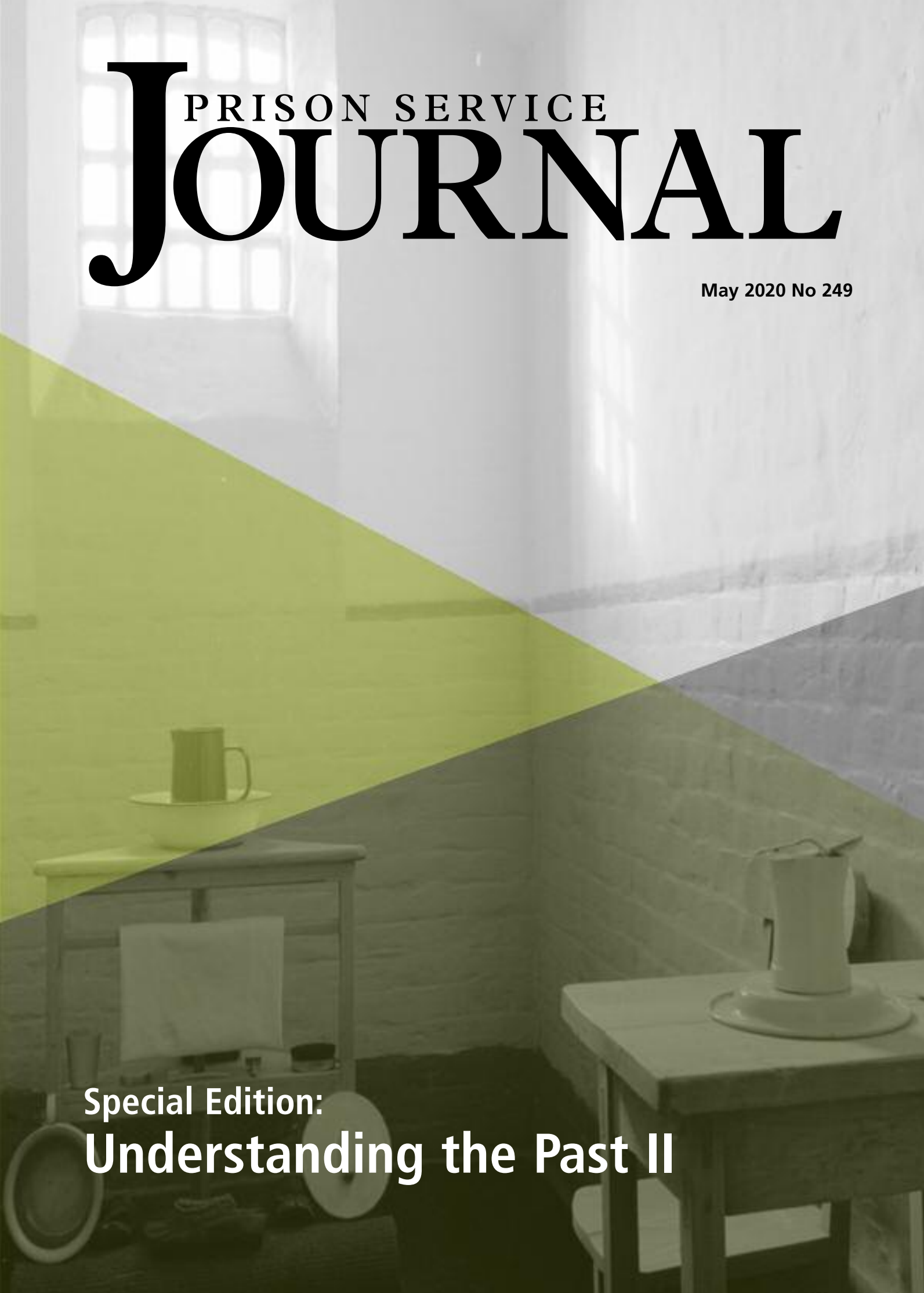

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Understanding the Past II

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Understanding the past II
Editorial Comment

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This second special edition of the *Prison Service Journal* links to an earlier one published November 2019. Many of the fascinating contributions to these two editions derive from research papers given at the British Crime Historians Conference (Edge Hill University 2018). The variety and number of the papers demonstrated the wealth and quality of research on crime history. The conference also celebrated the decade since the first of those biennial conferences had been held: a decade in which the study of crime history has gone from strength to strength. In that context we felt it was important to bring that work to a wider audience. Of course, it is not always possible for researchers to attend conferences, so we followed up with a call for interest in contributing to a special edition of the *Prison Service Journal*. The total response was much more than we had anticipated so instead of one special historical edition we decided to produce two. That the editorial board of the Journal accepted two editions is recognition of the importance of historical work in understanding the twenty-first century criminal justice system. Not that history can be mined in any straightforward and one-dimensional way, a mistake made all too often in media and political uses and abuses of history. Nevertheless, we ignore historical developments at our peril as structures, processes, philosophies and objectives have origins sometimes so deeply embedded in the past that they can remain unquestioned and unproblematised in the present.

The editorial comment in our first PSJ edition of 'Understanding the Past' observed briefly the risks of ignoring history. But another way to look at this is that criminologists, and indeed anyone with an interest who takes the trouble to learn about how our current criminal justice system operates, are inescapably learning about its history which is embodied in physical, administrative and legal structures. In this editorial we wish to highlight an approach that values the understanding of the past to more fully understand the present and which is evidenced in each of the articles published here. Tosh with Lang have examined the pursuit of history, its uses and social relevance at some length. History, they state eloquently,

'constitutes our most important cultural resource. It offers a means — imperfect but indispensable — of entering the kind of experience that is simply not possible in our own lives. Our sense of the heights to which human beings can attain, and the depths to which they may sink, the resourcefulness they may show in a crisis, the sensitivity they can show in responding to each other's needs — all these are nourished by knowing what has been thought and done in the very different contexts of the past.'[1]

Ultimately, history is about human experience and human understanding; subjects that concern us all. We may not always value our rootedness in the past, but we can see the vulnerability of those who lack roots. We must understand the foundations to build and grow, whether that is on an individual level or a systemic one.

Beginning the edition with an individual focus, **David Cox and Joseph Hale** present a biographical account of prisoner governor 'Major H'. The authors note that, perhaps surprisingly, there are relatively few historical accounts written about, or by, English prison governors. Drawing on contemporary prison records and personal journal entries, they examine the life, character and work of Major Robert Hickey, who became governor of Dartmoor prison in 1870. As an ex-military man Hickey was a fairly typical governor for the period but his short tenure at Dartmoor was characterised by a number of challenges and changes. During the 19th century prison governance became more structured, standardised, regulated and monitored. This article explores Hickey's ability (or in some instances, inability) to deliver his duties effectively in this period of transformation.

The following article shifts the focus from prison officials to prisoners themselves, albeit not the stereotypical 19th century offenders. Here, **Ben Bethell** draws on biographical accounts of the so-called 'gentlemen convicts' of the late 19th and early 20th centuries, to analyse how and why these particular prisoners perceived themselves to be radically different to 'habitual' or 'professional' criminals. Bethell examines the self-perception of these men within the

1. Tosh, J with Lang, S. (2006) *The Pursuit of History*. Harlow: Pearson 4th ed.

context of Victorian masculinity and the construction of the 'English gentleman'. At this period, masculinity could be understood to be defined not in terms of its distinction from femininity (which was seen as 'completing' masculinity through the form of a compliant wife), but by its distinction from the lack of self-control and mental inferiority represented by the 'criminal class'. Bethell argues that because of these ideological constructions, association with 'inferior' groups through imprisonment was perceived by the 'gentleman convicts' as an emasculating experience.

Another group of atypical prisoners in the early 20th century consisted of those men imprisoned as conscientious objectors. Imprisoned between 1916 and 1919, many of these men remained in prison after the war ended in November 1918. **Steve Illingworth** draws on contemporary source material to look at the means of resistance conscientious objectors used to protest at their continued imprisonment, solitary confinement and the restrictions placed on forms of communication in Wandsworth prison, London, between September 2018 to April 1919. The protest was unusual in that it involved collective singing and lectures, on left wing and radical topics, delivered through the doors and ventilation grids of cells. The causes, nature and long term consequences of this unusual example of prisoner resistance are discussed.

Whist some responses to prison regimes, like those in Wandsworth, have taken the form of powerful collective action, the following article by **Alyson Brown** focuses on a much more individualised, harmful and prevalent response to the 'pains of imprisonment'. Discussing the suicide of Edward Spiers, sentenced to 10 years' penal servitude and 15 strokes of the 'cat-o-nine tails', she examines how this case began to raise public awareness and disquiet around the barbarity of flogging in the inter-war period. However, after the emergence of evidence to suggest Spiers' suicide was not as a result of his fear of corporal punishment, but rather the prospect of a long prison sentence, concern diminished and a potential campaign to abolish flogging was thwarted.

Heather Shore's reflections on 80 years of the Borstal system concludes this edition. The Borstal system represented a dominant means of responding to young offenders throughout the twentieth century yet, as Shore points out, relatively little attention has been paid to it by crime historians. The idea originated from the Gladstone Committee report (1895) and the system was perceived as being a 'halfway house' between the prison and reformatory to provide education, training and healthy 'moral influence' over young offenders. The article charts the institution's development and responses to it, from early criticism that it offered nothing substantially different to prison, through its period of expansion and apparent 'success' in the interwar years, to its use as an arena for academic and political 'experimentation' and its increasing visibility in the public consciousness in the post war period. Finally, Shore examines the demise of Borstal, amid concerns around violence, brutality and racism in 1982.

'Major H' — the life and times of a Victorian Convict Prison governor[1]

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Introduction

Considering the importance of the role of governor in the English prison system, surprisingly little has been written either by or about such individuals.[2] As Johnston comments, 'there has been little consideration of prison staff who implemented [...] regimes on a day-to-day basis'.[3] Former governors appear to have been somewhat reticent about publishing their memoirs, especially those serving in Victorian convict prisons. Whilst 'gentlemen convicts' appear to have fallen over themselves in the rush to publish their usually anonymous and sensational memoirs in the 1870s and 1880s, little is known about the governors under whose watch such writers served their sentences.[4] This article investigates the life and times of one such governor; Major Robert John Fayrer Hickey, who was Deputy Governor at both Portland and Dartmoor convict prisons, and subsequently Governor of Dartmoor prison for a period of just under two years in the early 1870s, in an attempt to discover what such individuals did during their tenure.[5] This article, based upon contemporary records which reflect Hickey's work and character, investigates both his life and times, with his career being seen as typical for that of a governor of a convict prison; ex-military with many years of experience at running a tightly disciplined unit of men, followed by several years' experience as a deputy governor.[6] It discusses many of the problems faced by such individuals; how to govern and maintain order over a body of often ill-disciplined, fractious and disparate group of offenders, ranging from illiterate members of the lowest stratum of society to so-called 'gentlemen convicts'; middle-class fraudsters who had fallen spectacularly from a privileged background. It also discusses the successes and failures of 'Major H' within the wider context of a relatively new prison regime; that of penal servitude within a convict prison, which was experiencing considerable change and resistance at the time of his appointment.

Background to the Victorian Convict Prison system

By the mid-nineteenth century, the use of transportation (the major method of dealing with the punishment of indictable crimes since the last quarter

1. "Major H" is a reference to the self-penned moniker used by Hickey in a flyleaf dedication in a copy of the anonymously written prison memoir of a 'gentleman convict' (since identified as Edward Bannister Callow) entitled *Five Years' Penal Servitude By One Who Endured It* (London: Robert Bentley, 1877), owned by one of the article's authors. The dedication reads *'To the "Brothers Sillar" from "Major H.", late Governor of Dartmoor, as a trifling token of the pleasure he has derived from their society and in grateful recognition of many acts of kindness shewn him by them.' July 8th 1880'.* Hickey is referred to several times in the text of the book and was obviously pleased to have achieved a certain amount of literary fame, as the book was a best-seller in its day, running to several edition, and also being referred to in the Kimberley Commission Prison Report – see 1878-79 [C.2368] [C.2368-I] [C.2368-II] *Penal Servitude Acts Commission. Report of the commissioners appointed to inquire into the working of the penal servitude acts. Vol. I.— Commissions and report, index, p. 1276.*
2. The occasional autobiographical account of a former governor has been written in recent years – see for example Duffin, C. and Duffin, H., *Jail Tales: Memoirs of a 'lady' prison governor* (Wairarapi NZ: Cumulus, 2011).
3. Johnston, H., 'Moral Guardian? Prison Officers, Prison Practice and Ambiguity in the Nineteenth Century', in Johnston, H., (ed) *Punishment and Control in Historical Perspective* (Basingstoke, Palgrave Macmillan, 2008):77-94, p. 78.
4. For examples of such prisoner autobiographies, see Anon [E. B. Callow], *Five Years' Penal Servitude by one who has endured it* (London: Bentley, 1877) or Anon, *Revelations on Prison Life by one who has suffered* (London: Potter, 1882). For further details of the life and times of Edward Bannister Callow, see Cox, D. J., 'Public and private perceptions of Victorian respectability – the life and times of a 'Gentleman Lag', in *HMP Prison Service Journal no. 232* (Special Edition, *Small Voices, July* 2017): 46-52.
5. The authors would like to express their gratitude and appreciation to Brian Dingle, Graham Edmondson and Paul Finegan of Dartmoor Prison Museum for their invaluable help and enthusiasm whilst researching this article. Dr David J. Cox would also like to thank Dr Richard Ireland for a fascinating discussion about the role of the early Victorian gaolers of Carmarthen Gaol – for further details, see Ireland, R. W., and Ireland, R. I., *The Carmarthen Gaoler's Journal 1845-1850 Parts One and Two* (Bangor: Cymdeithhas Hanes Cyfraith Cymru/The Welsh Legal History Society, 2008 [vols. Viii and ix]), and Ireland, R. W., *A Want of Good Order and Discipline: Rules, Discretion and the Victorian Prison* (Cardiff: University of Wales Press, 2007).
6. The two main contemporary documents are Hickey's *Governor's Journal,* 1871-2 (Dartmoor Prison Museum) and *Report of the Commissioners appointed to inquire into the Treatment of Treason-Felony Convicts in English prisons Vol.1 The Report and appendix* (London: HMSO, 1871).

of the eighteenth century) was being questioned by both the UK government and the Australian authorities in terms of cost and effectiveness. Almost 160,000 men, women and children as young as nine had been sent to Australia to serve sentences ranging from seven years to life imprisonment between 1787 and 1853, but the system was increasingly perceived to be deeply flawed at home and bitterly resented in the new and burgeoning colony.[7] Between 1850 and 1868 an alternative system of punishment known as penal servitude was introduced, whereby convicted offenders would, instead of being shipped overseas, serve their sentence within state-run convict prisons. They would spend a period of several months in separation whilst at 'Government prisons' such as Millbank or Pentonville, followed by a longer period in association undertaking 'Public Works' (hard labour used to construct military defences and roads or on similar projects to improve the public infrastructure) in convict prisons, before often being released on licence if their behaviour whilst incarcerated met certain standards.[8] Their sentences initially ranged from three years to life imprisonment. For those who could not cope physically with the harsh demands of such labour, a system of 'light labour' — for example tailoring or shoemaking — was introduced and several convict prisons also contained an 'invalid' wing. Dartmoor Prison (originally built to house French prisoners-of-war during the Napoleonic Wars) was one such prison, and it was to this place of confinement that Major Hickey was appointed Deputy Governor in December 1867.

Almost 160,000 men, women and children as young as nine had been sent to Australia to serve sentences ranging from seven years to life imprisonment between 1787 and 1853.

