This edition includes:

Perrie Lectures 2013:

Lesson for the Prison Service from the Mid-Staffs Inquiry
Nick Hardwick

Contraction in an Age of Expansion: an Operational Perspective
Ian Mulholland

A Convict Perspective
Dr Andy Aresti

Does Prison Size Matter?
Jason Warr

Prison Contraction in an Age of Expansion: Size Matters, but does ‘New’ equal ‘Better’ in Prison Design?
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Purpose and editorial arrangements

The Prison Service Journal is a peer reviewed journal published by HM Prison Service of England and Wales. Its purpose is to promote discussion on issues related to the work of the Prison Service, the wider criminal justice system and associated fields. It aims to present reliable information and a range of views about these issues.

The editor is responsible for the style and content of each edition, and for managing production and the Journal’s budget. The editor is supported by an editorial board — a body of volunteers all of whom have worked for the Prison Service in various capacities. The editorial board considers all articles submitted and decides the outline and composition of each edition, although the editor retains an over-riding discretion in deciding which articles are published and their precise length and language.

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The Editorial Board wishes to make clear that the views expressed by contributors are their own and do not necessarily reflect the official views or policies of the Prison Service.

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**Editorial Comment**

*Prison Service Journal* has a long-standing partnership with the Perrie Lectures. Each year, articles are published based upon the annual lectures. This is a partnership of which the *Prison Service Journal* is proud.

The Perrie Lectures is an annual event which has the purpose of stimulating dialogue between criminal justice organisations, the voluntary sector and all those with an academic, legal or practical interest in offenders and their families. It is hoped that the event will contribute towards improving the care of offenders, and advancing penal policy, in its broadest sense. The Lectures are named in honour of Bill Perrie, who retired from the Prison Service in 1978. He worked as a prison governor for 32 years, latterly at HMPS Hull, Long Lartin, and Birmingham. He was noted for his contribution to the development of hostels, working out schemes, and regimes for long term prisoners.

The 2013 Lectures took the title of ‘Contraction in an age of expansion’. As the speakers illustrate, this question may be approached from a number of different perspectives. In particular, it may be asked what is expanding and what is contracting? It may be argued that the prison population is expanding and remains at a historically high level, albeit that it has ameliorated to a limited degree in recent months. It may be argued that it is the size of prisons that are expanding, with larger prisons such as HMP Oakwood, replacing smaller sometimes historically significant prisons. It may be competition which is expanding, with greater opportunities for commercial organisations to play a role in the delivery of prison services. Another perspective is the expansion of the carceral state, with the growth in immigration detention, the use of new technologies such as electronic monitoring, the increase in everyday security such as CCTV, gated communities and private security personnel. In contrast contraction may refer to the reduced resources available to public services following the financial crisis of 2008, the subsequent recession and the emergence of the ‘age of austerity’. This may also refer to a more qualitative and moral judgment about prisons — whether there has been a contraction in the quality of care and the humanity of prison life.

The various speakers approach the issues from their own unique and distinct perspectives. Nick Hardwick, Chief Inspector of Prisons in England and Wales, directly considers the quality of the services provided to prisoners. He draws lessons from the report into the failures at Mid-Staffordshire NHS Foundation Trust where ‘patients were routinely neglected by a Trust that was preoccupied with cost cutting, targets and processes and which lost sight of its fundamental responsibility to provide safe care’. Through careful analysis of the findings of the report, Hardwick, argues that lessons can be drawn that can be applied to prisons in order to ensure that outcomes from prisoners are protected in an environment characterised by fluidity, risk and uncertainty. Ian Mulholland, Deputy Director of Public Sector Prisons, considers the Benchmarking programme, aimed at providing a structured approach to distributing reduced resources amongst prisons. He argues that this programme is being taken forward in order to respond to the challenging economic environment in a way that is systematic, sensitive to local pressures and attuned to the operational risks.

The third lecture comes from Andy Aresti, an academic who formerly served a prison sentence and is a founding member of the British Convict Criminology movement. He adopts a critical perspective, arguing that changes to prisons over recent decades have been driven by commercial imperatives and economic rationality. The consequences of this, he suggests, is the loss of a human quality in the prison and post-prison world that makes it difficult for those who have experienced prison to negotiate and sustain new identities that help them desist from crime.

The final two lectures explore the issues of prison architecture, design and size. Jason Warr, of User Voice and himself a former prisoner, offers a polemic critique of larger prisons. In particular he argues that larger prisons are characterised by more distant social relations that bring out the worst in prisons, prisoners and prison staff. Yvonne Jewkes, Professor of Criminology at the University of Leicester, discusses prison architecture drawing upon recent prison construction in England and Wales, and Norway. Through these examples, she illuminates how prison architecture reflects and realises in practice the wider social culture and values regarding imprisonment and the imprisoned.

