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**Where does the prison
system go from here?**

Special Edition

Reviews

Book Review

Controversial Issues in Prisons

By David Scott and Helen Codd

Publisher: Open University Press

(2010)

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As the criminal justice system expands, so does the whole industry around it including the provision of higher education and training. Criminology as an undergraduate subject has grown dramatically as the future personnel of the police, probation, prisons and other service providers grows. Along with this has come a growth in the number of textbooks published in order to support and direct those students. With so many on the market, each publication needs to be distinct in order to be successful. The first question that arises when reading this text book, written by David Scott and Helen Codd of the University of Central Lancashire, is what makes this different from any other textbook available at the moment? The answer to that question is clear. What makes this book different is that rather than offering a sober and comprehensive text, it advocates and justifies the abolition of imprisonment.

Scott and Codd take on their task by using the medium of 'controversial issues in prisons'. They define a controversial issue as having three aspects. First, they are topical and emotive, that is they address concerns about prisons today and they arouse strong feelings. Second, they reveal competing interpretations — ideological, political and philosophical beliefs about crime, justice and wider society. Third, they

question penal legitimacy and call into question the use of prisons. The controversial issues discussed in the chapters of this book include mental health; women in prison; children in prison; racism; self-inflicted deaths; sex offenders; drug taking; and prisoners' families.

Each chapter presents a case study examining the problems of imprisonment. There is no attempt to provide a comprehensive resource for the students reading this book instead it has a clear and clearly acknowledged ideological intent. Whether or not the reader agrees with this perspective will vary, however, it is indisputable that this perspective deserves to be heard not only in mainstream academia but also in mainstream society. There is no reason that any policy should be taken for granted and accepted without question including the use of imprisonment. Scott and Codd deserve to be applauded for presenting their case with such clarity and providing a book that is ideologically coherent and accessible to students some of whom will become future criminal justice workers. It is through planting such seeds that they no doubt hope that future harvests will be reaped.

Some people working inside prisons might ask why they should read a book that advocates abolition. The answer to that question lies in a fuller understanding of what penal abolitionism is all about. It is not, as some many assume, an anarchic argument that prisons should be closed and those who are violent simply roam free to prey on the weak and those who break the laws go unpunished. It is instead an argument that is based on a deeper understanding of how crime and punishment are social constructions. In other words

abolitionism questions both what actions are defined as 'crimes' and what the purpose of policing and punishment should be. Abolitionists argue the prison population includes a disproportionate number of people at the margins of society not because they are inherently more criminal but because their problematic behaviour and the harms they cause are more likely to be defined as crimes. They go on to maintain that the harmful behaviour of powerful groups such as fraud, tax evasion, pollution, health and safety breaches and state crimes largely go unpunished. Abolitionists conclude that 'crime and punishment' are constructs which reflect and reinforce power and inequality in society. Accordingly, the abolition of prisons is part of a broader political and social position advocating a more equal and fair society. The value of this book for those who work in prisons is to provide a resource that confronts them with a radical critique and challenges many assumptions about the benefits of prisons. Those who work in the criminal justice system and exercise state power should question themselves about what they are doing and the harms they may be causing as well as celebrating the good that they do. Only by asking those difficult questions can we seek the truth about what we do.

In its final chapter this book discusses abolitionist alternatives which for this reviewer raises a question about whether the strategy adopted by abolitionists is effective. At the moment they are a minority group: largely academic (although with some grassroots and pressure group support) whose ideas are largely discounted in political and professional circles. This is due in part to those in positions of power who are

naturally resistant to any challenge, ignoring and marginalising radical discourse. It is also due to the strategies adopted by abolitionists themselves.

It is particularly significant that outside of a fairly limited circle the arguments can be difficult for people to understand. Whilst it is clear what abolitionists are against, it is not always clear what they are arguing for. Advancing a negative argument can illicit some nods of approval but rarely moves people to action. Also, abolitionists are at times exclusive. In this book, and in others by leading abolitionists, distance is always put between abolitionists and what they describe as 'liberal reformers' who want to reduce the use of imprisonment and make prisons more humane but do not necessarily try to take on the whole social super-structure at the same time. These are groups that by collaborating would gain strength from each other. Instead, a divisive discourse exists which seems to place a doctrinal purity above practical change. If abolitionists are to more than a valuable grit in the shoe of society then focussing on a positive alternative and making a few more friends might not be a bad place to start.