Major Robert John Fayrer Hickey

Robert John Fayrer Hickey (1827-1889) was born at sea on the East India Company ship *Lady Flora* on 30 May 1827. The ship (captained by Lieutenant Robert John Fayrer after whom Hickey was named), was *en route* from Bengal to Portsmouth. Hickey was the son of an East India Company employee, and initially followed a military path, being commissioned as a Second Lieutenant, Bengal European Regiment (later Bengal Fusiliers, now Royal Munster Fusiliers) in June 1845. On 20 August 1845 he sailed for Calcutta on the P&O paddle steamer Oriental, later being commissioned as First Lieutenant on 17 June 1848. He enjoyed a successful military career, being awarded a medal and clasp after seeing action in Pegu (Burma) in 1852-3, and being commissioned as Captain on 7 June 1857.[9] He retired from the Indian Army on full pay on 3 August 1864, being made a Brevet Major.[10] Like so many of his military colleagues he seems to have sought employment in another highly disciplined arena; that of a convict prison. Between November 1864 and December 1867, he served as Deputy Governor at Portland Convict Prison, and in December 1867 he was appointed as a Deputy Governor of Dartmoor Prison. He succeeded Captain Butt as Governor of Dartmoor Prison on 6 January 1870, where he remained until 11 October 1872.[11] A contemporary account of his appearance when he was Deputy Governor of Dartmoor Prison survives; he is described as follows:

> With his back to the fireplace, behind the Chief [Warder], stood a gentleman in mufti, who I needed not a second glance to see was a soldier likewise. This was the Deputy-Governor, as gentlemanly a little fellow as ever stepped, and to whom I cannot but think the duties must have been very repugnant. Except when in his office, and prisoners were brought before him on report, I do not think Captain H, was ever known to speak before a prisoner. He never, however, let a thing escape him, and any remark he had to make he made to the principal warder on duty.[12]

The role and responsibilities of a Victorian convict prison governor

Shane Bryans (himself a former Assistant Governor of Dartmoor Prison) recently remarked with regard to

7. See Godfrey, B. and Cox, D. J., 'The "Last Fleet": Crime, Reformation, and Punishment in Western Australia after 1868', Australia and New Zealand Journal of Criminology vol. 41 no. 2 (Summer 2008): 236-58 for details of the lives of the very last transportees to arrive in the Antipodes.
8. For a brief overview of the convict licensing system, see Johnston, H., Godfrey, B., and Cox, D. J., *Victorian Convicts: 100 Criminal Lives* (Pen & Sword, 2016).
9. British India Office pension registers Bengal Military Fund ledger of subscriptions L-AG-23-6-8/9.
10. *Daily News,* 24 August 1864.
11. Various sources give either 6 or 7 January as Hickey's start date as Governor, but Hickey himself stated that he began on 6 January – *see Report of the Commissioners appointed to inquire into the Treatment of Treason-Felony Convicts in English prisons Vol.1 The Report and appendix* (London: HMSO, 1871). p. 19, line 642.
12. Callow, *Five Years' Penal Servitude,* pp. 155-6.

the role of modern-day prison governors that 'the introduction of New Public Management (NPM) into the Prison Service has made Governors far more accountable for the operation of their prisons. They are now expected to achieve performance targets, deliver efficiency savings, and to compete with other prisons.'[13] This article argues that whilst the responsibilities of prison governors have undoubtedly become more detailed and scrutinised, the role of a successful Victorian convict prison governor was by no means an easy task if carried out conscientiously, and that the role has changed in surprisingly few ways.

The governance and running of prisons became increasingly both more formulaic and overseen throughout the Victorian age. Following the creation of a Prison Inspectorate in 1835, quickly followed in 1842 by the circulation of a series of model rules for local prisons, governors (often then also known as 'gaolers') began to have to account for their actions on a regular basis. This was especially the case following the creation of a National Convict Service in 1850. By 1858, a more standardised approach to prison management was firmly established in the 'Rules and Regulations for the Government of Convict Prisons' published by the Home Office. This publication contained one section that dealt specifically with the Governors and their duties.[14] As well as requiring the governor to 'have a general superintendence over the prison and prisoners', he (and later she) was required to keep a number of registers or books in which every aspect of prison life was recorded for the information of the Directors of Convict Prisons (an organisation in overall charge of convict prisons, created in 1850 under the chairmanship of Joshua Jebb, and based at 44 Parliament Street, London).[15] Whilst Brixton (opened 1853) and Fulham (opened 1856) both had female convict accommodation which was run by a 'Lady Superintendent', Woking (opened 1869) was the first purpose-built female convict prison. This was still run by a 'Lady Superintendent' under a male governor (though in all three prisons such women were often referred to as 'lady governors'). The first female governor in her own right was appointed at Aylesbury Borstal in 1921.

All convict prisons were theoretically due to be visited by a director on at least a monthly basis; Hickey states that the sole purpose of his journal was to 'keep a copy of everything I do here connected with the prison, it is recorded for the information of the visiting director…'[16] The Governor was also tasked with submitting a written annual summary to the Directors.[17] E. B. Callow was somewhat doubtful as to the usefulness of the monthly visits by the visiting Director; he stated that 'when the director is coming down to Dartmoor it is known a few days beforehand, and the place is prepared for his visit. Much he should not see is put out of sight.'[18]

By 1858, a more standardised approach to prison management was firmly established in the 'Rules and Regulations for the Government of Convict Prisons' published by the Home Office.

As Ireland has noted, 'A Victorian prison is supposed to be a place in which the predictable both happens and is recorded as having happened…', and it is certainly clear from Hickey's *Governor's Journal* entries and other contemporary sources that routine played a large part in his activities.[19] What also emerges is the limited powers possessed by a governor during the period; it has been argued elsewhere that before the implementation of NPM, 'Governors were apparently unable to make basic decisions about such critical matters as how many people worked in their

13. Bryans, Shane Clive. 'Prison governance: an exploration of the changing role and duties of the Prison Governor in HM Prison Service' (PhD thesis, LSE, 2005), p. 2. For further details of New Public Management and its effects on prisons, see Bryans, S., *Prison Governors: Managing prisons in a time of change* (Abingdon: Routledge, 2011), and Ferlie, E., Ashbumer, L., Fitzgerald, L. and Pettigrew, A., The *New Public Management in Action*, (Oxford: Oxford University Press, 1996), p.67. Also see Faulkner, Mary Hilary, 'Actor-Directors: The Working Lives of Prison Governors' (PhD thesis, Durham University, 2011).
14. Home Office, *Rules and Regulations for the Government of The Convict Prisons* (London: HMSO, 1858), pp. 6-18. Further details of the role of convict prison governors were published in 1894 – see Home Office, *Standing Orders for the Government of Convict Prisons* (London: HMSO, 1894).
15. Forsythe, B., 'Women prisoners and Women penal officials 1840-1921', *British Journal of Criminology* vol. 33 No. 4 (Autumn 1993): 525-40, p. 535.
16. *Report of the Commissioners appointed to inquire into the Treatment of Treason-Felony Convicts in English prisons Vol.1 The Report and appendix* (London: HMSO, 1871), p. 43, line 1920. Hickey's *Governor's Journal* was not written by Hickey himself but contains transcribed copies of out-letters and telegrams written by a clerk.
17. It is this summary that appears under the 'Prisons' section in the annual *Judicial Statistics,* compiled and published by the Home Office from 1856 onward.
18. *Five Years' Penal Servitude*, p. 381.
19. Ireland, *The Carmarthen Gaoler's Journal* 1845-1850 *Part One* Introduction, p. vi.

prisons, who they were, and what money was to be spent on', and this was also clearly the case during Hickey's governorship.[20] There was no manual or course that governors went on before their appointment — as Hickey himself stated, 'I learnt my duty from the governors under whom I served'.[21]

In the 1871 *Report of the Commissioners appointed to inquire into the Treatment of Treason-Felony Convicts in English prisons,* Hickey was called before the committee to give evidence on two occasions. This report resulted from a commission of enquiry into the treatment of Fenian prisoners held at several prisons including Dartmoor, who had complained that they were being treated unfairly by the British government whilst serving often lengthy prison sentences. The report found most of their allegations to be without substance, though it did make several minor suggestions for improvement of their treatment. On 10 June 1871 Hickey states on several occasions that his powers were strictly limited and always subordinate to the Directors of Convict Prisons. When asked about his powers regarding petitions by which convicts were allowed to plead for remission of their sentences, he states 'the power of the governor is very limited' (the ultimate authority being the Secretary of State for the Home Office). He was then directly asked, 'Is the governor asked in every case to forward the petition to the directors?'[22] He replied, 'Certainly so. If it was at all a doubtful thing I would forward it to the director. I could not take upon myself to stop it'.[23] He was surprisingly uninformed concerning the powers of the Directors of Convict Prisons; when asked this as a direct question he states, 'Well, I really cannot tell you what the power of a director is.'[24]

Similarly, when asked about his powers to appoint staff, Hickey stated that his role was extremely limited; when questioned, 'Are they [warders] appointed on the recommendation of the governor?' Hickey replied 'Well not always, sir. They are required by the directors to appear before the governor that he may see their fitness by appearance but their testimonials and everything else go to Parliament Street.'[25] Neither did a governor have the power of dismissal over his or her subordinates; they could suspend individuals, but the final employment decision resided with the Directors.[26] With regard to medical decisions, the Medical Officer had almost complete control of who served their time at Dartmoor or another convict prison.[27]

During his time at Dartmoor, Hickey appears to have been a fairly diligent and conscientious governor (though a harsh disciplinarian); Callow certainly had a higher opinion of him than of Hickey's predecessor:

Neither did a governor have the power of dismissal over his or her subordinates; they could suspend individuals, but the final employment decision resided with the Directors.

> *The governor, Captain B[utt], was but a popinjay in office. He had as much to do with the management of the prison as a Russian cavalry colonel has to do with the navigation of the man-of-war he is, through Court interest, appointed in command of. […Hickey] was a vigilant man himself, and though he said so little nothing ever escaped him. […] Luckily Major H looked sharp after everything and the discipline of the place was kept up. It was not long before every man in the prison, officers and men, had a very wholesome respect for the Major.*[28]

Similarly, Patrick Lennon, a Fenian convict serving a term of 15 years' penal servitude at Dartmoor, stated when asked, 'Does the governor treat you kindly and considerately on all occasions?', that, 'They do always, sir; especially this man; he is a very gentlemanly man.'[29]

Hickey stated that much of his time was spent walking through the prison; 'I am constantly visiting

20. Lewis, D., Hidden Agendas - Politics, Law and Order (London: Hamish Hamilton, 1997), p. 6 (quoted in Bryans, *Prison Governors: Managing prisons in a time of change* p. 164).
21. *Report of the Commissioners appointed to inquire into the Treatment of Treason-Felony Convicts in English prisons Vol.1 The Report and appendix* (London: HMSO, 1871), p. 21, line 726.
22. Ibid, p. 20, line 684.
23. Ibid, p. 23, line 781.
24. Ibid, p. 23, line 785.
25. Ibid, p. 24, line 820.
26. Ibid, p. 24, lines 823 and 826.
27. Ibid, p. 500, line 15344.
28. *Five Years' Penal Servitude,* pp. 250-1 and p. 253. Callow was not still in prison at the time of Hickey's promotion so had no direct experience of him as Governor.
29. *Report of the Commissioners appointed to inquire into the Treatment of Treason-Felony Convicts in English prisons Vol.1 The Report and appendix (London:* HMSO, 1871), p. 26, line 918.

different parts of the prison or wards', and that he also interacted with prisoners on a daily basis; 'I see them at a certain time every day in my own office for the purpose of receiving complaints from the prisoner.' [30] He was also proud of the fact that he did make some improvements to the lot of convicts; he tells the Commissioners that he increased the exercise time available to convicts by giving an extra five or ten minutes to allow for the time spent in falling in for the daily parade (although it was pointed out by his interviewer that what he had actually done was simply to restore the exercise time to what it should have been).[31] Lennon also pointed out that the food (always an important consideration in the daily routine of a prisoner) had improved under Hickey's governorship; when questioned, 'In what respect is it better?' he stated 'We used to get soup twice a week, thickened with gruel; now it is thickened with meat'. When further asked, 'When did it begin to improve?' Lennon replied, 'Since this present governor came here. And the potatoes we used to get at dinner used to be bad. Now we don't get any bad ones. They used to be rotten. The food is better looked after now than it ever was before.'[32]

Hickey and Callow's opinion of the degree of physical activity carried out by the able-bodied convicts was very similar; Callow stated that 'certainly prisoners are not fed as free workmen earning good wages are, and have not the same amount of stamina and physique; but, making due allowance for all that, I do not consider the average convict at Dartmoor can be said to work hard. There are some exceptions, particularly in the bog gangs.[33] Hickey was similarly sceptical concerning the degree of difficulty of the labour; when asked, 'Do you think that a convict working here in full labour performs a hard day's work?' he replied 'No, sir' — he felt that an agricultural labourer worked harder on a daily basis.[34]

The often mundane aspects of Hickey's work as Governor are the most immediately apparent when perusing his *Journal* entries; much of his time was spent informing other prison governors and police offices of the imminent arrival of convicts due for release on licence, or contacting carriage contractors in order to arrange the conveyance of convicts and officers to and from Plymouth Railway Station.[35] He also had numerous arguments with the suppliers of materials for convict labour projects; for example, he frequently complained about the quality of leather received for use in the making of Metropolitan Police officers' boots:

To Messrs Warne and Co.

I beg to inform you that 290lbs of the Kip [calf leather] received from you on the 25th inst has been rejected by a Board of Survey, being too light for the Service and of very inferior quality and it has accordingly been returned to you. I must impress upon you the necessity of your exercising great care in the selection of the Leather demanded for the use of this Prison as none but the best can be made available for supply to the Police, and there has been great difficulty found for some time in getting sufficient of anything like the proper quality from that which you have sent for the purpose.[36]

Commissioners that he increased the exercise time available to convicts by giving an extra five or ten minutes to allow for the time spent in falling in for the daily parade.

He also had the unenviable task of informing relatives of convicts' deaths within custody; his letters to grieving parents appear to be somewhat business-like and lacking in sympathy to modern eyes:

Mrs John Evans

I regret having to inform you of the death of Prisoner Richard Evans 8778, which took place in the Infirmary of this Prison at 2.35pm this day. A Coroner's Inquest will be held on

30. Ibid, p. 19, line 656 and p. 23, line 796.
31. Ibid, p.24 lines 832-34.
32. Ibid, p. 24, lines 894-6.
33. *Five Years' Penal Servitude,* p. 349. Callow was classed as an invalid convict due to both his advancing years and debility, so did not have personal experience of the degree of difficulty of the hard labour regime. 'Bog gangs' refers to groups of convicts sent out onto Dartmoor to clear bogs or otherwise work outside in often poor conditions.
34. *Report of the Commissioners appointed to inquire into the Treatment of Treason-Felony Convicts in English prisons Vol.1 The Report and appendix* (London: HMSO, 1871), p. 22, lines 759 and 761.
35. Dartmoor Prison was (and remains) in a pretty remote location, almost twenty miles and three hours' carriage ride from the nearest railway station.
36. *Governor's Journal,* 27 April 1871.

the body in the course of a few days after which his remains will be interred in the Churchyard of the village of Princetown at either of which you or any of his friends may be present.[37]

A few of the entries are unintentionally somewhat humorous; for example, his reply to Mr A Joel concerning the late delivery of a particular item hints at a mild desperation:

In reply to your Letter of the 15th inst. I have to inform you that the Passover Cake sent from London for the use of the Jews at this Prison was delivered here from Tavistock by the South Devon Railway Company's Carriers this day, and as the Feast is over, I beg to be informed what is to be done with the cake.[38]

Another of the entries informs us of the number of Jewish convicts serving time at Dartmoor; Hickey replies to a request for this information by Reverend A L Emanuel of Portsea that 'I beg to inform you in reply to your communication of the 4th inst. [April 1871] that there are the present time six Jewish Prisoners confined in this Establishment.'[39] As Passover was celebrated from 6-13 April 1871, these convicts must have been bitterly disappointed by the failure of the South Devon Railway to deliver the cake; any change to the monotonous diet would have been eagerly anticipated, quite apart from the religious significance of the item concerned.

Several of his entries provide additional personal and incidental information concerning individual convicts that would otherwise remain unknown to us; for example, following a request for information about a licensed convict from the Secretary of the North Stafford Discharged Prisoners Aid Society, Hickey replies that:

In reply to your letter of the 4th inst respecting Licensed Convict Jno Smith 8101 I beg to state that when he left here he quite ignored the assistance to be had from an Aid Society and stated that he was going to his brother-in-law. He is a man in whom I should not be disposed to place much confidence. The first Photograph taken of him he spoiled, he also attempted it a second time by distorting his features, but failed. The Police certificate was received yesterday and the balance of Smith's gratuity was sent direct to him by return of post.[40]

From the late 1860s many convicts were photographed upon reception and release from convict prisons. Many individuals realised that this was an easy way to be recognised in future and tried their best to distort their features or otherwise avoid having their image recorded for posterity. Upon release on licence, all male convicts such as Smith were required to report to their local police station once a month and to notify the police of any change of circumstances or address. Photographs and particulars of released convicts were forwarded to the relevant police force. Convicts were also entitled to a small gratuity upon release, which they usually had to obtain from their local police station, or as in this case, could be forwarded to them directly at their place of residence.

