

JOURNAL

PRISON SERVICE

JANUARY 1996 NO. 103

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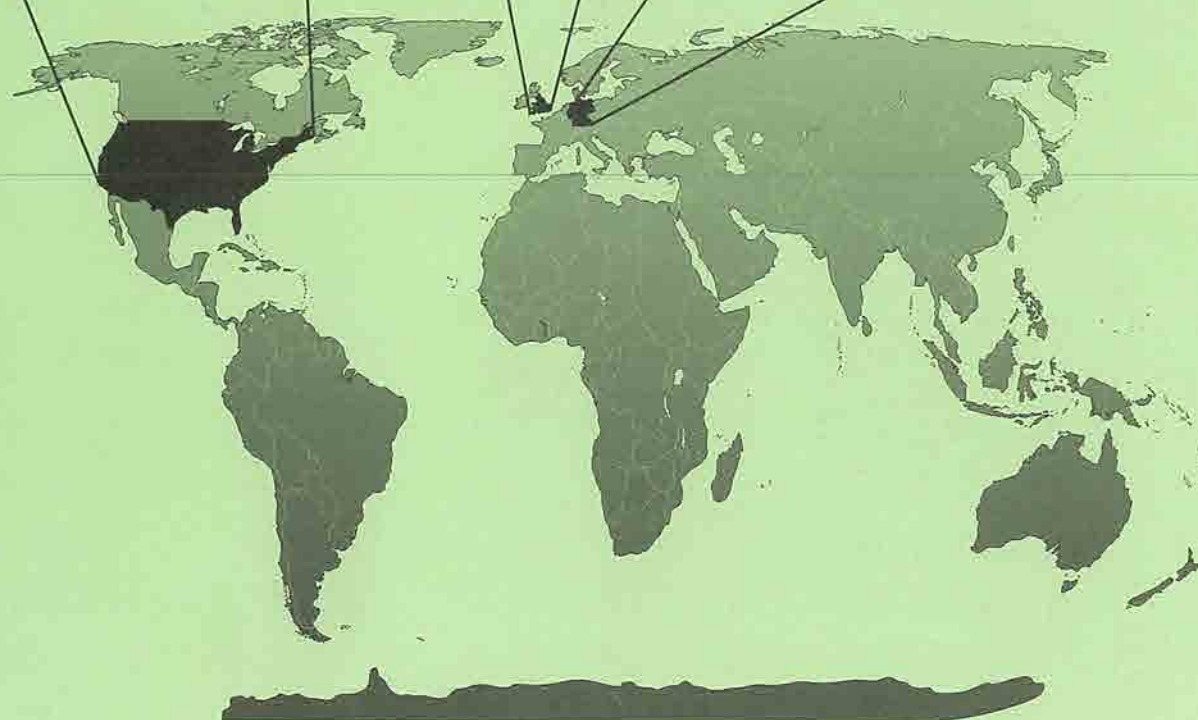


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Comment

Walking the High Wire

In his address to the National Briefing Conferences in December, the Director-General, Richard Tilt called for a balance to be struck in achieving the Service's principle tasks of ensuring prisoners serve the sentence of the court, improving relationships between staff and prisoners and providing opportunities for prisoners to take part in programmes focusing upon their offending and offering hope for change.

His comments are timely coming as they do after the damaging failures in security which led to the Woodcock and Learmont Reports. It is essential that the Service gets it right on security but that is not enough nor should getting it right mean that a zealous application of searching, for example, becomes punitive in practice and lacks justifiable security reasons. It has happened before namely when Control and Restraint techniques were first introduced the new skill did not merely supplement but took over from the traditional officer skills of persuasion and reasoning with prisoners.

To tumble off balance into total security and control would be to forget the lessons of Strangeways and devalue the considerable work that has been done to acknowledge the need for Justice to enter the prison gates and inform our work. Indeed that would be poor security because intelligence gathered through our links with prisoners is often what most effectively foils an escape plot. Links with prisoners are forged out of our daily contact with them carried out in the spirit of our duty of care. At that same briefing Conference to which Richard Tilt spoke, the Operational Director for the North, Alastair Papps reiterated a long-standing ethic which underpins our work that people are sent to prison as punishment not for punishment. Punishment alone will not work and if prison is to work then it needs to offer not merely the short term gain of preventing the individual offender committing offences outside prison during imprisonment but to enhance the chances of avoiding offending on release. Protecting the public means both incarceration and rehabilitation.

It is helpful to have our basic philosophy re-stated because holding onto it is going to be hard in the face of the pressures now upon the Service.

Along with other public services financial constraints are severe. The capital programme is being halved and running costs will need to be drastically reduced by around five per cent each year for the next three years.

Against that sombre background the prison population is rising to new levels, consistently over 50,000. Such a rise is likely to continue as the Government press the police to give higher priority to catching criminals than to crime prevention and the courts to handing out lengthier sentences than to the principle of judging each case on its merits.

If that were not enough the Senior Management Review of the Home Office which recently turned its attention to the Prison Service Agency severely criticised the attitude of the Service to the reasonable concerns of Ministers and the public. It asserted that responses were slow and unheeding of these two significant stake holders in our work. Little was said of the other stake holders such as prisoners, their families, staff, the Judiciary nor other agencies within the Criminal Justice System who make demands upon us and whom we serve. More balance in this aspect of the Review would have strengthened its authority.

In the face of these tribulations the loss in October last year of Derek Lewis as Director General seemed a deeply damaging blow to the Service. Few in that post have given so much of themselves to the Service and shown such an eye for the concerns of the officer on the landing. His achievement in raising the profile of the Director-General in the media was second to none and he visited more prisons and spoke with more staff than many a previous holder of the post. Unfortunately he will be associated by some staff with the introduction of market testing and, ironically in the light of his ending, seen as too willing to respond to Ministers, however, the manner of his going did not do justice to the considerable contribution he made to the Service.

Tribulations can be salutary and from disaster can come renewal. For the first time the Service has a Director General who is of the Service and not plucked from the wider Home Office or further afield. That should give us confidence knowing that he can speak to us and for us from a background of sound knowledge and experience. He is one of the Prison Service family and that should mean we can speak frankly and openly and already in the Briefing Conferences he has shown a willingness to listen. There is an atmosphere of goodwill and a real wish to see him do well. That way the Service will do well, too ■

Are German prison industries really so much better than ours?

Robert Fulton, *Head of Enterprise and Activity Services*

This was the question which I and Ursula Smartt (a senior lecturer and prison researcher at Thames Valley University) set out to answer in an expedition to Germany this February. It arose from previous visits (by HMCIP Judge Tumim and others) to a number of German prisons, from which it appeared that German prisoners worked harder, did better quality work, and were better paid than ours and that as a result German prison industries made substantial profits. Contrasts were therefore drawn between the allegedly lethargic and apathetic atmosphere of the typical workshop in an English prison, and the busy and purposeful atmosphere in German prison workshops. This suggested that German 'industrial prisons', where regimes were built around a full and purposeful working week with the incentive of realistic wages, could be a model from which we could learn. If the Germans were succeeding in making a reality of the industrial prison concept, why were we apparently less successful at places like Coldingley where a similar concept had been tried in England?

In a nutshell...

Our conclusions put the comparison into a rather different perspective. The German prison industries which we saw were certainly good, and sometimes excellent. But they are not on average that much better and in some respects their performance falls short of ours. They do regularly achieve a 35 hour net working week, against our average of 21 or 22 hours. This has helped them to build successful long term partnerships with private employers. They do pay their prisoners better (an average of £30 a week, with £10 taken in compulsory savings), but not at the same rate as outside workers. Nevertheless, productivity and

output are not particularly impressive: on the basis both of output and productivity figures and of subjective impressions going round workshops, it is apparent that, while German prisoners work longer hours, they do not generally work any harder or more efficiently. The kind of work done is very similar to that in our prisons, and we saw the same range of prisoner responses, from the apathetic to the involved and hard-working that one sees over here. The apparent profitability of their industries arises from their different conventions as to the way the accounts are prepared and in which costs are included in or excluded from the accounts.

These conclusions were based on a short but intensive visit to four German prisons in three different German states or Länder. And therein lies the first important lesson about the German prison system. There is no national Prison Service. Each of the 16 Länder (10 in the former West Germany, and six in the former DDR) has its own prison system, controlled by an autonomous Ministry of Justice. The ethos and culture vary markedly from Land to Land, with a particularly pronounced North/South divide. Attitudes tend to be more liberal in the North, more conservative in the South. (The so-called Neuer Länder of the former DDR adds another quite different dimension to the picture, but that is another story outside the scope of this article). These differences in social attitudes are reflected in the way prisons are run and prisoners are treated in different parts of Germany.

This fragmentation makes the setting up of a visit like mine and Mrs Smartt's more complicated, in that instead of contacting just one national headquarters, separate arrangements had to be made with the authorities of the three different Länder which we visited – Baden-Württemberg in the South West, Bavaria in the South East and Lower Saxony in the North. Fortunately Mrs Smartt had existing contacts in

the various Justice Ministries and, as a native German speaker, was able to conduct the necessary negotiations quickly and effectively.

First impressions

The four prisons we visited were: Bruchsal (Baden-Württemberg), a medium sized – about 400 inmates – closed prison, roughly equivalent to a Category B training prison, but also holding maximum security prisoners, and taking prisoners sentenced to four years or over; München-Stadelheim (Bavaria), a very large (around 1,600 prisoners) prison, rather reminiscent of a big local like Liverpool with a broad mix of types of prisoners, including young offenders and a high proportion of remands; Straubing (Bavaria), a large – 860 prisoners – training prison, catering for long-term Category B to maximum security prisoners, and also with a special therapeutic wing holding about 35 prisoners; and Celle (Lower Saxony), a smallish prison of about 230 places, catering for long-stay (eight year minimum sentence) prisoners up to maximum security level.

As might be expected, there was a good deal of variation in the atmosphere and ethos of the four prisons. Both Bruchsal and Straubing had been built on the Pentonville model (the former in the 1840s, the latter in the 1890s) – an interesting reminder of the influence which 19th-century penal practices developed in America and Britain had in Germany at that time. Unlike the real Pentonville however, both Bruchsal and Straubing have managed to avoid the accretion of a clutter of infill buildings to mask the star-shaped layout of the original wings. München-Stadelheim also dated from the 19th century, but with considerable later development, whilst Celle was even older, dating from the early 18th century, when it had been established as a House of Correction and Madhouse. (Apparently when the principality of Celle was combined with Hannover, the inhabitants of Celle were offered the choice of a university or house of correction to compensate for the loss of their independence. They chose the latter because of fears of what effects an influx of students would have on the good burghers' daughters. A prison seemed a safer option).

A striking common theme was the scrupulous attention to cleanliness and hygiene. Litter was simply not tolerated, and even a large prison like München-Stadelheim, operating under what was probably quite considerable operational pressure, seemed able to maintain a standard of cleanliness and decorative order which few of our prisons could match. The prison at Bruchsal could almost be described as a model prison in this respect, with the tone being set from the moment a visitor arrives in the smart gatehouse, decorated in a well-

chosen colour scheme to convey a calm and professional impression (also reflected in the way the uniformed staff member on duty greeted us). Nowhere in the prison could we find any dirt, grime, scuff marks on doors or walls, scruffy hand-made notices or jumbled notice-boards. The staff clearly took a pride in their own appearance, and that of the prison.

Kitchens too were very impressive. Again hygiene and cleanliness were paramount. We went into the kitchens at München just after lunch to find that the work was done for the day, and everything already cleaned up. The kitchen workers come on even earlier than the ordinary workers (more about this later), around 5.00 am, to prepare breakfast, lunch and a cold evening meal which is dispatched to living units at lunchtime. By 1.00 pm the enormous kitchen is deserted, with only the caterer left on duty, and all the equipment looking as if it had never been used.

Some kitchens did their own butchery, with this being taught to the inmates as a trade. The quantities of meat being served were prodigious – particularly in Bavaria, where vegetarians would have a bleak time indeed! Each prison also had an in-house bakery, producing a variety of loaves and rolls, and in some cases a pâtisserie section producing cakes for sale to staff and local people – again with trade training for the inmates employed. The overwhelming smells were of baking and sides of bacon, so you usually left feeling hungrier than when you went in – the reverse of the experience in the usual English prison kitchen.

Regimes

Regimes in German prisons basically mean work and vocational training. Unlike us they do not have debates about the 'balance of regime activities', the value and purpose of work, or what sort of work prisoners should do. It is simply taken as read that ideally all – but failing that as many as possible – prisoners should be actively employed in productive work for a full working week. The parts played by education, physical education and other activities are correspondingly much smaller than in our system.

Our hosts probably found our curiosity about 'industrial prisons' rather puzzling, since a regime focused on industrial work would not be regarded by them as anything special or remarkable – it is just the normal expectation. Even a prison like München-Stadelheim, which is much closer to our concept of a local than a training prison, had 570 prisoners out of 1,578 at work when we visited. (For the remaining prisoners, however, life would have been fairly bleak with little or no alternative activity available, and long periods of lock up).

Bruchsal achieved 93 per cent employment, Straubing 60 per cent and Celle 62 per cent.

Working hours are about 35 hours a week, with no difference between the big, busy local-type prison like Munchen-Stadelheim and the other prisons catering for longer stay inmates. Again, the 35 hour working week was not a matter of debate or thought to represent the achievement of some demanding target. It was simply a fact of life around which prison routines were, as a matter of course, designed.

The working day (both inside and outside prison) starts early in Germany. The prisoners would typically be at work by 7.00 am, and work through to about 3.00 pm with a short (1/2 hour to one hour) lunch break. Interruptions were unknown.

Type and Quality of Work

There is no doubt that our German colleagues out-perform us in relation to getting the prisoners to work and keeping them there for a respectable working week. What of the work that they do? Here we are on much more familiar ground. With only one or two exceptions the types of work provided in German prisons match very closely those encountered in this country. (Indeed, as an aside, my experience of seeing prison industries in the USA and Germany and exchanges of information with counterparts in Canada, Sweden and Holland, convince me that the pattern is very similar throughout the leading prison systems of the world, with few real innovations anywhere. We have as much to pass on to others from the innovations being developed within prison enterprises here as we have to learn from others experience).

Contract Services work played an important part, as it does here, providing pick up and put down work for prisoners whose aptitudes or length of stay precluded other activities. We saw prisoners trimming rubber gaskets, packing vacuum cleaner bags, assembling electrical fittings and filing off aluminium castings for car engines and escalator treads. The atmosphere in these workshops was very similar to that in similar shops here, except that there was no music system blasting out pop music to entertain the workers. None of the workshops we saw in Germany had music and the idea was frowned on by our hosts.

Engineering and woodwork figured prominently in the German industries diet, as they do here. The main discernable difference was that production was organised more on jobbing than mass production lines. Whilst this was in some ways more satisfying both for staff and prisoners, it was probably one of the reasons why the German output and productivity figures were (as

will be demonstrated later in this article) not particularly impressive. In these workshops, great emphasis was placed on training, indeed some workshops were more akin to our vocational training than to our production workshops. Germany still retains almost intact the historical system of trade training through apprenticeship to journeyman and master craftsman. This provides excellent training for prisoners who are there long enough (at least two and a half years) to benefit, but the British NVQ system better serves that majority of prisoners whose stay is shorter and who can pick up units leading to an NVQ in a relatively short time.

An important feature of German prison enterprises is the high proportion of external work and of involvement with the local economies of the prisons' surrounding areas. In England and Wales prison enterprises are still dominated by production for use within the Prison Service – less than five per cent of our output is sold externally. In Germany external sales account for at least half of the output, shared between major contracts and partnerships with private companies, and direct sales to the public. Examples of the latter were the picture framing and upholstery restoration services offered to the local community at Bruchsal. It was clear that this prison must have been a significant player in the local economy, but apparently there was no significant opposition from local traders. Equally, industrial managers in German prisons are very assertive in their efforts to win external contracts for work. The industrial manager at Straubing told us that he had a legal duty to source work for prisoners, and that he would use any necessary means to achieve this, including advertising and features on the local radio stations. Again, there seemed to be little or no opposition to this activity from local businessmen.

In several workshops, work was provided directly by a private sector company, which might also provide machinery and on-site supervisors. At Straubing, enterprises of this type included saddle-making and – the most impressive shop we saw in Germany – the manufacture of precision-engineered aircraft engine parts for a firm called MTU. MTU's staff supervised this highly-skilled work and a member of their staff quality controlled each item produced.

An important aspect of these workshops was the very long term relationships with the firms concerned – as long as 17 or 20 years in some cases.

Pay and Productivity

Average pay in German prison industries is around £30 per week, with the possibility of earnings up to around £50 in the most skilled kind

of work, like the MTU precision engineering. In accordance with Federal law, one third of the pay is deducted and held in a savings account to be paid to the prisoner as so called 'bridging money' on release.

Despite the higher pay levels the productivity of German prisoners is no greater than ours, and in some senses considerably lower. An academic study reporting in 1994 indicated that productivity rates averaged between 15 per cent and 20 per cent. This is well below the average in England and Wales. Average productivity in our engineering workshops is around 30 per cent, in woodwork around 40 per cent. Our lowest productivity industries (tailoring and textiles) achieve 24 per cent and 20 per cent respectively. These findings were supported by our own observations of workshop activity and comparisons of sales output. The idea that German prison workshops are hives of activity, compared with apathetic ones in this country does not stand up to examination.

What about profits? - Not without honour save in their own country

A key question for us was whether German prison industries were profitable. If they were, we would clearly be interested to find out how they did it.

Unfortunately direct comparison of profit and loss accounts is not possible. Different accounting systems and conventions are used, and the differences exist not only between here and Germany, but also between different German states. A particularly problematic area is the inclusion or exclusion of important costs, such as supervision (staff), depreciation, workshop rent charges and interest. Some points could be resolved through detective work and questioning: for example it emerged that in Bavaria only 20 per cent of staff costs are attributed to the industries accounts. Other points remained intractable.

We did not however see anything which would lead us to think that, if calculated on like for like basis, German prison enterprise **costs** would be significantly lower than ours. Even the absence in Germany of any equivalent of a relatively large

central organisation like Prison Enterprise Services would be (probably more than) offset by greater local costs. For example the prison at Celle employed 32 book-keepers for the industries alone.

On the **income** side of the account, one would expect German prison industries to generate greater income per prisoner employed, if only because of the longer working week, and that indeed seems to be the case. Compared with an income of £4,824 per prisoner employed in England and Wales (1992/3 accounts), Baden Wurtemberg generated £7,338, Bavaria £5,440 and Lower Saxony £4,914 (all 1993 figures). With the difference in the length of the working week one would, other things being equal, expect the German figures to be rather higher than this (around £8,000 on average), but there is probably some under-estimate of their sales per inmate employed because their employment figures (but not their sales figures) include domestic and kitchen work.

For individual prisons, Bruchsal achieved £6,785, Munchen-Stadelheim £3,700, Straubing £8,260 and Celle £8,803. Comparison with some of our major industrial prisons is revealing: Featherstone £9,215, Kirkham £9,540, and (much criticised) Coldingley £11,272. So perhaps we are not really doing so badly after all.

Conclusion

German prison industries have many positive and interesting features from which we can learn. But there is no reason to think that they do better on the whole than we do. Both countries have competently managed prison industries and the similarities are more significant than the differences. I certainly felt that in each German workshop I entered, I was on familiar ground, meeting staff who were tackling similar problems to our own, with a similar degree of commitment and professionalism. It is a particularly British habit to denigrate our own performance in comparison with that of other countries. Such denigration has no justification in relation to the management of prison industries ■

VERBALS

"In prison people get used to the routine and not having to cope for themselves," says Chris, aged 51 recently released after serving a 10 year prison sentence for fraud. "Back in the real world you can feel like an alien coming to terms with the changes that have occurred since you've been away. £20 used to buy you enough food to overflow a supermarket trolley - now it won't even fill a basket. Your old friends tend to be wary and embarrassed of you. You're suspicious of everyone. You don't know what to expect in different situations. You walk into a pub. Is everybody looking at you? It feels like it."

[An ex-prisoner quoted in the Annual Report 1994/95 of NACRO]

'In John Howard's Footsteps'

History of The Untried (Remand'¹) Prisoner in England and Germany

Ursula Smartt, *Senior Lecturer at Thames Valley University, London. and PhD Prison Researcher.*

As part of my research into remand prisons in England and Germany, I was interested to find out about the history of the untried prisoner in both countries and when the word 'remand' was actually introduced¹. I was fortunate enough to gain access to the original *Prison Commissions'* records at the HM Prison Service College at Love Lane, Wakefield, where I found a wealth of primary sources yet unresearched, including the first edition of John Howard's 'bible', *The State of Prisons* of 1777. Moreover, his descriptive chapters on German Gaols of his time were fascinating for me since I had visited and researched the very same prisons during 1993-94 as part of my fieldwork. Hence, I can proudly state: I followed in Howard's footsteps! - not on horseback mind, but similarly self-motivated and self funded, to investigate whether conditions for prisoners had actually improved. This account constitutes the historical background to the treatment of the 'prisoner awaiting trial'; it follows the history of prisons under local government and the first steps towards nationalisation of prisons in 1835 and will cover approximately the same period in time for the German prisons².

The reader will see that the idea of private prisons is not a new one, neither is the idea of paying a 'realistic wage' to the prisoner who is working or indeed making him pay for his keep an innovative one - it has all been done or thought of before and history shows that policy makers are merely re-inventing the wheel. Apart from John Howard's attempts to create better conditions for prisoners, James Neild's (1812) endeavour to do the very same is noteworthy, particularly when he describes the humane conditions for prisoners at Lincoln County Gaol, a prison which even today

Neild would be very impressed by.

John Howard and his quest for the untried prisoner

Though John Howard's work is well known, I would like to refer to him briefly with regard to his involvement with untried prisoners.

In 1773, John Howard was appointed High Sheriff for the County and though not himself a Justice of the Peace, he proposed to give the entire administration of the prisons to the Justices in Quarter Sessions, who were to employ the gaoler and his warders as their salaried servants. In the ensuing years, the gaolers, warders, surgeons and chaplains became salaried servants, not of the High Sheriff, but of the Quarter Sessions. Thus the connection of the High Sheriff with the County Gaol became, by 1835, purely honorary.

He found himself as an *ex officio* member of a visiting committee of Justices, reporting to, and receiving instructions from, Quarter Sessions.