This book is an excellent introduction to abolitionist thinking that will stimulate students and provide them with an important perspective. It also provides a challenge to prisons that is recommended to current practitioners. This will be uncomfortable, will evoke strong emotional reactions and will lead the thoughtful reader to ask some difficult questions of the system and of their own role. That is a step that many are unwilling to take, but carrying out the ultimate state sanction should never be comfortable or easy.

Jamie Bennett is Governor of HMP Morton Hall.

Book Review

Turning the corner: Beyond incarceration and re-offending

By Anton Shalupanov and Rushanara Ali

Publisher: The Young Foundation (2010)

ISBN: 978-1-905551-15-6 (paperback)

Price: £10.00 (paperback)

Trial and error in criminal justice reform: Learning from failure

By Greg Berman and Aubrey Fox

Publisher: The Urban Institute Press (2010)

ISBN: 978-0-87766-767-4 (paperback)

Price: \$26.50 (paperback) available from USA only

These two books focus on innovation in criminal justice. Whilst *Turning the corner* looks to the future with ideas about improving the effectiveness of rehabilitation, *Trial and error in criminal justice reform* looks to the past and the lessons that can be learned and applied. Together they set out the opportunities and pitfalls and provide important ideas for policy makers and practitioners.

Turning the corner was produced by Anton Shalupanov, Programme Leader for justice innovation at the Young Foundation, and Rushanara Ali, Associate Director of the Young Foundation and now a Labour MP. Their work focuses on developing new ideas aimed at reducing reoffending. They propose three key innovations that they argue will have a beneficial impact. The first is that innovation should be more widely encouraged and developed. They suggest that this could be done by establishing an independent UK Centre for Justice Innovation. This Centre would work with a small number of projects and design, pilot and evaluate them. In this way they would be a source of new ideas and practices. The

second area is the development of social impact bonds, where investors support projects aimed at reducing reoffending and receive a return on their investment based upon the results. Although it is not clear what appetite there will be in the market for this practice, it is at least an attempt to attract new finance into approaches aimed at reducing reoffending rather than simply expanding control. This innovation has already been taken up and is being piloted at HMP Peterborough as part of the government's 'rehabilitation revolution'. The third area that the authors focus on is barriers to released prisoners gaining employment. They propose some significant changes to current policy, including a more limited approach to criminal records checks and the requirement to declare convictions. They also propose improved transitional support from mentors and potential employers, helping released prisoners to successfully move from prison into employment.

This book poses some challenging questions and proposes some imaginative new ideas. These are largely ideas that could go with the grain of current political thinking. The idea of social impact bonds is already being piloted and the encouragement for innovative approaches is also being embraced. As a result, the Young Foundation and the UK Centre for Justice Innovation are organisations that could gain traction and become increasingly important in shaping policy and practice.

The second book, *Trial and error in criminal justice reform*, has been written by Greg Berman and Aubrey Fox, both of whom work at the Centre of Court Innovation in New York, an organisation that promotes, develops and evaluates criminal justice projects and is the model for the proposed UK Centre for Justice Innovation. They take five case studies in order to draw

lessons about the ways in which projects can fail and use this in order to understand how to avoid this in the future. The projects are varied and include initiatives aimed at reducing gun crime and tackling drugs. In all of the cases there was some success although this was often followed by subsequent failure. The authors draw eight key lessons from these experiences, including the importance of working with local cultures, politics and organisations, being realistic about expectations and success criteria, being reflective and paying attention to detail.