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Conclusion

Hickey's tenure at Dartmoor appears to have ended suddenly; his name is summarily replaced by that of Major James Farquharson (formerly of Brixton Prison) on 11 October 1872 — Hickey writes one letter and the next entry is under the name of Farquharson on the same day.[41] His removal is unexplained, but clearly generated a great deal of further change:

CONVICT PRISONS — The recent removals of officials from the Government convict establishments at Princetown, Dartmoor, have caused numerous other changes. Major Farquharson is now governor at Princetown, vice Major Hickey. Captain Cookworthy, late deputy-governor at Portland, succeeds Major Farquharson, as governor of Brixton, and is succeeded by Mr Johnson, Captain Bell, late deputy governor of Princetown, goes in a similar capacity to Parkhurst. Captain Harris,

37. *Governor's Journal,* 20 April 1871.
38. *Governor's Journal,* 20 April 1871 (original underlining).
39. *Governor's Journal,* 6 March 1871.
40. *Governor's Journal,* 7 March 1871.
41. Farquharson lasted less than two months before being redirected as governor of another convict prison.

late deputy-governor at Woking, proceeds to Gibraltar, as governor of the convict establishment there. The Rev. J. Francis, who has resigned the chaplaincy at Dartmoor, after eight years in the service, has accepted a curacy at Ross, Hereford.[42]

This may have been a dismissal — perhaps as a result of the obvious enmity exhibited between Hickey and the above-mentioned prison chaplain, Reverend James Francis, who had complained to both the Directors of Convict Prisons and the Home Office about Hickey's alleged harsh punishment of prisoners in late 1870-early 1871 before resigning in 1872. Hickey was apparently in the habit of issuing successive punishments (usually consisting of putting the offender on a bread and water diet) for what the Reverend regarded as a continuing single offence by often 'half-witted' convicts. In the *Kimberley Report* of 1878/9 Reverend Francis stated that 'I thought there was an unreasonable exercise of discipline, a harsh exercise of discipline […] under Major Hickey there grew up this course of discipline which I considered harsh'.[43] These complaints, together with the *Treatment of Treason/Felony Convicts Report* may have sealed Hickey's fate, although the Reverend Francis stated in his evidence to the Kimberley Commission that the visiting Director of Convict Prisons had clearly sided with Hickey; 'the visiting director appeared to me to give his whole countenance and influence to the governor in what I regarded from my standpoint as incorrect treatment'.[44] Perhaps unsurprisingly, the Chairman of the Directors of Convict Prisons, Edmund Du Cane (noted for his strict disciplinarian stance) also sided with Hickey, indignantly remarking in his evidence to the Kimberley Commission that it 'was clearly a most outrageous thing that he should be allowed to gibbet that governor before the public as a culprit from his own imperfect knowledge of the matter, and in opposition to the views of those who had inquired into it impartially'.[45]

Whatever the reason, Dartmoor was the last prison governorship held by Hickey.[46] He subsequently became a manager of a school supply company, then a director of the Swiss Unsweetened Pure Milk Company.[47] He died in 1889, leaving an estate of £1,120 6s 11d.

Hickey's life was in many ways unremarkable but the surviving records do allow us to recreate at least a small snapshot of his time as Governor of Dartmoor Prison. These give the impression of a dedicated individual trying to do his best in occasionally difficult circumstances; his role was clearly defined but somewhat lacking in authority with regard to many aspects of the day-to-day running of the establishment, and this is reflected in his acrimonious relationship with the prison chaplain. Both his *Journal* entries and the *Treatment of Treason/Felony Convicts Report* throw invaluable light on a still under-researched aspect of prison life.

42. *Morning Post,* 21 October 1872.
43. *1878-79 [C.2368] [C.2368-I] [C.2368-II] Penal Servitude Acts Commission. Report of the commissioners appointed to inquire into the working of the penal servitude acts. Vol. I.—Commissions and report,* line 11199.
44. Ibid, line 11195.
45. Ibid, line 13050.
46. *The Tavistock Gazette,* 18 October 1872 refers to the change in governorship as "A somewhat sudden change in the governorship of the Dartmoor Prison is announced', and then goes to state incorrectly that Hickey was to take over the governorship of Gibraltar Prison.
47. *London Daily News,* 11 December 1880.

‘You cease to be a man’: masculinity and the ‘gentleman convict’, c.1870-1914

Dr. Ben Bethell *recently completed a PhD at Birkbeck, University of London, on the ‘star class’ in late-Victorian and Edwardian convict prisons*

Reading the accounts of former ‘gentleman convicts’ sentenced to penal servitude in the late-Victorian and Edwardian decades, one is struck by their vitriolic condemnation of fellow prisoners perceived as ‘habitual’ or ‘professional’ criminals.[1] Writing in 1879 as ‘a Ticket-of-leave Man’, for instance, one memoirist ‘solemnly declare[d] that whatsoever things are hateful and fiendish, if there be any vice and infamy deeper and more horrible than all other vice and infamy, it may be found ingrained in the character of the English professional thief.’[2] Though his volume, like others, warned of the ‘contamination’ in convict prisons of novice criminals by seasoned thieves, ‘a Ticket-of-leave Man’ experienced his own ‘contamination’ not in terms of criminal pedagogy, to which he considered himself immune, but as a sense of defilement both visceral and intense. Of the ‘thief class’ at Portland convict prison, he observed that ‘the very remembrance of [their] behaviour and language makes my flesh creep.’[3] Among Portland’s convicts, he had befriended a former factory owner, whose wrongful conviction for arson was eventually overturned, and with whom he ‘tried to escape the contagion of the moral pestilence by which we were surrounded.’ This man had now returned to ‘the society of his devoted and pure wife’, but remained haunted by ‘the hideous oaths of the gaol-birds’, which, ‘a Ticket-of-leave Man’ reported, ‘still ring in his ears and cause him to shudder at the remembrance of the pollution which was forced upon him.’[4] This article explores the nature of this and similar responses to prison life, drawing upon John Tosh’s work on Victorian masculinity, and on Joanna Bourke’s 2011 study of changing conceptions of the ‘human’.[5] It argues that prisoners such as ‘a Ticket-of-leave Man’ found their masculine status — as ‘gentlemen’, Englishmen, adult males and, ultimately, fully human beings — fatally compromised by imprisonment, leading them to project onto their ‘criminal’ peers that which they feared they might themselves become. In this way, the memoirs and articles of ‘gentleman convicts’ allow us to glimpse the terrors emasculation held for prisoners of this kind, for in observing the ways in which others lacked ‘manliness’, they confronted the manner in which their own might be undone.

For nineteenth-century middle-class Englishmen, manliness was an ‘ideology of masculinity’ that set rigid standards for their character and behaviour. As such, it was premised, as Tosh notes, ‘on a powerful sense of the feminine ‘other’’.[6] For ‘a Ticket-of-Leave Man’, however, as we have just seen, it is not middle-class femininity that represents the Other, but rather the ‘gaol-birds’ with which he contrasts this virtuous ideal. In another passage, he draws the contrast again, the feminine arriving this time in the form of his own deceased wife, a domestic ‘angel’ now transmogrified into the celestial variety, whose memory strikes him almost as a ghostly apparition. He recalls that while working one day,

> *I heard the vile oaths, and the disgusting and obscene language of my comrades, and I contrasted the scene and its surroundings, with my once happy home, where I was*

1. I discuss ‘gentleman convicts’ in *Prison Service Journal* 232 (2017), pp.40-5.
2. Anon., *Convict Life; or, Revelations Concerning Convicts and Convict Prisons by a Ticket-of-Leave Man* (London: Wyman & Sons, 1879), p.16; a ‘Ticket-of-Leave Man’ was a convict released ‘on licence’ to serve penal servitude’s third ‘stage’ (of up to a quarter of a sentence, dependent on good behaviour). It is likely that this author also wrote a series of articles appearing in the London *Weekly Times* between November 1879 and February 1880 under the headline ‘Our Convict System by an Ex-Prisoner’, later reprinted as a single volume: Anon., *Our Convict System. By an Ex-Convict. Reprinted from ‘The Weekly Times.’* (London: J. Hutton, 1880 - a copy held by the British Library was destroyed).
3. *Weekly Times,* 28 December 1879, p.2.
4. Anon., *Convict Life,* p.25.
5. John Tosh, *A Man’s Place: Masculinity and the Middle-Class Home in Victorian England* (New Haven, Conn.: Yale University Press, 1995); idem., *Manliness and Masculinities in Nineteenth-Century Britain: Essays on Gender, Family, and Empire* (Harlow: Pearson Longman, 2005); Joanna Bourke, *What It Means to Be Human: Reflections from 1791 to the Present* (London: Virago, 2011).
6. Tosh, *Manliness and Masculinity,* pp.3-4, p.31, p.91.

cheered and smiled upon by a bright angel who made me, I suppose, too happy. … My loved one seemed to be beckoning me through the clear ether on that winter afternoon, and my greatest sorrow at that moment, was not … that I had disgraced myself, and condemned myself to the filthy companionship of thieves and murderers, [but] that I had no power to answer her summons…[7]

Here, once again, it is the 'gaol-birds' that represent the Other, and the feminine an ideal from which the author is separated, for which he yearns, and without which he is incomplete. Such unity, according to Victorian gender ideology, was possible only in the domestic citadel of the middle-class home, where, it was believed, masculine and feminine might achieve their correct equilibrium.[8] Hence, it is when he is finally reunited with his wife that 'a Ticket-of-Leave Man's' friend is again made whole. Moreover, it is their loss of the feminine, and their capacity to be made whole by it, that separates these 'gentlemen' from their fellows, for whom redemption in this form is inconceivable. If imprisonment involved loss of masculine status — or, in contemporary terms, 'manhood' — masculinity is defined here not in distinction to femininity, which is in fact understood not only to complement but to complete the middle-class husband, but instead to whatever Other 'the awful denizens of Portland' represent.

The othering of the 'thief class' came in several forms, which together provide an index of Others against which Victorian manliness was measured and defined. According to 'a Ticket-of-Leave Man', members of the 'thief class' were 'entirely destitute of all manliness. They could no more stand up, self supported, than the ivy could rear itself like the oak.'[9] Though such dependence could be thought of as a negative feminine trait, as could the lack of emotional control 'gentleman convicts' often observed in their fellows,[10] these qualities might just as easily be thought of in terms of childishness. Indeed, during the mid-Victorian decades, masculinity was more likely to be defined via the distinction between men and boys than by contrasts with the feminine: as Tosh notes, 'worries about immaturity counted for much more than fear of effeminacy'.[11] This conception of manliness brings us a little closer to the sense in which 'gentleman convicts' observed their fellows' loss of masculine status, and thus to the fears they held for their own. Jabez Balfour, for example, a businessman and former Liberal MP convicted of fraud in 1896 and sentenced to fourteen years' penal servitude, evokes childhood punishment when he recalls 'noisy occupants' of Parkhurst's punishment cells being 'forcibly deported to a very remote portion of the Hall', an offender having 'profaned his manhood and abused the gift of speech'.[12] The author of an anonymous article published in the *Westminster Review* in 1878 conceded that some among those he classed as 'habitual' or 'professional' criminals possessed 'traits of unselfishness and generosity and some manliness of nature', but asserted nonetheless that all such prisoners shared

'one mental characteristic … which cannot be better conveyed than by the term "childishness". It consists of a certain impulsiveness, proneness to violent and short-lived anger from the most trivial causes, constant boasting and self-exaltation, and a total incapacity to understand the relative value and importance of different objects. All this is accompanied by a mendacity which is astounding.'[13]

The latter, he added, 'has its analogue in most savage races, and, as a transitory phenomenon, even in some well-brought-up children.' A racial Other was similarly invoked by 'a Ticket-of-Leave Man' when he compared prison life to 'herding with 'Zulus'', and convicts at Portland (unfavourably) to 'Hindoos and Zulus'.[14] The *Westminster Review's* correspondent

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7. Ibid., pp.56-7. On 'domestic angels' see Tosh, *A Man's Place,* p.55.
8. Tosh quotes Ruskin's *Sesame and Lilies* (1864): 'Each has what the other has not: each completes the other, and is completed by the other'; *A Man's Place*, p.46.
9. Anon., *Convict Life,* p.15.
10. Tosh, *Manliness and Masculinity,* p.92.
11. Ibid., p.34.
12. Jabez Spencer Balfour, *My Prison Life* (London: Chapman & Hall, 1907), p.304.
13. Anon., 'Our Present Convict System', *Westminster Review* 109 (1878), p.415-6.
14. Anon., *Convict Life,* p.115; *Weekly Times,* 30 November 1879, p.2.

reached closer to home for his non-English Other, asserting that 'No practical ethnologist can fail to trace in the features of the great majority a large infusion of blood from the sister isle. The brogue has nearly vanished … but the lineaments and excitable temperament remain.'[15]

Such remarks served to reinforce their authors' own masculine national identity as 'Englishmen', while at the same time implying that the 'criminal class' represented a lesser human type. The othering of criminals as subhuman cast them either as a neo-Darwinian sub-species, or as demonic entities, or simply and most commonly as 'brutes'. The *Westminster Review's* correspondent opted for the first of these approaches, noting the preponderance among convicts of 'the 'forehead villainous low,' the scowling expression and ponderous under-jaw of brutal animalism', adding that the 'stealthy motions and furtive glances of others betray a monkey-like cunning'.[16] Published shortly after *L'uomo delinquente* (1876), the article is unlikely to have been influenced directly by Cesare Lombroso, whose volume appeared in English translation only in 1911, but may have reflected notions of the criminal 'type' already held by English penal administrators.[17] Thirty years later, by the time Balfour published his memoir, such biological positivism had gained far wider currency. Adding the weight of his first-hand experience to the opinion of 'more than one eminent English and foreign penologist, that convicts as a class, particularly habitual criminals, are distinguished by certain pronounced and singular developments', Balfour recalled that upon first arriving at a convict prison,

> *it is sometimes difficult for a newcomer to realize that the men among whom he is thrown … are really of the same species as the people with whom he has mingled in freedom. The beings who surround him seem more like grotesque imitations, pantomimic caricatures of real men than men themselves. They all look alike, and all are hideous. … Sitting as I did at Wormwood Scrubbs, behind four or five hundred prisoners, it appeared to me that I was among an entirely different species of human beings, ape-like, baboon-like, weird.*[18] *Most disturbing of all were the 'abnormally protruding and overlapping' ears of his fellow-convicts, a 'widespread and repulsive deformity'. A warder had 'once assured [Balfour] that it was positively trying to be perched at chapel a few inches above the great crowd of prisoners, and to look down upon the ears below him. To use his own words, "It was sickening."'*[19]

'No practical ethnologist can fail to trace in the features of the great majority a large infusion of blood from the sister isle.'

'[A] Ticket-of-Leave Man' drew not on pseudoscience but literature for an image of the subhuman, observing that when set beside 'the English professional thief', 'Gulliver's 'Yahoos' were cultivated gentlemen'.[20] Lord William Beauchamp Nevill, a younger son of the 5th Earl of Abergavenny sentenced in 1898 to five years for fraud, painted the 'habitual' criminal in demonic hues: it was, he declared, 'impossible for anyone who has not witnessed it to imagine the furious and senseless malevolence of that class of convicts who have got to the hopelessly incorrigible stage.' These men were 'thoroughly vicious by nature', and 'seem to be governed by evil passions, as if possessed by the devil'.[21] For Edward Callow, a railway company secretary sentenced in 1868 for his part in an attempt to defraud a City bank, the 'creatures in human form' he had encountered at Dartmoor were both subhuman and fiendish: 'mere brutes in mind and demons in heart', they 'seem[ed] to be a different species to ordinary men'.[22] Balfour, for his part, managed to conjure an Other that was

15. Anon., 'Our Present Convict System', p.416.
16. Ibid.
17. Chiara Beccalossi, 'Sexual Deviancies, Disease and Crime in Cesare Lombroso and the "Italian School" of Criminal Anthropology', *in Disease and Crime: A History of Social Pathologies and the New Politics of Health,* ed. Robert Peckham (New York: Routledge, 2014), p.45.
18. Balfour, *My Prison Life,* p.215.
19. Ibid., p.216.
20. Anon., *Convict Life,* p.16.
21. 'W.B.N.' (William Beauchamp Nevill), *Penal Servitude* (London: William Heinemann, 1903), pp.136-7.
22. Anon. (Edward Callow), *Five Years' Penal Servitude by One Who Has Endured It* (London: Richard Bentley & Son, 1877), p.208. Giving evidence in 1879 to a royal commission on penal servitude, Callow intimated that he had been referring specifically to prisoners convicted under the sodomy laws. *Report of the commissioners appointed to inquire into the working of the penal servitude acts* (hereinafter *Penal servitude acts*), PP 1878-79 [C.2368] XXXVII, 1, qq.11985-8, p. 954. See also my 'Defining "unnatural crime": sex and the English convict system, 1850-1900', in *From Sodomy Laws to Same-Sex Marriage: International Perspectives since 1789,* ed. Sean Brady & Mark Seymour (London: Bloomsbury Academic, 2019), pp.43-56.

simultaneously racial, subhuman, demonic and bestial when describing one Parkhurst convict as 'an ill-shaped negro giant, of herculean proportions and fearfully forbidding aspect', notable for his 'protruding jaw, long, ape-like arms and legs, and cruel, sunken bloodshot eyes that gleamed with the same angry, hungry light that is always noticeable of beasts of prey.' This prisoner, whose gestures Balfour found 'more suggestive of a ghoul than a man', he contrasted with another, 'an inoffensive old man' who, like himself, belonged to a 'class of convicts' composed of men 'who have been bankers, brokers, lawyers, merchants, and the like'.[23]

Among variations of the non-human, however, the bestial predominated. '[A] Ticket-of-Leave Man' described the 'thief class' as 'cowardly brutes [whose] animal instincts have crowded every human feeling out of their nature.'[24] 'The passions of many of the habitual offenders,' wrote Balfour, 'are ungovernable in their ferocity. Nothing but physical suffering seems to deter them. … When their passions are aroused, and that occurs easily with many of them, they are more like beasts than human beings'.[25] Among 'the class known as *roughs'*, Callow believed that 'animal instincts and propensities predominate to the almost total exclusion of any intellectual or human feeling… Brutes they are, and as brutes only can they be punished and coerced, and that is by the Lash.'[26] *The Westminster Review's* correspondent concurred, observing that 'a very large proportion of the worst class of criminals can be deterred only by the terror of physical pain. … They are animals, and must be treated as such.'[27] It is at this point, arrived at by degrees, that the Other stands revealed against which the 'manhood' of 'gentleman convicts' was ultimately defined: neither female nor infantile, nor racially inferior, nor even criminally subhuman, but, quite simply, animal.