For instance, it was ordered in Surrey, as early as 1798:

*that the High Sheriff for the time being, and eight named magistrates, 'be... visitors of the County Gaol... to carry into execution certain rules and orders now established... pursuant to Act 31 George III'*³

Being High Sheriff, John Howard noticed the inhumane conditions and specific injustice at Bedford Gaol for the untried prisoner. He discovered that prisoners who were acquitted, often after spending many months in custody

- 1 A distinction needs to be made here between the Prison Service's or rather 'Commissions' administrative use of the term 'remand' and its use as a legal meaning which dates back to 1643 where the term 'remand' is used as a verb by court/ magistrates. The Oxford English Dictionary gives 1888 as the first use of 'remand' as a noun to mean a 'remanded prisoner'.
- 2 For further information on German prisons today, refer to *'Prisons in England and Germany'*, in: *Prison Service Journal*, No. 97, January, 1995, pp.48 - 53.
- 3 cf. MS. Minutes, Quarter Sessions, Surrey, 10th July, 1798.

awaiting trial, were dragged back to gaol and locked up again until they could pay the fees claimed by the gaoler. Howard applied to the county justices for a salary to be paid to the gaoler, so that he need no longer rely upon what he could extort from the prisoners. But the bench demanded a precedent, and ordered Howard to find examples of 'better' practices. When Howard examined the gaol system in neighbouring counties, he found, to his dismay, that the injustice incurred to prisoners, especially to those awaiting trial, was the general rule.

'Untersuchungshaft' - Remand in Germany and John Howard's view of the German prisons

The Germans, well aware of the necessity of cleanliness in prisons, have very judiciously chosen to build them in situations most conducive to it; that is, near rivers, as at Hanover, Zell (Celle), Hamburg, Berlin, Bremen, Cologne (Köln), Mentz (Mainz) and many other places⁴.

Due to the fact that John Howard also visited and included the German 'gaols' ('Gefängnisse') in his fourth edition of *The State of Prisons*⁵, I would like to summarise his major findings in this section. His reports are also helpful since there are no prison inspection reports, as those undertaken in England and Wales by the Prison Inspectorate, for the German prisons to this very day. In these prisons particularly in the ports of Hamburg and Bremen, John Howard actually found few prisoners, but what he called 'galley slaves' [sic]. One surprising reason for this was the speedy trial after commitment. These 'galley slaves' were put to work on the roads or fortifications or other public services for four to twenty years according to their crimes.

What surprised Howard even more was the fact that they were clothed and fed by the government; at Wesel Prison, for instance, prisoners received two pounds of bread and an allowance of three halfpence every day from the King of Prussia. Whilst there are separate prisons for short-term petty criminals, there are some which house prisoners sentenced to death which

usually took place within 48 hours; this inmate then had a choice of food, wine and better accommodation where he was in the company of the minister during all of his remaining hours.

Since I too went on a visit to Osnabrück and Celle prisons (Lower Saxony *Niedersachsen*), it is with fascination that I read Howard's account of 'Osnaburg' (Osnabrück) and 'Zell' (Celle) prisons near Hanover in the North of Germany. He comments on the miserable conditions and suffering of the prisoners in both prisons only to draw possible attention of the then ruling Prince and Bishop in June 1778. For Celle, Howard quotes the Latin inscription above the gate of the prison, most of which still stands today and accommodates mainly remand prisoners, erected in 1756, 'for the purpose of public justice and utility, by confining and punishing the wicked.'⁶

At the time of Howard's inspection there Osnabrück Prison had fifteen cells with no light but a small aperture over the door. Furthermore, he found the 'Osnaburg Torture'⁷ in many of the North German prisons. He found many men, women and children in squalid conditions with poor clothing and no shoes.

Howard, like myself, visited Bremen Prison; this prison forms part of my fieldwork research prisons. He visited Bremen twice, once in 1776 and then again in 1781 to establish whether the conditions in the debtors' prison had improved. It seems to me that things have not changed much since Howard was there, certainly where conditions and types of criminals are concerned; above the gate he found the inscription '*Hic fraudum terminus esto*'. The debtors of that era have become fraudsters and tax evaders, calling themselves investment consultants ('*Unternehmensberater*') nowadays, whom I met and interviewed at the Bremen and other German local, remand prisons from December 1993 to late 1994.

The ruling then, particularly in large prisons such as Hamburg and Bremen, that prisoners were not allowed to see their families or have any kind of amusement or diversion, are still in many cases prevailing today, according to the remanding judge's order as to whom the prisoner is allowed to see on visits with the general ruling of one 30 minute visit every fortnight. Howard too, as I had

4 cf. Howard, J. *The State of Prisons*, pp. 66-75. 1777.

5 cf. Howard, J. *The State of Prisons*, 1777, pp. 66-75, *ibid*.

6 Rather depressingly, Celle Prison, some 250 years old now, bears some of the conditions which I would class as too degrading for any human being nowadays. Celle is a high security prison, for long-term prisoners, where one wing is still devoted to in-cell labour, often sleeping four men to a cell (1995).

7 According to Howard's account, a criminal who had to suffer the 'Osnaburg Torture' was usually taken down the dungeon cells at 2 o'clock in the morning; his hair would be torn off his head and chest until the 'Keeper' would force the confession out of him; after that the prisoner would usually be executed. On such occasions, a secretary of state, doctor and surgeon would also be in attendance. If the criminal fainted, strong salts were given to him so that he 'experience' the full torture consciously.

to, had to apply to the magistrate or Ministry of Justice (*'Landesjustizministerium'*) of each German state or city for permission to visit each prison.

When Howard revisited the Bremen gaol, he found the same poor state of cells and conditions as five years previously; the only good point made about the prison was that there had been 'no execution in this city for twenty-six years'. He comments on the prison or *'House of Correction'* (*'Zuchthaus'*), situated on the river Weser as 'indeed a house of industry and very quiet'⁸. In 1776, there had been 11 men and 28 women, and in 1781 at Bremen jail, 9 men and 19 women, all at work. Most of them, according to Howard, had been weaving carpets. The women's quarters were then reported to be very clean and their work was confined to spinning cows and goats hair, knitting and weaving. The diet for men and women varied only in quantity. Everybody had meat only on Sundays and public holidays.

The 'Keeper' was described as having a decent salary. Howard mentions that the Bremen prison doctor Dr. Duntze, had visited a friend in London in 1754, and together they had visited *Newgate* Prison to observe the effects of the *'ventilator'*, where they were struck by an offensive smell. Whilst the doctor developed jaundice a few days later, his friend died of *'Gaol fever'* a short time afterwards.

In the same year of 1776, after Bremen, Howard visited the near-by *Hanover* Prison, still one of the most feared prisons in Germany today. He found prisoners' beds of solid stone, the cells being on two levels. The upper rooms were more comfortable and designated for debtors. When he revisited the prison also in 1781, he found 29 prisoners, many of whom had been confined for six months to one year. The lower rooms were kept for 'more atrocious criminals'. He found the prisoners chained to the walls, and irons on their wrists with a bar of some two feet long in-between. The inmates received two *'Groschen'* per day's work equivalent to 2 1/2 d. Six soldiers plus one paid keeper were stationed at this prison day and

night. As in the other prisons he visited, he saw various edicts and regulations posted on walls.

In Hamburg gaol which Howard visited four years later, in 1780, he found 13 slaves in chains supported by iron girdles around their waists, working on the fortifications of the prison⁹. Though the prison itself was clean, Howard left with some apprehension, since the gaoler was unwilling to show him the torture cells or dungeons for fear that he might write or publicise the fact. Howard knew that, of all the prisons he had seen in France, Italy and Germany:

*...one of the most excruciation (torture engines) is kept and used in the deep cellar of this prison. It ought to be buried ten thousand fathom deeper*¹⁰.

Prisoners here too were put to spinning and weaving work. Their diet was rye bread with butter for breakfast, and at dinner and supper they were allowed peeled hot barley, oats or buck-wheat with milk and meat on Sundays and public holidays. It is interesting to note that German prison industries still rely on the ancient 'Master Craftsman' and 'Guild' system, hence, carpentry, iron and smithy work, leathercraft, printing and bookbinding are to be found in most of the German longterm (training type) prisons¹¹.

It is worth noting that Howard did not include any architectural drawings in his *'State of Prisons'* for the German prisons. Whilst he did so for the English prisons, he was not able to do so for Germany; the reason for this is that many architectural plans for prisons were either simply not publicly available, or that to some extent, they were non-existent.

The 'work-houses' (*'Arbeitshäuser'*) were introduced in parts of Germany, an idea which was taken directly from the *'Bridewell'* tradition in England where the prisoners were put to work in order to learn to repent through the form of hard labour¹²; the *'Bridewells'* were then the basis for the German equivalent, also known as *'Zuchthaus'*

8 Regrettably, during my research visit to Bremen-Oslebshausen prison in December 1993, I did not find much work offered to remand prisoners, or indeed note-worthy prison industries. I did harbour the thought, that it was, indeed, resembling the time of John Howard's visit over 200 years earlier!

9 I briefly visited the *JVA Hamburg Am Holstenglacis* remand prison in December 1994, and found conditions for prisoners very poor indeed. This prison accommodates adult men and women on remand. Whilst the prison's CNA is 715 (incl. hospital), the average number of prisoners is around 850, of whom 530 are on remand and 200 are sentenced prisoners. But in the past, the average prison population has been as high as 1000. There are only 250 workplaces available for prisoners with very little educational facilities, thus the majority of remands is locked up 20+ hours a day. The present prison building was erected in 1878 on the site of the original prison visited by John Howard. It was built according to the 'panoptic' architectural design by Jeremy Bentham.

10 cf. Howard, J. *The State of Prisons*, 1777, pp. 66-75, *ibid*.

11 For further information, refer to *'Prison Industries in Germany'*, a Report for the HM Prison Service Board by Ursula Smartt and Robert Fulton (Head of Prison Enterprises and Activities).

12 Early references in German archives go back to the English Bishop Ridley who in 1555 under King Edward VI installed the first *'House of Correction'* at his Bridewell Castle, where beggars, thieves and vagrants were introduced to hard labour and the idea of a meaningful life.

(House of correction) from the 16th century onwards. Just as was the tradition in England, the governing of the *'House of Correction'* was shared by rich city officials and their wives. Apart from the governor and his wife, there was a works supervisor, a teacher and a doctor. Accommodation was in dormitories for four to twelve prisoners; the prisoner remanded by the police stayed on average several weeks, whereas the prisoner convicted by the courts, remained there for many years. Those with a longer sojourn were paid higher, incentive wages and thus the labour output was high. This paid partly for their keep and partly for their savings after release.

The first copy of a *'Bridewell'* was introduced in Germany in the towns belonging to the *'Hanscatic League'* (*Die Hanse*) of Bremen in 1609, followed by Lubeck in 1613, and Hamburg in 1622 and Danzig in 1629. Wien (Vienna) in 1670, Leipzig in 1671, Frankfurt in 1679 and Munchen in 1682 followed suit. None of these prisons, however, followed one and the same pattern with regard to architectural design or governing style of its prisons. Some were meant for police custodial the others for court purposes. The houses of correction (*'Zuchthäuser'*) were completely overcrowded due to the fact that not only prisoners, but also the insane, the poor and orphaned children were accommodated therein. The hygienic conditions were described as *'inhumane'*, vermin and jail fever were taking many lives a week.

The prison workshops were closed due to the fact that the dukes or bishops who ruled the various German states were *'renting'* the prisons or houses of correction to private owners. The private owner or keeper who was now taking over the prisons during the late 17th and early 18th centuries was only interested in making a profit due to prisoners' labour, rather than taking care of conditions or the upkeep of the law. The state of the food and hygiene at that time is said to have been appalling and was equally commented upon by John Howard in his *'State of Prisons 1777'*. The warders (*'Wärter'*) were often drunk and frequently used corporal punishment (*'Prügel'*)¹³ and the means of *'dungeon arrest'* where the prisoner was kept in complete darkness.

Germany was not the only country in Europe where prisoners' conditions, particularly the ones held on pre-trial detention were intolerable during

the late 18th century. The original aims of reforming a criminal character in the *'Bridewells'* had been completely abandoned. The German penal historic literature goes on at length about the work of John Howard and greatly influenced the German reformatory prison development.

The historic development of conditions for untried prisoners in England

Unconvicted prisoners arrived at the 17th century gaol in the custody of the constable in the first instance, and in the custody of the gaoler after sentence at Quarter Sessions or Assizes. Before 1330, sheriffs and gaolers had sometimes refused to accept prisoners brought by the constables *'without taking great fines and ransoms of them for their receipt'*¹⁴. Shortly thereafter, Parliament decided that prisoners should be received without any entrance fee, and thereafter prisoners had no difficulty in gaining admission to jails! Apart from retaining prisoners in gaols overnight, the constables also used other places, such as the stocks or the parish cage.

The 18th century treatment of the untried prisoner was marked by the invention of the *'Clerical Justices of the Peace'*, whereby clergymen were made magistrates due to their greater knowledge of English law. Much has to be attributed to the Clerical Justices who took it upon themselves, a good ten years before John Howard, to protect the helpless and comment on the appalling standards of the gaols and *'Houses of Correction'* at that time.¹⁵ Conditions were extremely harsh for the prisoner *'awaiting trial'* which, of course, meant the majority of prisoners, men, women and children in the gaols of that time. In county after county, we find the rectors and prebendaries coming to the front as magistrates or *'Chairmen of the Quarter Sessions'*, where charges were brought to the Grand Jury.

According to a local historian from West Yorkshire, Horsfall Turner (1904)¹⁶, prisoners from the *'Wakefield House of Correction'* were marched in chains and neck irons to the Quarter Sessions which were often miles away; for instance Skipton was 25 miles away from Wakefield¹⁷. Horsfall Turner's account is supported one hundred years later by James Neild's observations on Wakefield Gaol:

13 *'Prügel'* was referred to as *'Der Willkomm'* which ironically has little to do with the present word of *'welcome'*, but meant six to forty beatings which were given to the prisoner upon reception. Release from prison was dealt with by similar torture.

14 cf. Stockdale, E. *Study of Bedford Prison 1660-1877*, p. 19.

15 There were *'Houses of Correction'* and *'The King's Gaols'* at that time.

16 cf. Horsfall Turner, J. *Wakefield House of Correction*. 1904, p. 82.

17 Other courts were in Knaresborough, Keithley, Skipton, Bradford, Rotherham, Leeds, Doncaster and Wetherby.

*The Quarter Sessions are held as follows: In the Spring, at Pontefract only; in the Summer, at Skipton, Bradford and Rotherham; in Autumn, at Knaresborough, Leeds and Rotherham; and in Winter, at Wetherby, Wakefield and Doncaster. The irons used in this Prison are of the very lightest kind, being, as I conceive, not more than five or six pounds in weight. But I saw here one pair, that weighed **fifty-two** pounds; and which the Turnkey told me a refractory Prisoner had on for a fortnight, by way of punishment.¹⁸*

From about 1773 onwards, John Howard began systematically to visit gaols in England and all over Europe, to investigate the injustices incurred by pre-trial detainees and prisoners having to pay subsequent fees to gaolers which they could not afford. He met the horrors of gaol-fever, and the fact that some prisoners were transferred unnecessarily from county gaols to Houses of Correction, which he subsequently included in his investigations. As he himself explains:

The work grew upon me insensibly. I could not enjoy my ease and leisure in the neglect of an opportunity offered me by providence of attempting the relief of the miserable.¹⁹

Eventually, John Howard called for the abolition of private gaols, yet they continued to retain their medieval characteristics. Imprisonment remained a punishing institution not one of reform.

The seeds for prisons for profit were sown in late 18th century (1794) by Jeremy Bentham who introduced the famous panopticon. He arranged for prisoners to be put out to labour. By 1835 it was rare to find a county without a standing 'Prisons Committee'. The county of Gloucester was one of the forerunners to establishing this special committee who would deal only with matters concerning the gaols and report to Quarter Sessions. Other counties followed suit, notably Lancashire, the West Riding and Northumberland. Though, James Neild observed that 'much has been done in many places', there were still conditions which were completely inhumane especially where untried prisoners were concerned, as he describes the 'Town Gaol in Leeds, Yorkshire':

This Gaol is for temporary confinement. It stands nearly in the centre of the Town; and consists of four rooms, about 12 feet long by 9...No fire-places: No court-yard: No water: No sewer.²⁰

However, the 'County Gaol in Lincoln' received a glowing report by him spanning a report over six pages; here male and female prisoners were kept apart in 1811, had adequate washing facilities and were treated humanely by the Gaoler John Merryweather, the Chaplain, Rev. George-Davies Kent and the Surgeon, Mr. Charles Franklyn. As for the untried prisoners, conditions at Lincoln gaol were equally good:

Four day-rooms, with fire-places, are here also assigned to Prisoners of different descriptions; viz. No. 1, of 20 feet by 11, and 11 feet high, for Male Prisoners before Trial.²¹

Neild was appalled by the cruelties inflicted on tried and untried prisoners:

By loading them with Irons, or fastening them one to another with heavy Chains; by bolting them to the walls or floors of the prison; and by shutting them up, at the discretion of the Gaoler, in dark loathsome Cells, void of almost every necessary to support life.²²

He concludes his admirable masterpiece with a praise for his predecessor John Howard and an appeal to the 'distinguished Readers' to try to, 'soften the trials and alleviate the sorrows of Imprisonment', and echoes my sentiments when he states, 'that many Prisons proved to be difficult of access; that the information which I sought was not easily obtained; and that this massy collection of particulars is not published for general entertainment.²³

The first step towards the nationalisation of prisons was established by the *Prison Act of 1835*. The newly set-up *Inspectorate of Prisons* was deeply concerned about the lack of uniformity of labour, diet and treatment of prisoners tried and untried throughout the country, and their main aim was to set up a uniform prison and criminal justice system. The prisons' administration was made subject to rules framed by the Home Secretary, with which they were meant to comply, at the

18 cf. Neild, J. *State of Prisons*, 1812, pp. 568-569.

19 cf. Howard, J. (1777) 'The State of Prisons'.

20 cf. Neild, J. *State of Prisons*, p. 333. *ibid*.

21 cf. Neild, J., *ibid* p. 347

22 *ibid*. pp. viii

23 cf. Neild, J., *ibid*. p. 617.

bidding of 'Government Inspectors of Prisons'. From 1828 to 1835, there was, in fact, hardly an alteration of the law, touching any branch of local government which did not include some diminution of the authority of the county magistracy. The prison inspections revealed numerous scandals of varying degrees, as to the state of prisons and the criminal justice system at the time. The need for the government to take an active role in the management of the prisons and the clarification and unification of the various laws governing them, became only too evident. The introduction of 'hard labour' was the *Inspectorate's* answer to fight the war against hardened criminals. This was particularly appealing to German Ministries at the time, who were fast adopting English prison standards and were looking at the new architectural idea of the 'Pentonville' model. Whilst the 'Separate and Silent' system also appealed to the Germans, the *Inspectorate* at that time stressed that it was:

*Illegal to enforce the Silent System upon the Untried. All that the law aims at in the imprisonment of a person, to whom an offence is only imputed, is his safe keeping until the day of trial. But the interdiction of communication between persons placed together in a day-room, is a punishment.*²⁴

The *Inspectorate* pointed out the illegality enforced on untried prisoners of silence and separation when it was an already stressful time to the accused; furthermore they deplored the enforcement of prison regulations on them. The committee did, however, recommend that the 'Separate System' ought to be allowed and administered to the 'untried', to ensure their not being placed together with hardened criminals. They recommended that the untried prisoner's 'feeling and necessities be consulted' and that:

... they be provided with a commodious, well-lighted, and well-ventilated cell, fitted with everything necessary to supply their real wants; that they are supplied with a sufficiency of good food; they are protected from the sight and hearing of all their fellow prisoners; they can, at any time, have the attendance of an officer of the prison, or of the governor, chaplain or surgeon. They can see their friends and legal advisers; they can, without impediment or interruption, calmly

*deliberate upon their defence, and take all proper means to meet the trial that awaits them. They may send or receive letters; they may read unobjectionable books; they may, if they desire it, be furnished with suitable employment; they have the privilege of public worship; can take exercise daily in the open air; may receive food other and beyond the prison diet; they are exempt from perplexing regulations...they are spared the infliction of prison penalties.*²⁵

The *Prison Act of 1877* saw the introduction of the '*Commissioners of Prisons*'²⁶ and made important and special provision for unconvicted prisoners and also set up a special '*Visiting Committee*' who would deal with the accommodation and conditions of these untried prisoners. The '*Eleventh Report*' of the '*Commissioners of Prisons*' (1888) stated:

*Whereas it is expedient that a clear difference shall be made between the treatment of persons unconvicted of crime, and in law, presumably innocent, during the period of their detention in provision for safe custody only, and the treatment of prisoners who have been convicted of crime during the period of their detention in prison for the purpose of punishment.*²⁷

The *Prison Act of 1877*, required that certain special rules should be made for prisoners awaiting trial, to prevent unnecessary hardship to those who are confined for purposes of security only, but who are not in the eyes of the law, guilty. Debtors and unconvicted prisoners were held together and kept apart from the convicted criminal. There was, however, a trend towards creating the 'local' prison which would, in future, house both kinds.

In my continued research into the history of remand prisons and prisoners, I tried to find out when the term 'remand' had come about. Eventually, I came across my first official reference with the '*Fifth Report*' of the *Commissioners of Prisons* in 1882, where the term 'remand' is applied in connection with the cost of Government versus local expenses:

The decision of the Secretary of State in 1878 as to the part of the costs of removal of prisoners which were properly chargeable as prison expenses, and so transferred to

24 cf. *Tenth Report*, *ibid.*, p. v.

25 cf. *Tenth Report*, 1845, p. V.

26 The members of the First Committee were E.F. Du Cane, Lieut.-Col., R.E. (Chairman). W.W. Hornby, J.W. Perry Wallington, W.J. Stopford who presented their first report in 1878 to the Secretary of State for the Home Department.

27 cf. *Eleventh Report*, 1888, pp 6-7.

Government under the Prison Act 1877, and that part which remained chargeable as a local expense, was that the liability of the Government did not commence until the prisoner had been delivered at the prison either on remand or under sentence; so that, though the prison was liable for the expense of bringing up remanded prisoners, the expense of removal from court to prison remained with the local authorities.²⁸

Remanded prisoners were still the responsibility of local authorities; the financial liability of the government for each prisoner commenced with his conviction, from the time he stood committed by the court to the rest of his prison sentence. The reasons for the decline in cost for nearly every prison were given as better management of funds and a more centralised system. At common law the custody of all prisoners committed for trial, or convicted in respect of indictable offences, was with the sheriff and the gaoler was his officer. Notably, the power of the gaoler over untried prisoners had not changed with the *Prison Act of 1877*. The Act had also not made any provision for the treatment or accommodation of the untried prisoners; cells were often part of the shirehalls or court-houses in which prisoners were awaiting trial.