The edition also features an interview with The Venerable William Noblett, the recipient of the Perrie Award. This award has been presented annually since 1995 to the person the Perrie Lectures Committee consider to have done most to promote an understanding of the work of the Prison Service and pushed forward the development of penal policy. William Nobelett was recognized for his work leading the Prison Service Chaplaincy at a time of significant change when religion has been a prominent and sometimes controversial issue in prisons.

The *Prison Service Journal* is proud to publish these articles and to continue the partnership with the Perrie Lectures. The 2013 Lectures provide a vibrant, diverse and illuminating perspective on the critical issues facing those who live and work in prisons today.
Contraction in an age of expansion is an intriguing theme: what exactly has been contracting and what expanding? Essentially, it seems to me, it boils down to prisons being expected to do more with less.

Prisons are pretty risky organisations, in fact, you might say that their business is to manage risk on behalf of society. So, I don’t think it is very contentious to say that if we are asking organisations that already manage significant risk, to do more with less, it would be only sensible to monitor very carefully whether a consequence of that, is the level of risk increasing to unacceptable levels. But how to do that? No doubt individual prisons, NOMS, the Ministry of Justice, all have sophisticated systems in place to monitor and manage risk, but I want to look at it through a different prism.

I was at an inspiring lecture recently by Robert Francis QC, who conducted the inquiry into the care provided by Mid Staffordshire NHS Foundation Trust — ‘The Mid Staffs Inquiry’. Mid Staffs failed with shocking, distressing consequences for patients and their families — and this was despite the very sophisticated systems the NHS has in place to manage risk. I want to consider what lessons the Mid Staffs Inquiry has for a prison service being asked to do more with less. I don’t want to make simplistic comparisons — but we would want to be confident, would be not, that there is not a Her Majesty’s Prison Mid-Staffordshire out there somewhere?

I should insert a disclaimer here. This is my interpretation of how what Robert Francis said applies to prisons. If you want to know what he thinks, read the report. Indeed, I urge you to do that.

The press statement with which Robert Frances introduced his report begins like this.

The final report into the care provided by Mid Staffordshire NHS Foundation Trust was published today. The Inquiry Chairman, Robert Francis QC, concluded that patients were routinely neglected by a Trust that was preoccupied with cost cutting, targets and processes and which lost sight of its fundamental responsibility to provide safe care.

What allowed that to happen? When I heard Robert Francis speak, he opened his remarks with this quote from Florence Nightingale:

‘What can’t be cured must be endured’ is the very worst and most dangerous maxim for a nurse which ever was made. Patience and resignation in her are but other words for carelessness and indifference — contemptible, if in regard to herself; culpable; if in regard to her sick.

Swap ‘patients’ for ‘prisoners’, ‘the prison’ for the ‘the trust, ‘prison governors and officers’ for ‘nurses’ and does not that send a spasm of recognition through you?

Don’t respond to this with a shrug that a prison’s responsibilities to prisoners are so different from those of a hospital to its patients that somehow it does not apply. Take from it that if this can happen in a hospital where the responsibility to provide care is unambiguous, how much more carefully do we have to guard against it in a prison. Now, to be absolutely clear, I am not saying the conditions that existed in Mid Staffs exist in any prison I know. What I am saying is that it is a risk we should guard against and I think there is some evidence that it is a growing risk.

This is a summary of our inspection findings for 2012/13. It shows the rolling annual average of our healthy prison assessments as the year progresses. It shows a decline for the outcomes for prisoners we have reported in almost all areas over the year.

3. Robert Francis QC. King’s Fund Conference 27 February 2013 Lessons from Stafford quotes: @Florence Nightingale; Notes on Nursing 1860 Pages 92-93.
There might be a number of reasons for this to do with our methodology, or the inspection process itself. Perhaps our judgements are getting harsher. Perhaps our risk assessment processes are getting better so we are inspecting the most problematic places more regularly. No doubt, lots of people will want to explain it in those terms. But hold this thought. Perhaps the reason for this decline in outcomes we recorded in our inspections last year is the most obvious one — things really are getting worse.

The role of HM Inspectorate of Prisons

I should briefly explain how the inspectorate work for those who have not had the joys of an inspection. This will help to explain how we obtain the evidence I will use in this article, and secondly, it is important to acknowledge that some of the lessons arising from the Mid Staffs Inquiry were about the failures of the regulators and inspectors.

The modern form of independent prison inspection, it should be remembered, grew out of the response to the prison riots and industrial relations tensions of the 1970s. The Strangeways riot in 1990 led to the creation of the Prison and Probation Ombudsman and Independent Monitoring Boards in their current form. When the prison system failed, effective inspection, monitoring and complaints systems were seen as an important part of the remedy. The statutory function of the prison inspectorate is to report on ‘the treatment of prisoners and the conditions in prisons’. That means we report on outcomes for prisoners, not the management of prisons. That responsibility now extends beyond prisons to Young Offender Institutions, immigration detention, police and courts custody.