'The passions of many of the habitual offenders,' wrote Balfour, 'are ungovernable in their ferocity. Nothing but physical suffering seems to deter them.'

For 'gentleman convicts', then, 'manhood' equalled humanity as much as masculinity per se. Both were threatened, but the peril in which the former stood eclipsed even danger to the latter. Human status and masculine status were, of course, intimately tied. In both scholarly and everyday language, as Bourke notes, collective humanity was referred to either as 'mankind' or simply 'man', and the humans thus described imagined primarily as male.[28] If to be human was to be a 'man' then, conversely, to be in any way less than a 'man' was also to be less than human. Bourke also reminds us that the discursive boundary separating 'human' from 'animal' was (and is) far from stable. Christian theology posited a hierarchical Chain of Being stretching from God to beast (and beyond, to the inanimate), along which 'man' occupied the middle ground, forever reaching towards God — a God who incarnated as a 'man' — yet in danger of descending to the level of a beast. As Bourke observes, those 'excluded from the status of being fully "men" might be forgiven for bitterly concluding that they had been decisively demoted to "Beast".'[29] Similarly, post-Darwinian humanist thought disrupted the notion of a straightforward human/animal binary, proposing instead a relativist model in which human and animal occupied a single continuum, at one end of which the 'fully human' could be found, and at the other the 'fully animal'.[30] According to this view, humanity existed in degrees or varieties, and physical humanity didn't necessarily confer 'fully human' status. It was from a perspective of this kind that the *Westminster Review's* correspondent was able to observe that 'habitual petty thieves … are, so to speak, *less human*, have less reason and self-control, and their propensities assume the form of irresistible animal instincts… They are a childish and impulsive race, and only look to immediate results.'[31]

Of course, categories of human far broader than the petty criminal could (and still can) be denied fully human status: women, for instance, to take the most obvious example, and one taken by Bourke as her starting point. And, although she doesn't mention prisoners, Bourke is also interested in slaves, another such category, one with which prisoners had much in common. As she observes, antebellum American slaves

23. Balfour, *My Prison Life,* pp.173-5.
24. Anon., *Convict Life,* p.14.
25. Balfour, *My Prison Life,* pp.302-3.
26. Callow, *Five Years' Penal Servitude,* pp.208-9.
27. Anon., 'Our Present Convict System', p.430.
28. Bourke, *What It Means to Be Human,* p.2, p.5.
29. Ibid., p.3.
30. Ibid., p.11.
31. Anon., 'Our Present Convict System', p.423.

'were not simply "things" in law', but rather 'carefully constructed quasi-legal persons': they could legally be subjected to harsh physical punishment, but could not be murdered and could themselves be tried for murder and for other serious crimes.[32] Thus, the status of the antebellum slave mirrored that of the English convict, whose judicial punishment entailed the forfeiture of fully human status in the legal sense of full personhood — that is, as the subject of legal rights and duties.[33] For men such as Callow, 'a Ticket-of-Leave Man' and the *Westminster Review's* correspondent, writing in the late 1870s, slavery would not have been an exotic phenomenon: it had ended in the British West Indies a generation earlier in 1834, in the Southern United States only in 1865, and at this juncture was still legal in Spanish Cuba, where it would be abolished in 1886, and in Brazil, whose slaves were finally freed in 1888. As well as penal labour, moreover, the notion of 'servitude' encompassed not only slavery but serfdom, formally abolished in Russia only in 1861, and indentured service, which remained a feature of English wage relations until the 1870s.[34]

For a 'gentleman convict', stripped of his status as 'master of the house' and exiled from the domestic sanctuary, work might in theory have provided a means to salvage, at least to a degree, his beleaguered masculine status. On the one hand, labour such as quarrying, brickmaking and dock construction, intended as both punitive and reformatory, was central to the convict prison regime. On the other, as Tosh observes, a work ethic was 'deeply inscribed in middle-class masculinity', manliness and hard work going hand-in-hand with one another.[35] Of course, for a man who had earned a living in business or the professions, and who was governed by a gender ideology that treated occupation as the 'authentic expression of his individuality',[36] the work required of him in a convict prison lacked all semblance of dignity. But though it might be supposed that such prisoners experienced this aspect of their punishment as degrading and humiliating, many, at least by their own accounts, took a sanguine approach to unfamiliar tasks and, like 'a Ticket-of-Leave Man', 'resolved to make the best of it and try to do my duty.'[37] As they marched to work, some perhaps took comfort in Thomas Carlyle's assertion that manly potential could find its fulfilment 'even in the meanest sorts of Labour'.[38] If strength and endurance were foremost among the core masculine characteristics demanded by Victorian manliness,[39] then penal labour might at least allow these qualities to be exercised and displayed.

But manly vigour alone did not constitute manliness; it was, rather, the foundation upon which the self-willed 'independent man' could be erected, capable of initiative and decisive action.[40] Thus, the 'gentleman convict' who attempted to demonstrate manliness through labour and, in doing so, retain at least some vestige of his status, soon found himself confronted with a deformed version of the masculine ideal, which prized brute strength and inhuman endurance, but ensured these attributes were shorn of the slightest capacity for independent action. Here the 'gentleman convict' faced the appalling truth of his predicament, for the strength and endurance demanded of him were qualities belonging not to free labourers but to slaves. Though few were willing to acknowledge this directly, 'One who has suffered it', writing in 1910 in the *Hibbert Journal*, was an exception, declaring baldly that '*Imprisonment is slavery*. None of the distinguishing features of slavery are absent.'[41] This correspondent, moreover, who had been sentenced in England to six years' penal servitude and then served the term in an Australian convict prison, drew an explicit comparison with the antebellum South, arguing that the 'slavery of imprisonment' was in fact 'of a more grievous description than the negro slavery once practised in America', insofar as 'the negro' could both marry and

...man who had earned a living in business or the professions, and who was governed by a gender ideology that treated occupation as the 'authentic expression of his individuality'.

32. Bourke, *What It Means to Be Human,* p.147.
33. Ibid., p.131.
34. Jürgen Osterhammel, *The Transformation of the World: A Global History of the Nineteenth Century,* trans. Patrick Camiller (Princeton NJ: Princeton University Press, 2014), p.698-9, pp.707-8.
35. Tosh, *Manliness and Masculinity,* p.92.
36. Ibid., p.37.
37. Anon., *Convict Life,* p.80.
38. *Past and Present* (1843), quoted in Tosh, *Manliness and Masculinity,* p.93.
39. Ibid., p.87.
40. Ibid.
41. Anon., 'Concerning Imprisonment. By One Who Has Suffered It.', *Hibbert Journal* 8:3 (1910), p.589.

enjoy 'the unrestricted companionship of his fellows, male and female', and 'within the perimeter of his servitude … was free to come and go as he chose'.[42]

Like criminals, antebellum slaves were sometimes compared to children or to monsters.[43] Primarily, however, the slave was regarded and treated, in the words of Frederick Douglass, as 'a docile animal, a kind of ass, capable of bearing burdens'.[44] Many English convicts doubtless felt the same. For anybody living in nineteenth-century England, working animals were, of course, a ubiquitous feature of daily life: country-folk and city-dwellers alike lived with the 'constant presence of living, breathing, defecating, and sometimes dying animals'.[45] Their role in haulage and urban transport aside, horses and mules drove machinery in mills and factories, where they were treated less as sentient creatures than 'living machines'.[46] Moreover, due to relative cost-efficiency, their widespread use in building and construction persisted into the twentieth century, as did their use in quarrying and brickmaking — tasks to which men sentenced to penal servitude were also put.[47] Indeed, some convicts found themselves employed as what one Portland prisoner described as 'a sort of human horse'.[48] According to the Irish republican and former Dartmoor prisoner Michael Davitt, giving evidence in 1878 to a royal commission on penal servitude, convicts drew stones, coal, refuse and manure, harnessed to carts in eight-man teams; he had himself been removed from a 'coal-cart party' following an injury.[49] Prison officials confirmed the practice, though the commission appeared less concerned with its degrading character than with the opportunities it provided for illicit communication.[50] Twenty years later, according to Nevill, prisoners assigned to farm parties at Parkhurst still drew manure carts, 'harnessed two by two to a long rope'.[51]

As convicts trudged at the day's end wearily home to their narrow cells, and contemplated their monotonous, unpalatable diet, calculated to meet heavy labour's bare nutritional requirements, it would have occurred to some that they were fed, watered and stabled in much the same way as working animals. 'One who has suffered it' again made the point explicitly, observing that 'Horses are "spelled" when out of breath; not so those human beings who have given their fellows occasion to use them as beasts of burthen.'[52] The prison cell, he wrote, was 'really a kennel. There, when he is not working, the prisoner must abide: to freeze in winter, to swelter in summer.'[53] Upon finishing work, the 'prisoner can hardly crawl back to his kennel', and 'when the key turns and he … is left locked' inside it, by 'whatever margin … a human being is superior to a beast, by so much is that human being's condition inferior'.[54] The sentiment echoed remarks made by John Dillon, Home Rule MP for East Mayo, when debating the Prisons Bill in 1898: imprisoned himself several times during the 1880s, Dillon accused a Conservative member of regarding prisoners 'as a lot of stalled animals, towards whom our only duty was to see that body and soul were kept together'. In this view, they 'were not human beings at all, but were like pigs, or animals with no minds.'[55]

The unmanly dependence of 'gentleman convicts' was, then, less that of women, children, or colonial subjects, than of slaves or working animals. Thus, 'gentleman convicts' faced the annihilation of their status, not merely as middle-class 'gentlemen', but as men of any description whatsoever. Legally, they were denied full personhood; their loss of 'manhood' entailed a loss of humanity as much as masculinity; and as slaves, their condition was little better than that of beasts of burden — or worse still, 'living machines'. Consigned to a world in which the human/animal boundary was distinctly porous, they found themselves 'herded' indiscriminately with the less human, the subhuman, 'brutes' and 'beasts'. 'One who has suffered it' recalled a prison official telling newly arrived convicts: 'When you pass through these gates you cease to be a man.'[56] It was this prospect that lay at the heart of the fear and revulsion felt by 'gentleman convicts' towards their 'criminal' peers. And it was in defiance of this fate that such prisoners struggled to preserve what little remained of their 'manliness', an identity premised upon a bestial Other that forever threatened to overwhelm it.

42. Ibid., pp.589-90.
43. Bourke quotes George Canning in 1824 comparing 'Negro' slaves to the 'monster' in Mary Shelley's *Frankenstein; or, The Modern Prometheus*, first published six years earlier. *What It Means to Be Human,* p.146.
44. Quoted in ibid., p.134.
45. Clay McShane & Joel A. Tarr, *The Horse in the City: Living Machines in the Nineteenth Century* (Baltimore MD: John Hopkins University Press, 2007), p.181.
46. Ibid., pp.2-3, p.166.
47. Ibid., p.167.
48. George Smithson, *Raffles in Real Life: The Confessions of George Smithson alias "Gentleman George"* (London: Hutchinson & Co, 1930), p.98.
49. *Penal servitude acts,* q.6515, q.6521, p.527.
50. Ibid., qq.2805-6, p.233.
51. Nevill, *Penal Servitude,* pp.34-5. He claimed to enjoy this work, judging 'carting … infinitely preferable to moping in a cell'; it had, he claimed, been 'proved' that Davitt's health 'did not suffer' as a result dragging stones at Portland.
52. Anon., 'Concerning Imprisonment', p.586.
53. Ibid., p.585.
54. Ibid., p.587, p.593.
55. HC Deb 24 March 1898 vol.55 c.887
56. Anon., 'Concerning Imprisonment', p.600.

The rebellion of the 'basement lecturers':

The Wandsworth Prison Disturbances of 1918-19

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Introduction

From 1916 to 1919, nearly a thousand people were admitted to British prisons for being guilty of a new crime, that of being absolutist conscientious objectors.[1] From the start of World War One in August 1914 through to January 1916, the British Army consisted of professional soldiers and well over a million volunteers. By the end of 1915, the large number of casualties and the realisation that the war was going to endure for much longer than originally expected, led to plans for conscription, where all fit men would be expected to perform military service. The Conscription Act was passed by Parliament in January 1916, coming into effect the next month.[2] The act allowed for people unwilling to take up arms to either join the Non-Combatant Corps or to stay as a civilian and undertake work of national importance. Some conscientious objectors, known as absolutists, refused to accept any of these compromises, in the belief that the war was morally wrong and they did not want to contribute in any way, however indirectly, with its prosecution. Typically, the absolutist would be called up to the armed forces, would refuse to accept any orders and would then be court-martialled and sentenced to hard labour in prison. When they completed their sentence, they would be forced to re-join their military unit and the whole cycle would start all over again. Even when the war ended in November 1918 the absolutist conscientious objectors remained in prison, with the government being reluctant to release them while thousands of combatants in the armed forces were still required to serve.[3] By early 1919, many conscientious objectors had been in prison for nearly three years.

A large number of conscientious objectors were held at Wandsworth Prison in London. From September 1918 to April 1919, Wandsworth witnessed ongoing disturbances, mainly involving the large number of conscientious objectors who were kept there. This article will explore the peculiar characteristics of the Wandsworth disturbances, as well as examining their principal causes and probable consequences. It will be based primarily on contemporary sources such as newspaper articles, letters to newspapers and the documents kept by the prisoners. Many of these sources can be found in the scrapbook kept by Thomas Ellison, a conscientious objector prisoner in Wandsworth at this time, with the book now being housed in the Working-Class Movement Library in Salford.[4] Other sources include prison log books, minutes of prison committee meetings and the autobiographies and biographies of both prisoners and prison officials from the period.

The nature of the Wandsworth Disturbances

Several Wandsworth Prison conscientious objectors refused to undertake the hard labour that was part of their sentence and were then punished with isolation in their cells.[5]

It was the next stage of protest that made the Wandsworth disturbances particularly unusual. As a way of defying the authorities who had imposed silent isolation on them, many protestors made every effort to make as much noise as possible. Sometimes this involved traditional forms of prison protest such as banging crockery on cell doors or breaking windows and gas fittings.[6] More unusually, the Wandsworth protest concentrated on producing more intelligent noise, involving songs and lectures, often delivered through broken spy-holes in the cell door and through ventilation grids. One of the most popular 'lecturers' was Guy Aldred, a Glasgow anarchist, whose chosen topics for these 'basement lectures' included Karl Marx, Jesus, Women's Freedom and the Revolutionary Tradition in English Literature. Aldred often had to deliver these lectures with his chin perched on the gas

1. Rae, J. (1970) *Conscience and Politics: The British Government and the Conscientious Objector to Military Service 1916-1919,* London, 201
2. ibid
3. *Daily News* 20/2/1919
4. T. Ellison, *Scrapbook* (compiled between 1916 and 1920), Working Class Movement Library, 51 Crescent, Salford, M5 4WX
5. Caldwell, J.T. (1988) *Come Dungeons Dark: The Life and Times of Guy Aldred, Glasgow Anarchist,* Glasgow, p.165
6. *Visiting Committee minutes for Wandsworth Prison* from 23/12/18, from London Metropolitan Archives ACC/3444/AD/02/002

vent, so that his voice would carry to the other cells. To give him a break from this uncomfortable position, the other prisoners would sing heartily left-wing songs such as 'The Red Flag'.[7] The demands being made by these prisoners were about having time to talk while in prison and to be allowed to write and receive letters.[8] In terms of both the actions of the protesting prisoners and their demands, it was a very intellectual, educated form of protest. Newspapers reported on the events at Wandsworth with interest, as well as with a degree of puzzlement and amusement.[9]

There was disagreement at the time about how many conscientious objectors at Wandsworth were involved in the disturbances and about how united they were about the tactics they planned to use. The government's official investigation into the Wandsworth disturbances suggested that just a small number of agitators were responsible. The report, written by MP Albion Richardson in April 1919, made a distinction between conscientious objectors 'actuated by sincere Christian principles' who refused to join the disturbances and 'anarchists' who instigated the disruption. 'There is a considerable number of conscientious objectors,' the report continued, 'who from the first refused to take part in the disturbance, and have used their utmost effort to prevent it.'[10] Home Secretary Edward Shortt supported this belief that there was division among the prisoners, telling a delegation asking for the release of conscientious objectors in February 1919 that he had received a letter from a conscientious objector in Wandsworth Prison complaining about the conduct of others who claimed to be men of conscience.[11]

It is tempting to dismiss this report as propaganda on behalf of the authorities. It would have served the government well to draw a distinction between genuine people of conscience and 'anarchists' who were intent on destroying all aspects of civilised society. The public would be likely to support tough actions against those causing prison disturbances if they thought that the protagonists were just a handful of trouble-causers whose actions were even opposed by many of the more moderate prisoners.