A special and for its time extraordinary report was published as the '*Report of the Committee on the Accommodation in Court Houses and other places for Prisoners awaiting Trial at Assizes and Sessions*' (1887), since thereafter no such Committee was set up again. The Rt Hon Hugh Culling Eardley Childers, one of Her Majesty's Principal Secretaries of State, together with a team of five other committee members, among them Sir Edmund Du Cane, were appointed to inquire into the provision made in buildings wherein courts of

assize and of quarter sessions were sending their prisoners awaiting trial²⁹. The inquiry into the conditions of some of the worst gaols and court houses is well recorded in the *1887 Committee's Report*. It covers the period from 24th June - 21st December 1886, examined a variety of court-houses or gaols where prisoners, men, women and children were awaiting trial. The total number inspected amounted to 189 prisons in 1886. Among the detailed inspection were the following prisons which bore the worst conditions the inspection committee ever saw:³⁰

- Carlisle Shirehall
- Haverfordwest
- Derby Townhall³¹
- Marlborough
- Warminster
- Dorchester³²
- Hull³³
- Bury St. Edmunds
- Ipswich County³⁴
- Newcastle Guildhall
- Norwich Shirehall
- Nottingham Shirehall
- Oxford City³⁵
- Oxford County³⁶
- Newcastle- Under- Lyme
- Monmouth
- Northallerton³⁷

In the vast majority of the above court-houses or gaols, men, women and children were intermingled. Lighting 'enough to read by', heating and ventilation were insufficient or completely lacking. The *Committee* recommended that the unconvicted prisoner ought to have a dry cell, with something to sit on, which should be neither metal, stone or brick. Yet, many of the cells were either overheated by water pipes or gas

28 cf. *Fifth Report*, 1882, p. 6. *ibid*.

29 The five members of the Committee (1886) were:

The Hon. Sir Alfred Wills. Judge of the Queen's Bench Division of the High Court of Justice. Chairman
Sir Robert Nicholas Fowler, Bart. M.P.

Colonel Sir Edmund Frederick Du Cane, K.C.B., Chairman of the Prison Commissioners (England and Wales), Surveyor General of Prisons.

Thomas William Evans, Esquire.

William Layton Lowndes, Esquire, one of the visitors of the Convict Prison at Dover.

30 cf. *Report* 1887. p. 3ff.

31 In Derby County Hall, 20 prisoners were held in a cell of 18ft by 9ft. Men and women were held together in the same cells.

32 In Dorchester Prison, 3 prisoners were held in a cell of 6ft. by 3ft.

33 In Hull, 15 in a room containing 965 cubic feet, equivalent to 12ft by 10ft by 8ft high.

34 In Ipswich County, 20 to 30 prisoners were held in a room of 11ft 10in. by 5ft 2in. by 6ft 3in. high.

35 Oxford City Gaol held men and women in the same cells.

36 At Oxford County Gaol there were 12 in a room of 9ft by 8ft 6in. Due to the fact that the gaol was linked by a tunnel to the County Court, the Committee recommended that no more than six prisoners at a time could be put in one of these cells awaiting trial. The Inspector's Report stated:

'these cells are not warmed, and only lighted by a small circular window near the top of the cell; they are consequently almost dark, and are quite unfit for the purpose required. The Governor also informed me that the county authorities are aware that the cell accommodation is inadequate'.

37 In Northallerton there were 27 in a room of 12ft. by 14ft.

burners, whilst others bore the temperature of 40 - 45 degrees Fahrenheit in winter. The floors were damp, stone floors with often no seating at all for, example, Newcastle-Under-Lyme, or a set of bricks to sit on as was the case in Dorchester or Lancaster. The 'offices of nature' often had to be performed in public; such was the case in the court-house in Manchester, where this had to be performed in front of eight to ten spectators. In Hereford City Court, where four prisoners were held in one cell, there was merely an earth closet in the room³⁸.

The *Committee* further suggested that such work on the existing gaols ought to be carried out by the local authorities and that the various *Prison Commissions* ought to regularly inspect their prisons. Yet, reality, with regards to the duties of the local authorities appeared rather different; they had neglected their duties and responsibilities which included gaols. Therefore, the *Committee* recommended to the Home Office that regular inspection teams should be set up, so that the necessary control could be exercised over the conditions in the gaols. For instance, to certify decent accommodation or to state where accommodation and conditions were inadequate. They demanded the right for the Secretary of State to be able to interfere in cases where local authorities were about to build new court-houses or gaols, or alter the existing ones. The *Inspectorate to the Home Office* would then have the right to inspect the gaols unannounced; yet, at that time the inspectors of the *Prison Commission* had had no right even to see places in question or to interfere in any way. In the rare cases where these 'PC Inspectors' had been successful in bringing about changes in conditions for untried prisoners they had relied almost completely on the courtesy of the local justices or municipal authorities. Above all the committee recommended separation of prisoners and that untried prisoners ought not to 'associate' with convicted inmates.

... Meanwhile, back in Germany in the late 19th century:

With the English prison model and Howard's proposals firmly in mind, prison reformers such as Wagnitz demanded that imprisonment would be '*veredeln und für die Zukunft brauchbar machen*' (improved and made more useful for the future), so that the prisoner would no longer endanger the state and lead a more useful and meaningful life after imprisonment. He stressed that prison

personnel ought to be adequately trained and that the education for a more meaningful life ought to start inside prisons.

Due to the divided nature of the country which called itself Germany, made up of many hundreds of little states, duke- and bishopdoms, there was only one larger North German state, that of Prussia in existence. I will mainly refer to the laws and edicts passed by the state of '*Preußen*', since it is this state which has mainly influenced German penal policy then, and most of these laws are still operated in the Northern German states today.

German prison reformers also started to take an interest in the American ideas of incarceration such as the practical help for prisoners which was promoted by the Quakers, chiefly by William Penn (1644-1718) who had left Roman Catholic England with his religious friends as 'dissenters' for the Delaware region (Penn-sylvania), to seek religious asylum. Penn's idea was to make prisoners repent through the strict teachings of the gospel and thus to 'lead them to God'. Germany's and indeed England's prison architecture was henceforth greatly influenced by the erection of the first two state penitentiaries, the '*Eastern Penitentiary*' in Pittsburgh (1818) and the '*Western Penitentiary*' in Philadelphia (1825).

The '*Western Penitentiary*' was built in circular form, did not prove to be successful and was pulled-down in 1833, whilst the star-shaped '*Eastern Penitentiary*' of Philadelphia, designed and erected by Edward Hariland, became the most popular shape for the prisons in the 19th century³⁹. The solitary and silent systems, inherited from England, were kept, yet overthrown by the Governor or the State of New York, in Auburn (1816-1825) who abolished the silent and solitary systems and introduced communal workshops. The so-called '*Auburn System*' bore the concept that committing a prisoner to silent or solitary confinement would increase or encourage suicides or be the basis for permanent psychological damage.

Thereafter, in 1842, '*Pentonville*' prison was erected in London, according to the principles of the '*Pennsylvanian System*' in Philadelphia, the only architectural difference being that instead of seven wings, the prison was designed with only five to discourage the communication between the cell windows. The solitary, cellular system was used for the first 18 months of imprisonment, and to categorise the prisoner according to his criminal offence, thereafter he was sent on the prisoners'

³⁸ cf. *Report 1887*, p. 73. *ibid*.

³⁹ The '*Eastern Penitentiary of Philadelphia*', built between 1823-25, was star-shaped, with a central observatory from which seven wings lead off. Each wing was closed off and had 38 cells, 19 on each side. The size of each cell was 3.60 by 2.30 metres. At the head entrance of the prison was the 'tower', which included the living quarters for the governor.

ships to the penal colony in Australia.

The 'Generalplan of 1804' of the Prussian Ministry of Justice introduced the special order for penal courts and the concept of better conditions for prisons and prisoners. It meant more cautious and meaningful imprisonment, an adaptation to social life as it was on the outside and the first suggestions of rehabilitation⁴⁰. The first indication of criminal policy and criminology was imparted to Germany. One of the then radical recommendations imparted by the 'Generalplan' was the classification of prisoners into those who could be rehabilitated and those who could not be educated as such, these categories were, 'Strafklasse, Probeklasse und Besserungsklasse' (punishable trial and rehabilitative categories). The introduction of the so-called 'Inquisitorial Prisons', 'Inquisitoriat gefängnis' (today: 'Untersuchungsgefängnis') was then the first time a purpose-built pre-trial or remand prison concept was inaugurated in German penal history⁴¹. After these 'Wars of Liberation' ('Freiheitskriege') this 'socially constructive' thought of the 'Generalplan' was still not continued, partly because the Thirty Years War had emptied the financial resources of Prussia, and partly because a new philosophical thought, that of Kant (1724-1804) and Hegel (1770-1831)⁴² was influencing German penology⁴³.

The run-down prisons were, at least outwardly, shaped and cleaned-up and the Prussian Military was employed to undertake this task. Without delay, officers were taken from the military ranks to run the prisons in order to apply their disciplinary tactics to the prisons which had suffered under the recent wars. The treatment of prisoners was henceforth rather military, with marching drills and the introduction of the 'Rawiczzer Reglement of 1835' which signified the approach of a two-category form of soldier, and now also a dual form of imprisonment, i.e. the 'better prisoner' (first-time offenders and untried

prisoners) and the other category comprising the 'other delinquents' (in the main re-offenders and previously convicted). The identification of the 'first class' was a cloth cap whereas the 'second class' had to wear a paper-cap bearing a number which signified the previous offences. The 'Reglement' allowed the governor to apply up to 30 beatings ('30 Streiche'), which was equally implemented to women prisoners⁴⁴. The prisoner was only addressed by his number and the prison warden's role became merely that of a 'turn-key' ('Schließer').

Prisoners were kept together and John Howard's principles of the separate and silent system and his reformatory ideas had been abandoned; thus the prisoners could talk to each other and influence each other as:

*Lehrling der Schurkerei und des Gaunerhandwerks beim Eintritt zur Haft, verläßt [der Gefangene] als vollendeter Meister den Kerker. (As an apprentice of deceit and roguery upon entry into imprisonment, he leaves the prison as a fully-fledged master of the trade)*⁴⁵.

Shortly after the ascension to the throne in 1840 of King Friedrich Wilhelm IV., the prison surgeon Dr. Nikolaus Heinrich Julius had visited the English 'Mustergefängnis' (model prison) of 'Pentonville' [sic] (built between 1840-42) and in his 'Vorlesungen zur Gefängniskunde' (lectures on prisons and penology) he stressed the importance of such a building style and the positive influence which the English penal system could have on the Prussian one. The King was so impressed that he issued plans to build a 'Pentonville-style' prison in Berlin, namely 'Moabit' in 1848.

Thereafter, the state of 'Baden' erected a similar star-shaped prison on 'Bruchsal'⁴⁶ and both prisons are very much in existence to date. The

40 cf. Schmidt, Eb., 1960.

41 cf. Sieverts, 1967.

42 Hegel believed that a man who had committed a crime, was committing the 'deed' or the offence against his better self ('gegen sein eigenes besseres Ich'). He saw imprisonment only as a 're-finding of the better self' ('...der allgemeinen Vernunft in ihm').

43 According to Kant, man only acts 'good and proper' ('gut und sitlich') when he acts according to his own autonomous will. The state is not allowed to interfere in the free actions of mankind, otherwise man's actions and behaviour will be tarnished.

44 Corporal punishment ('Prügelstrafe') against women in Prussia was abolished in 1867 and against men in 1918.

45 Quoted in: Muntau, J., 1961, p.26. from the 'Rheinisch-Westfälische Gefängnisgesellschaft', which was founded in 1826 by Pastor Theodor Fliedner according to the principles of the 'Philadelphia Society'. It was the society's aim to bring about similar penal reform in Germany at that time. Its motto was to reduce the recidivism and to rehabilitate by the better educational and religious treatment of the prisoner. Thus teachers and chaplains of both catholic and protestant denominations were employed to undertake this form of rehabilitative education in the German prisons. Ministerial supporters of the time were the King himself, Friedrich Wilhelm III., the State Minister Freiherr von Stein and his colleague Ernst Moritz Arndt.

46 I visited the JVA Bruchsal in February 1995 as part of my Home Office visit with the Head of 'Prison Service Enterprises' to examine the prison industries' provisions. The prison wall and buildings are extremely well preserved and probably the best historical example of the 'Pentonville' style of star-shaped prison I have seen to date.

approach to the handling of the prisoners was very much the Pennsylvanian model of single-cell confinement. 'BerlinMoabit', 'Bruchsal' and 'Straubing' (Bavaria) remain as the only star-shaped prisons, since it was thought too costly to build in this architectural style⁴⁷. The prison establishments which were built thereafter only infrequently bore the ideas of Howard or Wagnitz.

The new concept of prison buildings was to deter the outsider by its austere appearance. Another German prison reformer and Howard follower writes in 1828:

*Fest, sicher, dauerhaft, aber wie schon Howard bemerkte, keineswegs einladend, sondern immer ernst, düster und zurückschreckend muß dieselbe seyn [sic]*⁴⁸.

Whilst enjoying the archives of the HM Prison Service at Love Lane, Wakefield, recently, I came across some most (for me at least) exciting 19th century records entitled 'International Penitentiary Congress of 1872' which was held in the 'Hall of the Middle Temple' in London from 3rd July to the 13th July 1872. It involved over one hundred delegates from ministries and penal establishments all over the world, including the German delegation from the states of 'Sachsen' (Saxony), 'Baden' and 'Preussen' (Prussia). The objective of the Congress was:

*To collect reliable prison statistics, to gather information and to compare experience as to the working of different prisons systems; and the effect of various systems of penal legislation...To compare the deterrent effects of various forms of punishment and treatment, and the methods adopted both for the repression and prevention of crime*⁴⁹.

The proposal for such a Congress reminded me of my own fieldwork and questionnaires when I visited German and English prisons during the years 1993-95; each of the 22 representing nations present had been given one specific questionnaire, involving the detailed answers to 69 questions, as

to the size and type of prison establishment, the type and conditions of cellular confinement, daily regimes, and the final question reminded me, almost word for word, of my last question which I would put to staff of each establishment - it read:

*Question 69: Are you satisfied with the penitentiary system of your country? What defects, if any, do you find in it? What changes or modifications would you wish to see introduced?*⁵⁰

For Germany there was a special footnote to the questionnaire which underlined the separate state system existent at that time? To point out to other nations that there was no such single country called 'Germany':

*The order of arrangement of the countries is alphabetical, except that the smaller States of Germany are placed under the head of Germany...that in the case of Denmark, Italy, the United States and Saxony, a different arrangement has been adopted in consequence of modification of the original form suggested in a circular letter from the United States National Committee*⁵¹.

Consequently, the report does not cite one entire summary of a 'Germany penal' system, but quotes examples from five German states and their sometimes very different penal systems, that of Baden, Bavaria, Prussia, Saxony and Württemberg. The 'Grand Duchy of Baden' ('Großherzogtum Baden')⁵² reported that all the prisons were at that time under the control of the Minister of Justice and Foreign Affairs who exercised complete administrative power⁵³. There was, however, a 'Council of Inspection' for all the largest penitentiary establishments. This Council comprised an 'Officer of the Magistracy', appointed by the minister, who discharged as inspector the duties of the 'President of the Council', of the superior officers of the prisons, and of three private individuals named by the minister. The 'Council of Inspection' had the following functions which remind us possibly of

47 I visited the JVA-Berlin Moabit in March 1993 and again in July 1995, the JVA Bruchsal in the 'Land Baden-Württemberg' and the JVA Straubing in the 'Land Bayern' with the HM Prison Service Head of Enterprises in February 1995 in order to study the prisons' industries (see: Reports in the appendices). The JVA Bruchsal was the best preserved in its original 'Pentonville' style.

48 cf. Julius, N.H., 1828, pp. 189ff. Translation: 'Fortress-like, secure, ever-lasting, but as Howard already noted, above all inhospitable, bearing a permanent air of seriousness to be austere and deterring, such must be [a] prison.'

49 cf. 'Prisons and Reformatories at Home and Abroad', 1912, Preface, p. xiiiff.

50 cf. 'Prisons and Reformatories', 1912, p. 5, ibid.

51 cf. 'Prisons and Reformatories', 1912, Part I, p. 1, ibid.

52 Baden was represented at the Congress by the representatives from the Government Gustav Ekert, Herr Rittner, and the Baron von Holtzendorff.

53 cf. 'Prisons and Reformatories', 1912, p. 102 ff, ibid.

the *HM Inspector of Prisons* or the role of the recently appointed *Ombudsman* as part of the English Prison Service today:

- a) 'It decides on the complaints of prisoners
- b) On the admissibility of administrative proceedings against the inferior prison officers when such proceedings are beyond the cognizance of the director
- c) It confirms the contracts entered into by the administration for the supply of the prison
- d) It gives the necessary order if it is desirable in any case to substitute collective for solitary imprisonment'⁵⁴

Baden reported that the punishments of hard labour and imprisonment were undergone on the cellular system not beyond three years, as was also that of arrest. Young prisoners aged twelve to eighteen were imprisoned to a maximum of six months.

The prisoners were supported by the payments of the prisoners who have property (these payments, however, amounted to very little), by the product of the prisoners' labour and the trades carried out in prison and by the subsidies of the state⁵⁵. The prisoners were allowed to write a letter once a month with the permission of the director of the prison who would, in turn read the incoming and outgoing letters together with the chaplain. Visits take place once a month under the supervision of a prison officer; visitors and prisoners remained separated and their conversation was controlled. Men were obliged to attend school until the age of 35, women until the age of 30. The subjects of instruction were those of primary school level. Punishment was the primary aim of the state and the labour was merely penal. Work lasted in the summer months from 5.30 a.m. to 6.30 a.m. and from 7 a.m. to 12 noon. Then again from 1 p.m. to 7.30 p.m. In winter from 6 - 7 a.m., and from 7.45 until noon. In the afternoon from 1 p.m. until 7.30 p.m. The overall working day was registered at an average of 10 hours, with interruptions for church, education and exercise.

When answering the questionnaire question No. 69 the State of *Baden* concluded:

*The quantity and quality of food are very good. Yet in certain cases an addition can well be made to the regular quantity. We are satisfied with the penitentiary system of our country, particularly as the cellular system is as a rule adopted. Strictly to carry out and complete this system, an additional establishment is necessary. The construction of it now engages our attention*⁵⁶.

In the case of the prison establishments of the state of Bavaria (*Bayern*), all prisons, classed as 'Houses of Correction', prisons for 'grown-up criminals sentenced to a term exceeding three months', 'youthful prisoners whose terms exceeded one month', district prisons of courts of justice for 'Grown-up Criminals for a term of less than three months', 'youthful prisoners for a term of less than one month', and 'Police prisons for arrest' were under the jurisdiction of the Ministry of Justice of Bavaria⁵⁷. All inspections were carried out exclusively by the Ministry without any intermediate authorities.

For the cellular prison at Nürnberg, there existed a special council of inspection, consisting of state officials, judges, district attorneys and prison officials, together with private persons belonging to Nürnberg. Bavaria had at that time four cellular prisons, one for 400 men at Nürnberg, and three district prisons of courts of justice, principally for persons awaiting trial (remand). All other prisons were under the so-called 'collective system'. The report stated that 16-18 per cent of the funds for the support of prisoners were obtained from the sale of prison labour, 28 - 32 per cent from the fines to which persons capable of paying them were condemned, and the state paid the remaining balance. Governors and administrators were appointed for life by the King of Bavaria; they were required to have studied the subjects of philosophy and jurisprudence at university. There were no special training schools for governors or prison officials in

54 cf. *Prisons and Reformatories*, 1912, p. 102-103, *ibid*.

55 The prison with extensive trade, work and training facilities was (and still is today, see: Appendix Report on JVA Bruchsal February 1995) in *Bruchsal* (today in the combined *Land Baden-Württemberg*) which had sufficient moneys to pay for the whole of the Baden prison system. The average value of the results of twenty years, had been 50.79 kreuzers per head per day, or 309 florins 48 kreuzers per head per annum. It was the only prison in the country where men were placed with very long-term sentences to hard labour. The grant to it from the State varied from 75 to 172 florins per head per annum. The average grant for twenty years had been 132 florins. *ibid*. p. 104.

56 *ibid*. p. 108-109.

57 The delegates at the Congress of 1872 from *Bavaria* were:

Representatives from the Bavarian State Government, Herr Mess, Dr. Heinrich Marquardsen and the State Prosecutor (*Staatsanwalt*) Herr Peterson. It has to be noted that 'Bavaria' was **not** listed under 'Germany' at that time, but as a '*Freistaat*' (free state) under the King of Bavaria. Today, the prison officers' uniform still bears the emblem and coat of arms of the bavarian '*Freistaat*' symbol.

Bavaria. Chaplains, doctors, teachers, stewards and technical instructors were appointed by the Ministry of Justice. Warders ('*Wärter*') and clerks were appointed by the governor of each prison.

A system of prisoner-classification existed in Bavaria; according to the prison rules, the governors were obliged to keep the 'ordinary' prisoners apart from those who had shown by their past conduct that they gave little hope of improvement, or who by example and communication exerted a 'hurtful influence on others'⁵⁸. Whilst Bavaria had its own Prison Rules, the Penal Code of the German Empire prevailed above all other jurisdiction.

Any petition for the release or shortening of a sentence could only be granted by the King.

There was a reward system in place, whereby each prisoner would receive four kreuzers daily for hard labour, permission to buy extra articles for consumption, permission to receive more frequent visits ('*feierliche Belobung*'), receive better and more lucrative work and receive school book prizes.

The most frequent offence against the Prison Regulations in Bavaria were:

*The intercourse with other prisoners...exchange of articles of food and snuff, disobedience and brutality, such as opposition to officials, attacking fellow-prisoners, refusal to work, swearing, noisiness and quarrelling*⁵⁹.