The case studies in this book are fascinating and most experienced professionals will recognise the potential pitfalls described and will have seen promising projects undermined by similar mistakes. The most important contributions that this book makes, though, are in thinking about creating structures that foster and support innovation. The first issue that comes out clearly is that in an innovative environment, projects are allowed to fail. Innovation is a process of trial and error, ideas need to be tested out and experiments conducted before working solutions are found. This is an important issue for developments such as social impact bonds where failure risks significant financial loss and there is therefore the possibility that an initiative aimed at fostering innovation actually results in providers playing it safe. The second issue is that innovation is often small scale and localised. This highlights that professionals need both the discretion and the resources in order to develop and try new ideas. It also highlights that initiatives are often successful because of individuals, the local context and the community response and this cannot always be replicated consistently on a large scale. Innovation is therefore something that is best developed

on a small scale and that a proliferation of diverse approaches is more likely to be successful than searching for large scale national projects to provide a magic bullet.

These two books are a rich and valuable source of new ideas and are recommended to policy makers and practitioners. Their approach is timely and in many ways they are in tune with the direction of travel in government policy. However, they also demonstrate that in realising those aims there are significant challenges and that professionals would do well to learn those lessons of the past before seeking to implement emerging new ideas.

Jamie Bennett is Governor of HMP Morton Hall.

Book Review

Crisis and change in the British and Dutch Prison Services: Understanding crisis-reform processes

By Sandra L. Resodihardjo
Publisher: Ashgate (2009)
ISBN: 978-0-7546-7549-5
(hardback)
Price: £55.00 (hardback)

The global credit crunch and the subsequent recession have led to the role of the state in providing services and what citizens can reasonably expect to be profoundly questioned. In the UK the coalition government has continually reiterated that the changes in public spending that are required to reduce the deficit are going to fundamentally alter the nature of the public sector. In other countries too there have been dramatic reverse of policy direction in order to respond to financial imperatives. In relation to prisons, both California and New York, previously at the forefront of mass imprisonment, have sought

to reduce their prison populations and seek alternatives both by using non-custodial penalties and investing in high crime neighbourhoods. Such a policy would have been unthinkable only a few years ago.

In this book Sandra L. Resodihardjo of Leiden University, analyses how institutional crises can drive fundamental change, drawing upon the experiences of the Dutch and British prison systems in the 1990s. During that time, the British prison system experienced first the widespread riots of 1990 and the Woolf report that called for a more humane prison system balanced between security, control and justice. This was followed by the high profile escapes of category A prisoners from Whitemoor and Parkhurst in 1994 and 1995, which led to the priority of “‘security, security, security”’. During the years 1992-3, the Dutch system also experienced a spate of escapes and increasing pressure on prison places. This led to the abandonment of their one-prisoner-one-cell policy and the introduction of more secure regimes.

Resodihardjo describes these reforms in terms of a drastic deviation from existing structure and changed the paradigm of imprisonment. They also came about as a result of crises where institutional failures led to increased political, media and public scrutiny. These failures are analysed in this book and Resodihardjo illustrates how the normal constraints to change fell away as the crises intensified. These barriers include individual interests and resistance, organisational routines, culture and values, and political concerns including policy inheritance and resources. She also illustrates how changes are pushed forward by entrepreneurial action as individuals seek to capitalise upon

the opportunity for change and shifts in the policy makers' approach as they seek to respond to intensified calls for action.

This book provides excellent descriptions of the crises that engulfed the Dutch and British systems during the 1990s. Although the events in the UK will be familiar to readers, those in the Dutch system will be less so, but are no less riveting. The book also manages to provide a scholarly analysis of the process of change which is interesting both from a historical perspective and in

understanding contemporary events. Where the book gets most interesting is where it touches upon why some reforms could be described as socially and politically progressive, such as the Woolf reforms, whilst others, such as the Dutch reforms, could be described as regressive. Here, Resodihardjo highlights both the importance of individual actors, who impose a clear sense of direction, and the structural factors such as the prevailing political culture and preceding public discourse. Whilst there is more that could be

discussed about these issues in future research, this book opens the way for that exploration.

This book that will be of interest to those who lived and worked through the tumultuous period of the 1990s, but equally it has value to those who are seeking to understand where the prison system is now and how it may develop in the immediate future.

Jamie Bennett is Governor of HMP Morton Hall.

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The Prison Governor: Theory and Practice by Shane Bryans and David Wilson

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