In all those areas we assess prisons against the four healthy prison tests below:

- **Safety**: prisoners, even the most vulnerable, are held safely
- **Respect**: prisoners are treated with respect for their human dignity
- **Purposeful activity**: prisoners are able, and expected, to engage in activity that is likely to benefit them
- **Resettlement**: prisoners are prepared for their release into the community and helped to reduce the likelihood of re-offending.

In each area we make an assessment of whether outcomes for prisoners are good, reasonably good, not sufficiently good or poor. To analyse and compare these assessments we give them a numerical value — ‘Good’ is 4, ‘Poor’ is 1 etc. Each healthy prison test is underpinned by a set of Expectations or inspection standards that we inspect against and each Expectation has a set of indicators that set out the evidence we will look for to provide assurance the Expectation has been met. These Expectations are referenced against human rights standards and norms. An important part of how we operate is that we are not auditors checking that prison service policy and procedures are being followed, we are inspecting outcomes against objective, external standards. We carry out about 100 inspections a year and almost all now are unannounced.

When we inspect we come to our judgements on the basis of five main sources of evidence:
- **Prisoners surveys**
- **Discussion with prisoners individually and in groups**
- **Talking to governors, staff and visitors to the prison**
- **Examining documents and records and**
- **Observation**

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5. The Home Office; Prisons over Two Centuries extracted from the Home Office 1782 to 1982.
7. HMI Prisons: Prison Expectations: Healthy prison tests.
Our role was strengthened when the UK became a signatory to the Optional Protocol to the Convention Against Torture and other cruel, inhuman and degrading treatment or punishment — or OPCAT as its known. OPCAT requires signatory states to establish a system of independent, preventative inspection of all places of detention known as the National Preventative Mechanism or NPM, and the prisons inspectorate is one of the bodies that make up the UK NPM. OPCAT specifies the characteristics an NPM must have:

- It must be independent
- Adequately resourced
- Have access to all places of detention and detainees and to all information
- Be able to conduct interviews with detainees and staff in private
- Make regular visits
- And be able to make recommendations and comment on legislative proposals.

I think those who designed OPCAT had two great insights. The central features of the system are first, that it recognises inspection as a preventative system. The primary purpose is not to catch establishments out doing wrong or detect human rights abuses — but to prevent things going wrong in the first place and prevent those human rights abuses from occurring. Second, it recognises that for the inspection function to be effective, it needs to be independent, and our independence is central to how we work. Sometimes, that independence means we have unwelcome or difficult things to say and OPCAT provides an import safeguard for our ability to do so.

Much of what I have to say in this article is based upon that inspection evidence — I will focus on the evidence of our inspections of adult male prisons — not because other types of custody are not important but because they are a topic in their own right.

As part of looking at the lessons of the Mid-Staffs enquiry, I will consider the role of inspection, monitoring and complaints bodies in identifying and managing risk in a system under pressure.

**What is contracting and what expanding?**

We are all familiar with the idea that the prison population has grown enormously over the last few decades. In June 1993 the prison population stood at 44,246. It peaked in December 2011 at 88,179.9 (Figures 2 and 3). However, since then it has fallen and stood at 83,897 at the end of May 2013. A fall of almost 5 per cent.10 So we need to qualify our idea of a continually expanding prison population. It would be right to be cautious about putting too much reliance on the most recent figures but it is fair to say that NOMS’ own projections predict a continuing downward trend.

Prison numbers cannot be looked at in isolation. We need to consider them against overall prison capacity and whether the type of prison we have is fit for purpose. In December 2011 the capacity of the prison estate was 78,471 but it had to hold that record number of 88,179 prisoners. It was operating at 12.4 per cent over capacity.

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8. Optional Protocol to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.
At the end of May 2013, the capacity had fallen to 78,347 and prison and the system held 83,897 prisoners — 7.1 per cent over capacity. Still too high, but less overcrowded than before.11 (Figure 4)

In January this year, the government announced the closure of 7 prisons and plans to increase the size of others and build one large ‘titan prison’. The prisons announced for closure were Bullwood Hall, Camp Hill, Canterbury, Gloucester, Kingston, Shrewsbury, Shepton Mallet.12

Most of these prisons were smaller than the average prison size and some with specialist functions, such as Shepton Mallet and Kingston, which were amongst the best we inspect. But others, like Gloucester, Camp Hill and Canterbury, whilst still small were amongst those about which we had significant concerns, at least in relation to some of their functions.13 (Figure 5)

There is an argument that larger prisons not only provide economies of scale but can also provide a greater range of opportunities than smaller prisons. Announcing plans to build a titan prison, Chris Grayling, the Justice Secretary said:

*If you’ve got a big centre like that you’ve got the ability to put good training facilities at the heart of it because it’s in all of our interests to make sure that people come out of prison with more education, more skills and they have a better chance of getting a job rather than going back to prison.*

I looked at how we had assessed the ten largest prisons at their most recent inspection.15 They do not include the very large new Oakwood prison which we

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13. HMI Prisons: Inspection reports.
15. HMI Prisons: Inspection reports.
have not inspected yet. The results were mixed but it is noteworthy than none of them were good or reasonably good in all the healthy prison tests and they tended to score worst against our purposeful activity test. There might be a number of reasons for that — these are mainly overcrowded local prisons and a large training prison operating at the correct capacity might do better — but I think the onus is on those who propose such a model is to evidence that it will and I do not think they have done so yet. (Figure 6)

For a more systematic view about the relationship between prison size and prison outcomes, I turned to some work done by one of our excellent researchers, Sam Booth, in 2009 at the time the Labour government was itself planning for the introduction of titan prisons. Her work looked at the characteristics of a prison that was performing ‘well’ — pretty much equivalent to the ‘good’ outcomes we use today. Her very thorough and systematic analysis found than prisons with a population of less than 400 were four times more likely to be performing well than a prison with a population of over 800. Other factors were important too — older prisons opened before 1938 for instance were 47 per cent less likely to be performing well than a prison opened from 1978 onwards.

None of this is too surprising. If you pull this together what it says, is that size is not an exact predictor of performance but on the whole, the analysis bears out what common sense would suggest — that as the size of prisons increase, they will be more difficult to run.

Running larger establishments is not the only challenge governors have. They are increasingly...
commissioners or contract managers, with many of the functions provided by their prison — healthcare, learning, skills and work, resettlement provision and an increasing proportion of support and ancillary functions — provided by contracted providers. As we see sometimes in healthcare or learning and skills for instance, the control the governor has over that provision is tenuous and when things go wrong, the governor’s ability to take corrective action is very constrained.

I will give an example from our inspection of HMP Ranby last year.17 I quote from the introduction to the report:

Poor prescribing practice was one element of very poor health care commissioned by NHS South Yorkshire and Bassetlaw.

The prison had tried to address this prior to the inspection but without success.

The care provided by individual medical staff was good.

There were a high number of missed appointments but long waiting lists for an appointment.

There was no out of hours service and unqualified prison staff had to judge whether a prisoner who complained of being unwell at night should be taken out of the prison to hospital with all the disruption that entailed, or told to wait until the next morning when a nurse or doctor would be available to see him.

In our view, this seriously compromised prisoner safety.

At the heart of these issues were poor partnership arrangements and the partnership board, which should have provided a forum for sorting them out, had not met for more than six months.

What happened was the governor was at his wits end. Commissioners and providers showed very little knowledge or interest in what was required in the prison with consequences not just for the health of prisoners but also for the wider security of the prison. In my view, the governor had done everything possible he could to resolve the situation.

Despite these challenges, the expectations that prisons should deliver more are growing too. I very much welcome the government’s intention to transform rehabilitation services and provide greater support to the many prisoners serving short sentences who now receive very little support at all.18 Some aspects of the proposed mechanisms for delivering this require further thought — but who can argue with the intention?

It is a fact, however, that the prisons that will bear the greatest responsibility for delivering this are many of the large, overcrowded Victorian prisons with huge churn amongst their populations and that are amongst the most difficult to run. These are the prisons too which will have to deliver changes to the Incentives and Earned Privileges scheme19 which will particularly affect prisoners when they begin their sentence — and no doubt they are looking forward to implementing the smoking ban when that comes into force next year I believe.20

So even if the prison population itself seems to have at least stabilised for the moment, what is certainly expanding are the expectations on prisons and those who work in them — to deliver better outcomes from larger, more complex establishments.

And what is contracting? The resources they have to do it with. The National Audit Office reported in 2012 that NOMS as a whole (that is prison, probation and HQ functions) had to save £884M from their 2010 baseline, 37 per cent of which had to come from HQ.21 Much of that saving has come from staff. ‘Fair and Sustainable’ and the benchmarking exercise have significantly reduced the number of officers supervising prisoners and the number of governors and managers supervising officers and staff and the support they all get from HQ.

When the Public Accounts Committee considered the NAO report, the committee recognised NOMS’ success in meeting its financial targets despite the

20. See for example Mail on Sunday 3 March 2013.
challenges it faced but the Chairman, The Rt Hon Margaret Hodge MP said:

Unless overcrowding is addressed and staff continue to carry out offender management work, it is increasingly likely that rehabilitation work needed to reduce the risk of prisoners reoffending will not be provided and that prisoners will not be ready for transfer to open conditions or release.