It is perhaps worth noting that the causes of crime as given by the Bavarian Ministry of Justice at the time were as follows:

1. Want of religious teaching
2. Defective education. According to a law that existed up to the year 1868, marriage between persons who possessed no landed property was exceedingly difficult, and, in consequence, illegitimate births were very numerous. As a result of the want of the beneficial influence which a family life exercises, illegitimate born form a considerable proportion of all prisoners.

3. Neglected education, especially in those parts where children are employed in the guarding of cattle or in working in manufactures.
4. Rough manners and customs. In some parts of Bavaria it is still a custom of the peasants to carry their own stiletto-like knives when visiting public-houses and dancing places, and thus on Sundays and holidays the smallest cause often leads to violence.

The Bavarian report summarised rather self-critically for the '*Penitentiary Congress*':

*The system of collective imprisonment which exists in most of our prisons cannot be considered as satisfactory, the more so as most of our prisons are old castles or convents, which are not well adapted for the purpose they are used for. Old offenders take the lead, and the bad spirit which, under the existing defective arrangements, may indeed be fought against but not eradicated, often brings to nought the best efforts of the prison officials, and is opposed to a lasting improvement of the prisoners. One ought to be satisfied when prisoners do not leave their prisons worse than when they entered them. These defects can only be remedied by building new prisons on the cellular system*⁶⁰.

The subsequent German state reporting extensively about its state of prisons at the 1872 Congress was Prussia ('*Preussen*')⁶¹. The Prussian prison and penal policies system was probably most akin to the one in England at the time. All the Prussian prisons were at that time under a central prison authority⁶², similar to the prison system in England. The local prisons, used exclusively for preventive imprisonment and for short punishments, were under the Minister of Justice the large penitentiaries or 'Central Prisons' were under the Minister of the Interior (equivalent to the Home Office, or Home Department in England at that time).

The tribunals, in accordance with the *Penal Code of the German Empire*, could inflict hard

⁵⁸ *ibid*- pp. 110-113

⁵⁹ *ibid*. p. 113.

⁶⁰ *ibid*. pp. 119-120.

⁶¹ The Prussian delegation comprised one Privy Councillor Herr Steinmann, Dr. Bartling, Dr. Heim, Herr Elborough, Dr. Wiesenhahn, Herr Hermann, Dr. Varrentrapp and Dr. Spiess, by far the largest delegation from any one of the participating nations.

⁶² One of the few remaining prison departments in Germany, in the state of Lower Saxony ('*Zentrales niedersächsisches Vollzugsamt in Celle*') was disposed of in May 1994, shortly after I had organised the Lower Saxony ministerial and prison governors' visit to English prisons and the HM Prison Service College, Newbold Revel; the delegation of 15 German participants, had included the president of the Lower Saxony prison service ('*Präsident des niedersächsischen Vollzugsdienstes*') who shortly after the visit to England in April 1994, was made redundant; thereafter, the Lower Saxony Ministry of Justice in Hanover governed the 29 prisons in that 'Land'.

labour, imprisonment in general, or in a fortress or simple detention⁶³. The Prussian prisons held 26,500 prisoners at that time. 47 prisons were designed for solitary confinement with a total number of 3,247 cells. It was interesting to learn that the Prussian penal authorities had undertaken some research into the reformatory use of cellular solitary confinement, and the conclusions were state in the report as:

After remarkable experiments in Prussia, everything being taken into account, there is no reason to conclude that the number of recidivists has been lessened by the cellular treatment. Yet, these experiments show some examples of the lasting reformation even of hardened criminals, by cellular imprisonment; and it may be doubted whether this reformation would have been effected by imprisonment in common. The reforming influence of the cellular system, can only be demonstrated with certainty in regard to criminals who, excited by opportunity, or carried away by passion, have fallen into crime. It is indisputable that a large proportion of criminals of this class after undergoing cellular imprisonment, are restored to society completely changed and reformed⁶⁴.

The Prussian report discussed at length the two forms of punishment at that time, cellular solitary confinement versus the associated system, and remarked on some excellent discipline, prisoners' health and industry in the latter type of prison. However, it was quite evident from the delegation's report that Prussia preferred the solitary cellular system of penal establishments which 'allows an intermediate state between imprisonment and liberty'. With regards to personal hygiene the Prussian report stated:

Every Saturday he [the prisoner] has to wash the upper part of his body and his feet. Once a month at least he is obliged to take a

complete bath. Prisoners are shaved twice a week. Their hair is cut as often as necessary. Their body-linen is changed weekly, their bed-linen monthly. Every four months their mattresses are changed. Their woollen counterpanes are washed as often as it is deemed requisite⁶⁵.

Prisoners had to work from 6 - 8 a.m. in the mornings, in the summer season work started at 5 a.m. At 7 a.m. prisoners were allowed a quarter of an hour's rest⁶⁶. The principle meal was from 12 - 1 p.m. Work was interrupted by school and catechising. The hours of sleep were from 8 p.m. to 4.45 or 5.45 a.m. (winter and summer sessions). Special infirmaries existed in all the prisons with special medical staff and infirmary attendants.

The prison industries in Prussia were well developed; for example, the trades practised by male prisoners were cigar-manufacture, joiners' and carpenters' work, shoe-making, bookbinding, curtain-rod and picture-frame manufacture, net-making, tailoring, saddlery, trunk and box-making, basket-making, brush-making, locksmithery, brass-casting, metalturnery, manufacture of clasps and coins, wood-carving, manufacture of wooden fancy-work, manufacture of machines and edge-tools, manufacture of lace, ribbons, sashes and manufacture of toys and nail and chain-making, wadding and felt manufacture, lithography, engraving, illuminating, manufacture of corks, leather dressing and tanning, button manufacture, the art of turning in horn and ivory, manufacture of walking-sticks, umbrellas and combs, the cutting crystals and glasses for spectacles, straw-mat making, glove manufacture, marble-cutting, cooperage, and, for women, embroidery, tapestry, knitting, sewing, glove-making, cigar-making, spinning, feather-paring and scraping. In addition to the above trades, men were occupied on farms and in industrial works. Most of the labour was contracted out⁶⁷.

The Prussian report concluded:

63 The Prussian prisons of that time were divided thus:

Prisons exclusively for hard labour: 29

Prisons for simple detention: 15

Prisons of a mixed character: 11

'Arbeitshäuser' (workhouses): 16

these were meant for slight offences such as begging, prostitution, vagrancy and were maintained by the provinces and not by the State.

64 *ibid.* p. 122.

65 *ibid.* p. 131.

66 When I visited the Lower Saxony high security prison in Celle, dating back to 1721, the regime had hardly changed, compared with the report of the 1872 congress. Conditions for long-term prisoners in February 1995 (see: Report on the JVA Celle, Appendix) were extremely severe, the wings had not been refurbished for approximately a hundred years, and one whole wing undertook in-cell tailoring labour with mostly four men to one cell.

67 These trades are still very much in situ today in most of the German long-term prisons.

The principle aim in Prussian prisons is to satisfy justice, and to make the prisoners feel their punishment is an expiation of their crime...Efforts are made to give them habits of order and work, and their minds are influenced by scholastic instruction, spiritual consolation and moral precepts.

When we consider the number of recidivists, we should be inclined to think the prisoners left prison worse than they entered. This, however, all things being considered, would not be a just conclusion. We might more truly say that, in general, privation of liberty has no great influence on the majority of prisoners, and that their relapse is due to the same causes as lead to their first crime, for after the restraint of imprisonment is removed, old influences naturally regain dominion over them. There is no doubt that associated imprisonment tends to make prisoners worse⁶⁸.

They even reported the Prussian penal system to be 'perfect' with the prison administration especially ordered and well-run. The discipline was said to be severe but just; short-falls were recorded in the poor upkeep of the prison buildings and the need for a complete rebuilding programme of penal establishments. Cellular imprisonment in all cases of new or refurbished establishments was highly recommended.

The Congress Report for Germany continues with the the Saxony Government ('Sachsen') report. Saxony at that time was the most densely populated of the German states, having within 272 German square miles about two and a half million inhabitants, or 398 inhabitants per one square mile. Thus the most popular crimes were recorded against personal property. Saxony reported that 'for more than twenty years there had been a conviction that sentences of imprisonment should be undergone only for the expiation of crime, the protection of society and to deter the prisoner from the commission of subsequent offences⁶⁹'.

Since 1850, the penitentiary of Zwickau had been specially distinguished by successfully applying the principle of reformation by means of 'individual treatment'. Furthermore, the then

government resolved in 1854 that all the Saxony prisons should adopt the new regulations for internal management and the treatment of prisoners.

Accordingly, there was in Saxony no penitentiary where either solitary or collective imprisonment was exclusively employed; both modes were used according to prisoners' individual needs. At that time, there were eleven 'Houses of Correction' ('Zuchthäuser') where such penitentiary measures were carried out⁷⁰.

In 1871 the average prison population in Saxony was 1,153 prisoners in prison for severe punishment, 1,001 in prisons for less severe punishment, 1 prisoner in a fortress, 684 prisoners in Houses of Correction and 1,800 in prisons attached to courts or police buildings. There was no central authority for the administration of the prisons as had been, for instance, in the state of Prussia. The overall authority rested with the Ministry of the Interior, except for those prisons belonging to the courts and the police. The Ministry of Justice took full responsibility for the 'Commissioners' and the Ministry of the Interior appointed all prison officers. By an order dated March 10, 1864, disciplinary corporal punishment was greatly reduced⁷¹.

With regards to recidivism, Saxony recorded excellent results: on 1 January 1872 of 415 prisoners dismissed, only 11 (or 2.65 per cent) relapsed. The same mode was adopted throughout Germany by the *Confederate Penal Law* (Penal Law of the German Empire) 31 May, 1870, with the difference that the probationary period could only be set aside by royal pardon or the highest judicial authority. Additionally, Saxony was one of the most industrial of the German states, and produced a variety of industries and trade at its prisons. Profits gained from the prisoners' work covered about one-third to one-half of all the prisons' expenses. The Saxony report concluded:

The prisoners are in general better when leaving the prison than they were when they entered it... Crimes and offences against the rights of property are by far the majority. The motives leading to the commission of them

68 *ibid.* p. 135.

69 *ibid.* p. 137.

70 The various Saxony prison establishments were:

1. Prisons for severe punishment: 2
2. Prisons for less severe punishment: 3
3. Prisons in a fortress: 1
4. Reformatories: 5
5. Prisons belonging to Courts of Justice: no number recorded
6. Prisons belonging to Police Courts: no number recorded

71 The report stated merely that 'Corporal punishment with a rod or thin stick, up to thirty strokes or punishment on laths is under certain restriction and can only be applied after mature consideration and deliberation on the part of the officers.' *ibid.* pp. 139-140.

*are to be looked for in sensuality, unwillingness to work and social evils caused by the density of the population*⁷²

The Congress Report of 1872 on 'Germany' was completed by that of 'Württemberg'⁷³. These prisons were at that time controlled by a central authority which also exercised the supervision over the district prisons for preliminary detention, for those sentenced to minor punishments and to arrest. The central authority was subordinate to the Minister of Justice. It comprised members of the departments of justice, of the interior and of finance⁷⁴. The state was said to contribute about 35 per cent to the maintenance of the prisons, the rest was born by prisoners' labour. The 'Directors' and 'Chief Officers' were appointed by the King of Württemberg. Prisoners were classified according to their conduct; their class was shown in the distinction of their dress. The distribution of different classes of prisoners into their cells ('localités') was equally undertaken upon reception.

The daily routine was dominated by hard labour started at 4.45 a.m. and ended at 7.30 p.m. All the 'Master Crafts' were, once again represented. The report of Württemberg concluded that there was no imprisonment for debt in the state; the number of women prisoners averaged 20 per cent of the total number of prisoners and that special care was taken with youthful prisoners to 'apprentice them, or to place them in asylums which exist in the kingdom for the reception of youths who have fallen into crime or have been neglected'⁷⁵.

With regards to the English representation at the 1872 Penal Congress, the account was given by Major E.F. Du Cane⁷⁶. Whilst I do not wish to elaborate on the report, since it summarises my findings and the Prison Commissions Reports which I covered in my previous section, Du Cane stated:

*We now carry out a system involving a moderate period of isolation, followed by a period during which prisoners live in absolute separation, but work in association. The considerable success which our efforts have met with, figures will easily show*⁷⁷.

Du Cane concluded the Congress:

*I do not think that either an increase or a decrease in crime is affected by prisons systems, nearly to such an extent as it has been asserted that they are, unless, indeed, the prisons are very bad indeed, such as our convict prisons have not been for many years. The prosperity of the country... the efficiency of the police – all contribute to affect the statistics of crime. But certainly an effective penal system bears its parts, and that an important part, in attaining the object*⁷⁸

Germany's penal reforms and legislation affecting the rights of the untried prisoners ('Untersuchungshäftling') during the late 19th and early 20th centuries

I could not find any significant or noteworthy penal reforms in Germany between the founding of the German Empire ('Deutsches Reich') on 18 January 1871, to the end of World War I (1918); yet the reformatory ideas of the treatment of all prisoners being equal were paramount at this time. The 'Reichsstrafgesetzbuch of 1871' (RStGB) (Penal Code of the German Empire) made no consequential impact on penal reform and legislation did not affect the rights and custody of the prisoner remanded in custody; it did not include any code or regulation for the prison establishments at that time. The RStGB merely kept the categorisation of the various types of prisons such as 'Zuchthaus' (House of Correction), 'Gefängnis' (prison), 'Festungshaft' (imprisonment in a dungeon, castle or fortress, and the use of irons) and gave vague directions as to the incarceration of the prisoner according to his offence. The only difference between the 'Zuchthaus' and the 'Gefängnis' was that the 'Zuchthäusler' (prisoners in the House of Correction) **had** to work. Each category of prisoner had the choice of solitary confinement ('Einzelhaft').

The 'Strafprozessordnung vom 1.2.1877' (Penal Proceedings Law Code) brought some form of unified custodial legalisation to the whole of the German empire, 345 years after the edict of the 'Constitutio Criminalis Carolina'. The reasons

⁷² *ibid.* pp.142-143.

⁷³ No representative from the State of Württemberg was present at the Congress of 1872. A report and answers to the questionnaire was sent to the Congress by the Ministry at Stuttgart, dated: April 10, 1872. *Ibid.* pp. 144-150.

⁷⁴ Today, the two states of Baden and Württemberg are joined to one 'Land Baden-Württemberg'.

⁷⁵ *ibid.* p. 150.

⁷⁶ E.F.Du Cane, Royal Engineers; Surveyor-General of Prisons; Chairman of Directors of Convict Prisons; Inspector-General of Military Prisons. *ibid.* pp. 299-362.

⁷⁷ *ibid.* pp. 299-300.

⁷⁸ *ibid.* pp. 310-312.

for imprisonment before trial, i.e. detention on remand (*Untersuchungshaft*) were then, as they are today, the fear of absconding (*Fluchtgefahr*) and the interfering with witnesses (*Verdunklungsgefahr*). The time for remand in custody was limited thus to one week, with the possibility for a two week extension by application of the state prosecutor. The public trial had to take place within four weeks. Yet, in practice, this law was persistently violated.

During the German Empire ('Kaiserreich'), each 'Land' continued to have its own prisons and prison regulations; consequently, the RStGB was interpreted differently by each Ministry of Justice⁷⁹. Hence there was increasing pressure to introduce a '*Reichsvollzugsgesetz*' (a common penal custody law code for the whole of the empire). The '*Reichsregierung von 1879*' (government of the time) suggested the first drafts of a '*Gesetz über die Vollstreckung einer Freiheitsstrafe*' (Law code for the custodial measures for the deprivation of liberty) in 1878/79, which had the 'categorisation and differentiation according to the type of offence as a central notion. Furthermore, the prisoner himself was to gain certain rights, such as payment for his labour, the right to complain and the exercise in the open air. Yet, this first draft did not pass the powerful legislation of the then '*Reichskanzler*' Bismarck in the state parliament; his major argument against such reforms were of a financial nature. Bismarck figured that 23,000 new cells would be added to the existing prisons, or new prisons would have to be built, in order to facilitate single cell accommodation⁸⁰.

Ever new drafts were forwarded to the '*Reichstag*', until, in 1897, there was a consensus of all the '*Länder*' to agree on a common procedure for imprisonment which would be adhered to by all the states ('*Bundesratsgrundsätze*'). This code of conduct for all prisons remained in existence until the end of the Kaiser-era, yet only concentrated on administrative codes, rather than the treatment of and cellular conditions for prisoners. According to the '*Gefängnisordnung [sic] für die Justizverwaltung des Landes Preussen vom 21. Dezember, 1898*' there were special codes for the safe custody of the remanded prisoner⁸¹.

The not-guilty principle was highlighted and that he was only to be put in chains if he was particularly dangerous (§ 91). There was the requirement, that the remanded prisoner did not have to work (§ 92), that he was allowed his own clothes (§ 93), that the '*Beköstigung*' (feeding) was to be undertaken by the prison and not by the

prisoner or his relatives (§ 94). However, the special code for the prisoner on remand included the regulation that the overall rules and regulations for the safe-keeping on remand in prison were dictated by the remanding judge (§ 95 '*Verfügung des Richters*'); this legislation still exists today.

Conclusion

As my account of penal developments in England and Germany has shown, no great noteworthy development of penal reform with regards to the remand prisoner can be accounted for during the 18th or 19th century in any of the German states. Penal policies were copied from England and the English 'model prison' of Pentonville copied many times over in various German states. By chance, the Baden-Württemberg high security prison of Bruchsal, which is a beautifully preserved copy of the Pentonville-model, celebrates its 150th anniversary in October 1995.

With regard to the untried prisoner's rights and conditions in England, the 1886 '*Prison Inspection Committee for Untried Prisoners*' found conditions in the 189 gaols and court-houses inhumane for warders and prisoners alike. They recommended an immediate start of a building or renovation programme which would see to the most basic of human needs to ensure that men and women should be kept 'decent and private'. Regrettably, in the rare cases where these PC inspectors had been successful in bringing about changes in conditions for untried prisoners, they had relied almost completely on the courtesy of the local justices or municipal authorities. Above all the committee recommended separation of prisoners and for untried prisoners not to 'associate' with convicted inmates.⁸²

What remains most fascinating, in the whole comparative study of German and English prisons, is the fact that Germany looked to England's prisons and penal policies with greatest respect and copied the '*Pentonville*' model and the '*Separate and Silent*' system – copies of which can still be found in excellent working order in forms of Bruchsal Prison (State Baden Württemberg), Straubing Prison (Bavaria) and Berlin-Moabit to date ■

79 cf. Müller-Dietz, 1963, *ibid*, p. 39.

80 cf. Frede, 1975.

81 cf. Wulff, C. '*Die Gefängnisse der Justizverwaltung in Preußen*', 1900, pp. VII ff, Abschnitt III, §§ 91-95 '*Besondere Vorschriften über die Behandlung der Untersuchungsgefangenen*'.

82 cf. Report 1887, pp. 9ff. *ibid*.

Conference

Criminal Justice Conference

Juvenile Justice

21/23 March 1995

D. J. Waplington

*is governor of H.M. Young
Offender Institution,
Lancaster Farms.*

I attended this Conference and very much enjoyed the event. I had never been to any similar Conference and was a little bit suspicious of the process. On the one hand I was flattered to be asked to address the Conference, on the other hand my expectations were not high. I was wrong. The Conference brought together an extremely wide group of people across the Criminal Justice scene and I believe the outcome was very positive.

The Conference was introduced by John Halliday, the Deputy Under Secretary of State at the Home Office. He welcomed the Conference participants and said that this was one of a series of Criminal Justice Conferences which had begun in 1989. The aim was to bring people together to discuss issues of relevance to them all, to look in particular at interactions and knock-on effects within the Criminal Justice process. The product was what people took away individually. The programme had been set up under the auspices of the Criminal Justice Consultative Council when that body was set up in 1992.

Mr Halliday went on to point to the rapid changes which had taken place in the last few years, in particular the Criminal Justice Act of 1991 and the Criminal Justice and Public Order Act of 1994 providing for secure training centres. There was also fresh Home Office guidance on cautioning.

He went on to say that the reduction in the use of custody in the 1980s had now been checked and partially reversed, with the prisoner population reaching record levels. All of this was taking place against a background of public concern and with media attention focused on how the Criminal Justice system dealt with juvenile crime.

The next presentation was called 'A Portrait of Juvenile Crime' and it was presented by Gordon Barclay of the Research and Statistics department of the Home Office. He looked at some of the statistics of crime and young offenders. One of the

key questions asked was 'Is Crime Increasing?'. Most crime was vehicle crime, six per cent was violent crime, two thirds was less serious violence. Since 1988 burglary and vehicle crime had risen most – crime with which young people were involved. Now there was a slight drop. In the last year sexual offences, robbery and violence against the person had shown the greatest increase.

There were considerable variations between police force areas in crimes recorded per 100 population, but in comparison with other countries in Europe between 1987 and 1993 crime in England and Wales had risen the most.

The age breakdown for known offenders found guilty or cautioned for indictable or offences showed 43 per cent aged 10-20. The peak age of offending was about age 18 for males, 15 for females. Looking at the trend since 1983, the numbers dropped by age band, the biggest drop for the youngest. When adjusted for population, 18-20 year olds were up 20 per cent, 14-17 showed some decline, 10-13 declined. Demography did not account for the drop for the 10-13 age group. For females there was more of an increase.

The nature of offences committed changed with age, but there had been an increase in drug offences over all age groups. In the last 10 years there had been different patterns between age groups and between offences.

A research project revealed that 35 per cent of males born in 1953 had been convicted of a Standard List offence by age 35. The six per cent convicted of six or more offences accounted for about 60 per cent of convictions. It was interesting to be informed that 16 - 24 was the peak age for being the victim of an assault.

Subsequent discussion focused on the fact that the figures did not indicate an explosion in juvenile crime.

Charles Clark, Assistant Chief Constable from Essex Police gave a talk called 'The Initial Response of the Criminal Justice System' and spoke about the decision making and disposals

made by the police, in particular cautioning. This was a very interesting talk which identified disparities in cautioning rates amongst police forces. He said that research showed that the cautioning rate varied between forces from 48 per cent to 96 per cent and that cautioning rates could vary between divisions in the same force (58 per cent to 38 per cent in one case). There was evidence that cautioning was being used as an alternative to no further action rather than to prosecution. This situation had led to a review which had produced a new Home Office Circular (59/1990) which had established national standards for cautioning.

The purpose of a formal caution was:

- to deal quickly and simply with less serious offenders
- to divert them from the criminal courts
- to reduce the chances of their re-offending.