However, there is evidence apart from the parliamentary report that there were important divisions among the prisoners. This evidence shows that many conscientious objectors had mixed feelings about many of the tactics used by the prisoners at Wandsworth in the disturbance. When some prisoners resorted to damaging their prison cells by smashing glass spy-holes and destroying furniture, many conscientious objectors must have reflected on whether such vandalism was compatible with their usual ideas of non-violence.[12] An article in 'The Spur' in January 1919 revealed some clear tactical divisions among the Wandsworth rebels. 'The Spur' supported the actions of the Wandsworth prisoners and called for support from the wider labour movement, so the article's admission of differences of opinion among the prisoners is credible. Fourteen prisoners were named who had been on hunger-strike plus 'five other hunger-strikers who had not previously been work striking'. Also, eight prisoners were named as 'work and discipline strikers who will not hunger strike on principle'.[13] So there were at least three different groups here — those who would refuse to work but not refuse to eat, those who joined in the hunger-strike but not the work and discipline strike and those who were willing to take both forms of action. It was perhaps inevitable that people imprisoned for their strong principles should carry on upholding clear personal convictions while in prison, with the result that there would always be disagreement among such single-minded individuals.

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According to the biographer of Guy Aldred, one of the leaders of the Wandsworth revolt, 'only about a third of the C.O.s were in revolt' in late 1918.[14] Many of those not involved in the action actually complained to the governor that the protesting prisoners were making so much noise that they could not concentrate on

7. ibid p.169
8. Ibid p.165
9. *The Star* 17/1/1919
10. *Daily News* 10/4/1919
11. *Daily News* 20/2/1919
12. *The Spur* January 1919
13. ibid
14. Caldwell p.167

reading the books that they had now been allowed. One prisoner, Leonard J. Simms, complained about the 'Basement Oligarchy' who were stirring up trouble, distancing himself from their actions.[15] As this information comes from Aldred's biography, a source very sympathetic to the protesting prisoners, it is fair to say that there were genuine divisions among the imprisoned conscientious objectors and it would be wrong to dismiss such suggestions as mere governmental propaganda.

Causes of the Wandsworth Disturbance

Newspaper accounts of the disturbances at Wandsworth Prison date mainly from the early months of 1919. This may lead to the conclusion that the main cause was the demands by the prisoners that they should now be released, as World War One had come to an end with the Armistice on 11 November 1918.[16] There was indeed frustration during this post-war period that the conscientious objectors had not been released, expressed regularly in letters to newspapers and in journals such as the Labour Leader. In February 1919 a deputation from the Labour Party asked for the immediate release of 1,500 conscientious objectors.[17] The government's standard response was that the public would not tolerate the release of conscientious objectors while serving soldiers had not yet been released from their duties. Edward Shortt, the Home Secretary, said that 'there could be no doubt that if men who had fought in the war and were still retained in the Army knew that conscientious objectors were being released and discharged from the Army en bloc a very bitter feeling would be roused'.[18]

There was indeed frustration during this post-war period that the conscientious objectors had not been released, expressed regularly in letters to newspapers and in journals such as the Labour Leader.

However, frustration at not being released after the war could not have been the only reason for the disturbances at Wandsworth. Although the hunger strikes there only began on 1 January 1919, this was just a new tactic in an ongoing strategy of disruption that dated back to at least September 1918.[19] In this month many prisoners began a 'work and discipline' strike, several weeks before the Armistice. They refused to do the hard labour that was part of their sentence and as a result they were placed in solitary confinement, where the prisoners continued to cause as much disturbance as possible.[20] Indeed, as early as 1917, a medical officer at Wandsworth Prison had complained about the 'insolence' and lack of co-operation shown by nearly all the conscientious objectors imprisoned there.[21] So even when the war was still ongoing, the conscientious objectors had never accepted that their imprisonment was justified and they had shown open defiance of the authorities for several years. Other reasons, apart from the end of the war, need to be explored to explain these long-running disturbances.

Could it be that the conditions in Wandsworth Prison were worse than those elsewhere? At first glance it may seem that the conditions there were having an adverse effect on the physical health of the prisoners. The 'English Prisons Today' survey done shortly after World War One said that one in thirteen prisoners at Wandsworth had to receive hospital treatment in the early part of the 1910s.[22] This contrasts with a prison such as Northallerton where only one in 503 prisoners was admitted to hospital.[23] In the same period, there were only two medical officers for the 1,146 prisoners in Wandsworth.[24]

However, the figures at Wandsworth are actually quite typical of large prisons. Elsewhere in London at Wormwood Scrubs there were also just two medical officers for 1,365 prisoners, a worse ratio than Wandsworth.[25] At Birmingham it was a similar ratio,

15. Ibid p.169
16. Brown, A. (2003) *English Society and the Prison: Time, Culture and Politics in the Development of the Modem Prison,* 1850–1920, Rochester, p.161
17. Copy of petition in archives of Working Class Movement Library, Salford
18. *Daily News* 20/2/1919
19. *The Spur* January 1919
20. *The Star* 17/1/1919
21. *Wandsworth Prison Governors' Letter Books,* from the London Metropolitan Archives ACC/3444/AD/08/001
22. Hobhouse, S and Brockway, A.F. (1922) *English Prisons To-Day: Being the Report of the Prison System Enquiry Committee,* London, p.276
23. ibid
24. ibid p.261
25. ibid

with one medical officer for 499 prisoners.[26] Regarding the number of hospital referrals, a large number was not necessarily seen as a negative situation. The number of prisoners receiving hospital treatment at Wandsworth was actually regarded positively by the authors of the 'English Prisons Today' report, who were not typically making an effort to find good features of the prison system. They saw this as a sign of good medical care that provided prisoners with the treatment they needed, contrasting the high number of hospital admissions at Wandsworth with the much lower number at the smaller prisons, where, on average, just one prisoner in 271 was sent to hospital.[27] So it can be concluded that there was nothing particularly harsh about the conditions at Wandsworth in relation to medical care.

At the time, the attitude of the government towards conscientious objectors was seen as a significant reason for the Wandsworth disturbances. As with the Suffragettes earlier in the decade, the government responded to hunger strikes by using force-feeding. Another tactic repeated from the years of dealing with Suffragette prisoners was the use of the infamous 'Cat and Mouse Act', where prisoners were released from prison at a point where their hunger-striking was having very serious effects on their health, only to be re-arrested a few weeks later when their health improved. As with the Suffragettes, these tactics by the authorities resulted in some increased public sympathy for the conscientious objector prisoners. This kind of treatment also seems to have hardened the resolve of the conscientious objectors in prison and made them more inclined to take part in action against the prison authorities. In a discussion about the Wandsworth disturbance in Parliament on 12 March 1919, MP JH Thomas said, 'By the treatment meted out to them, the Government were turning many honest Christian men into rebels'.[28] So the government's policies towards the conscientious objectors in prison could have been a contributory factor in motivating prison disturbances.

However, the most important cause of the Wandsworth disturbances was probably the boost they gave to the morale of the participants. It is highly likely that many conscientious objectors at Wandsworth took part in the disturbances because of the positive effect it had on their mental wellbeing. Although they would not necessarily have expressed their actions in these terms, there is evidence that being part of communal agitation against the prison authorities created strong positive feelings. For those campaigning for the release and better treatment of conscientious objectors, concerns about mental wellbeing were a high priority. Most of these 'political' prisoners were accustomed to working lives and other activities where they would be involved in intellectually stimulating discussions, especially in the meetings related to political activism, as a member of the Independent Labour Party or the No Conscription Fellowship, for example. When they were placed in isolation in prison as a punishment for refusing to do hard labour, the absence of conversation and intellectual stimulus must have been very difficult to tolerate. An article in 1917 described 'the nerve-wrecking, soul-destroying torture' endured by the conscientious objectors in these circumstances.[29] A visit by a Quaker to a prison in the same year was designed to show the value of 'human fellowship to these lonely men'.[30]A chaplain called Maurice Whitlow was concerned that several conscientious objectors in isolation appeared to be 'nervous wreck[s]' and suffering from 'mental breakdown'.[31]

However, the most important cause of the Wandsworth disturbances was probably the boost they gave to the morale of the participants.

Historian Victor Bailey has suggested that the requirement that punished prisoners should be silent was the most difficult condition for them to bear. 'If some conscientious objectors complained about the semi-starvation diet, some the intense cold, and some the monotony of sewing post office mailbags, all conscientious objectors bore witness to the silence rule as the most arduous of all prison regulations.'[32] The requirement that prisoners stayed silent for most of the day — or all the time if they were being punished for breaking prison rules — was very difficult for people who had been active in political and social activity before their imprisonment. Most of the conscientious objectors imprisoned in Wandsworth had been engaged in jobs and charitable work where intelligent conversation with other people would have been a

26. ibid
27. ibid p.276
28. *Daily News* 12/3/19
29. *Christian World* 31/5/1917
30. ibid
31. *Daily News* 30/1/1919
32. Bailey, V. (2019) *The Rise and Fall of the Rehabilitative Ideal, 1895-1970,* Abingdon, p. 25

continual feature of everyday life. Chaplain Maurice Whitlow noted that five of them had been 'well-known in religious, social and philanthropic work', four were school teachers, three were trade union leaders and three were artists, two of them having exhibited in London exhibitions.[33] For these people, the lack of social interaction and intellectual stimulus must have been particularly difficult.

Nor was there any outlet for intelligent and articulate discourse through letter writing. Prisoners were only allowed very limited written communication with the outside world in the early part of their sentence. The standard 'letter' read 'Dear _____ , I am now in this Prison, and am in _____ health. If I behave well, I shall be allowed to write another letter in about _____ and to receive a reply, but no reply is allowed to this.' A surviving filled-out version of this template, written by Thomas Ellison while in Wandsworth, says that his health was 'good' and that he would be permitted to write again two months later.[34] There must have been a substantial sense of frustration for educated prisoners with high levels of literacy that they were only able to write three or four words every two months. The combination of being silenced in terms of both pen and tongue was particularly hard to bear.

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In this context, the demands of the protesting prisoners at Wandsworth are very revealing about the motivation behind the disturbances. Most of the demands had a clear focus on improvements that would relieve the mental stress of the prisoners rather than their physical conditions. At some point in October or November 1918, the striking prisoners asked for the release of their leaders, who had been confined to their cells, the resumption of letters, visitors and books, plus the permission for prisoners to talk for one or two hours per day.[35] There were no demands here for better food, sleeping conditions or facilities within the cells, items that make their physical situation easier. Instead the prisoners were asking for social interaction and intellectual stimulus, things that would alleviate their mental and emotional wellbeing.

In these circumstances, the opportunity to mix socially with other prisoners in collaborative attempts to defy the authorities must have been very tempting. Even when in isolation, the prisoners seemed to enjoy devising ingenious attempts to be able to communicate with each other. In Wandsworth many prisoners in isolation broke the spy-glasses in the door of their cells, not as a mindless piece of vandalism but 'to push the cover round to see and to hear one another speak'.[36] This feeling of communal solidarity between the prisoners and the positive effects of it on their mental wellbeing was summed up by George Bayley, a prisoner writing in The Spur in January 1919. Talking about the spontaneous concerts and lectures with which the prisoners amused themselves he said, 'The feeling of comradeship which animates the work and discipline strikers is very real and deep'. He added that, wherever he would be sent for his next sentence, 'I will always remember my Wandsworth colleagues, and stand by them in the strike to the last ounce of fight that is in me.'[37] These powerful feelings of collaboration and mutual support, brought about by sharing in the disturbance, were a strong antidote to the policies of silence and isolation practised by the prison authorities. Even if the songs, lectures and other means of displaying disobedience achieved very little in the short-term, these collective acts of defiance served as an end in themselves, making the prisoners feel much stronger mentally just by taking part.

Consequences of the Wandsworth disturbance

The most immediate consequence of the Wandsworth disturbance was repression and a harsher tone from the government. At first the reaction of the authorities was to confront the conscientious objectors at Wandsworth aggressively. A new governor, Blake, was appointed in February 1919 and it soon became clear that his strategy was to aim to humiliate and provoke the conscientious objectors.[38] Even while he was being shown round Wandsworth Prison prior to taking up his duties Blake had launched a verbal attack on conscientious objector prisoners. A prisoner called Harris was 'shouted and raved at' by Blake, even though none of the prisoners knew at this point that he was the new governor. When Harris responded 'mildly' but perhaps sarcastically with 'Thank you, thank you, sir', this sent Blake into 'a mad frenzy', resulting in the

33. *Daily News* 30/1/1919
34. Original letter from archives of Working Class Movement Library
35. Caldwell p.165
36. Letter to *The Spur* by George Bayley, January 1919
37. ibid
38. Major Wallace Blake. (1926) *Quod,* London, p. 173
39. *Daily News* 10/3/1919

prisoner being taken to the punishment cells and put in handcuffs.[39] This was just the first of many instances of Blake insulting the conscientious objectors and making his contempt for them clear.[40] It was also reported that Blake had paraded 50 conscientious objectors around the prison, proclaiming 'I will not have these stinking C.O.s mixed up with respectable men.'[41] Even though Blake denied any mistreatment of the conscientious objector prisoners, he did admit that he had broken the prison rules by swearing at them.[42] So the immediate consequence of the Wandsworth disturbance was for the authorities to inflict further repression and humiliation on the imprisoned conscientious objectors there.

However, this tactic of confrontation did not last long and by April 1919 Governor Blake had gone, with a parliamentary investigation undertaken into his short but turbulent governorship. Although the Home Secretary refuted several allegations against Blake in Parliament and the prisoners were blamed for the escalation of tension while Blake was governor, the government did start to pursue a more conciliatory line with the imprisoned conscientious objectors from the spring of 1919[43]. In January 1919, Winston Churchill became Minister of War. He took a pragmatic view that the further detention of the conscientious objectors in prison would only exhaust and divert the resources of the authorities, so he started to argue in cabinet that they should be released. On 3 April 1919 government announced that all conscientious objectors who had served at least two years in prison should be released.[44] By August 1919, all conscientious objectors had been let out of prison.[45]

It could be argued that the Wandsworth disturbances had longer term consequences for the treatment of conscientious objectors. Twenty years later the Second World War broke out and Britain introduced conscription right from the start this time. Winston Churchill, the Minister of War who had overseen the latter part of the Wandsworth disturbances in 1919, became Prime Minister a few months into the second conflict. He was determined that conscientious objectors would be treated more humanely than they had been in World War One.[46] This determination was carried through by the authorities despite the fact that popular suspicion of conscientious objectors was often as strong in the 1940s as it had been in the 1910s.[47] A wider range of options was provided for the conscientious objector, enabling them to stay out of prison. Neville Chamberlain, Prime Minister at the start of World War Two and a member of military tribunals in World War One, said that lessons had been learnt from the previous conflict, such as that 'it was an exasperating waste of time and effort to attempt to force such people to act in a manner that was contrary to their principles'.[48] The Wandsworth disturbances had been a prime example of the consequences of lots of vain effort by the authorities to enforce active universal conscription.