We were not reassured that the Agency has done enough to address the risks to safety, decency and standards in prisons and in community services arising from staffing cuts implemented to meet financial targets.22

My point here is not that I think efficiencies can’t and shouldn’t be made — I do — and we have certainly seen establishments improve despite the savings they are required to make. Nor am I opposed to many of the government’s policy ideas — in particular I welcome the emphasis on rehabilitation. My point is simply this. If you are asking a significant number of inherently risky organisations to do more with less — it is just simply prudent to consider that the level of risk might increase and that needs to be monitored and managed carefully.

Learning from the Mid-Staffs Inquiry

Concerns about mortality and the standard of care provided at the Mid Staffordshire NHS Foundation Trust resulted in an investigation by the Healthcare Commission (HCC) which published a highly critical report in March 2009. This was followed by two reviews commissioned by the Department of Health. These investigations gave rise to widespread public concern and a loss of confidence in the Trust, its services and management. Consequently, the then Secretary of State for Health, Andy Burnham MP, asked Robert Francis to conduct an Inquiry into what had gone wrong.

The formal text of the inquiry report hides the horror of what actually happened. In his lecture, Robert Francis quoted this account from the relative of a patient in the notorious Ward 11.23

In the next room you could hear the buzzers sounding. After about 20 minutes you could hear the men shouting for the nurse, ‘Nurse, nurse’, and it just went on and on.

And then very often it would be two people calling at the same time and then you would hear them crying, like shouting ‘Nurse’ louder, and then you would hear them just crying, just sobbing, they would just sob and you just presumed that they had had to wet the bed.

And then after they would sob, they seemed to then shout again for the nurse and then it would go quiet ...

I suppose at least older prisoners in a prison with night sanitation have a pot — so that’s better isn’t it?

Here is another example Francis quotes. The daughter-in-law of a 96 year old patient:

We got there about 10 o’clock and I could not believe my eyes. The door was wide open. There were people walking past.

Mum was in bed with the cot sides up and she hadn’t got a stitch of clothing on. I mean, she would have been horrified.

She was completely naked and if I said covered in faeces, she was. It was everywhere.

It was in her hair, her eyes, her nails, her hands and on all the cot side, so she had obviously been trying to lift her herself up or move about, because the bed was covered and it was literally everywhere and it was dried. It would have been there a long time, it wasn’t new.

To be fair, I don’t think I have ever seen anything like that in a prison, but I have seen elderly, physically disabled and mentally ill prisoners in conditions — where they had

22. Rt Hon Margaret Hodge MP, Chair of the Committee of Public Accounts 05 March 2013.
been for long periods — which could only be described as degrading.

So what were the warning signs in Mid-Staffordshire that were missed that allowed that situation to develop? Francis sets out seven. First, patient stories of the sort I have just described. Too often these were not heard or dismissed in Mid Staffs hospital — and of course one of the significant risks in a prison is that if prisoners talk about victimisation or neglect they can easily be dismissed as not credible. I think one of the things my predecessors got absolutely right at the inspectorate, and I have simply continued, is to put what prisoners tell us at the heart of our inspection process. I remember asking one of our inspectors who had been seconded from the prison service and was returning to her prison to work what she had learnt from her time at the inspectorate. ‘To listen to prisoners’ she said. That’s a hard thing for those who work in prisons when time is short and you are rushing from task to task but neglect it at your peril.

The second warning sign was mortality data. By this, Francis was referring to the statistics that suggested patient mortality was much higher than should have been expected, and the trust’s inadequate response to it. The number of self-inflicted deaths in prison has thankfully continued to fall although the rate per 1000 remains significantly higher than that in men’s prisons.26 The number of self-inflicted deaths in prison, 40 in 2011—12. Three children held in Young Offender Institutions killed themselves.

It remains to be seen whether this rise is an anomaly, or whether it heralds the reversal of a downward trend in the number of self-inflicted deaths in prison.

Incidents of self-harm are, however, also rising in men’s prisons — from 14,768 in 2010–11 to 16,146 in 2011–12 (the number fell in women’s prisons) — as are the number of recorded assaults, from 13,804 to 14,858.

Taken together, these figures are a matter of real concern.

When we compared survey results for prisons inspected this year with those from their previous inspections, prisoners’ perceptions of their safety had significantly worsened in twice as many prisons as those where they had significantly improved.25

The figures I quoted in my last annual report cover the period April 2011 to March 2012. We can’t do an exact comparison for this year yet, because the NOMS safety data figures are not available for the first quarter of 2013. However, we can compare the figures for the calendar year 2011 and the calendar year 2012. They paint a similar picture to those I reported in our last annual report. The number of self-inflicted deaths rose from 57 in 2011 to 60 in 2012. This represented a slight increase in the number of self-inflicted deaths per 1000 from 0.66 to 0.7.26 The incidence of self harm continued to rise in men’s prisons from 15,829 incidents in 2011 to 16,567 in 2012. The number of self-harm incidents in women’s prisons continued to fall although the rate per 1000 remains significantly higher than that in men’s prisons.27

The number of assaults of all types fell, I am pleased to say. That may reflect the fall in the number of young people in custody. The number of assaults involving young people aged 15-20 fell sharply — while those involving older men aged 21 to 40 grew.28

And as we have seen, our inspection assessments suggest that levels of safety have fallen over the year but the decline has not been as sharp as in some other healthy prison tests. In my view the evidence continues to suggest at least a concern about declining safety levels.