Research in 1991 following the introduction of the new Home Office Circular showed that cautioning rates continued to vary widely between regions, between police forces and within police forces. But the policy was considered successful because about 87 per cent of those cautioned were not convicted of a serious offence within the next two years.

He went on to say that recently, serious public concerns over the Criminal Justice system, repeat cautioning and the treatment of persistent juvenile offenders had led to revised cautioning guidance in Home Office Circular 18/1994 and its purposes were to:

- discourage the use of cautions in inappropriate cases, for example for offences which were triable on indictment only
- seek greater consistency between police force areas and
- promote the better recording of cautions.

The next presentation was by David Leigh of the Security Department of Marks and Spencer PLC. Mr Leigh talked about the Milton Keynes Youth Crime Group. This was a local, multi-agency forum which had commissioned an audit of criminal justice costs in the town. This research had concluded that £16 million per annum was spent on criminal justice there annually. Much of this was concerned with processing crime. Relatively small amounts were allocated to crime prevention. The police were involved in dealing with offences already committed rather than crime prevention.

The Milton Keynes Caution Plus scheme

started in May 1994 and attempted to approach shop theft in an innovative way. The principal object was to divert people from repeating their offending behaviour. Arrested individuals were taken to a security suite in the central Milton Keynes shopping area and interviewed by a police officer. To become involved further on Caution Plus, the individual was required to admit to the offence and to confirm their identity. The person was then released and instructed to go to the central police station within two weeks.

Persistent and other offenders were given a presentation by staff from Aylesbury YOI with graphic examples of the harsh realities of prison life. Another session dealt with protective behaviour. Young people were helped to deal with and resist peer pressure. The local authority Youth Service also visited the police station as did the managers of a variety of town centre shops. The managers covered the economic effects of the thefts and these sessions appeared to have an impact. At the conclusion of the process, the offender received a caution.

The scheme had very impressive results. Of 270 people who had been through the scheme, only 13 had re-offended.

Late on the first night we had a presentation from Roger Graef, Writer and Film Maker, entitled 'What Shall we do about Young Offenders?'. Mr Graef explained that he had spent some years on a project entitled 'In search of law and order'. He said he had interviewed 14 Judges after the Strangeways riots to ask why they sent people to prison. He said that overwhelmingly it was because they could not think what else to do. In his view he said the Criminal Justice system was asked to achieve the impossible and he was now more aware than when he began of the lack of options and of why the judges responded as they did.

The next day of the conference examined the role of the Youth Court in presentations by Roger King, Chief Probation of North Yorkshire, and Dr Rachel Brook a Magistrate. Dr Brook spoke of the demands upon magistrates and hoped that Youth Courts would continue to be staffed by specialists used to dealing with young defendants. She stressed that they were a special group, vulnerable to pressure from their peer group, family and community.

The next presentation was by Martin Manby, Director of Social Services, Sheffield. He stated that youth justice issues had recently forced themselves on to his agenda. Attention was focused on gaps in provision for 12 to 15 year olds and the Department of Health requirements for expanded secure accommodation linked to the end of prison custody for 15-16 year olds (170 places). There were concerns about justice by geography.

He said that in Sheffield there was a natural division of work between under and over 16s, but in reality work was integrated between Social Services and Probation in Youth Court Teams. He was concerned about the implications of the recent Green Paper on community sentencing had for future joint working.

In subsequent discussion a great deal of concern was expressed about remands of young people to prison custody. 17 year olds could not be remanded to local authority secure accommodation and therefore went to prison. It was suggested that some of the 15-16 year olds might come from the adult court, where they were co-defendants. It was said that there had been a big increase in the numbers following the Bulger case, and they were staying in for longer periods now because of the time taken to get to court.

Among other presentations was one from the Department of Health. The Department of Health apparently has responsibility for the provision of social services for children which was something that I didn't know.

John Halliday gave a further interesting presentation on the 'Persistent Serious Juvenile Offenders'. He referred to the dramatic change in the direction of policy relating to persistent serious juvenile offenders. The trend now was towards increased use of custody. He explored the reasons for this and he talked about the role of the new secure training centres. The new training centre would be for 12-14 year old persistent offenders who had been convicted of three imprisonable offences and had failed to respond to a supervision order (by breaching it or by offending during its course). The Order would last between six months and two years. The first half would be spent in a secure training centre and the second under close supervision in the community. It is intended that there would be five centres with 40 places each. Invitations to tender for sites at Gringley (Nottinghamshire) and Cookham Wood (Kent) would be issued shortly. Mr Halliday said that secure training centres would not be childrens' prisons. There would be tailored programmes of education and training in a secure environment, and an emphasis on preventing offending.

Other changes include the doubling of the maximum sentence of detention in a YOI for 15-17 year olds and the extension of Section 53 powers to 10-13 year olds.

Alan Finlayson of the Scottish Office, Social Work Services Group spoke about the Scottish 'Childrens Hearing System'. Interestingly he said that while the Scottish Office recognised the problem presented by persistent child offenders, they were maintaining and strengthening the established Childrens Hearing System. He said that at present Scottish policy was not to introduce

any secure training order.

On the final day of the Conference there were also a series of presentations from people who were working with adolescents in voluntary agencies. Adele Blakebrough of the Kaleidoscope Project which is a charity which helps drug addicts gave a short but fascinating presentation. She talked about the five risk factors which appeared to be relevant to prompting young people to turn to drugs. These were:

- contact with the drug scene - a significant factor when any of the other four factors were present
- lack of shared *values* between the young person and parents or school
- lack of *prospects* as perceived by the young person
- a sense of *alienation* sometimes stemming from childhood
- lack of an *ally* in the family or lack of emotional tie with another person.

The final presentation was from Mark Weeding from a voluntary group called Durham Initiatives for Support in the Community (DISC). It was obvious from his presentation that community groups such as his provide an invaluable, innovative and flexible service in the range of work they are involved in. This included an auto crime scheme, an employment project and a range of projects for young offenders including those on community sentences. He stressed the need of young serious and persistent offenders to have more than simple supervision. He said there was a huge gap between the 24 hour attention within the custody and care system and the child care social work contact levels in the community. He said that in one case a 13 year old had been placed in secure accommodation four times and his offences (TWOCs) accelerated each time he came out, running into hundreds. A comprehensive care plan with close control and supervision could, he said, be provided for a fraction of the cost of secure accommodation. He said that a DISC worker had lived in the secure accommodation before the boy's release and made links with his home. He worked intensively with the boy on his release and the result was three offences in the next 6 months.

In a convincing talk he said that the voluntary sector could do difficult and demanding things and was resourceful. Success could be achieved and careful targeting of work was essential.

Conclusion

I am aware that this report reads like a long list of contributions although I have omitted some. However this was one of the best conferences I have ever attended. It was packed with wide ranging, stimulating contributions. We felt there was a need for a strategic vision – a concerted community safety strategy with an inter-agency response. The Conference showed that there are various programmes which could put the focus on young people but inter-departmental coordination was often lacking. ‘Safer Cities’ programmes need this if they are to succeed.

John Halliday’s summary of the conference conclusions was that the Conference had felt there to be a need for a national strategy on youth crime. Better inter-agency working, but the value of the voluntary organisations was fully recognised. They could overcome the constraints of the conflicting priorities of the main agencies.

I came away from the conference with a much greater awareness of the value of the non-statutory and voluntary agencies. The dedication of many of their staff and the insights gained from the very closest contact with young offenders was impressive. Perhaps I should have realised it before as we have had such a productive partnership with the Trust for the Study of Adolescence at Lancaster Farms. The general optimism in the capacity of young people to change was also inspiring.

It was a most stimulating conference and the Home Office is to be congratulated for organising it.

The full text of the conference report can be obtained from the Home Office Special Conferences Unit at Room 216, India Buildings, Water Street, Liverpool L2 OQN ■

VERBALS

“All of us involved with the Youth Courts are becoming concerned, not only about the increasing number of children coming before the courts but by the increasingly punitive attitude of our legislators. And the newspapers’ use of terms like “Rat Boy” and “Ferret Boy” dehumanises children in a way that would horrify the enlightened legislators who set up the Juvenile Courts in 1908. It was then that the use of custody for children under 14 was banned. Nearly 100 years later we are going back to barbarous times. Yet as magistrates we must still have regard for the welfare of the child.”

[Paula Davies a magistrate in Inner London quoted in The Times]

“No-one therefore could doubt the seriousness of the breakouts first from Whitemoor and then from Parkhurst. In the space of a few months, more top security prisoners escaped than in the previous 30 years put together. It is entirely right too that the escapes should have been subject to exhaustive, independent inquiries. But the Prison Service is now in danger of losing sight of its other objectives: providing a safe, just, and positive environment in which prisoners are given the opportunity to lead better and more fulfilling lives on release.”

[Jon Snow in the Annual Report of the Prison Reform Trust 1994/5]

“... the political and social context of the prison system has profoundly changed in the last decade. The implications of the budget scarcity are felt everywhere in the public sector. The increasing popularity of a law and order mentality has produced societal and a political willingness to allocate funds towards what has come to be perceived more and more as the coddling of inmates. As a consequence it becomes harder to maintain the prison system at a level befitting the Dutch reputation for penal tolerance.”

[Arjen Boin of the Department of Public Administration at Leiden University, The Netherlands writing in the September-October edition of “American Jails.”]

Channings Wood to Nebraska

Tom Taylor is a Senior Officer at HMP Channings Wood and in this article he gives an account of his staff exchange with the Nebraska Department of Correction.

This article is a follow-up to the one on the same theme by the then governor of Channings Wood - Roger Brandon in Issue 102 of the Journal.

The opportunity for the exchange was the idea of Wessex Area Manager John May. More detail's of the mechanics of the exchange are the subject of another article due to be produced for American corrections magazines, so I won't try to reproduce them here.

Basically it is a self-funding exercise and as well as paying the airfare the exchanges are required to ensure that there is as little financial commitment as possible left for each other as regards utilities, ie, gas, electric, etc. We were both still paid by respective departments and I simply put all my outgoings onto direct debit. Our houses and cars were compatible and neither of us had children living at home so that made things easier.

Massachusetts and Nebraska were the only two states to actively show an interest in participating and I was given permission by John May to pursue an offer from Jack Currie a Case Manager in Lincoln, Nebraska. We were both keen to do the exchange and with the encouragement of our respective wives we corresponded to see if we considered ourselves compatible. That was in March 1993. We set a dateline of October 1993.

My wife and I went out to Nebraska in October 1993, Jack Currie and his wife met us and we spent a few days with them being shown the locale. I had a tour of the Lincoln Correctional Center (LCC) and my wife and I went to the Dept. HQ to meet the Director of Corrections Harold Clarke and Headquarters staff as well as me getting a new ID Card. After that few days Jack Currie and his wife left for the UK and we were left to cope with settling into a new situation. First thing for me was to get used to driving Jack's Chevrolet Automatic on the wrong side of the road.

Staff training

The training academy is also in Lincoln and adjoins the Department HQ. I joined a group to

do the four weeks basic training which I was obliged to do as if I was a new employee. This was a condition laid down by the Nebraska Department of Corrections. Amongst my training group were potential guards, nurses, a pharmacist and a canteen operative. Of the group only the two potential guards and I had to complete the fourth week which included five man team cell removal and qualification with rifle and shotgun. The first two weeks were mainly theory on a wide range of subjects with a test on each subject which required a 70 per cent pass each time. The American Constitution plays a big role in prison life as well as elsewhere in the USA and cropped up in most subjects. Overall I would say that our UK training is as good as theirs but I could not have fitted into their system as Jack Currie did in ours with just an on the job induction period. The trainees before they start their course know which establishment they are joining and which shift they will be on. Their shift system is a straightforward three shifts therefore one of the two trainee guards knew he was going to the Penitentiary to work in a gun tower on the 2-10 pm shift. The other officer knew that she would be working on the night shift 10-6 in the Diagnostic and Evaluation (D & E) Centre which adjoins the LCC, it is linked by a tunnel (which also serves as a tornado shelter), so that inmates can be securely moved between the two facilities. Self-defence training includes pressure point control techniques (PPCT) which has a written and practical test which must be passed. The training also includes First Aid and CPR qualification. As I've said the training is comprehensive and each member of staff has a refresher course lasting for one week every year which includes First Aid, PPCT, shooting (for uniformed guards) and cell removal teams. If any part is failed it must be re-taken. Qualification is part of their conditions of service and this was the reason I had to complete and pass the training before I was allowed to work in their system. Training and re-training plays a big part in the Nebraska system and is encouraged and available.

I was encouraged to complete a mid-management training course three weeks before I came back because the training might be of value to me.

Having completed the training which had five days 'on the job training, fitted in between the training. I was now ready to start at the LCC.

Work, roles and responsibilities

The prison is manned by unit staff who wear civilian clothing and uniformed officers who man the three gun towers as well as the yards. The uniformed staff do all internal escorts, visits and designated officers are the emergency response teams to answer alarms anywhere in the prison. They also make up part of the control unit staffing but not the segregation unit. They are ranked as in the forces, led by a Major, a Captain, Lieutenants, Sergeants, Corporals and Officers. The units are manned by a Unit Manager (PO) (0800-1630 Monday to Friday) a case manager (SO) on each shift 6-2 and 2-10 and four case workers on each shift.

Each unit can run with (and often does) two case workers. Each member of staff works a five day week with fixed rest days which are staggered so that the whole week is covered by the four case workers. With leave and sickness I quite often had to 'run the floor' with a case worker. The units are in two parts with a total of around 100 inmates in some single and some doubles. The doors could be opened by key or electronically from a central console outside the unit where the night officer did his shift with observation through an all glass frontage to the unit. There are no cell bells and at night the night patrol would only be alerted by inmates switching their light on and off. There were also no alarm bells on the units. Alarms were raised by means of a button on the radio worn by each of the case workers running the unit. The response is by the aforementioned emergency response teams of uniformed officers. However the number of alarm calls was small and never malicious, although occasionally accidental. All searchings (shakedowns) are done by individual case workers on the units. Each cell must be done twice a month and staff are held responsible to complete a fixed number each month. The staff member doing the search can have the inmate present or not while the search is done. At the end of the search the officer leaves the yellow part of a duplicate sheet in the cell with his/her findings including condition of cell. If any discrepancy is found however small a misconduct report will be written. If the cell is shared then both inmates would be held responsible and placed on report and the issue settled by a disciplinary committee.

The daily routine on the units is started with a tannoyed wake up call at 5.45 at which time the

first shift staff would be attending the guard mount where the duty lieutenant would be checking that he had his required staff numbers for the shift. At this time at least once a week the lieutenant would also give out equipment required to take random urinalysis samples as part of the anti-drug campaign. The same process is repeated at 1345 for 1400 and 2145 for 2200 the other shift changes. Breakfast would start at around 0610, the food being brought on to the units on heated trolleys. After I'd been there about six months a central dining hall was opened. All food handling was done very hygienically with two orderlies being the only ones touching the trolley or food. After breakfast inmates were locked down again until work call at 0730. Doors would be opened for about 10 minutes during which all movement would take place. Inmates could be in cell, certain areas of the unit or on the exercise yard if not working. No cell doors were left open, nor were inmates allowed to associate in other inmates cells. Once doors were closed they had to remain that way until the next 'door call' on the tannoy which would be one hour later when again inmates were allowed to leave or enter cells.

No smoking rules

Inmates were permitted to smoke in their cells or on the exercise yard but nowhere else in the establishment. The same rules applied to staff except that they had no cells to smoke in. It was a ruling which I never saw broken. I often saw staff scurrying about trying to snatch some time on the yard. It is a big enclosed institution with a corridor which runs in circular fashion with the units leading off like spokes from a hub with the exercise yard in the middle. It was a lengthy walk from some of the units to the gate lodge so smokers could only use the yard, if they could get off their unit. Inmates were responsible for being at work, school, groups or medical appointments, etc, so the movement through the exercise yard was unescorted. The corridor was only used for the movement of inmates from the mental health unit or inmates from protective custody (PC), the segregation unit or the control unit. The latter two would be wearing orange boiler suits, plus handcuffs belted at the waist and leg irons. During these movements no other inmate movement would be allowed in the corridor. The corridor would be used for movement in foggy conditions. Inmates were only locked down completely once during the day at 1630 hours for a roll check, prior to tea being served, apart from the final lockdown at 2100 hours. Visits also went on during the day and evenings. Visits were subject to stringent conditions for inmates and visitors. Prior to anyone being allowed a visit the inmate had to

send out a proforma for each individual who wished to visit which included their social security number and was checked against FBI files before being passed back to the unit for final scrutiny. The whole process can take some time to complete. Visitors are not allowed to wear coats or jackets in visits or to take any bags in. They are also required to submit to a search. Any refusal to comply means they will not get in. Once in, visitor and inmate are allowed to embrace/kiss for 10 seconds at start and finish of the visit then they must have no physical contact. Like all the prison rules if they are applied consistently no-one can really complain. The visits room is also used for open parole hearings and anyone with a vested interest for or against a parole applicant may attend, and decisions are made on the day. Quite often a family would turn up to support a parolee and they would leave the prison on the same day together. However I believe that those who did not get a positive result still appreciated the opportunity to put their case directly to the board face to face.

Inmate misconduct

Adjudications are dealt with differently as well. Misconduct reports are written on a basis of three stages of severity depending on the alleged disciplinary offence. Class 1, 2, 3, each class has about 12 paragraphs. Class 1 is the most severe and all of Class 1 and half of Class 2 are dealt with by a disciplinary committee with at least two members, one of whom would be an associate warden, a unit manager, Major, Captain or various other senior managers as chairperson plus a case manager or case worker or others of similar status to make up a committee. Lesser charges such as Class 2 second half and Class 3 could be dealt with by a unit disciplinary committee consisting of a case manager plus a case worker or mental health counsellor. The difference between the committees was that because of the more severe offences the institutional committee could award segregation, take good time (remission) and restitution above a certain sum of money. The inmate could defend himself to that committee by calling witnesses, disputing the evidence, etc. On the other hand the unit committee dealing with lesser charges could only award things like room restriction, lesser restitutions, extra hours of work, etc. If an inmate on a lesser charge opted for the unit committee he gave up the right to witnesses, to dispute the charge, in other words he threw himself on the mercy of the committee.

The misconduct is written by the reporting officer but the rule infraction is not decided by the officer who writes the report. This is the job of the Principal Hearing Officer (PHO) usually a

Sergeant who interviews the inmate and decides on the rule infractions. The inmate is given the opportunity to comment and is given a duplicate of the report and then has to wait to be called to whichever committee is deemed appropriate. In the US system there is not much use of staff discretion on misconduct reports and a lot of reports are written every day and a lot of them, to me, appeared trivial. However, the Warden, perhaps because he didn't have to deal with them, saw misconduct reports as a measure of how his staff were dealing with the many breakages of rules however trivial that occurs in any prison anywhere in the course of a day. It comes down to the need for consistency when following laid down rules which after all are for the benefit of staff and inmates.

There are many ways in which the Nebraska system differs from the UK and, I believe, in how each state differs from the others as well as the Federal system which is different again. A lot is to do with the location of the states, the diverse population, the funding, etc. Nebraska is a state in the Mid-West about the size of England and Wales together but with a population just over a million and locking up convicted inmates of just over 3,000 including about 100 female. Bearing in mind that the sheriffs department hold people before trial.

Death Row

Another major difference is that of the death penalty. Nebraska has the death penalty carried out in the electric chair. Death Row is in the Penitentiary which is also in Lincoln and is about two miles from the LCC. I had the opportunity to talk to the staff at the Penitentiary about our system and was also given a tour of the prison. I visited Death Row and spoke to some of the inmates on there. Most of them had been there for a lot of years and there was not any apparent difference in their attitude to any other prisoners I had met. Having said that, there had not been an execution in Nebraska for 35 years but that was to change before I returned to the UK. Perhaps if I had been able to visit the Penitentiary again before I left there might have been a different attitude on Death Row. As well as Death Row I was also taken through the remainder of the procedure which ends at the chair. Nothing I saw or heard during the process of carrying out this execution including the feedback from staff inmates and the enormous media coverage has altered my opinion that it does not serve any useful purpose.

Centre routine

Meanwhile back at the Lincoln Correctional

Centre life carried on as before. Work is as difficult to find out there as in our system. There are the normal institution tasks such as kitchen, laundry, works (maintenance), etc, and some VTC type courses such as panel beating. There was a lot of education, offending behaviour programmes and a law library manned by trained inmates where other inmates had access to legal books, etc.

The living units each of which could hold approximately 100 inmates in cells the same size but some of which were doubles, some singles. 'A' unit was for Protective Custody (R43) inmates, 'B', part of 'C' and 'E' were general population inmates. The remainder of 'C' unit was a segregation unit. 'D' unit where I worked held half sex offenders and, initially when I went there, drug offenders on treatment programmes. Latterly during my last three months the drug treatment programme was moved to a new location, also in Lincoln, an ex-services camp and given the title 'The Nebraska Chemical Treatment Centre' (NCTC). Their place in 'D' unit was taken by inmates who were mentally unstable and/or socially inadequate and who were controlled by a mixture of medication and psychological/psychiatric counselling.

Central dining, when it was introduced, was a well controlled exercise with the dining hall being manned by uniformed staff in the main at breakfast time with some help from case managers like myself who were on the early shift. I was generally to be found at the entrance checking that inmates were properly dressed in uniform with only the top button of the shirt allowed to be undone, belt buckle at the centre, etc. Meals were served on a tray by inmates behind a glass screen counter. The inmates were not allowed to take any food out of the dining hall and were subject to random pat searches (rub downs) as they left. The units were rotated on a weekly basis for meals and

breakfast started at about 6.10 and finished by about 7.15 ready for work call at 7.30. At lunch time the uniformed staff would be supplemented by case managers, unit managers, associate wardens and usually the Warden himself would be there. The meal would be one choice and the only diets I saw were some medical. The weekly menu was always posted a week in advance in the units so inmates always knew what was on. One choice of diet posted a week in advance helped inmates decide whether to eat or not. They knew nothing would change and generally at lunch time there was a full dining hall. Staff, if they wanted a meal, bought a ticket and joined the inmate queue for the same meal. The Warden usually had his lunch there and I never saw him 'jump the queue'. There was no staff canteen. Staff either brought their own food or ate with the inmates. It was accepted practice and I never saw it cause any problems. Inmates on protective custody segregation or in the control unit continued to be fed off a trolley taken to the units.