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Did the experiences of imprisoned conscientious objectors at Wandsworth and other prisons have any impact on prison reform in the years following World War One? As the first conscientious objectors were released in April 1919 there was an air of optimism that the case for reform would be argued potently by this very articulate and vocal group of former prisoners. This point was made by E. Hughes of Glamorgan in a letter to the Daily Herald on 15 April 1919. He had been in prison for three years. Hughes said that 'over 600 men with long practical experience of prison conditions are now at liberty to give abundant evidence....facts can be brought forward to show that a radical alteration is necessary in the entire system.'[49] Over the next three years Stephen Hobhouse and Fenner Brockway worked on compiling this 'abundant evidence' from their own

40. *Daily Herald* 8/5/1919
41. *Daily News* 7/3/1919
42. Major Wallace Blake. (1926) *Quod, London*, p. 176
43. *Daily News* 7/3/1919
44. *Daily News* 4/4/1919
45. Rae, *Conscience and Politics,* p.233
46. Rae, Conscience and Politics, p.240
47. Luckhurst, T, "The vapourings of empty young men": Legacies of their hostility between 1916 and 1918 in British newspaper treatment of conscientious objectors during the German blitzkrieg of 1940' *in Journalism Studies* Volume 17, 2016 - Issue 4
48. Ibid p.242
49. *Daily Herald* 15/4/1919

experiences of being imprisoned as conscientious objectors and from interviewing others who had seen prisons from the inside during the war. Hobhouse and Brockway published their detailed findings in 1922 in a weighty volume called 'English Prisons To-Day: Being the Report of the Prison System Enquiry Committee'.[50]

According to Victor Bailey, the 'radical alteration' to the prison system expected by E. Hughes of Glamorgan did not materialise. With reference to the decade or so following the Wandsworth disturbances, Bailey says that 'the pace of penal change remained decidedly halting'.[51] An example of this was that solitary confinement, perhaps the most hated aspect of prison life for the conscientious objectors, was only abolished completely in 1931.[52] However, there were several significant changes to the prison system in the 1920s. Solitary confinement was abolished in 1924 for all except prisoners sentenced to hard labour. The 1931 reform simply extended this provision to all prisoners. From 1922 prisoners were allowed to talk to each other and to the warders while working and the silence rule was abolished completely in 1926.[53] Books were allowed for prisoners and in some prisons there were regular lectures and concerts.[54] The annual reports of the Prison Commission in both 1924 and 1925 talked about restoring 'ordinary standards of citizenship' to prisoners.[55] In terms of both practical measures and the tone of its aims, the authorities were clearly addressing many of the aspects of prison life that the Wandsworth prisoners had hated so much. The fact that prison reform did make an impact in the 1920s can be seen by the resistance to these changes shown by former prison governor Lieutenant Colonel Rich in his 1932 autobiography. Rich, governor at Wandsworth in the 1920s, derided the 'impractical idealists' who had introduced 'classes, visitors, concerts, lectures and similar amenities' in the 1920s.[56] The Wandsworth prisoners from 1918-19 would have been pleased to see that the unofficial classes, concerts and lectures they had instigated as part of their protest had become an official part of mainstream prison life within the next ten years.

Conclusion

The strong-minded individualism of many of the imprisoned conscientious objectors and the internal divisions within this group mean that it is difficult to assign simple motives to those involved in the disturbances at Wandsworth in 1918 and 1919. However, the actions taken were largely consistent with the idea of defying the silence and solitude the prisoners were expected to endure. Those taking part in the disturbances did this partly as a protest against their detention and the conditions of their confinement but perhaps mainly because the alternative, of accepting the imposed lack of companionship, would have been too much for their minds and hearts to bear. The authorities' attempts to repress the Wandsworth disturbances failed and rebounded, so that in the end the only answer was to release the conscientious objectors from prison ahead of the original schedule. Within a decade or so, the mental and emotional punishments that the Wandsworth prisoners had challenged the most had been removed from the British prison system forever.

50. Hobhouse and Brockway, *English Prisons To-Day*.
51. Bailey, V, 'English Prisons, Penal Culture, and the Abatement of Imprisonment, 1895-1922' in *Journal of British Studies,* Vol. 36, No. 3 (Jul., 1997), p. 301
52. ibid
53. Ibid pp.300-301
54. Brown, A, 'Class, discipline and philosophy: Contested visions in the early twentieth century' in *Prison Service Journal,* March 2011, No. 194, pp.4-5
55. Bailey, 'English Prisons', p. 301
56. Rich, C.E.F. (1932) *Recollections of a Prison Governor,* Plymouth, p.253

A forestalled campaign and a forgotten tragedy: the prison suicide of Edward Spiers in 1930[1]

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There can be few documents as emotive and unsettling as a suicide note or letter. Even if the contents are brief or matter of fact, the knowledge of what followed the writing of that document is likely to make any of us reflect on the quality of mortality. Their importance is enhanced by our awareness of the intensity and consequences of the moments in which they were written. When written on scraps of paper or even toilet paper, as was the case with the notes left by Ernest Collins, a prisoner who committed suicide in Dartmoor Prison in 1934, the ephemeral nature of those materials seems to increase their tragedy. Ernest Collins was found dead in his cell on 27 November 1934, shortly after he was informed his appeal against a prison sentence and corporal punishment (often referred to as flogging) had been rejected. His suicide notes make it clear he had been distressed at the thought of being flogged.

'The strain has now finished off my heart which was bad before and I feel if I lived through the beating, I would die before all these years go by for I have felt very sharp pains over my heart to just below the shoulder at left at back — my head goes just like a clock before it strikes and I shake awful then. It's no good complaining with this sentence hanging over me as I don't say all I feel…The Policeman in my head keep lashing me every night…My head is awful with all this worry and I think it might go back on me any minute. I try to hide what is really the matter with it from the Doctor — I don't tell him all… — I cannot rest or sleep — keep starting up feeling the lash across my body — my mind's in agony — God help me.'

The verdict of the coroner's court was that he had hanged himself while in 'a state of unsound mind'.

These scant records of the last remaining hours or minutes of someone who was about to take their life offer strong material for cultural history. The associations and judgements made about these tragic actions at the time, and those who committed them are reflected in the language used to describe, discuss and record them. Historically, they reveal the darkest aspects of human experience. Occasionally, these tragic acts take on broader meaning and importance. The suicide of Ernest Collins became politicised and the central evidence in a debate, which reached into the House of Commons, about the use of corporal punishment as a sentence of the court. Much less was said about the use of corporal punishment by prison authorities for offences committed in prison. This suicide resulted in an investigation by the Prison Commission but failed to directly instigate a Parliamentary investigation although, as I suggest elsewhere, it was an important driver behind campaigning by the Howard League against flogging as a penalty of the court which resulted in the establishment of the *Departmental Committee on Corporal Punishment* in March 1937.[3] Ultimately, Rose asserts, that Committee's recommendations (finally implemented as a result of the 1948 Criminal Justice Act) were 'virtually the death warrant of corporal punishment outside prisons.'[4] The ability of a prison's visiting justices in England and Wales to order the birch or cat (flogging) for prisoners was not affected. That power was retained until 1967 (but last used in 1962).

1. An earlier iteration of the ideas in this article appeared in *Exchanges*, the blog site of the Social History Society, on 17 September 2018 https://socialhistory.org.uk/shs_exchange/suicide-and-the-fear-of-flogging/. It has been developed and used here with their kind permission.
2. The National Archives HO144/19791.
3. Brown. A. (2018) 'The sad demise of z.D.H.38 Ernest Collins, suicide, informers and the debate on the abolition of flogging', *Cultural & Social History* Vol.15 (1): 99-114.
4. Rose. G. (1961) *Struggle for Penal Reform*. Stevens & Sons Ltd, London, pp.211-212. In fact, consequent legislation was delayed by the war and the recommendations of this Committee were not carried through until the *Criminal Justice Act* of 1948, 11 & 12. Geo.6, ch.58.

This article looks at another prison suicide that occurred a few years before that of Ernest Collins. There are similarities between the two, for example, they both attracted a lot of press attention because of the link made between the penalty of flogging and the suicide. Indeed one article observed, while getting Spiers' name wrong, that 'No more vivid example of how a single untoward act can excite the public conscience could be adduced than the recent suicide in Wandsworth Gaol of James Edward Spires [sic].'[5] On 31 January 1930, James Edward Spiers was sentenced at the Old Bailey to 10 years' penal servitude and 15 strokes of the cat-o-nine-tails for robbery with violence. The cat-o-nine-tails was an instrument used for flogging adults, which had nine leather knotted straps attached to a handle and its use in the English criminal justice system had a long history. On 3 February 1930, aged only 37-year-old, Edward Spiers committed suicide in Wandsworth Prison by making a fatal leap from his first-floor cell headfirst onto the floor below. He had been in prison before on multiple occasions and been the subject of previous press attention for his first serious offence, the theft of nearly £2000 from Coventry Post Office in 1914, the proceeds of which were later discovered by the police to have been cemented up in boxes beneath the stairs of his uncle's house.[6] In 1930 the Governor of Wandsworth described him as an 'old prisoner'.[7]

In 1930 James Spiers died immediately as a result of his fall due to a compound fracture of the skull. In a morbidly dramatic way his death was reported, on multiple occasions, with a heading 'Dive to Death' or 'Fatal Leap'. Early reports suggested he had actually been on his way to being flogged when he plunged over the balcony. 'ON HIS WAY TO RECEIVE HIS PUNISHMENT' the *Lancashire Evening Post* announced 3 Feb 1930. It was the link to his sentence of flogging that gained this tragedy an exceptional level of public attention. Other suicides in prison such as that of Frederick Beeden in Wakefield Prison or William Arthur Curtis in Armley Prison, Leeds, attracted a press article or two and a mention in the reports of the Prison Commission but little more, although all prison suicides were subject to a coroner's inquiry.[8]

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However, by 5 February it was reported that his impending penalty of flogging was not the cause of Spiers' suicide. The *Illustrated Police News* (13 Feb 1930) and others reported a statement from his wife that Spiers had said to her, 'I don't mind the flogging; it's the ten years I object to.' The *Exeter and Plymouth Gazette* (4 Feb 1930) said that he had told his wife, 'Don't you worry, kid. If I have to go through it I am quite prepared.' The coroner's jury returned a verdict that 'Spiers met his death through jumping from a height, and that he killed himself during temporary insanity brought on by thought of his long term imprisonment.'[9]

Early coverage shows how receptive the press was to interpret Spiers' suicide as caused by fear of flogging. Some newspapers were especially alert to stories about flogging. In a few articles, Spiers' suicide was used to condemn flogging as primitive, 'DRASTIC TORTURES OF THE MIDDLE AGES'.[10] The *Daily Herald* (5 Feb 1930) quoted George Bernard Shaw, a socialist playwright, as stating that every 'flogging judge', 'ought to have two or three dozen himself to bring him to understand'. 'It was difficult, he went on, to speak without disgust, of a state of society in which such a thing was allowed.' The *Western Daily Press* (4 Feb 1930) asked in a headline, 'SHOULD 'CAT-O-NINE-TAILS' BE ABOLISHED? It then quoted

5. *The Sphere* 22 February 1930.
6. *Coventry Herald* 7 February 1930
7. *Sheffield Independent* 6 February 1930
8. For example, *Sheffield Daily Telegraph* 19 March 1930)
9. *Illustrated Police News* 13 Feb 1930
10. *Hartlepool Northern Daily Mail,* 5 Feb 1930)

Cecily Craven and Marjorie Fry of the Howard League, a prison reform society. Fry referred to flogging as a 'barbarity' and 'degrading' and observed, 'I sincerely hope this terrible event may hope to bring England into line with the many other countries which have entirely abolished flogging as a legal punishment'.

Lieut.Col. Rich, who was Governor of Wandsworth Prison, later recalled Spiers' death in his memoir, *Recollections of a Prison Governor*.[11] Rich was a supporter of corporal punishment, critical of the stir the case caused in the press and, it has to be said, not sympathetically inclined to the emotive tragedy of the case at the centre of the controversy. He imagined there was 'a perfect rush to the newspaper offices' to sell the story that the 'poor fellow had been on his way to be flogged and had torn himself loose and committed suicide rather than undergo the degrading performance. People fell over themselves in their haste to write letters to the Press.' After investigation, 'the matter whittled down, evidently, to its being the long sentence that he funked [sic], not the 'cat''.

In many ways, the suicide of Edward James Spiers was primed to be the central case taken up by anti-flogging campaigners to drive through political action on the issue. However, when the link between Spiers' sentence of flogging and his suicide became weak, particularly when his own wife suggested to the coroner's court that his tragic act was not caused by his impending corporal punishment but by the long prison sentence, momentum was stalled. Instead it was the case of Ernest Collins in 1934, who, according to his suicide notes, did commit suicide because of his fear of flogging, that was to be an important part of reformers' campaigns and the abolition of corporal punishment for adults.

11. (1932), Hurst & Blackett, London, p.219

Revisiting the Borstal experiment, c. 1902-1982

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Introduction

Young adult prisoners have long been perceived as a problem for both society and government. Historically, they have been over-represented in prisons and their re-offending rates are high. Recent inquiries have found that this group of offenders and prisoners remain a significant and ongoing problem for government and have recently been considered a neglected group in the penal system.[1] The Borstal system for young adult offenders (17-21 years, later raised to 23) dominated the penal landscape for most of the twentieth century. The Borstal experiment lasted for over 80 years and yet remains a blank spot in the history of criminal justice and incarceration. The institutions that sprang up have received surprisingly little examination by crime historians. In the decade or so before its abolition in 1982, the system was often depicted as 'violent and oppressive, its staff callous and cruel'.[2] But in its early years, in theory, it offered a beacon of hope for young adult offenders in the early twentieth-century custodial sector. Nevertheless, there has been no full history of the institution from the opening of the first borstal in Rochester, in 1902, until the abolition of the system in 1982. This short article will outline the establishment and development of the borstal system and consider some of the enduring themes to be revisited in an ongoing substantial history of the borstal system. It will consider the distinct stages of its evolution, and the changing practices which ultimately led to its demise in the 1980s.

Setting up the borstal system

Borstal was intrinsically linked to the juvenile penal estate, which in the late nineteenth and early twentieth centuries was composed of the reformatory school system, the semi-penal industrial schools, and some juvenile wards in the adult prison system. The reformatory schools, and what was perceived as their general success, was key in the debates about young adult prisoners at the 1895 Prison Committee, popularly known as the Gladstone Committee. At this Committee the problem of 'young adult prisoners', those aged between 16 and 21, was recognised. As the judicial statistics from 1893 demonstrated, young adult prisoners accounted for a significant amount of the penal population (they were the second highest group below the 21-30 year-olds, who accounted for the largest proportion of offenders).[3] The Committee commented on the shortness of sentences for this class of prisoner, and in contrast advocated a longer sentence to enable a better reformatory experience. It also recommended that the (maximum) age of admission to reformatories should be raised from 16 to 21.

Central to this Committee, was the role of the Prison Commissioner, Sir. Evelyn Ruggles-Brice, who really became the architect of the new system which was to be aimed at those slightly older youths who fell outside the jurisdiction of the reformatory schools. At this stage there was not yet a clear commitment to build a separate young adult estate, but it was suggested that certain reformatories could be set aside for lads and girls according to age and character.[4] Ruggles-Brise believed that an institution should be established that was:

> *…a half-way house between the prison and the reformatory. Situated in the country with ample space for agricultural and land reclamation work. It would have penal and coercive sides…but it should be amply provided with a staff capable of giving sound education, training the inmates in*

1. Allen, R. (2013) *Young Adults in Custody: The Way Forward,* https://www.t2a.org.uk/wp-content/uploads/2013/11/T2A-Young-Adults-in-Custody_V3.pdf
2. Canton, R. & Hancock, D. (2007), *Dictionary of Probation and Offender Management.* Cullompton, Willan, p. 29.
3. *Eighteenth Report of the Commissioners of Prisons* and the Directors of Convict Prisons (1895), p. 29.
4. DCP, 1895, p. 30.

various kinds of industrial work, and qualified generally to exercise the best and healthiest kind of moral influence.[5]

The first 'experiments' were established in Bedford Prison (1900) and Rochester convict prison at Borstal village (1902), which gave the system its name. The borstal sentence was enacted in 1908 by the Prevention of Crime Act, aimed at youths aged 16 — 21 with previous convictions and/or identified as having criminal habits or tendencies. As Ruggles-Brice noted in a 1900 letter to the Secretary of State:

…the proposal is to deal systematically with the young ruffian, the hooligan of the London streets, the callous and precocious young criminal on whom the present system of treatment in prison makes no impression, and who graduates through a succession of short local sentences into a fixed career of habitual crime.[6]

The records of the Borstal Association contain personal files for a number of former-Borstal boys.[7] The earliest Home Office case-files date from 1908 and include the records of 100 or so boys who entered Rochester Borstal in the years leading up to the First World War. Most of these boys went to the front, and many of them died at the front, or subsequently of injuries sustained in combat. A deliberate policy of releasing young prisoners to serve in the war had been instituted early in the conflict. In the Report of the Prison Commissioners for 1916, it was noted:

Since the outbreak of war, about 1,000 ex-Borstal lads are known to have joined the Forces. Two have been awarded the Distinguished Conduct Medal, 91 have received non-commissioned rank, while notification of death has been received in 37 cases. Including charges of desertion and minor offences, only 96 have been reported upon unsatisfactorily. As regards the 201 lads discharged direct to the Army from Borstal Institutions this year, only 7 have provided unsatisfactory; the remainder, 96 per cent., are doing well.[8]

How many boys actually went to war from the early Borstals, and how many died, we have yet to confirm. In his book, Boy Soldiers of the Great War, Richard Van Emden noted that of the 336 boys released from Borstal institutions in March 1915, 150 were in the forces, and some 600 former borstal boys were known to be serving overall.[9] In fact Feltham Borstal would be closed due to low numbers in February 1916, presumably because of the declining male crime rate during the war, and the fact that youths were being diverted into the forces.[10]

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These boys include Richard Whall.[11] Richard was convicted at the Essex Quarter Sessions in July 1912 at the age of 17, having stolen a bicycle. He had held down a job as an errand boy for a while but had left his job after falling out with his father, whom the records state, 'was always swearing at him'. He had also helped his father with his boot-shining business. He received a three-year sentence in borstal, where the Chaplain described him as 'quite a nice lad, but not robust, especially in character'. During his time in the prison he seems to have knuckled down, and he was discharged into the care of his father in early March 1915. A week later the borstal agent, Mr. McKenna, received a letter from Richard stating that he would prefer to join the army,

5. Ibid., p. 20.
6. The National Archives, Kew (hereafter TNA) TNA: HO 45/10046, letter to Sir Digby by Ruggles-Brise, dated 30 June 1900. Cited in Menis, S. (2012), 'More Insights on the English Borstal: 'shaping' or just 'shaking' the young-offender?', *International Journal of Criminology and Sociological Theory,* 5/3, pp. 985-998, p. 990.
7. TNA HO247, 1905-1977.
8. 1916 [Cd. 8342] *Report of the Commissioners of Prisons and the directors of convict prisons, with appendices.*, pp. 14-15.
9. Van Emden, R. (2005), *Boy Soldiers of the Great War.* Headline Book Publishing, p. 138.
10. *The Times,* 19 February 1916, p. 5.
11. TNA: HO247/71, Case-file, Richard Whall.

and he had enlisted in the Essex Regiment. He thanked Mr. McKenna for his help and wrote that he hoped that he approved of his actions. During 1915, Mr. McKenna kept in touch with William, receiving a letter from him in May, which noted that he'd 'not touched a drop of drink since he'd been in the army'. The Borstal Association wrote to William 'for news' in late May and July; finally, in August, they received news from his parents that he'd been killed in action. A newspaper cutting from the *Essex County Standard*, with a picture of William in his uniform, is clipped to the file, and tells us that William was killed at Gallipoli on the 5th August. He was aged twenty.