The other broader point that Francis makes about the mortality statistics at Mid Staffs is that there were some valid methodological criticisms that could be made of the way they were used but there was no doubt that the overall message they gave was substantially correct. The reaction of management to data that was giving them unwelcome news was to try and find reasons why it might not be true rather than to act on the basis it might be, until proved otherwise.

The third missed warning sign he identifies were complaints. Complaints at Mid Staffs were often dealt with by the unit to which the complaint referred, defensively, slowly and with very little remedial action taken. The Trust Board was not told the substance of any complaints. Taken together they should have been a loud and clear warning that something was wrong. Nevertheless, Francis cautions against too great a reliance on the complaints system. Some patients were unable to complain on their own behalf and had no friends or family visiting them who could take up a complaint for them. In addition, patients and their families were often scared to make a complaint for fear of repercussions.

25. HMI Prisons Annual report 2011/12 Introduction.
So what about prison complaints? Do those of you who work in prisons know the patterns and trends of prisoner complaints in your prison? Are you confident that they are dealt with by staff who are not directly involved? Are complaints answered promptly, courteously and followed through and where necessary is remedial action taken?

Francis quotes one relative of a patient who told him this:

*Some of them were so stroppy that you felt that if you did complain, that they could be spiteful to my Mum or they could ignore her a bit more.*

I tell you, that is exactly what some prisoners’ families tell me when they write to me with a concern about how they or a relative in prison is being treated.

The government's consultation paper on changes to the legal aid system makes heavy reliance on the prisoner complaints system. I think they need to be more cautious. In our response to the consultation paper we point out that our inspection evidence suggests that the prisoner complaints system cannot be consistently relied on. In our surveys last year, 13 per cent of prisoners told us it was hard to make a complaint, two thirds of those who did so felt it had not been sorted out fairly and nearly one in five told us they had been prevented from making a complaint. We find repeated examples of the person about whom the complaint is made being the same person who answers it.

Don’t underestimate the importance of this. An effective complaints system in which prisoners have confidence was seen as an essential part of the remedy to the Strangeways riots by Lord Woolf’s report.

The fourth missed warning sign was staff and whistleblowers who did raise concerns but there was a bullying and dismissive response when they did. Francis also gives reasons why more staff did not raise concerns: Shame. Some staff felt personally ashamed of the poor care they felt they were obliged to give.

Next, what Francis describes as ‘the sound of pain’.

One staff member told him this:

*The nurses were so under-resourced they were working extra hours, they were desperately moving from place to place to try to give adequate care to patients. If you are in that environment for long enough, what happens is you become immune to the sound of pain. You either become immune to the sound of pain or you walk away. You cannot feel people’s pain, you cannot continue to want to do the best you possibly can when the system says no to you, you can’t do the best you can.*

I was talking to a group of sessional staff who visit prisons regularly at an event last weekend and they described exactly that. They felt overwhelmed by what they were dealing with and simply had to shut out all the distress they were hearing or leave.

This is a quote from an inspection report about Cookham Wood YOI in 2009.

*The living units were very noisy, with cell bells constantly ringing and young people shouting to each other and staff when locked in their cells. The noise of cell bells was exacerbated because they rang on both units whenever they were activated. Staff and young people told us that cell bells were used frequently by young people to gain staff attention for routine matters and it seemed to have become an accepted form of communication. Consequently, cell bells were not responded to with any sense of urgency and the risk of failure to respond to a genuine emergency was high. Observation panels and windows on stairwells were regularly broken and rubbish from cells emptied into the corridors.*

Cookham Wood, I should say, has improved beyond all recognition since we did that inspection but that extract from the report captures how staff shut out what they heard and saw in the way Francis describes.

Then there is crude self-interest. Staff don’t raise things because they perceive it will be damaging for them in some way or they simply want a quiet life.

The fifth missed opportunity to see the warning signs that Francis says was missed was the governance of the trust. There were some organisational failures which may be specific to a health setting but Francis also describes a

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30. Submission to Ministry of Justice: Transforming Legal Aid —delivering a more credible and efficient system. HM Chief Inspector of Prison 4 June 2013.
32. Robert Francis QC. King’s Fund Conference 27 February 2013 Lessons from Stafford.
set of attitudes which meant that opportunities to see and act on warnings were missed. Those who work in prisons may recognise some of these:

- A mindset of uncritical scepticism by managers about complaints and concerns?
- The comfort of poor practice being common — ‘we’re not the worst’?
- An over-reliance on insufficiently rigorous external inspection and scrutiny findings?