Acknowledgements

I've tried to give a general picture of life in a maximum security US prison. There are lots of aspects I've touched on and lots I've missed but it would need a more comprehensive article than this to cover it all. In fact some aspects on their own would fill an article. Amongst other items are the variation in sentences, the parole system, the problems of gangs which carry on from outside life, visiting procedures, accreditations by the American Correctional Association which the institution needs to get Federal funding. This means a stringent inspection of every aspect of the institution every year, including volumetric control, property and inmates earnings. Mail is censored by civilian clerks and issued at 1600 ■

VERBALS

"I fully accept that the Prison Service has to cancel courses. However it is apparent that cancellations are now very much the norm rather than the exception. Companies have given commitments at high level to ensure that suitable people can be made available to give awareness training to offenders. The goodwill embedded in that gesture will soon disappear if the Prison Service fails to demonstrate that a similar level of commitment exists in their organisation."

[Baroness Seear commenting upon courses in securing employment on release in the Apex Trust Annual Report 1993/94]

Interview

Robert Christensen worked for the U.S. Federal Bureau of Prisons until he retired. He was invited by the Prison Service here to advise us on security issues.

HOLLY WELSH INTERVIEWS ROBERT CHRISTIENSEN

HOLLY WELSH: Can you tell me a little bit about what you have actually been asked to come over and do?

ROBERT CHRISTIENSEN: *I was approached by the Assistant Director in the Federal Bureau of Prisons back in December 1994, who asked me if I was interested in coming over and doing some consulting work here. What I have done is look at perimeter security, primarily in Category C facilities, look at the Security Manual and provide some input on revising Security Manual. I just spent the last two weeks going to Wakefield, Full Sutton, Long Lartin and Frankland looking at their tool control and writing up a report. I have worked at the idea of using wire around the perimeters of Category C facilities and the potential use of what we call razor wire here in England.*

H.W. Does the wire have an electric current?

R.C. *No it is basically stainless steel wire that has very large sharp barbs, is very different from a dan wire that is used by your system, it has better snagging capabilities, and a little physically deterring too, just the physical appearance of it.*

H.W. What job did you do in America?

R.C. *There are 50 different correctional systems in the States and below that there are counties correctional systems and then below that there are city correctional systems and below all of that is the federal system. I worked for 20 some odd years for the federal system, then I went to work for a high rise what you would call a remand centre in Seattle, Washington, we had about 2,000 remands and I was the Operations*

Director there and by the way it was very interesting. We use an awful lot of wire on the ground, what I call pyramiding rolls of wire, four rolls against the fence and as you come away from the fence to the inside of the facility it goes three, two, one, so basically you have a right angle of wire stacked up against the fence and it's very effective, but there are some problems here including Health and Safety.

H.W. We have got a perception in this country that the gun is a big part of enforcement in American Prisons.

R.C. *No I think there is a misconception. Less than probably three per cent of the current federal facilities have gun towers, what they do have on any institutions fence that does not have gun towers is they have normal patrols in vehicles and these officers are armed, but apart from the institutions that have the big high gun towers you will not see a physical presence of guns in the institution or around the institution. So it is there and the inmates know its there and it can be foolhardy of me to say that it doesn't have an effect, but it is not a very visible presence, except for the major institutions that have what we call gun towers.*

H.W. What other things are there that you looked at?

R.C. *There are different ways of capping the top of walls for example I suggested some weaknesses in ganders and this has been proven at test sites. I have suggested that we may want to look at two fences in Category C's: a stop fence and a sterile area and then wire against the other fence. Highpoint has two fences, and the perimeter security is very decent because of that. I have suggested that whenever possible to have a perimeter road all the way around. I know that is not possible because of the locations. To me it is extremely difficult*

if you know the escape that is taking place at 2 o'clock in the morning at one of your facilities at half a mile away on the far end and you have no other way to get to the outside perimeter. That is the case in many establishments because the lack of space you don't have a perimeter road that makes the exterior very accessible, particularly to a vehicle so that is why we are looking at a possibility, but it's precluded at a number of old facilities. Pentonville is like down town you know so there is not much you can do about that.

H.W. You mentioned you were working at a high rise, was that in a town?

R.C. *Yes I was in down town Seattle, Washington. You might call it a city county remand centre, was 13 storeys high and all the new, what we call bookings, in the States the new arrests would be booked in there until they are formally charged/released. Then there were probably over 2000 of both men and women, there were probably five per cent of that were post-sentenced individuals waiting for what you would call allocation, which we call designation.*

H.W. And how does the security work in a place like that?

R.C. *Well the security was the physical building in itself, there were exercise areas on each floor.*

H.W. So no open exercise then?

R.C. *There was open exercise, it was kind of like a veranda for example you had your floor, then you had a high cement wall that was not connected at the tops, so you had some degree of fresh air coming in, it had a basket court out there and some weight lifting materials and so on and so forth, and then the Court House was a block away and there was an underground tunnel to take the inmates to and from Court, so this alleviated in most cases there was some exceptions to this, but in most cases alleviated the inmates being in vehicles, and transport was mainly used for significant distance to and from Court.*

H.W. Is there categorising of

prisoners in the States?

R.C. *In the federal system, the institutions are categorised as to the degree of security, maximum, medium, minimum and open basically your A, B, C and D and then inmates are categorised, but what we do a little bit different in what you do here is we Categorise inmates also under control problems. Primarily you look at the degree of threat, that the person may pose if he or she escapes or a public arrest, that's only one component with a classification system in the States. It is also geared to controlling inmates, so if you have got a proven control problem one who's exhibited control behaviour through other incarcerations. He may even though he is doing an eight month or 10 or 12 month sentence he may end up in very high security prison because of the need to have very firm controls on his behaviour. When we categorise inmates there is a formula, not so much different than your algorithm, but I think it maybe considers more factors than yours does and once an inmate is categorised he is determined or designated for a particular institution based on that categorisation.*

H.W. Does the estate match the categorisation. Here we have had Category D Prisons with space and Category C Prisons absolutely full?

R.C. *The emphasis of the federal system in the States uses that, let's put this inmate in the lowest degree of security that he is in. The predominant number of establishments in the States, prisons are what you would call Class D or Open and the last count there were 50 out of a total of almost 95, so there is always a movement what I call downwards in security. Of course there is up too, but to much less a degree. The other significant difference, I don't know if this is good or bad I always say it is a difference, your uniform staff are what I call 'generals'. You have your personal officers who look after inmates, both from the security stand point and also from a case manager stand point, with those duties in the federal system are very distinctly divided. There are correctional officers whose primary responsibility is supervision of the unit and security needs*

then you have case managers who are more the social worker part of this so classification is ongoing.

H.W. Are those case workers formally trained?

R.C. *Yes, the minimum requirement is so competitive that you very seldom see anybody in without a masters degree in social work or some related sociology, criminology or something on that line.*

H.W. And how many prisoners would they be dealing with?

R.C. *On the average the federal systems are very much into what they call the Unit Management System where you have a wing and you have 90 to 100 inmates to that wing and you have a unit manager who is responsible for the day to day activities on that wing and 90 to 100 inmates you would probably have two case managers, so the average ratio is one case manager to about 50 or 60 inmates and that is what they call his case load.*

H.W. Do they do Monday to Friday?

R.C. *They do seven days a week, they have two days off, but when I was Governor at the last facility I worked in the federal system and what we did was we would stagger and so one was always on duty on a Saturday the other one was always on duty on a Sunday and they overlapped and would pick up pertinent issues of each others cases that could not wait until the other person came back.*

H.W. Are the case work people paid a lot more than the security officers?

R.C. *Yes, not a great deal more, but I would say significantly more, but to equalise that out I would say that promotion opportunities are much more available because mainly the numbers in security staff on the security side.*

H.W. Does that make a division? Does that make the custody officers identified as purely authority?

R.C. *Well you have to go back to the philosophy of the federal system and I guess that would be the best way to*

answer your questions. Taking around about way, you're hired on in the federal system as the correctional worker first. Your first responsibility is always security and I don't care if you come in as case worker or a catering person, a works person, doesn't make any difference. Then you go to the training academy for new employees and you have to qualify with the firearm whether you are going to be a secretary or if you are going to be whatever and it's ground into your head security first, you're case manager second. I put secretaries up the gun towers because we were so short of staff for a long time, as ludicrous as it may sound. There is no real separation everybody has a security responsibility. There is recognition obviously by the inmates there's the hacks, they call them the hacks (Screws) because they have the uniforms. But I think that the inmates also know that the case managers sat in towers, armed gun towers and when we had problems and we have had riots, we have had case managers on the riot team. We have had food caterers that have been trained on the riot team, so there is a separation, but it is a very subtle separation and probably the only way you can distinguish it by uniforms.

H.W. Would you advocate that kind of system here?

R.C. *That is a difficult question because the cultural differences are so significant. I mean we share more things than differ, and differ less, but your system I would say is a kinder and gentler system and I think it goes back to the borstal days. I think your system is going to be forced to change primarily because your clientele is changing. We went through something very similar in the States in the late 60's and the late 70's. Society thought they had treatment for treating every ill man in prison and we tried a very extensive rehabilitation approach to incarcerated people and frankly it did not work, for a number of reasons. I think the clientele was changing at the time and continued to change, some people are just not amenable to being treated. We still emphasise the rehabilitation, we still emphasise the education aspect and as we say we want to put a better product back out on the streets than what came in. But we have found out that it just does*

not work with a number of people.

H.W. How did you find out that?

R.C. Well because after a period of time you look at the repeat offender and you can see people like who come into institutions and do all the things that you want them to do, educational classes, take the training, do this, and still you see them come back. I don't say we close the door on anybody, but I say we prioritise our resources for those people that we feel through observations, to studies of pre-sentence reports in the number other variables that we think have the best offer to do something productive with their time while they are in prison.

One thing we try to do and I think it is effective is we have a more graduated disciplinary system, within our system than you do. In other words you continued to have management problems with a particular inmate who is maybe disruptive, you call it bullying over here, we call it gang activities in the States, but basically they do the same thing so we move him up to the next layer, which is a little more restricted environment. He continues well he obviously is not interested in any of the vocational training, or education you move him up to the next layer and so on and so forth until finally if he continues his ways and he is continuously disruptive and he is just a regular pain in the ass, he will end up in one of the penitentiaries where he has minimal opportunity for education or anything else. I mean it's there, but it's not there as frequent or as well as the lower security institution. Where as your system, I am not saying it is wrong I am just saying it's different, you tend not to try and control the problem you tend to move the problem, you go from dispersal to dispersal to dispersal and they end up perhaps in a CRC which to me is a holiday, because they end up ordering their own food and there are no queues for anything, very individualised treatment and this is a reward for negative behaviour.

H.W. How quickly would somebody move through the system?

R.C. Well let's take the extreme, for example Marion just recently had their

function changed to the new super max, You'd spent about three years there, but the door is never closed. It's a progressive regime there and obviously have the most restricted housing. There are a number of housing units. There you have your most restricted housing where you start out. You earn your way back out to what you call the transition housing unit. After the transition housing it's back into an open penitentiary where you can scale to a certain degree and scale back down depending on your behaviour. You still have the opportunity to get back into a less regimented regime.

H.W. We are under a lot of pressure here from a number of groups to keep prisoners close to home. With the system that you outlined that would be very difficult if not impossible?

R.C. That's a goal but is not a primary goal. East to the West Coast of the United States is three thousand odd miles. Part of the disciplinary process can and has been and will continue to be, hey, you don't mind your P and Q we will ship you to Timbuctoo and where is the burden going to lie? It's going to lie on your family, you know start thinking about what you are doing. But the goal is all things being equal, he's not a problem, he's got to do x number of years and he's suitable for x type institutions and will try to put him in an area close to his home so as he can have visits. He may have visits when he is reasonably comfortable because of having visits obviously he is a better prisoner and causes less problems, so we strive for that, but that is not an overriding plan.

H.W. One of the things in our system is that our agenda is set by the special interest groups or whatever the media are setting as their agenda. Is it the same in the States?

R.C. I was astounded when I came over here to see the kind of media coverage that you receive here in comparison to what happens in the States, and I think it is grossly unfair because they dwell on the negative. The positives do not make good media. You know you do 99 things right and it never hits the media, you do one thing wrong and you are made out to be a fool or whatever else, and to me

if I read the press cuttings it is just amazing all that I would call trivia, that the press picks up on and publishes.

H.W. What about special interest groups?

R.C. *The American Civil Liberties Union will champion various rights for prisoners when they feel that some procedure or some new regulations is an infringement upon their rights. There are the Indian Groups that are quite active. There was a long battle that they carried on to get sweat lodges inside the facilities and they end up winning and we have to furnish inmates sweat lodges, where they actually put the coals on the fire and have the tent out in the institution security. They convinced the Court that that was part of their religious exercise. From the Indian Activist, to Prisoners Reform Booths they fight for such things as conjugal visiting, which the federal system does not allow, but small numbers of States do and you name it there is probably some group out there, but some are more active than others, I would say the most active one is probably, not much of a nuisance.*

H.W. Is there a system similar to our special hospitals for the mentally ill patients?

R.C. *Yes, there is at least 3 prison hospitals. I am talking about the federal system now. There is at least three prison hospitals that I am aware of that house mentally ill and physically incapable people.*

If the person is sentenced by the Federal Court but he is deemed mentally incompetent at the time of the crime, for example Hinckley tried to successfully break it, he still has that Federal Sentence over him, but until he is deemed mentally capable he will stay in a mental hospital.

H.W. Would that be a secure mental hospital?

R.C. Yes, absolutely.

H.W. Which system is that?

R.C. *It can be both. There are secure wings in the Federal System's Hospitals*

for mental people or at times if it is in a particular area and they want to keep this individual in a geographical area for various reasons then they will contract out to a State Mental Hospital that has a secure wing. That is used quite frequently in the States, but the Federals do not have a particular facility in a geographical location that would mean a need and they would try to contract with the appropriate state to handle that need.

H.W. What are you going to take away with you when you go home?

R.C. *I was impressed by everybody I met in the system. They are all hard working dedicated people. I think if I was to say and be fair with you and say objectively what I think your system needs more than anything else is a strong security voice, in every establishment that has the ear of Governor or a Security Governor Grade. From what I have been told by a number of staff in a number of facilities, this was lost when they did away with the Chief Officers, as they used to be a head figure for security.*

When a Governor is selected to be in charge of security he does not have to have a security background, he is just filling a vacancy. A number of people said and some Governor's, we do not have the security expertise in the establishments that we need to have for the demands that are being made on us now. I have suggested development in the promotional ladder where somebody who stays in security, goes up through the ranks in security, senior officer, principal officer and Governor whatever the lowest grade Governor is, in a smaller institution, go in there as a Governor in charge of security so you have the ear of the main Governor to deal with security issues, I think in many cases that's been lost.

What I would take away is a lot of people trying to do a good job, but there is I would say some voices crying out in the wilderness who need some help and security advice and expertise. I am not saying that people there are not trying to do a good job, but saying in some cases, I do not think they have that background to fall on. You will be surprised at the kind of calls that come in here that from the field from principal officers asking for guidance for some very basic, security

issues. There is something missing out there in a number of places.

H.W. Have you looked at the training at all?

R.C. The first thing that goes on at institution level which I think is terrible, if they get short on monies. They get short on staff, well we cancel training. I think what has happened over a number of years that there has been a, if not intended, gulf created. Staff have not been made to feel part of the organisation through annual training on a regular basis. I asked how much training do staff get on security issues 4.7 days that is all there is. When we were going around talking to staff they said we don't get nearly maybe one day or 1/2 a day or if we are lucky on security issues. There needs to be more emphasis on line staff being trained on security issues and I suggested it as a KPI. It is very very important that you show some investment in staff. There has got to be something that brings people together, and training can be a good for that.

H.W. The Whitemoor or Parkhurst escapes, how would they be handled, in the US? You said the media would be different?

R.C. The media would be different. I think it would probably be reported in the local area and it would be a matter of concern, for a couple of days and then it would die out. I think what is different in the States is that the officers would have been held responsible for their degree of negligence. Let's say you had a similar escape something on the same circumstances, we will say from Full Sutton, and they tried to penalise these officers one way or the other and discipline those officers, I would think it would be very difficult particularly if you have got a very sharp lawyer, who said how could you want to discipline these officers when you know the officers at wherever. It's a simplistic approach, but you asked me how it would be handled differently in the States, the officers who are negligent of their duties will have been chastised and penalised just as much if not more so than the Governor. I mean he has got to share some of that responsibility, there is no doubt about

that, but that does not in my opinion remove the responsibility off line staff level for doing their job correctly. You don't do your job correctly when you are sitting playing scrabble. That would be the difference, they would have been disciplined. The media would have reported there is no doubt about that, would have been sensational at the time, but it would go away, get it over and done with.

H.W. What do you think of things like our security manual, do you think that is a good way of setting standards?

R.C. Yes, because I am most familiar with the concept of a security manual, it is what the Federal System has. The problem that the current manual has is it is not mandatory and very very few things says you will do this or you must do that, but you should do this or you can do that. Well should and can I don't think there is that much cultural differences in our language which leads us up to the individual discretion. I know the new manual, that will come out will be much much more mandatory, in the things that should be required throughout the system.

H.W. Do you think we need to put more resources into security?

R.C. I think it is more a case of doing it right. I do not think the resources were the situation in the notorious escape from Whitemoor. I think the resources were the question at Parkhurst, I do not think the resources were a question at Wormwood Scrubs, where two lifers got over a wall. So I am not saying that there are not physical improvements that need to be made, but I think the emphasis at least has to be strong on procedural requirements and to establish procedures and standards. I do not care what it is, if you do not have staff that adhere to the procedure and standards and take care of business, then prisoners will take advantage of it.

H.W. Have you looked at hostage training at all?

R.C. Yes, we approach hostage training very much the same as you do, the

philosophy is a little bit different. It is well known in the Federal System by both staff and inmates, that whoever is taken hostage loses all authority, and there is no equivocation. The difference is there is no definitive statement in your manual that hostages lose their authority, you try to contain them and do what you can. In the States it's very clear a warden is taken hostage he is no longer a warden and the staff do not recognise him as a figure of authority inside the institution. The understanding is the hostage is unfortunate but you do not have any authority so if you order anything you are just not going to be recognised or accepted by staff.

H.W. Have you ever had the hostage on the move?

R.C. No, because we would not allow, I mean it sounds callous, but what they would first call in the Swat Team and they just ring the place with rifles. It would be very unfortunate if a staff member got killed or hurt, but the degree of risk and the precedence for letting that person out who was taken hostage, the ramifications which in our opinion would be worse.

H.W. If you had another six months, what would you want to look at?

R.C. Well I think I would like to concentrate on dispersal prisons because I think the basis is there and I think there was some refinements in certain things that they could be made much more

secure. I have been at Wakefield, Full Sutton, Long Lartin and Frankland. There is inconsistency on how they handle and manage tools in their workshops. It is the difference between night and day. Perimeter security was a concern, but I think procedurally there are so many things that could be strengthened that would reinforce overall security. I would like to be able to concentrate on the security manual, perimeter security for Class C, which I think can be improved immensely without a great deal of money and effort and dispersals on some other things.

I do not want to leave, with the idea that all I say was negative. There was more positives than negatives and I was not here to, support the positives. I was here to identify what I call some negatives and propose solutions through different approaches. I do not have any better answers, just different answers. I saw many positives like your caring, that was very much a positive, just the humanity of your system is very large. You are a kinder and generous society and I hope that does not change. I fear when I read your papers and see the culture, in great ways it is changing, unfortunately, and what happens on the outside is reflected in the prisons four, five, six, years hence. You will see a more ruthless people in the organised crime, the people with large minority resources that are going to cause you headaches in the years to come.

I wish you well ■

VERBALS

"The masculine defects of self-aggrandisement, insensitivity, status-seeking, aggression, arrogance greed, writ large, have brought about the downfall of many corporations. Whether a number of women in top management would radically alter performance must remain a speculation. Given the persistence of discrimination against them, there is little immediate chance of this being put to the test."

[Sir Geoffrey Chandler former Director-General of NEDO and one time Director of Shell writing in *Management Today* July 1995]

Community Based Sex Offender Treatment Provision:

AN EVALUATION BY THE STEP TEAM

Introduction

In 1993 Barker and Morgan reviewed the literature on the nature, evaluation and efficacy of sex offender treatment programmes; and surveyed the provision of such programmes by the Probation Service. They found that all but 13 of the Probation Services in England and Wales were running some form of sex offender treatment programme. Of the 63 probation-led sex offender treatment programmes in existence, only three had been running for more than five years. This finding illustrates the rapid growth in the area. There appeared to be three main models of treatment programme: full-time attendance for one or two weeks; two hours weekly for eight weeks to six months; or two hours weekly for a year to indefinitely.

The main treatment approach reported being used by Probation Services was 'cognitive-behavioural' therapy. Barker and Morgan suggest that the reason for this lack of variation in treatment approach in probation services has been due to the influence of one or two training organisations and reports of the effectiveness of cognitive-behavioural therapy, particularly with child molesters and exhibitionists (Marshall *et al.*, 1991). The 'cognitive' aspect of this type of therapy should cover recognising the patterns of distorted thinking which allow the contemplation of illegal sexual acts; understanding the impact of sexually abusive behaviour on victims; and increasing the awareness of the harmful short and long-term consequences of offence behaviours. The 'behavioural' component of treatment should involve reducing sexual arousal to inappropriate fantasies of forced sexual activities with children or adults.

Such programmes are primarily undertaken in groups. Groupwork can be seen as an effective means of delivering treatment for a number of reasons. By joining a group a sex offender publicly acknowledges his need to change, allowing other clients to challenge the offender's distorted

patterns of thinking and behaviour and providing a supportive environment in which new attitudes and behaviours can be rehearsed.

Background to the Research

Seven centres were selected for detailed evaluation because they were well-established and represented the range of sex offender treatment programmes offered by, or for, the Probation Service. The programmes fell into the following categories:

- **Long-term residential.** Clients seen here were resident at the only private specialist centre for the treatment of child abusers in the UK. They had approximately 15 hours of group therapy per week (plus the equivalent time spent in individual, family work or time spent working on their own) for about, on average, a 31 week stay;
- **Short term intensive.** Three programmes were looked at, offering, on average, 50 hours of group therapy over a two week period;
- **Rolling long-term.** Two open ended programmes were evaluated: delivering two hours of therapy weekly or fortnightly;
- **Short-term intensive group plus co-working.** One programme was seen: consisting of a full week of therapy followed by long-term co-working with the client's probation officer and a programme leader.