The sacrifice of the Borstal boys remains a little-known story of the Great War that deserves to be remembered, although it should be said that the war service of these boys did not go completely unrecognised as we've seen from the 1916 Prison Commission. The Commission also received testimony from the Borstal Association, which had kept in touch with ex-prisoners serving in the Forces, a testimony from the Visiting Committee of Bristol Prison, which had a Modified Borstal System, commented: 'If one fact stands out more clearly than another as a lesson of the War, it is the magnificent material of which the working-class of this country is composed'.[12]

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Development of the interwar borstal

The early system came under a fair amount of criticism, mainly that borstal was little different from mainstream prisons. However, the critics of the early borstal system, would be appeased in the later 1920s, when the influence of the new Prison Commissioner, the iconic penologist, reformer, and youth worker, Alexander Paterson is seen has having had a profound impact on social policy in interwar Britain. Paterson's modifications to borstal referred to the adoption of a 'moral system', which included physical training, extended education, sports, and the introduction of the house system — which was based on the belief that youths should have an allegiance and identity shaped by their house, and by loyalty to their house master — emphasising the 'personal influence of the members of staff upon the boys'.[13]

By the mid-thirties there were eight borstals; The two earliest borstals for male prisoners were Rochester, and Feltham in west London, which was founded in 1910. In 1909, Aylesbury Women's Prison became a borstal for girls. In the 1920s and 30s there was an expansion of the borstal system, with the opening of Portland (1921), Sherwood (1932) and Camp Hill, on the Isle of Wight (1931), and the two open borstals, Lowdham Grange (1930) and North Sea Camp (1935). These institutions specifically catered for borstal youths. Some, like the open borstals, were purpose built. Others, like Aylesbury (a women's prison) and Feltham (an industrial school), had previous incarnations as institutions. Other types of borstal experience were established in mainstream adult prisons. Borstal Allocation Centres, also known as Reception Centres, selected trainees for open and closed institutions. Unsurprisingly, open borstals were reserved for youths who were believed to have the most potential to respond to borstal training. By 1946 there were three Borstal Allocation Centres, within Wandsworth and Wormwood Scrubs in London, and at Feltham borstal in Middlesex.[14] There was also a purpose-built centre at Latchmere House in Kingston-upon-Thames. There were also Recall Centres, which according to former Prison Commissioner, Lionel Fox, were 'for the further training of those who have to be brought back, since it is on many grounds undesirable for these failures to mix with the ordinary trainees'.[15] The Recall Centre moved around a number of mainstream prisons up to the Second World war, including Canterbury (1911-23), Wormwood Scrubs (1923-31), and Wandsworth (1931-40). From 1948 Portsmouth Recall Centre was

12. 1916 [Cd. 8342] *Report of the Commissioners of Prisons and the directors of convict prisons, with appendices.,* pp. 13-14.
13. Bailey, V. (1987), *Delinquency and Citizenship: Reclaiming the Young Offender,* 1914-1948. Oxford, Clarendon, p. 198
14. Hood, R. (1965), *Borstal Re-assessed.* Heinemann, p. 225.
15. Fox, L. W. (1952), *The English Prison and Borstal Systems.* Routledge & Kegan Paul, p. 397.

the first purpose-built Recall Centre. Finally, some mainstream adult prisons also had borstal wings, including Liverpool, Wormwood Scrubs, Durham, and Holloway women's prison.[16]

During this period of expansion, the borstal has been argued to have been a considerable success in achieving the rehabilitation of its youthful inmates. This has been generally associated with the stewardship of Alexander Paterson, during his time as Prison Commissioner, and in particular, the introduction of the house system. In 1973, reflecting on the more recent fortunes of the borstal system, John Warder and Reg Wilson noted:

> *During the 1930's Borstals appear to have enjoyed outstanding success, rehabilitating a claimed 70 per cent of trainees. During this period the house-master system, promoted by Alexander Paterson and self-consciously modelled on the English middle-class 'Public School' (i.e.,. private), clearly responded to many of the needs of the overwhelmingly working-class boys.*[17]

However, other contemporaries were rather less sanguine about the training on offer. For example, the Reverend Digby Bliss Kittermaster, who was the chaplain at Rochester Borstal from 1937, kept a diary (from 1938) in which he recorded his interactions with the inmates and the staff.[18] As Melanie Tebbutt has shown in her study of Kittermaster's diary, he was very aware of the many contradictions of the system, and often critical of some of the rhetoric which underpinned it. Moreover, he was frequently frustrated in the limitations put on his pastoral role and wrote about the poor psychological state of many of the inmates as well as the punitive and often brutal regime that underlay the rhetoric of public-school ideals.[19]

Borstal in Post Second World War Britain

The post second world war was a period when young male adults were subject to intense scrutiny. As Louise Jackson as argued, between 1945 and 1970, a primary object of surveillance and intervention by the police and state agencies was the white working-class adolescent; this is equally true of those young adults caught between the conflicting states of adolescence and full-adulthood within the Borstal system.[20] It was also a period during which such youth would become of increasing interest to academic investigations into delinquency and crime.[21] The academic study of Borstal youth seems to have provided a golden opportunity to address and measure key questions about crime, background and environment, and recidivism. It is no coincidence that this was an era of significant experimentation in Borstal institutions; Borstal inmates were a captive test group who could be subject to study by various psycho-metric, bio-metric and socio-metric approaches.[22] This wasn't entirely new but post-war growth of sociology in universities was crucial to the contemporary understanding of penality.[23]

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In this period, the social and cultural role of borstal would also undergo some transformation. In part that was due to a greater visibility of the borstal

16. Ibid.
17. Warder, J. and Wilson, R. (1973), 'The British Borstal Training System', *The Journal of Criminal Law and Criminology,* 64/1, pp. 118-127.
18. Tebbutt, M. (2019), 'Questioning the Rhetoric of British Borstal Reform in the 1930s', *Historical Journal* (in press).
19. Ibid.
20. Jackson, L. (2014), *Policing Youth: Britain* 1945-1970. Manchester University Press.
21. For example, Rose, A. G. (1954), *Five Hundred Borstal Boys,* Basil Blackwell; Gibbens, T. C. N. (1963), *Psychiatric Studies of Borstal Lads.* Oxford University Press; Stratta, E. (1970), *The Education of Borstal Boys: A Study of Their Educational Experiences Prior To, and During, Borstal Training.* Routledge & Kegan Paul; Hood, R. (1966), *Homeless Borstal Boys: A Study of Their After-care and After-conduct.* Bell.
22. Taylor, A. J. W. (1968), 'A Search Among Borstal Girls for the Psychological and Social Significance of their Tattoos', *The British Journal of Criminology,* 8/2, pp. 170-185; Kahn, J., Reed, F. S., Bates, M., Coates, T. and Everitt, B. (1976), 'A Survey of Y Chromosome Variants and Personality in 436 Borstal Lads and 254 Controls', *British Journal of Criminology,* 16/3, pp. 233-244; Hollin, C. R. and Wheeler, H. M. (1982), 'The Violent Young Offender: A Small Group Study of a Borstal Population', *Journal of Adolescence,* 5, pp. 247-257
23. For example, the (later discredited) work on delinquents by the psychologist Cyril Burt in the interwar period, Burt, C. (1925), *The Young Delinquent.* University of London Press.

experience in popular culture. The Irish playwright Brendan Behan's, *Borstal Boy* (1958) stands as the most significant personal account of the borstal experience in twentieth-century Britain. Alan Sillitoe's *The Loneliness of the Long-Distance Runner* (1959), was the title story from a short-story collection, which would later be adapted into one of the most iconic films from that period. *The Loneliness of the Long-Distance Runner* wasn't the first film to depict the experience of borstal. In 1949, Gainsborough Pictures released the prison drama, *Boys in Brown*, starring Richard Attenborough, Dirk Bogarde and Jack Warner. However, the film's depiction of borstal youths contained little critique of the system, and in contrast reflected a nostalgia for the interwar period, the essential decency of Jack Warner's Governor echoing the masters of the Paterson-era Borstal.

Yet by the 1950s the borstal system was under strain, with more and more youths being filtered into a much less selective system.[24] This may have been a reflection of the growing concerns about juvenile delinquency. Post-war panics about youth crime emerged in Britain in the late 40s and 50s; anxieties about crime were further fuelled by the growth of new markets for teenagers and growing consumption by young people.[25] In Britain teenagers who had 'never had it so good', spent their money on records, cinema, clothes and other teenage paraphernalia, much to the distrust of their elders who believed that this had contributed to the increase in youth delinquency. The young adult prison population rose in the 1950s, leaving the existing system heaving under the strain. For example, at the Annual Conference of the National Association of Probation Officers in April 1959, it was reported that 'the Borstal population had risen from 2,800 at the beginning of 1956 to 4,400 at the end of 1958, an increase of 57 per cent'.[26] New borstal institutions such as Everthorpe in East Yorkshire, and Wetherby (a former Naval Base), both of which opened as borstals in 1958, were established as a response to the expanding numbers of inmates. Yet within a few years borstal would be seen as a failing institution.

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By the 1960s, the increasing pressures on the system would be reflected in more critical cultural representations. Between the wars absconding had been a significant issue.[27] However, from the 1940s accounts of violent disorder in borstals would notably increase. For example, in 1945 there were disturbances at Aylesbury girls. The Labour Home Secretary James Ede told the House of Commons, 'The disturbance at Aylesbury was at the Borstal Institution and consisted of a display of indiscipline by 19 girls out of a population of 235. The incident was dealt with by turning the fire hoses on the offenders, who have since been removed to Holloway and punished'.[28] In 1949 a riot at Sherwood borstal involving 200 boys, resulted in the stabbing of a warder; the previous year, in November 1948, a Sherwood inmate had murdered the matron, 46 year old Irene Phillips; 21-year-old Kenneth Strickson was found guilty and executed at Lincoln Prison in March 1949.[29] In 1951 there was a widely-reported Inquiry into rioting at Portland Borstal; and further disturbances

24. Fox, L. W. (1952), *The English Prison and Borstal Systems.* Routledge and Kegan Paul, pp. 98-99. Also, TNA: CAB/129/95, 'Penal Practice in a Changing Society: Aspects of Future Development (England and Wales), White Paper on Penal Reform, 12th December 1958, p. 278.
25. Cohen, S. (1972), *Folk Devils and Moral Panics: The Creation of the Mods and Rockers.* MacGibbon and Kee; Muncie, J. (1984), *"The Trouble with Kids Today": Youth and Crime in Post-war Britain.* Dover; Horn, A. (2011), *Juke Box Britain: Americanisation and Youth Culture, 1945-1960.* Manchester University Press; Jackson and Bartie, *Policing Youth.*
26. Grant, N. R. (1959), 'In a Time of Change: The Chairman's Address to the Annual Conference of the National Association of Probation Officers, at Southport on 25th April 1959', *Probation Journal,* June, p. 18.
27. Barman, S. (1934), *The English Borstal System: A Study in the Treatment of Young Offenders.* P. S. King. Also, for example, see HC Deb 17 February 1938 v. 331, cc.2051-3.
28. Mr. Ede, HC Deb 13 December 1945 vol 417 c764W
29. *Daily Mail,* 20th May 1949; *Hull Daily Mail,* 19th May 1948; *Daily Mail*, 23rd March, 1949.

were reported at Hull Borstal in 1953 and 1957, Dumfries borstal in 1963, and Reading borstal in 1967. In many of these disturbances alleged mistreatment of inmates by officers was cited.[30]

Borstal abolished

In 1965, the criminologist Roger Hood, concluded in his study of the borstal system,

> *Although, on the surface, the borstal system has made vast progress in the last thirty years, there is little evidence to show that it has come any nearer to the solution of its major problem — the training and reformation of the 'hard-core' of its population. It is to this large segment of the borstal population that attention should be directed, particularly as it appears to be growing in size.*[31]

By the 1970s the failings of the system were becoming ever apparent. The extent to which, as Hood argued, this was to do with the difficulty of managing a large more problematic element of the population is debateable. Other factors also need to be considered. According to Clive Emsley, the training ethos (Paterson's 'Moral System') had largely declined by the sixties and seventies. Increasingly, borstal more closely resembled mainstream adult prisons, with uniformed guards, and the associated problems such as overcrowding and poor facilities.[32] By the late 1970s, the system received more negative attention with the controversy around the banning of the Roy Minton and Alan Clarke play, *Scum*. Originally conceptualized and filmed as a BBC Play for Today, *Scum* was banned through the vigorous interventions of the public decency campaigner, Mary Whitehouse. Two years later Minton and Clarke remade it as a film. Despite being toned down from the original version, the film remained highly controversial in its depiction of violence and bullying, not only amongst the inmates, but also by the prison warders. Whilst this was largely a closed world to investigators, *Scum* reflected the evidence of violence that had increasingly been reported throughout the post-war period. Moreover, the film showed other elements of the borstal experience which had been lacking from earlier depictions. Not least of these was the large number of black inmates who were subject, unsurprisingly, to racism from both other inmates and the staff. This version of borstal was essentially a prison, the staff who ran the institution were portrayed as 'incompetent, uncaring and unimaginative'.[33] Whilst there is little doubt that the purpose of *Scum* was to directly critique the system, it arguably captured a broader political critique of the borstal system which would gather momentum in this period. Within two years of the cinema release of *SCUM*, borstal would be abolished by the Criminal Justice Act of 1982, and replaced with youth custody centres.

In conclusion, the borstal system is often seen as the iconic institution for young adult justice in the twentieth century, for both its strengths and weaknesses. As an institutional model it had a huge influence.

In conclusion, the borstal system is often seen as the iconic institution for young adult justice in the twentieth century, for both its strengths and weaknesses. As an institutional model it had a huge influence, and variants of the borstal system spread throughout the British Empire and later Commonwealth. Borstal institutions were established in India, Africa and Canada, for example. Borstal School Acts were passed in a number of Indian states (including Madras, Punjab, West Bengal, Kerala and Bombay). Vancouver in British Columbia, was home to the Borstal Institution New Haven and the British Columbia Borstal Association which was established in 1948

30. *Daily Mail,* 1st January 1951. For Hull borstal disturbances see *The Times,* 7th December 1953 and 18th August 1957.
31. Hood, *Borstal Re-Assessed,* pp. 217-218.
32. Emsley, C. (2011), *Crime and Society in Twentieth-Century England.* Longman, p. 222.
33. Wilson, D. and O'Sullivan, S. (2004), *Images of Incarceration: Representations of Prison in Film and Television Drama.* Winchester: Waterside Press, pp. 44-5.

to help young men to 'move away from criminal lifestyles' and which is still active as a charity today.[34] In Nigeria, West Africa, a borstal system is still in operation today.[35] Indeed Alexander Paterson visited a number of colonial borstals during his tenure as Prison Commissioner, in the interwar period.[36] Borstal then, was a key experience for many young men and women in the twentieth century, and remains a core experience in cultural representations of penality. Nevertheless, we know little about the system beyond its earlier years, and whilst some key studies of the system up to the 1950s and 1960s exist, there has been little scrutiny of the borstal system by historians.[37] As currently closed archives become open to the historian's gaze, it is hoped that this lack will be addressed.[38]

34. http://www.bcborstal.ca
35. Sarki, Z. M. and Mukhtar, J. I. (2018), 'The Role of Borstal Homes in Nigeria: Reformation or Remaking Criminality?', *Journal of Advanced Research in Social and Behavioural Sciences,* 12, pp. 17-23.
36. Brown, I. (2007), 'An Inspector Calls: Alexander Paterson and Colonial Burma's Prisons', *Journal of South-East Asian Studies,* 38/2, pp. 293-308.
37. For example, see Hood, *Borstal Re-Assessed,* and Fox, *The English Prison and Borstal Systems.* For historical studies, most notable are Bailey, *Delinquency and Citizenship,* and Conor Reidy's study of the Irish borstal, Reidy, C. (2009), Ireland's *'Moral Hospital': The Irish Borstal System,* 1906-1956.
38. The author was recently funded by the British Academy to undertake a pilot study on the surviving borstal archives, with the aim of carrying out a longer-term project on the borstal system leading up to its abolition in 1982.

