact with people in the Prison Service, and I'd like to come and visit. Perhaps someone will invite me.*

## CRIMINAL RECORDS

### LIFE LICENSEES AND RESTRICTED<sup>1</sup> OFFENDERS RECONVICTIONS ENGLAND AND WALES 1990

#### Main Points

■ Numbers released on life licence fell from over 100 a year in 1982-83 to about 50 a year 1986-7 but reached nearly 80 in 1989-90.

■ The 2-year reconviction rate of life licensees is relatively stable at 2 per cent for a 'grave' offence (violent crime), and 10 per cent for 'standard list' offences, much lower than the rate for all adult male ex-prisoners, some 50 per cent.

■ About 4 per cent of life licensees released in 1972-85 were convicted of a 'grave' offence within 5 years of release and about 21 per cent of 'standard list' offences; rates for restricted offenders were similar, 5 and 26 per cent.

■ Reconviction rates for life licensees originally convicted of homicide were lower than for other offences.

■ Reconviction rates for life licensees were twice as high for those with previous convictions as

for those with no previous convictions.

■ There were 97 restricted offenders in 1990, slightly less than the 1972-89 average level, 120.

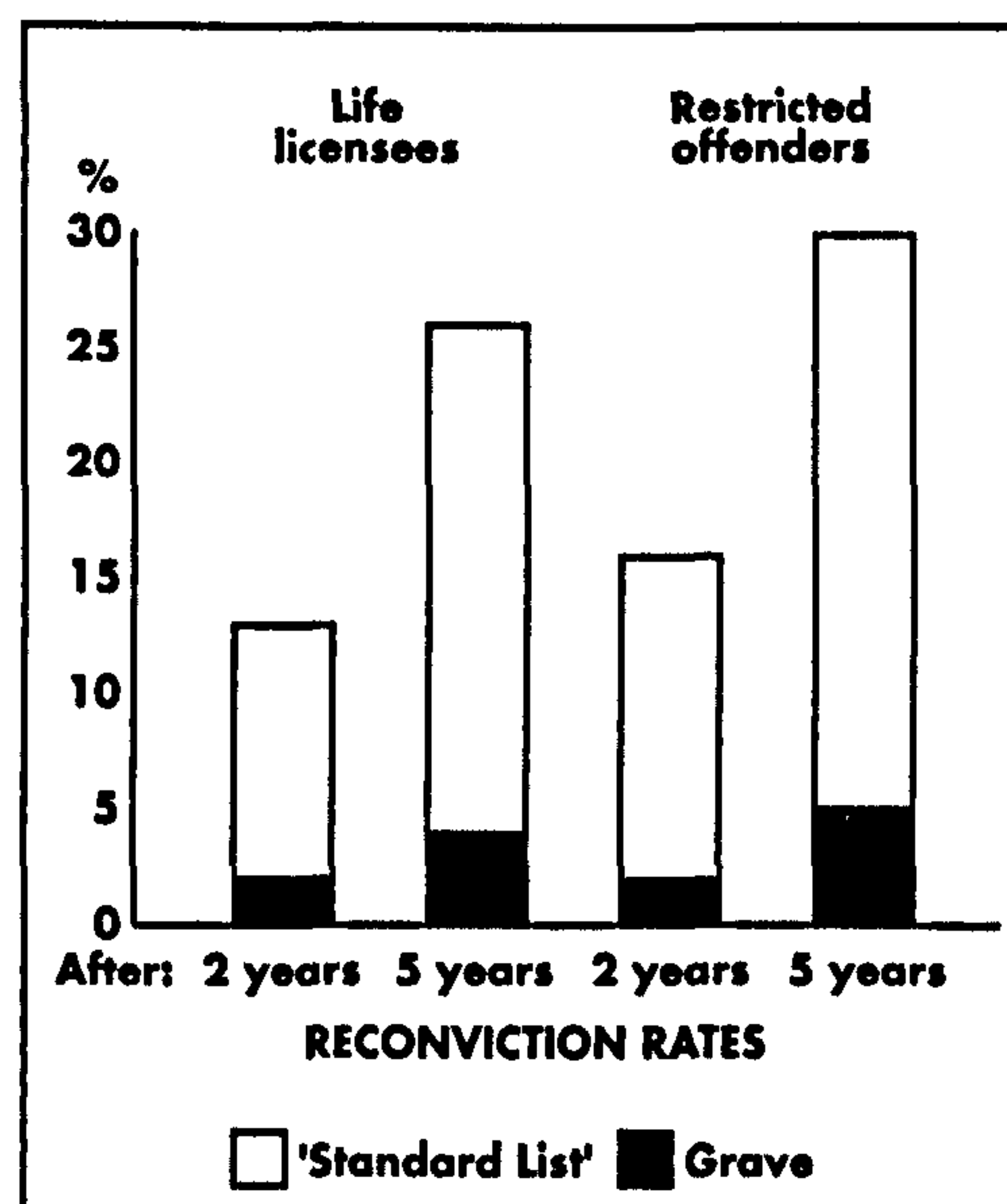
■ The 2 year reconviction rates for 'grave' offences of restricted offenders discharged in 1972-88 were relatively stable: for 'standard list' offences rates fluctuated widely from 19 per cent in 1980 to 3 per cent in 1987.

■ Reconviction rates were higher for restricted offenders from special hospitals than for those from 'other' hospitals.

■ Reconviction rates were higher for those with a psychopathic disorder than for those with mental impairment, which in turn were higher than those with mental illness.

■ 1 in 10 life licensees and restricted offenders were recalled within 2 years.

#### Life licensees and restricted offenders reconviction rate, released/discharged 1972-85



<sup>1</sup> mentally disordered, conditionally discharged from hospital  
July 1 1993



## Lookout

There was a joke - during the Thatcher years - that if you were involved in any kind of air, road, or rail disaster, Mrs Thatcher would pop up beside your hospital bed, TV cameras at the ready, to ask how you were. It got so bad that people started to carry "If I'm ill, please don't let Mrs Thatcher visit me" cards. Recently, I've started to feel the same way about Care Teams.

Now before all my avid readers go off the deep end, crying about what it was like in the "old days", when you'd get assaulted and still be expected to finish your shift, let me start by saying I do agree we should have Care Teams. What I don't accept is that everytime someone breaks a finger nail, it's off to the Care Team, shouting "stress" or "I've had a twinge in my left arm", and then take the next two, three, four, five, six (delete as appropriate) weeks off, with regular visits from - you guessed it - the Care Team.

What ever happened to backbone?

Anyway, for those who feel the same, please write to the Editor for your free "I don't want to be visited by the Care Team" cards.



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