Detailed demographic data was collected on approximately seven clients from each of the probation programmes and 20 clients from the residential programme. Each client was given a battery of psychological tests before they started therapy and again after a period of treatment. These were designed to measure changes in those

Dr. Anthony Beech is the full-time researcher on the STEP (Sex Offender Treatment and Evaluation Project) Team and an Associate Research Fellow, University of Birmingham. The other members of the STEP team are: **Richard Beckett**, Consultant Forensic Psychologist; **Dawn Fisher**, Consultant Forensic Psychologist and **Ann Scott Fordham**, Consultant Forensic Psychologist. – The STEP Team are currently involved in an evaluation of the Core Sex Treatment Programme in category C establishments.

areas believed to contribute towards re-offending, such as: 'an offender's willingness to admit to offences and sexual problems; level of distorted thinking about children and sexuality; level of fixation or emotional over-identification with children; the extent to which he is unable to understand the distress that he has caused to his victims; his knowledge of thoughts and situations that may put him at risk in the future; and levels of personal functioning such as – assertiveness and intimacy skills. Data was also collected on these tests from 81 non-offending adult males. By doing this comparisons could be made with the offending sample.

In total, 59 offenders completed testing before and after treatment, of these 52 were child abusers. The rest of the sample consisted of rapists, indecent expositors, and one man whose index offence was of making obscene phone calls. Because of the small numbers in these latter groups all analyses were confined to the child molest sample.

Clients were seen after a full period of treatment in the short-term intensive programmes. Because of time constraints, clients in the other probation programmes were seen after a similar period in treatment. This enabled a comparison to be made between a relatively short amount of therapy in these programmes (average 63 hours), and longer-term treatment in the residential programme (average 462 hours).

Offender Profiles Prior to Treatment

The child abusers in the sample were found to be significantly different from the comparison group of non-offenders in a number of ways. They were typically: emotionally isolated individuals; lacking in self confidence; underassertive in many social situations; poor at appreciating the perspective of others; and ill-equipped to deal with emotional distress. They characteristically denied or minimised the full extent of their sexual offending and problems. A significant proportion were found to have: little ability to comprehend the distress that they had caused to their victims; evidenced strong emotional attachments to children; and a range of distorted attitudes and beliefs, where they portrayed children as able to consent to, and not be harmed by, sexual contact with adults.

Men with most problems in these areas tended to be the more serious offenders, they were more likely to have: committed offences against a number of victims; been convicted of a previous sexual offence; committed offences outside of the family or **both inside and outside** the family. In comparison the rest of the sample were

characterised as having less distorted thoughts and attitudes about children. Of these, most were incest offenders, with usually one female victim (daughter or step-daughter). As a group, these men had an inability to relate to, and understand the emotional needs of children. Suggesting that this may be an important component in the etiology of incest offending.

Was Treatment Effective?

Analysis of the data identified that 54 per cent of the group had profiles that were within a non-offending range on most of the psychological measures after a period in treatment. There was also significant change pre-treatment/post-treatment on these measures. These findings suggest that these men could be considered to have benefited from treatment. In comparison, the rest of the sample had scores that were still outside of the normal range of scores and did not show any change on any significant pre-post change, except for an improvement in level of denial of offence behaviours (specifically admitting to planning of their offences and that emotional damage was caused to their victims).

In judging the extent to which treatment was effective, the level where the offenders started from needs to be addressed. Fixated paedophiles needed to make a substantial change in order to reach a 'successfully treated' profile, whereas men with less distorted thoughts and attitudes towards children needed to change relatively less. Short-term therapy, delivered by the probation programmes, was generally successful in treating the less fixated men. Such therapy had an impact on an offender's willingness to admit to offences and sexual problems, reduced the extent to which he justified his offending and his level of distorted thinking about children and sexuality. However, short-term probation programmes had little success with fixated paedophiles.

Longer-term treatment was generally successful with fixated paedophiles. Such therapy, as well as having an impact on offender justifications and distorted thinking, was found to be related to improvements in self esteem, assertiveness and intimacy skills in these offenders.

Overall 25 percent of clients actually got worse in terms of their ability to comprehend the distress that they had caused to their victims. This may have been due to the fact that they had low levels of self esteem and an inability to cope with the feelings of others. Failure to have the necessary coping skills, as well as feelings of little self-worth, may have left some men feeling bombarded with the consequences of their abusive behaviour without the resources to cope with their feelings, leading to some men becoming hardened in their

attitudes towards their victims as a defence strategy.

Treatment Delivery

Most programmes were successful at delivering the more cognitive aspects of therapy but most contained little, or no, behavioural component. The reason why these techniques were not in evidence in many of the probation programmes may be due to the fact that these require specialised psychological knowledge and training. There was also little evidence of offenders having acquired any formal 'relapse prevention' skills. This involves getting the client to recognise warning signs and risky situations that could lead to re-offending, and teaching the necessary coping, avoidance and escape strategies to deal with such situations appropriately. Any comprehensive programme should include this aspect of treatment.

All group members and leaders and clients were given a questionnaire designed to evaluate the therapeutic environment of the programme. This assessment measured aspects of the groups' functioning such as: cohesiveness of the group; support of clients by group leaders; how much control leaders exerted; and the extent to which the group focused on the tasks in hand.

Considerable variation was found between different treatment programmes with regard to the therapeutic environments that they created. Successful programmes appeared to be highly cohesive, well organised, well led, encouraged the open expression of feelings, produced a sense of group responsibility, and instilled a sense of hope in members. Helpful and supportive leadership style was found to be important in creating an atmosphere where effective therapy could take place; whereas, over-controlling and confrontative leaders and the strict enforcement of rules had a counter-therapeutic effect.

Conclusions

Just over half of the sample appeared to have benefited from treatment. However, this result must be viewed with caution, as it is not known

whether these treatment changes will hold up over time and to what extent treatment change translates into a reduction in recidivism.

Short-term probation programmes were generally successful in reducing levels of denial, justifications for offending and levels of distorted thinking about children and sexuality in less fixated men, but had little impact with highly fixated paedophiles. Long-term treatment produced most change in fixated paedophiles. Such treatment, as well as having an impact on justifications and distorted thinking, was found to have an impact in areas of personal functioning that have been implicated in sexual offending, for example, poor self esteem, underassertiveness and lack of adult intimacy skills. However, it should be noted that such improvements required a large amount of therapeutic input.

The observation that a significant minority of clients (25 per cent) actually got worse in terms of their ability to comprehend the distress that they had caused to their victims after treatment suggests that care should be taken in the timing of such work. If introduced too early the effect may be counter-therapeutic, as offenders may not have come to terms with the consequences of what they have done and may become more defensive and victim blaming as a coping strategy.

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This article is based on a report by the STEP team which was commissioned and funded by the Home Office, entitled 'Community-based Treatment for Sex Offenders: An Evaluation of Seven Treatment Programmes' published in 1994. It can be obtained from the Home Office Publications Unit, 50 Queen Anne's Gate, London, W1H 9AT.

VERBALS

The first six months of operation have produced some early indications about possible shortcomings in Prison Service practice. From the relatively small number of complaint investigations completed, it is already becoming clear that categorisation decisions are all too frequently being based on criteria, which however important, are not currently listed in the relevant regulations.

Practice at adjudications seems poor at times. Laid down property procedures are often not followed, and recording of property both in possession and in storage is frequently inaccurate. Above all, practice relating to home leave and temporary release seems confused and inconsistent. It remains to be seen how far the ... release on temporary licence regulations issued in April 1995 will improve matters!

[A Review of the Work of the Prison Ombudsman 24 October 1994 - 23 April 1995]

Groupwork as a Basis for Assessing Sex Offenders:

SHORT TERM GROUPS IN A LOCAL PRISON

Cathy Strain (*Programmes Co-ordinator*) and

Michael Sheath (*Probation Officer*) HMP Blakenhurst

Background

HMP Blakenhurst in Worcestershire opened in May 1993 and operates as a local prison with a capacity of 649 adult male prisoners. The management of Blakenhurst is contracted out to United Kingdom Detention Services and it was the first privately managed prison in England and Wales to hold sentenced prisoners.

It became apparent within the first few months of operation that the prison contained a number of unsentenced and sentenced sex offenders whose needs and dangerousness needed to be addressed. These prisoners were ultimately concentrated in one House Block which became a vulnerable prisoner wing; a facility which had not originally been built into the design of the prison. Although the numbers of men charged with sex offences has varied considerably since opening, there has been a steady population made up of both long term remand prisoners awaiting trial and also sentenced prisoners awaiting allocation to other establishments.

The nature of a local prison, with a population in constant transition, combined with opening a new establishment, meant that the area of 'programmes' was bound to be one that was difficult to develop at the rate required to ensure that the specific needs of this group could be accounted for. The implications of not introducing an initiative in this area, were that remand prisoners would be unable to discuss their offending in any meaningful way, even if they wanted to, and that convicted prisoners would be allocated without any judgement being made as to their current attitude towards their offences or dangerousness. Consequently there would be a lack of input into plans for sufficient oversight upon release.

In order to remedy this situation and introduce an effective throughcare system for this group of inmates, it was decided to introduce a group based programme to begin to address sex

offending, which would work alongside the statutory systems of sentence planning and child protection procedures. The focus for such a programme was to be assessment, as this would meet the criteria of the establishment operating as the first part of many individuals custody and the start of the process of treatment.

The most effective way to initiate such a programme was felt to be to use resources from both within the prison and the wider community; namely the Hereford and Worcester Probation Service. A pilot programme was run in the spring of 1994 using prison custody staff, seconded Probation Officers and specialist Probation Officers from the Hereford and Worcester Sex Offender Group as facilitators. The pilot programme demonstrated that the institution had both the resources and the commitment to run what was a fairly sophisticated and effective assessment programme, and following the success of the pilot programme it was decided that the prison should run further programmes on an in-house basis. That decision was based upon the desire to meet both prisoner and contractual needs, and was rapidly adopted as an important part of the overall regime. One of the components vital to the success of the programme was the combination of experienced Probation Officers from the community with staff in the prison who were open to new ideas working in a regime which enabled that collaboration to take place.

Purpose and Structure of the Programme

The objectives of the programme are:

- a) To act as resource for supervising Probation Officers, both for clients serving a sentence or received on remand.
- b) To assist in the assessment of individual prisoners, with information being shared with receiving institutions upon transfer.

- c) To provide information to those social service departments who had an interest in prisoners in our custody in relation to child protection issues.
- d) To assist men in beginning to understand their own behaviour and the reasons for it.
- e) To provide training and experience to staff.
- f) To achieve contract compliance.

Selection

Following the success of the pilot programme the group has continued to run with a collaborative leadership using both Probation and prison staff. Prisoner membership is determined firstly by identifying individuals for assessment using the local I.T. (LIDS) system and then completing an assessment/interview conducted by pairs of group workers. This selection process involves:

- a) Checking attitude to the offence and determining plea if unconvicted.
- b) Exploring the circumstances of the offence.
- c) Identifying the level of understanding individuals have about the nature of their offence and their attitude to treatment.
- d) Examining any available reports, including pre-sentence and psychiatric reports.

Following interview, men are either accepted or not and the allocations department notified in order that a retainer might be placed to prevent transfer during the period the group runs. The only criteria specifically barring prisoners from attending are:

- a) Clear indication that a not guilty plea is being entered.
- b) Denial of the offence post conviction.
- c) Indication of acute mental illness.

The group is held away from the vulnerable prisoners unit in order that a safe environment congenial to group work can be created. This has involved using both the education and chapel areas, and assistance from operational staff to allow movement from the vulnerable prisoners Unit to these areas. Each group runs for a period of six sessions, on a weekly basis each session being one and a half hours in duration.

Session Content

The content of the group was derived in the main from the community based programme run by the Hereford and Worcester Probation Service. As the group has developed its format has become more tailor made to the needs of Blakenhurst, and this genesis can be attributed to the different perspectives provided by multi-disciplinary working within the staff and also the resource of a consultant (starting with the third group), allowing for improved reflection and planning.

The first session is used as an introduction to members and staff and to build up a picture of individual offences and reasons for attending the group. Cognitive behavioural offence cycles are also introduced as a means of understanding sex offences as representing purposeful behaviour rather than as random, uncontrolled acts.

During the following next four sessions each member of the group completes an individual offence cycle, giving information about the nature of offence(s), their life experiences and mood prior to offending, their belief and value systems which may have contributed to their offending, their emotional state following the offence(s) and individual cognitive distortions used to justify their actions. In addition to offence based work, a variety of tasks are used to enable men to begin to focus on victims. This has included asking members to write a letter to their victims (not to be posted!) containing messages felt appropriate for victims to hear. Also, men are asked to write an account of their offence from a victim's perspective, this being used to promote an awareness of the consequences for victims and to begin victim empathy work. This 'homework' is analysed in open sessions and proves to be both emotive and powerful.

The use of offence cycles provides a clear assessment of each individual and helps to build a picture of the contributing factors and specific behaviours involved in their offending in order that recommendations regarding transfer, release and potential risks can be made.

The last session is used to introduce an element of relapse prevention in the form of an exercise to explore possible cognitive and behavioural controls that members could use when placed in potentially risky situations. This involves identifying possible events (such as being left alone with a child) as being realistic and relevant to individuals probable lives upon release. Group members are asked to identify their thoughts and feelings about the situation and how they could cognitively challenge these, influence their behaviour and manage the situation.

It is acknowledged that this attempt to introduce a treatment element is only the

beginning of further work that needs to be done, but equally it is felt that this introduction is essential in helping men to begin to make sense of their offending and to start to focus on a way forward. This particularly applies to those prisoners serving short sentences who will not be eligible for either the Core Programme or supervision whilst on licence.

Supervision

A system of supervision was adopted for this group using one of the Probation Officers as an external consultant to the staff group, the direction of the programme being shaped through an informal process whereby ideas and perspectives are shared and developed. The effect of this has been that the workers are able to use their own initiative, instincts and experience at the same time as having an external resource upon which to rely. Informal supervision sessions are held before and after meetings of the group, and formal sessions on other separate occasions. The informal sessions are designed to prepare the workers for the specific task at hand and to enable them to discuss immediate issues and feelings stemming from each session. The formal sessions are designed to focus attention on individual client assessment, problem solving, group process and direction and issues between staff. Both the consultant and the group leaders have expressed a high level of satisfaction with the structure of supervision, and it is felt that the model should be maintained for future groups.

Evaluation

The assistance of a qualified psychologist was not available to us, despite attempts by the establishment to engage one, but it was possible for us to administer a number of questionnaires both before and after the group had been run in an attempt to measure motivation, level of change, honesty and sexual attitudes. These proved to be excellent measures of denial and cognitive distortion and enabled us to build up a fairly comprehensive picture of each man's belief system, denial mechanisms, motivation to change and general level of dangerousness.

One of the most significant implications of running the group was our enhanced ability to participate in multi-agency case conferences and decision making forums because of our increased level of knowledge about individuals, the way they function and their potential risk to children on their return to the community.

We felt that our role as a prison in child protection strategies should not be underestimated and we are happy to have a reputation with Social Services departments as an

establishment which puts time and energy into these issues.

In the future, it is proposed that we run a group for men charged with or convicted of sex offences against adult women, since previous assessment groups have concentrated on child molesters due to their being rather more amenable to treatment. In addition to this our experiences in working with men who commit sex offences has taught us that many of them have themselves been sexually victimised, and we intend to run a programme for men who are survivors of sexual abuse. This will initially concentrate on the main prison population, who research shows, experience a significant incidence of childhood abuse. Later we hope to adapt the same programme for use with perpetrators.

Conclusion

In conclusion, the effectiveness of collaborative group work to provide a snap shot of individual offenders and their potential future risk cannot be under-estimated. The Sex Offenders Assessment Programme has become an integral part a set of initiatives at Blakenhurst which seek to address both offending behaviour and the issues that surround it within the context of a local prison. There are many reasons why this group might not have happened, and, some would argue, should not have happened because of its brief duration and so questionable validity. However, it has been felt by all those involved, including prisoners, that it is better to do something than nothing when it is clearly possible to have an impact with individuals who have committed offences which are both devastating to their victims and which have such profound implications for themselves and their families ■

Letters

Dear Sir,

Mr. A.Oliver wrote on 5 April 1995 requesting permission to reproduce the contents of the Journal of College Medicine and that unless he heard to the contrary he would proceed with the printing.

The College had no objection to this, but is it not conventional to acknowledge the source by

printing its name alongside the excerpts?

I am sorry to note that nowhere in the Prison Service Journal No.99 have you acknowledged the fact that the extracts are from the College of Prison Medicine Journal.

I would request you to rectify this by mentioning the College Journal in the next issue and

also printing this letter in the letters section.

**A. Kumar.
Secretary
College of Prison
Medicine.**

[Apologies are due to the Journal - Editor.]

Dear Sir,

In view of the current level of debate surrounding ministerial interference in the day to day running of the service, one of the points from Sir John Learmont's report strikes a chord.

Paragraph 2.229 which deals with applications highlights the way they are endlessly referred upwards, often going past governing governor level to area manager and beyond.

There seems still to be a culture in the service and especially among prisoners that if you do not get the answer you want, you keep going higher until you do. As a wing manager in my last posting I encouraged my officers and Senior officers to deal with applications at their level and only refer those to me which specifically required my input. Similarly I would only refer on that which had to be seen by a governor grade. The old favourite of "To see the

governor personal " would be returned " See personal officer - governor ". At any stage of the process the only avenue of appeal allowed was access to the request / complaint procedure.

Where all our determined efforts failed was with the prisoner who would not accept request / complaint as his avenue of appeal. He would invariably storm out of the office with the words " You will be hearing from my M.P. / solicitor about this ".

I do not find the level of paperwork estimated by the enquiry to be circulating the service surprising; we have enough of our own making, which is going towards implementing programmes designed to promote security, control and order in establishments across the country. What we can do without is the vast amount of

investigation and paperwork involved in answering questions from M.P.s and solicitors which should only come to us, if at all, after the internal process up to and including the ombudsman has been exhausted.

I would estimate 10-15 per cent of my time as a Principal Officer was devoted to dealing with investigations resulting from a prisoner's query to his M.P. or solicitor which more properly fell within the internal process.

The sooner the Home Secretary's office educates M.P.s of the need to refer all problems initially to the internal process, rather than sending them on to the Director General, the earlier we will be able to get on with the business of getting out of our offices and onto the landings.

**M. Fitzsimons, a
governor currently
seconded to the APEX
TRUST.**

VERBALS

"There is good reason to be relatively satisfied with the first six months of the Ombudsman's existence. The setting up of a new organisation, the volume and spread of complaints, the thoroughness and speed of most of the investigations and the positive feedback from both prisoners and staff are all reasons for some satisfaction. The Ombudsman's office has clearly been established as an important and positive part of the prison system and a greater degree of self-regulation has been observed as a result.

[A Review of the Work of the Prison Ombudsman 24 October 1994 - 23 April 1995]

Special Needs - Vulnerable Prisoner Care at Camphill

Roy Drummer manages St Patrick's Hall or wing at HMP Camphill. The regime has been designed to help the vulnerable prisoner cope with the demands of prison life and offers an example of best practice in this field of work.

St Patrick's Hall is a wing for 45 prisoners at Camphill on the Isle of Wight.

The aim of the Wing is to provide a high standard of custodial and personal development care for the prisoners, who are people not able to cope in the normal environment of the prison.

The Development of VP Care

In 1990 the concept, which has evolved to today's VP at Camphill, was more closely related to 'inadequate behaviour' or 'silly behaviour'. It was usually the behaviour of prisoners with learning difficulties, who were slow to react and respond to care. They were often Rule 43 applicants and tended to be relatively easy to work with.

Care in the Community and the closure of hospitals for the mentally ill, led to much more serious cases of socially and mentally disadvantaged prisoners finding their way to St Patrick's Hall.

Behaviour was typically uncontrollable and the large numbers of such prisoners arriving in the wing meant the Team had to sit down and rethink how they would deal with these cases – because they had no experience to draw upon.

The Medical Officer found himself rejecting transfers from the London prisons because the prisoners were assessed as unlikely to cope in a normal (prison) environment.

St Patrick's offered to give these prisoners an opportunity and they were given an initial two week's assessment period.

Most settled, thanks to the quality of care offered by the multi-disciplinary team, and St Patrick's evolved, almost by accident, into a VP Care Wing – with the potential for becoming a Special Needs Unit for prisons in the South.

Service Development

The service developed, initially, almost by default.

Officers developed the skills of dealing with VP's through personal effort; by trial and error; from a team approach and from feedback or feed-in from the MO and/or a Psychiatrist.

Today the service depends heavily on the multi-disciplinary team of:

- Officers, who have special personal qualities to deal with this type of prisoner (as well as standard custodial competence)
- Professionals, especially the Medical Officer and the Psychologist, Probation staff, Psychiatrist and others relevant to meet particular needs.

The team meets regularly for case conferences and to further develop the service.

When a prisoner is proving to be especially difficult those officers on duty will discuss:

- i) the behaviours being displayed
- ii) their suggestions for the Personal Officer to deal with the prisoner.

An agreed approach will be tried by the Personal Officer and this will be fed back to the group:

- i) for their information
- ii) for further development, if necessary.

If the prisoner makes no progress, he will be referred to the MO for further attention/treatment.

Slowly, the team has developed the service in this way, drawing on one another for the necessary support.

Planning the Service

Initial key initiatives included:

- an officer who became a counsellor in suicide treatment and he, in turn, helps other officers to recognise the signs and, either take action, or seek his help
- a suicide suite designed to replace more standard treatment of segregation for such prisoners.

The concept was developed elsewhere but officers at Camphill have taken it up and driven it through.

The suite has special

- furniture – to prevent self harm
- windows – to prevent self harm
- cameras and monitors
- decor to lift a suicidal prisoner's mood.

It is an area of respite when needed. It is not intended that anyone stays there permanently.

One technique to try to ensure a suicidal prisoner will communicate was not to include a lavatory in the suite. It is hoped that this will give experienced officers a way into general, gentle conversation at some stage, to establish a relationship and begin treatment/therapy.

Domestic Facility

A further planned development acknowledges that VP's tend not to be able to cope with the basic daily living skills.

The planned domestic facility will allow them to learn and develop their skills and an acceptance of the desirability of washing and ironing clothes and simple nutrition cooking and safety.