Book Review:

The Wiley Blackwell Handbook of Forensic Neuroscience
Edited by Anthony R. Beech, Adam J. Carter, Ruth E. Mann and Pia Rotshtein

Publisher: Wiley-Blackwell (2018)
ISBN: 978-1118650929 (hardback) 978-1119121190 (paperback)
Price: £250.00 (hardback) £41.50 (paperback)

'The rise of so-called 'neurolaw' cases is becoming more pressing in that forensic practitioners are grappling with understanding the impact neuroscience is having upon the forensic field' both for legal proceedings and rehabilitation (p.5). The premise and timely need for a handbook of forensic neuroscience is very aptly set with this introduction.

The Wiley Blackwell Handbook of Forensic Neuroscience (henceforth referred to as 'the handbook') opens with the claim that an individual's cognitions, genetics and environmental factors together underline their neurobiological makeup and guide pro/antisocial behaviour. Recent research vehemently supports the idea that offending aetiology and predisposition relies heavily on the interaction of nature and nurture. Therefore, the first volume of the handbook (both are sold together) sets out to consolidate existing peer-reviewed research in the field of neuroscience relating to different aspects of forensic relevance. It is crucial to note that the book is very self-aware in its extent and content alike. The authors make clear that neuroscience research is not at a level where they can 'tell a parole board to release someone based on a brain scan' but not too far from it either (p.6).

The book is structured very well in three parts — introduction, general neuroscience research and neurobiology of offending — with standalone chapters discussing a wide variety of topics ranging from aggressive behaviour to offending with Autism Spectrum Disorders (ASD). It is important to talk about the structure of the book because it is an immense strength of this volume. It could, however, use an appendix at the end of Volume 1 to allow for quick-referencing and easy lookup(s). (It is situated at the end of Volume 2).

You don't need to have prior knowledge of the very formidable names such as 'anterior insular cortex' or the 'ventromedial prefrontal cortex (vmPFC)' to know how they interact with empathy or psychopathology. Each chapter starts with a basic explanation of neuroscience and then relates it to the construct being talked about in a very accessible language. This is especially helpful for practitioners trying to learn more about a specific deficit, or looking for help with a particular offending behaviour. Students and researchers alike have so much to look forward to and learn.

The volume successfully combines the various authors' academic prowess and the years of practitioner and research experience that the accomplished editors bring with them. This means that the book charts out the origins of neuroscience in forensic settings right from the phrenology days to good old Phineas Gage and the 'social brain'. For me, the winning moment for this section is when they critically examine all the contributions made by researchers within the bigger context of social impact. For example, when talking about Kraepelin's 'influential' work and him being the father of modern psychiatry, the authors clearly recognise his role in the support for eugenics and racial cleansing. It is of immense importance to situate most, if not all, research we rely on in a retrospective lens to gauge the harm they may have caused to marginalised communities, and use it accordingly. Therefore, as a person of colour, I extend my gratitude to the authors for doing this throughout this book.

The book progresses onto key concepts of forensic neuroscience in Part II and looks at aggression, sexual behaviour, reward sensitivity, emotion regulation, empathy and deception. All of these ideas are covered in great detail with an impressive number of approaches, for example, social factors, neuroimaging research, genetics and personality trait interactions. Chapters include advanced neuroimaging data to show high-quality brain scans or reader-friendly diagrams highlighting the regions of interest, accompanied with very clear and comprehensive captions. Each chapter comes with a handy Key Points box at the start, followed by 'Terminology Explained' which is a very helpful tool for reference. In addition, the text is substantiated with extra and related information in different 'Boxes' which are very concisely

written. Furthermore, if you want a swift snapshot of the chapter or want to know more than what was listed in the Key Points, each chapter has an insightful 'Conclusions' section along with 'Implications for Forensic Applications'. This can easily become your quick go-to guide bridging all the research discussed in each chapter along with evidence-based practice suggestions and future directions.

The chapter on social neuroscience of empathy made some very insightful comments about distinguishing empathy from morality. It was noted that empathy can imply engagement in pro-social behaviours and moral decision-making, while being influenced by 'interpersonal relationships and group membership' (p.162). They also illustrated that despite empathy playing a key role in care-based morality development, 'by no means is morality reducible to empathy and emotion sensitivity' (p.161). All other chapters in Part II follow similar lines of interesting research and approachable writing while discussing a plethora of concepts.

Part III of this volume deals with the 'Neurobiology of Offending' and delves deeper into the underpinnings of psychopathology, Antisocial Personality Disorder, offenders with ASD, violent and sexual offending, brain injury, adolescent offending and alcohol-related aggression. These chapters discuss risk factors, possible predispositions to higher chances of offending, rehabilitation needs and concept-specific in-depth research. The claims made are backed by extensive evidence and show a clear humanitarian approach in dealing with vulnerable groups, such as at-risk youth or individuals with ASD.

The authors make important connections about comorbidities in a clinical-forensic population and discuss how the interactions of factors such as earlier victimisation, poverty, poor parenting and questionable ability to form intent (in the case of ASD) might lead to debunking the monolith of the 'criminal offender'. One of the highlights in this section was a clear statement that should act as a word of caution for people designing treatment programmes for sexual and violent offending — when you efficiently treat a socially unacceptable behaviour, you also reduce the potency of its socially acceptable counterpart. Specifically, in the case of pharmacological interventions for forensically relevant sexual behaviours, they can alter testosterone to inactive levels and even change serotonin activity. It is important then to weigh out the social benefit costs of these treatments with the price being paid by the individual in focus.

In conclusion, this first volume of the handbook imparts knowledge on various core aspects of forensic neuroscience in clear and comprehensive writing styles which are successful in engaging both the layperson reader and specialised researcher. I strongly recommend it as a well-researched and thorough volume and cannot wait to read and review Volume 2. This handbook is, therefore, an essential text for anyone looking to know the current status of forensic research at the basic, intermediate and advanced level across multiple forensic settings. Something for everyone!

Aarohi Khare, Doctoral Researcher, University of Kent

Classic Book Review

The Lucifer Effect: How Good People Turn Evil

By Phillip Zimbardo
Publisher: Rider books (2007)
ISBN: 978-1-84-604103-7 (paperback)
Price: £12.99 (paperback)

Having reviewed over twenty books for the Prison Service Journal, it is without doubt, that that this classic by Phillip Zimbardo was the book I have most eagerly anticipated reading. It allowed me to hark back to my undergraduate days as a Psychology student, where the Stanford Prison Experiment was a staple reference in so many Social Psychology essays. However, my research for essays at the time never delved in to the minutiae of what actually went on over those six fateful days in the summer of 1971. In fact, apart from a few press stories and the occasional research paper the full account has never been published before. However, in this book, Zimbardo has recorded what happened to an excruciating level of detail, and I use that adjective because of the difficult reading it makes to get through those eight chapters that cover less than a week of almost immediate and escalating abuse of power. Indeed, Zimbardo explains in the preface that he found it 'emotionally draining' reviewing the videotapes and other records that helped him construct these chapters in particular.

Zimbardo grew up in a poor Sicilian family in 1930s New York where his prejudicial treatment at the hands of authority figures and experience of crime, elicited an inquisitiveness into other people's behaviour. Having excelled in academia, he accepted a position as Professor of Psychology at Stanford University, where with a grant from the US Office of naval research, he commenced the

infamous study that would make his name and be so roundly ethically criticised.

What prompted the authorship of this book, the first detailed analysis of the Stanford Prison Experiment over twenty-five years after the event, was Zimbardo's involvement as an expert witness in the trials of US military reservists involved in the torture of detainees in Abu Ghraib prison in Iraq. The similarities between the experiment and the Abu Ghraib scandal are striking, and well laid out in the book. When, within six days, ordinary students, randomly assigned to the roles of prisoner or 'guard', were abusing their power by committing horrific acts of sexual humiliation on other students in the experiment, it becomes profoundly obvious, that a situation like Abu Ghraib could occur in a much more hostile environment. The similarity between both situations is also reinforced by the photographs that accompany each chapter; in particular a photo of hooded and chained 'prisoners' in Stanford awaiting a visit from the 'parole board' and another some two hundred pages later of a hooded detainee in Abu Ghraib, hooked up to hoax mains power wires.

It also becomes overwhelmingly obvious throughout the book that this could occur in any custodial situation due to the natural power imbalance, in the absence of necessary leadership, checks and balances. Indeed, Zimbardo laments his own 'evil of inaction', in his identity confusing dual role of lead researcher and 'Prison Superintendent'. His participation in the experiment, prevented him from seeing the wood from the trees and highlights the important roles played by morally aware leaders in custodial settings and those that provide external checks on prisons in this country, for example Independent Monitoring Boards, HM inspector of Prisons, the Prison and Probation Ombudsman and the UN Committee Against Torture. Similarly, Zimbardo describes an absence of leadership or checks at Abu Ghraib.

This inaction is described as leading to a 'banality of evil' which reflects the quote misattributed by JFK, namely that 'the only thing necessary for the triumph of evil is for good men to do nothing.' It also powerfully highlights how anybody can be influenced towards 'evil' by situational dynamics that generally trump individual power. As an expert witness in the case of one of the guards in Abu Ghraib, Zimbardo argued for the power of situational factors influencing individual behaviour and that those guilty of absent leadership was where the blame for these atrocities should be focused. Earlier in the book, Zimbardo interestingly relates the individual-situational dynamic of 'evil' to that of the medical-public health approach to illness (is it the individual responsible for the medical issues related to their obesity, for example, or the situation of the availability, cheapness and aggressive marketing of sugary foods). Zimbardo goes on to argue powerfully that beyond individual power and situational power is a much greater systemic power (based on culture, politics, economics, religion etc) that if not changed, will mean that behavioural and situation changes can only ever be temporary, and these kind of events will reoccur. For Zimbardo, the most important method for these situations to occur is dehumanisation, where systems and situations allow 'others' to be viewed as less than human and some can then think that they are deserving of torture or worse. Indeed he describes experiments where simply labelling people 'animals' rather than 'nice guys' can lead to increased acts of cruelty by subjects. This really resonated when considering the way much commentary take place in the public sphere on whether those in custody should be labelled residents, prisoners, offenders, cons or worse.

Having waded through fairly dark reading for 90 per cent of the book, Zimbardo does offer in the final chapter methods of resisting this kind of negative conformity, including a ten step programme to resist unwanted influences. He also examines 'heroism' as an opposing factor to the 'evil' he previously has described. Satisfyingly, an argument emerges that compares the banality of evil (inaction) to a banality of heroism, described as small actions that inspire system change. Here Zimbardo outlines how, as anyone is capable of evil, so the same applies to heroism, although he does qualify that by suggesting that you cannot become a hero if your action, no matter how great, does not inspire system change. At this point he highlights how his partner at the time happened to attend the Stanford experiment on day six, realised what was happening, and made an impassioned speech, at which point Zimbardo recognised the descent into depravity he had facilitated and finally ended the study early.

Overall, this is a fascinating and detailed read for anyone who is remotely interested in the Stanford Prison Experiment and it's ramifications for a wide range of areas in society. Reading in great detail the six days of the experiment is a shocking eye opener for anyone who has ever had to seek ethics approval. Most notably from the start when families and participants are distressed at the realistic 'arrests' that take place in full view of friends and neighbours before things degenerate further. This is clearly a useful read and reminder

of how things can go wrong for those who are practitioners and leaders in custodial settings. Furthermore, it can also be useful for others who study, observe, comment or critique these very institutions.

Paul Crossey is Deputy Governor at HMP The Mount

Classic Book Review

The Functioning of Social Systems as a Defence against Anxiety: Report on a Study of the Nursing Service of a General Hospital

By Isabel Menzies-Lyth (1959)
ISBN-13: 978-0901882066

In the late 1950s a London Teaching Hospital approached the Tavistock Institute of Human Relations to undertake a study. The purpose of the study was to explain and help address the high rate at which nurses left the profession, many before completing their training. One of the outcomes of the study was the article, which appeared in the Tavistock Institute's journal in 1959, which is the subject of this review. The article was subsequently republished in a volume of selected essays by the person who led the study, Isabel Menzies Lyth, a psychoanalyst who died in 2008. The article, while of seminal importance in establishing her reputation, was not all for which she was remembered. She was also behind the Tavistock's widely respected work on the dynamics of authority and leadership. Indeed, Menzies Lyth's obituary in The Times, published on 25th February 2008, noted that her reputation for the studies of nursing 'was embedded in a lifelong commitment to investigating and supporting processes of change in individuals and institutions.'

The conclusions Lyth drew about how individuals and institutions devise the means of protecting themselves against the emotional and psychological difficulties of their work remain of interest. The value of this retrospective review of a 'classic' is the parallels that may be drawn between Menzies Lyth's findings in hospitals and what may be observed in prisons. This is not to suggest that the literature on this aspect of prisons is wanting, indeed there is a rich and distinguished archive on the work of prison officers in particular. While parallels and analogies lack the rigour of proper research, the hope is that those which may be inferred here may more than idly amuse.

Menzies Lyth found that much of the nurse's anxiety stemmed from the proximity to intimate body functions and the issues of life and death. She saw that instead of devising methods of coping with the anxieties that would inevitably arise from working with ill people, nurses and hospitals devised mechanisms to avoid or displace the anxieties — principally in terms of projection and sublimation. By avoiding rather than addressing their anxieties, the nurses and the hospitals actually sustained and even intensified them. This in turn affected the quality of the work nurses and hospitals undertook and their efficiency.

The means by which anxieties were avoided in hospitals are features commonplace to many organisations, although they are not always used as defences against anxiety. The features Lyth observed at the London teaching hospital (features which she had observed as typical of other hospitals too) included splitting-up the nurse-patient relationship; the depersonalisation of the individual; the use of professional detachment; and displacing responsibility.

Splitting up the nurse-patient relationship was achieved partly by requiring different nurses to attend to different needs of one patient; and partly by the use of a rigid task-list with each task minutely prescribed. Diluting the individual nurse's contact with one patient and emphasising the importance of the technique of the task (however mind-numbing — like the importance of 'hospital corners' on bed linen) rather than the contact with the patient, provided a distance. This necessarily reduced considerably the individual nurse's scope for discretion — and in 1956 her colleague Elliot Jaques had identified how important a correlation there is between responsibility and discretion.

The depersonalisation of the individual, which Menzies Lyth observed as a defence mechanism, was reflected partly in the erosion of discretion and was reinforced by the importance of uniform and hierarchy for nurses; and in ways patients too were depersonalised. Instead of referring to patients by name even, Menzies Lyth heard such references as 'the liver in bed 10'. In this way the delivery of what are fundamentally personal services and care to fellow human beings was depersonalised.

Reinforcing the effects of this depersonalisation of the individual was the importance attributed to professional detachment. Menzies Lyth refers to it as the 'stiff upper lip'. (Ben McIntyre, the historian, recently described this 'British characteristic' as essentially an unwillingness to confront embarrassing or emotionally challenging reality). Emotional outbursts — by patients as well as

by staff, Menzies Lyth noted — were not merely frowned upon but in the case of staff particularly they were reproved.

Another telling feature of the 'defence against anxiety' Lyth noticed was how responsibility was displaced. This manifested itself in a number of ways. Often responsibility was diluted by having a system of checks and counter-checks — and not only in situations (such as the dispensing of dangerous drugs) but in more commonplace decisions. Linked to this was the tendency to 'upward delegation', again underpinned by the restriction of personal discretion at the nursing level. And compounding this was what she saw as the tendency to obscure responsibility by the lack of clarity about who was responsible for taking decisions in the management chain.

In her concluding remarks in this essay, Menzies Lyth commented that 'the social defence system represented the institutionalisation of very primitive psychic defence mechanisms…which facilitate the evasion of responsibility but contributes little to its true modification and reduction'. She also concluded that in spite of the obvious difficulties of the nursing task those difficulties were not enough to account for the high level of anxiety and stress she observed. She inferred that this inversely affects patients' recovery rates. And finally she remarked, 'The success and viability of a social institution are intimately connected with the techniques it uses to contain anxiety.'

While the way we recruit, train, retain and support staff in institutions today may better anticipate the anxieties they will experience, the insights this seminal essay offers may afford some interesting reflection.

William Payne is a former prison governor and member of the PSJ Editorial Board

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PRISON SERVICE JOURNAL

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