And finally Francis points to two other factors. Reductions in staffing and finance and the reorganisation required to achieve these without properly thinking through their implications for patient care. Of course, Robert Francis does not argue that the NHS or Mid Staffs hospital should be exempt from the financial constraints that all public organisations face. As I understand it, what he argues is that insufficient weight was given to the impact on patient care in considering the various options. Why then were these warning signs missed and opportunities to put things right ignored?

- Users were not heard
- The significance for users of concerns, reorganisations, information was overlooked
- The cumulative effect of concerns was not considered
- Some key decision makers had insufficient support and expertise
- There was an assumption that ‘someone else was dealing with it’
- Safety relevant information was not shared — how often do we see that in prisons?
- There were barriers to information sharing.

All these factors came together to create a negative culture which he describes like this:34

This is what he described as existing in Mid Staffs hospital — I recognise it as a pretty good description of the common features of a failing prison. The failures were not just internal to Mid Staffs Hospital. The external regulatory and inspection mechanisms also failed. He described regulators and inspectors as concentrating on the system’s business, not patients.

- He say regulators had standards which missed the point
- There was too great a focus on finance, corporate governance and targets
- There were regulatory gaps
- Inspectors balanced ‘bad’ news with ‘good’ regardless of the objective weight different findings should have. And the recipients of inspection findings naturally heard the good news better than the bad.
- Inspectors assumed compliance rather than fearing non compliance
- And too often they accepted positive information uncritically whilst rejecting the negative.

**Conclusion**

Let me say again why all this is relevant to the prison service. Contraction in an age of expansion means contacting resources whilst meeting expanding requirements, in other words doing more for less.

In an organisation that has managing risk as a core function, it must increase the level of risk that has to be managed. I am not predicting murder and mayhem, but what I am saying is that what we are finding on our inspections now might be evidence that the level of risk may indeed be increasing. If that is the case, it is my contention that Robert Francis’ Inquiry into Mid Staffs hospital has lessons from which the prison service, if it was prudent, could learn. I say this not to point the finger at things that are going wrong, but to try and prevent that happening, as is my duty to do.

So what are the remedies? Again what Robert Francis talked about in relation to Mid Staffs has relevance for the prison services. He stressed the need for strong common values and fundamental standards — standards that reflect what the public see as essential. For me that reinforces the value of our human rights based, outcome focussed Expectations. And since coming into this role, I have been struck by the very consistent support there is for that approach from prison managers and staff themselves. I think they are viewed more uneasily in some other quarters — but we will not change that approach. When those standards are breached in hospital, Francis urges that services should be closed, where appropriate, individuals held to account and individual incidents

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34. Robert Francis QC. King’s Fund Conference 27 February 2013 Lessons from Stafford.
investigated and remedial action taken. My experience is that if I have raised serious concerns with NOMS management following an inspection, action is taken which I welcome. You would be a better judge than I of whether that represents the general picture.

Francis urges the need for openness, candour and transparency. In prison terms, I think that needs constant attention as the nature of the business may create a culture that militates against it.

Finally he talks about a system of regular and risk based inspection with which providers have a duty to co-operate, that has user experience at its heart and one that does not rely on self-assessment but requires proof of compliance with fundamental standards.

If you look at these remedies that Robert Francis proposes for the health service, the prison service could say with some justification that many, although not all of them, are in place and I hope we contribute to that. So while I believe that the prison service is carrying a higher level of risk, and some of the features Robert Francis found in Mid-Staffs can be found in failing prisons and so need vigilance to prevent, I think it is better placed to identify and remedy them. However, the systems for doing so are now stretched and my advice to Ministers is to be very, very careful before they stretch them further or expect them to carry a heavier load.

When he submitted his report, Robert Francis wrote a covering letter to the Secretary of State for Health which was published alongside the report. In the final paragraph of the letter he says this:

> If there is one lesson to be learnt, I suggest it is that people must always come before numbers. It is the individual experiences that lie behind statistics and benchmarks and action plans that really matter, and that is what must never be forgotten when policies are being made and implemented.35

Not a bad message, I would say, for the politicians, civil servants, NOMS, governors, prisoner officers, staff — and inspectors trying to help the prison service deal with contraction in an age of expansion.

Does ‘Contraction in an Age of Expansion’ refer to the contraction of the public sector share of the prison system and the concomitant expansion of the role of providers of what is inelegantly referred to as ‘outsourced’ services? Or does it refer to the contraction of resources as part of the Government’s deficit reduction strategy while ambitions for what prisons are required to do are expanding? The title begs a question about how those who run prisons manage competing demands but in a way which remains ethically sound?