Management Information

In addition to standard management information required by the manager and staff on a wing, the VP Wing will often need different information as well as, sometimes, more detailed standard information to provide prisoners with the highest quality of service.

1. **Personal Dossiers** are compiled and kept up to date at all times and contain:
 - Page 1 (the CV) of the prisoner's record
 - medical card - the MO's record of assessment treatment (especially

treatment changes)

- Liaison between the MO and officers is vital, if officers are to provide the best service. Changes in treatment can lead to changes in behaviour
- History sheet or Daily Record
 - visits
 - restrictions
 - behaviours (eg associated with drugs/alcohol abuse)
- Applications
- Visiting Passes or Orders.

2. The Occurrence Book records in brief, but sufficient, detail information about anyone who has had any difficulty with anyone else.
3. The sentence plan often involves a lot of behavioural development, sometimes basic (for example, speaking in a normal voice), sometimes more subtle (for example, thinking ahead, or, reflectively).
4. The Personal Officer scheme is of paramount importance and unusually long periods are often spent by officers talking to and listening to inmates, often patiently repeating information which is important to the inmate but which they are not retaining.

Activities

VP's mostly do not leave the wing. Arrangements have been developed, often thanks to the goodwill of those involved, to bring activities and experts to the Wing.

Exercise - anyone wishing to exercise can do so between 08.30 and 09.00.

Work - about 10 per cent of the wing go to work.

Education - Day centre - Occupation Therapy - about 50 per cent are involved in crafts, learning the basics of computing etc.

Orderlies - 15 per cent are orderlies and this is a figure which can sometimes be difficult to achieve.

Staff Performance and Development

At Camphill, the staffing of the VP Wing has depended on:

- i) finding permanent staff who have the

necessary qualities and motivation to work with VP's

- ii) ensuring cross-deployed officers received a thorough but quick induction so that they do not, inadvertently, undo in two minutes the constructive work of a colleague over two months.

Many of the qualities needed for working effectively with VP's are similar to those needed elsewhere in the prison, but often they are needed in much larger measures.

All officers are capable of development, but a major pre-requisite is that they wish to develop.

No formal development of any of the skills required has been able to be separately resourced, except suicide counselling. If the VP situation continues to become more prevalent, as is likely, then serious consideration will need to be given to planned staff development and to succession planning.

Qualities required of effective Officers

- infinite patience
- sense of humour, understanding
- sense of fun – these prisoners struggle to make their own
- consistently seeing the positive side of a situation
- persistence with people
- fine judgement of INDIVIDUAL situations
- able to deal with attention seeking behaviour for what it is
- able to find their own level of acceptance to prisoners in the current context of prisoner care

- able to communicate in the way/means which suits the situation, for example, with non-communicators, with try-on's, with loud, angry, verbally violent prisoners
- able to predict and anticipate behaviour and take action to prevent it (for example self-harm)
- able to understand learning in adults and design learning to suit the individual
- able to assess readiness for learning
- able and willing to get to know the person
 - listening
 - asking good questions (open, information seeking)
 - being very observant and interpreting soundly what they see
- registering and recording accurately information about prisoners for others to use
- having a good, accurate memory of specific matters.

All of these may need developing in officers working with VP's

Conclusions

Camphill is proud of its work with VP's and the efforts made to provide a high quality service with a multi-disciplinary team committed to helping these prisoners to progress. As requests for transfers have shown, its reputation spreads amongst the Southern prisons.

As ever resources are needed to take our work further forward. Staff development and service planning being key to our progress ■

STATISTICS

Prison officer appointments						
Year	1989/90	1990/91	1991/92	1992/93	1993/94	1994/95
Ethnic minorities	38	42	59	46	25	28
As % of prison officers recruited	2.4	2.3	2.2	2.4	3.5	2.7
Prison officer appointments						
Year	1989/90	1990/91	1991/92	1992/93	1993/94	1994/95
Women	210	282	392	259	135	230
As % of prison officers recruited	13.4	15.4	15.7	13.4	19.9	21.9

[Equal Opportunities in the prison Service Progress Report 1 October 1993 - 31 March 1995]

Another British First

— Gartree's Therapeutic Community for Lifers

Roland Woodward,
Principal Psychologist and
George Hodkin,
Senior Prison Officer
at HMP Gartree.

Following Gartree's removal from the Dispersal System in April 1992 we found ourselves with an under utilised discreet unit of 25 cells, which had previously been a Vulnerable Prisoner Unit (VPU). Mindful of the need to maximise the use of a accommodation yet minimise the use of human resources a project group was tasked with identifying options for the use of this unit. Many and varied ideas were put forward.

A population profile of 80 per cent life sentence prisoners had already been agreed, with a long term goal of becoming solely lifers and developing as a centre of excellence. Our experience of working with lifers on the wings of the VPU and indeed our segregation unit, had identified considerable expertise at getting alongside life sentence men, and helping them cope with the rigours of the life sentence, the early stages of which are particularly demanding.

The idea of a Therapeutic Community (TC) was very attractive. If we focused on work with lifers it would be unique. If it worked it would further enhance the role of the prison officer, and be a major force for good in pursuing the rehabilitative and public safety element of our statement of purpose.

It would be hard work and very demanding – it is. It would have its opponents – it does. It would change the lives of both staff and prisoners – it has. It could be highly rewarding and an example of excellence. It has been and is.

'The Gartree Therapeutic Community (GTC)¹ staff team deserve credit for the current success of this venture. From the rest of us there has been considerable support. It has been a real team effort'.

R. J. Perry, Governor of Gartree.

After all the politics are over, the decision to go ahead is made. After the staff selection, their training is taken to completion. After the first community members are chosen, the anticipation sets in. After the first group session, the relief takes over! Furniture begins to fly as the raw nerves of community members are touched when they probe each others feelings. Tears flow copiously as they begin to see the enormity of their past actions and the devastating effect that they have had on their own and other peoples lives. The staff team ask each other 'are we responsible for all that?' ... Life has suddenly come to a new therapeutic community.

Over recent years custodial policy has been changing. The old stand-point of, 'if a lifer prisoner behaves himself for a long enough period we'll let him go' has given way to a necessity for him to address various areas of offending behaviour and therefore reduce his risk factor before he is released; a sensible course of action if we are to expect that he will one day return into the community with a real chance of coping adaptively and without re-offending. This policy is all very well, but it is pointless pursuing it unless we provide the means by which a prisoner can address his areas of concern effectively. Short courses such as anger management and alcohol awareness can play a valuable part in the

¹ The GTC is a facility for mandatory and discretionary lifers.

If you would like to know more contact any of the staff team at Gartree Prison.

All correspondence should be addressed to, Senior Officer G. Hodkin, HM Prison Gartree, Leicester Road, Market Harborough, Leics. LE16 7RP. Telephone 01858 410234

rehabilitation of a lifer and prison staff may well help with a prisoner's first steps towards his greater awareness and his understanding that the way he behaves affects the lives of others. There is however a more powerful tool which can play a radical part in helping a prisoner who wishes to do so, overcome his behavioural problems... Group therapy in a community setting.

For the past 20 months, a new therapeutic community has been quietly working to establish itself.

The decision not to announce its opening was made deliberately in order that it could go about the business of founding itself as a working community without attracting attention.

New units often do attract attention and positive inquisitiveness, and the best intentioned visitors can get in the way of the environmental and culture building process. Staff and community members have to come to terms with many novel roles and emotional experiences in the new community. Chaos and confusion are frequent visitors and everyone needs the privacy to experience the newness and to make sense of it.

Our community is still young and still experiencing processes that are unique to it, but it has now shared enough crises to know that it can overcome difficulties. So, after 20 months of hard but rewarding work, the staff team feel confident that the new community is strong and viable and that it is now time to say hello to the rest of the world. It also affords us the opportunity to publicly thank all the people who have been so supportive of the infant community and the chance to shed some light on the enigma that we have become to others. Gartree has been well aware of us because we are integrated into the mainstream activities of the prison, but there is a perception of mystery surrounding our work.

For those of you who do not know what a therapeutic community is and have only heard the myths that surround Britain's largest and longest established therapeutic community, Grendon, let me briefly outline what happens in the GTC. The GTC is housed in a small two storey wing. The ground floor has a dining room in which community members must eat their meals, a servery, several store rooms and a group room. The first floor has cellular accommodation for 21 men, a quiet room, a television room and a pool room. The wing has its own exercise area in which the community members have refurbished and replanted a garden and built an aviary.

Each weekday is broadly split into three parts. Mornings are devoted to therapeutic activities, the most important of which are small

therapy group meetings and whole community meetings. The afternoons are spent by the community members in ordinary prison activities such as work or education and the evenings are free for the usual leisure activities which are available within the prison.

It is the therapy groups and the community meetings which provide the focus of the community, and which create and develop the atmosphere of trust, respect and honesty which is so important in allowing the therapeutic process to take effect. There are three small groups, each comprising of seven community members and one or two staff members from the multi-disciplinary team. In these groups the community members explore how they have become the people they are, and eventually evolve to the stage where they can examine the offences which led to them serving a sentence of life imprisonment. Group members are encouraged to talk about the way they feel towards themselves and others, openly and honestly in the group setting. Group meetings occur on three mornings each week and last for an hour, they are immediately followed by a short, full community meeting (feedback) which all members attend in order to outline the content of their groups to the rest of the community. This is not a forum for discussion, but affords the opportunity for each member to become aware of issues which have been discussed in the other groups.

The other two weekday mornings are given to full community meetings which are attended by all community members and staff. These are scheduled to last for one hour and are held to discuss various wing problems and to allow people to apply for vacant wing jobs to which they are elected by a community vote, but the duration of these meetings often exceeds the hour when community issues of great emotion or importance appear on the agenda. The meetings are chaired by an elected community member who holds the position for three months. Each chairman controls the meeting in his own style and therefore the format is constantly changing as each tries something different, or is forced to modify his technique because of the demands of the community.

Many of our lifers are in the early stages of their life sentences and many of them have killed people who they loved and who loved them.

The depth of grief and loss they experience combined with a confusion of feeling undeserving of grief and intense guilt is one of the issues that everyone in the community has had to wrestle with. Sometimes the emotions surrounding these

issues are so intense that individuals cannot hold onto them until the next scheduled group or community meetings are due. On these occasions community members may call informal meetings, either group or community, in which they can work through their feelings. As time has passed these 'informals' have become more and more frequent as an increasing number of issues and crises have arisen for the community members. In extreme situations of anger, community members can retreat to the 'Pink Room', a special room in which they may dissipate their anger on a punchbag until they can talk to their group. The combined effect of 'groups', community meetings and 'informals' has produced

an atmosphere of constant expectation and activity, sometimes tense, sometimes frightening and often very tiring, but always charged with excitement.

Staff time too is important if we are to operate effectively and understand what is going on. This is especially so when a new community is coming into being. An hour each morning is built in to the routine for us to meet in order to discuss the content of the groups and to talk over and make decisions on wing matters and policy. The last 20 months have proved to be very testing for us all. One of the unexpected phases in the development of the community was the intense amount of grief and loss that it experienced after about four to five months. As the community developed trust and began to work on personal issues, the grief of some of the members surfaced in a very powerful form. This triggered loss experiences in other members and the whole community collectively mourned and grieved for almost four months. The stress on all of us through this period was immense. One cannot sit in groups or work in a community that is experiencing this stage without one's own grief and loss issues being raised. Many of the staff feedback sessions and meetings were spent dealing with our own issues of loss. No matter how much our training had prepared us for our role, nothing had prepared us for our own past distresses to be reactivated. It is a depth of emotional feeling that no-one can appreciate until they experience the impact of it. We have all been taught a great deal about ourselves by the community

It is the willingness to learn with and from the community members that marks us out as staff who are able to work effectively in a therapeutic community. The team consists of a psychologist, a probation officer, two senior prison officers and six prison officers. Each of us were selected to join the team following a series of psychological tests

and an interview to determine our suitability. The team is headed by a principal psychologist (co-author) who acts as therapy manager and wing governor. From the onset, we viewed the creation of the community as a joint venture in which we would be learning from community members. In order to do this we had to let go of many of the traditional features of the staff role. The new emphasis was to deliberately push responsibility for as much as possible onto the community members.

We were looking to extend, as far as possible, the concept of power sharing and the introduction of democratic functioning, although we had to be quite clear about at which point we would draw the power boundaries of therapy and our prison officer roles. It took a great deal of courage on our behalf to stop 'looking after' prisoners, and to begin to allow them to make mistakes from which they could learn. Many of the early staff meetings were taken up by discussion as to which of us were doing things for the community members which they should be doing for themselves and by the team supporting each other as we watched the community struggle with their own, often bad, decisions.

The consternation caused to community members by our refusal to help with simple tasks such as 'guarding' the supper buns or shouting them for meals or exercise, and the insistence that the community sort these things out for themselves, was considerable.

It is incredible how such simple organisational skills are forgotten after a period of incarceration. The community now handles these minor issues with relative ease and are usually searching for the real issues which concern individuals. They have reached a stage where they can manage the daily trivia and delicate personal issues with skill and sensitivity. The major concerns that now face us during our meetings are those surrounding the understanding of the increasingly complex processes of the community. This is essential if we are to help the whole community, the therapy groups and individuals to make sense of the intensely interpersonal environment that they are in.

It may appear from what has been written so far that the community came into being without regard to theory or research, but nothing could be further from the truth. Following our selection, we spent considerable time researching and understanding what would be required to enable a new prison wing to develop into a mature and functioning therapeutic community. All of us

needed total commitment to the project and to each other. Anything less than this would have detracted from our credibility as role models and facilitators. We had to practice right from the start a policy of openness and honesty with each other if we were to expect that community members would do so.

We knew from research that the most potent therapeutic factor at the start of therapy was that of acceptance. In the light of this we took the deliberate stance of openly saying to community members that our expectation was that they would take their own time to decide to work. We also said openly that we did not expect trust, our message to them was that they would make up their own minds about whom they would trust and when. We did not expect respect and said this openly as well, we knew that we would have to earn that. One of our constant sayings was, and still is 'the truth will do'.

A few words about the role of uniformed staff within the therapeutic setting. Our role is that of arbiters of therapy and the maintainers of the community boundaries. In addition uniformed staff have to hold the boundaries of security and prison discipline and this dual role is crucial to the functioning of the community. From the outset the message given to the uniformed members of the team was that

their role as prison officers was as important as that of their role as group facilitators

in the therapy process. It was important that the uniformed staff felt that their complex role had a place within therapy, as any other position placed them in a very difficult situation. In effect it meant that they may have made moral judgements about their work being less 'therapeutic' or less 'caring' than that carried out by non-discipline staff members and they may have felt that anything other than a 'flopsy bunny' approach to prisoners was somehow less than what was required. To make staff feel like this undercuts them, de-skills them and insults them. The uniformed staff knew and understood that their role was valued and wanted in the therapeutic setting.

At this point it might be useful to give you a very brief profile of the GTC in terms of the numbers of people that it has dealt within its first year and a few basic figures about them.

We have had 51 people apply to join the GTC of whom 20 either withdrew or were not selected by the staff. Of the remaining 31, 20 have stayed in the GTC, 8 have chosen to leave the community and three have been required to leave following the relevant community process.

Of the 31 people who have spent time in the GTC in the first year, 16 have been found to have a psychiatric history and seven found to have a history of self injury.

Of our current population, 11 have been with us since the opening of the community and six of the eight who chose to leave us did so before the end of four months.

Currently the community is comprised of 18 people serving life for murder and two serving life for arson. Their average age is 29 with a range between 23 to 43 years old. The average tariff is 12.7 years with a range between four and 20 years.

It is too early in the community's history to start making claims for it, but a preliminary calculation of the average adjudications per month before, during and, where applicable, after being in the GTC show a decline from 0.18 pre GTC to 0.06 after the GTC. We are eagerly awaiting the opportunity to recalculate these figures as our sample size grows.

So,

we can help people put their life back into shape and develop behaviour which is more acceptable to others within prison and in the community, but what's in it for us?

This is not easy to answer. The rewards of a fresh daily challenge, the ongoing training which is interesting and produces tangible recompense in the form of useful skills and certificates, the acknowledgement by senior staff of our continued development of counselling and managerial abilities. Each of these contribute to the motivation of the team, but the real sense of achievement and direction within a tight knit group comes from seeing and measuring the changes in community members. Overall it gives a sense of job satisfaction which is difficult to describe.

Well, here we are then, 20 months old as a community, very experienced and yet very green. Confident that we understand what we are doing and yet still caught off balance occasionally. The way forward is our continued development, we do what we do well, but there is always room for improvement.

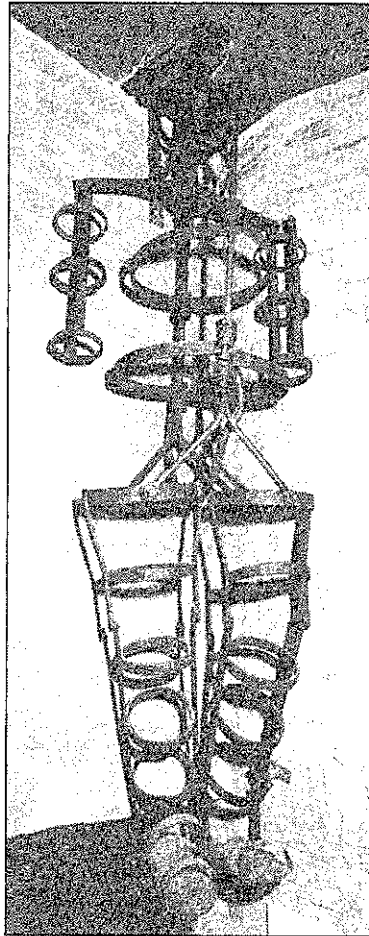
We have plans for the future of the community, which will contribute not only to prison establishments and society, but may encourage others to take a similar direction to ours and achieve something of benefit to everyone ■

The Last Gibbet

At 11 pm on the evening of 30th May, 1832, neighbours noticed a huge fire blazing in James Cook's workshop in Leicester. As they hurried to the scene, they could not help but notice a strange smell. One man ran to fetch Cook and another to summon the constable. Cook explained that it was some bad meat that he was burning. The constable, however, was not satisfied, and took the charred flesh along with some small bones from the ashes to a doctor. The bones were those of human fingers!

A warrant was issued, Cook was arrested and made a full confession. The crime had been carefully premeditated, he had murdered a commercial traveller called John Paas whom he believed to be carrying a large sum of money.

At the trial, which lasted barely a quarter of an hour, Cook pleaded guilty and was sentenced to hang. The judge also added that his body should then be suspended in irons for public display. The Murder Act of 1752 had accepted ancient practice by allowing judges to order gibbeting as part of such sentences. By the 1770's up to a hundred gibbets



were said to have stood on Hounslow Heath, each with a rotting body inside its iron cage. The sight was supposed to act as a deterrent against violent crime.

Thirty thousand people crowded the Welford Road in Leicester to witness the execution. Later, a gibbet, thirty-three feet high, was assembled and Cook's body suspended in a specially made iron frame. Twenty thousand people came to watch. But times were changing, after three days enlightened residents, disturbed by the spectacle (and also anxious about the possibility of disease) petitioned the Home Secretary, and the body was removed. Within a few months the Act of 1752 was repealed, and James Cook entered history as the last person to be gibbeted in England.

For some time the gibbet irons remained at Leicester Gaol, but

in the early years of this century they were loaned to the city authorities to display in the town's Guildhall. They are now returned to the Prison Service, and displayed in the museum at Newbold Revel as a reminder of the brutality of justice in a by-gone age ■

Curator's Corner:

An occasional series of articles about curiosities, curios, and conundrums from prison history by the Curator of the Prison Service Museum.

Dr P J Davies

Curator H M Prison Service Museum

STATISTICS

Retention of prison officers (recruited in 1983)

	White	Ethnic Minority	Total
Recruited in 1983	821	22	843
Still in Service (at any unified grade)	754 (92%)	20 (91%)	774 (92%)

Retention of prison officers (recruited in 1983)

	Male	Female	Total
Recruited in 1983	996	52	1048
Still in Service (at any unified grade)	932 (94%)	45 (86%)	977 (93%)

[Equal Opportunities in the prison Service Progress Report 1 October 1993 - 31 March 1995]

The Economist says

... In 1993-94, recorded crime fell by 5% a year, and the 1994-95 figures, will show something similar. It is the biggest drop in the figures for 40 years.

Why is this happening? The Government, predictably, claims that its new, tougher penal policies deserve the credit. If that is true, why did similar policies fail to stop crime rising in the early 1980s? There are plenty of other explanations which, unfortunately for the government, sound more plausible.

One is the continuing fall in unemployment. The relationship between unemployment and crime is complex. There have been times, such as the second half of the 1980s, when unemployment has fallen and crime has risen. But a raft of studies (some of them, to the government's embarrassment, produced by Home Office researchers) have supported the idea of a positive correlation between unemployment and rising crime. Other things being equal, then, the current fall in unemployment should bring about a fall in crime.

Demographics could also play a part. Crimes are mostly committed by 15-24-year-old men. The fewer loutish youths there are around, the fewer crimes will be committed. And the number of men in that age group is falling rapidly – from 4.5m in 1989 to 4m in 1993.

The police prefer to think that they have something to do with it. Some forces – particularly in crime-ridden big cities – have been thinking hard in recent years about new methods of dealing with crime. London's Metropolitan Police, for instance, have been targeting a smallish group of suspects, using intelligence and undercover police to gather information about them. Operation Bumblebee, an anti-burglary campaign, and Operation Eagle Eye, against mugging, have both relied on such pre-emptive tactics; and it may be that they are having some effect.

Business may have been doing its bit, too. The rise in crimes against cars has led manufacturers to add security features to new vehicles to make life harder for car and car-radio thieves. Car crime makes up around a quarter of all recorded crime; and it fell by 10% between 1993 and 1994, thus accounting for half the drop in the total crime figure. ...

'The Tories' new weapon against crime' The Economist September 23rd 1995

THE SUN SAYS

Behind bars

CONSIDER these two facts.

ONE: The number of crimes has seen the biggest two-year fall for 40 years.

TWO: The number of people in prison has risen by a quarter in that time.

The link between the two is obvious.

The police are concentrating on locking up persistent known criminals and the policy is paying dividends all over the country.

So, too, is the use of closed circuit TV cameras. In one Norfolk town, car crime has dropped by 95 per cent.

Who says we can't crack crime?

The Sun 30/8/95