This is standard fare for prison governors — running prisons is never only about dealing with one set of issues. The art of governing prisons has always involved reconciling issues which pull you in different directions at the same time. The reflex response to prioritise is too simplistic: for while sometimes the importance of one matter over another is obvious, prioritisation can too easily result in the sole concentration with the ‘here and now’. The passive acceptance that if things are important they will become important is a counsel of despair. Actually, there is little which goes on in prison which isn’t rightly very important to someone. Priorities too often depend on one’s standpoint. And while good governors will endeavour to see things from different points of view, it’s hard always to be rigorously objective.

So, how do those who run prisons manage competing demands but in a way which remains ethically sound? In answering that question I shall provide an update on the delivery of benchmarking in the first 52 prisons (the local and category C prisons which constitute Phase 1 of the benchmarking project); and address two issues which connect with the theme of ‘contraction and expansion’. First, that benchmark is not a ‘one size fits all’ prescription but a means of reconciling the need for greater consistency across a diverse estate at a time of financial retrenchment. The benchmark is less a ‘blueprint’ in the original meaning of that word than an approach; and that approach is pragmatic and principled not Procrustean. Second, is recognition of the central role of the prison officer and all staff who have contact with prisoners, which is built into the design of the benchmark. It is upon the skill with which this role is performed that the management of some of the most acute issues in the day-to-day life in prison depend — the reconciliation of competing demands of contraction and expansion are managed at the micro level. This role is central to an effective ‘whole prison approach’ in benchmarking which is encapsulated in the concept of ‘every contact matters’.

Benchmarking Phase 1

Benchmarking is the public sector’s opportunity to design and deliver itself out of competition. Late last summer we were speculating about how many of the six public sector-run prisons being competed we would retain and whether we would win the Wolds. No one predicted that, albeit with the bitter blow of losing Northumberland and South Yorkshire, we would be given the opportunity to avoid competition in the future. However, we retained Durham, Onley and Coldingley not because of the strength of our bids for those prisons but because of the strength of what we could deliver if we applied the benchmark of our bids in all the other public sector prisons. The prize is to reengineer the way we run prisons so that it wouldn’t make sense to compete them in the future. Competition hasn’t gone away: if we don’t seize the opportunity we have been given, competition will return — and we may not be given the chance to take part.

The application of the benchmark to the 52 local and category C prisons is complete and plans for the implementation of the changes over the next 18 months. The challenge is to deliver additional efficiencies of £84m in 2013—14 and £75m in 2014—15. We are on track to deliver these efficiencies which actually represent some increase in the resources of two prisons and savings ranging between a few per cent to over 20 per cent in others. The range of the savings is healthy: it reflects the more sophisticated approach benchmark provides compared to the crude approach we have traditionally used of ‘top-slicing’ budgets which was indiscriminate and often unfair.

But benchmarking is not only about efficiencies. In the Phase 1 prisons we will increase by over 9,000 the number of work places for prisoners enabling a 29 per cent increase in purposeful activity. Work and training is being shaped in each prison to match the employment market opportunities in the areas where the prisoners are to resettle on release. In the Local prisons prisoners will be unlocked for 9¼ hours Monday to Friday and 8 hours at weekends. At Wandsworth, this will enable through the use of a ‘split regime’ (with some prisoners working a morning shift and some the afternoon shift) the
A Pragmatic not a Procrustean benchmark

There is a concern that benchmarking is a ‘one size fits all’ prescription, a centrist approach which will squeeze out any scope for local innovation or discretion. The Prison Service is a large and quite a diverse organisation and wrestles with the thorny issue of how to ensure consistency — for good rights-based reasons as well as for reasons of efficiency and effectiveness — without also imposing a slavish conformity to a prescriptive set of requirements which don’t meet the needs of each prisoner or reflect the differing infrastructures and conditions in which prisoners are held. Put simply it is a question of the extent to which the ‘centre’ or headquarters of an organisation dictates what happens ‘on the ground’; or what is sometimes referred to as an organisation’s ‘loose/tight’ properties in which a balance between central control and local discretion has to be struck.

In organisations like supermarkets it is easier to justify greater central prescription. There, questions such as how many shelves of beans of a particularly brand should be displayed with such-and-such a discount for how long, can be determined remotely but such questions have no parallel in prisons. That is not to say there is no scope for consistency. Benchmarking seeks to provide an approach which ensures consistency of standards while giving scope to make such differences as different prisoner populations and different prisons necessarily require.

Following the Whitemoor and Parkhurst escapes in the mid 1990s, the mass of inconsistent and often unclear advice and direction contained in various communications from Standing Orders to Circular Instructions and other less formal pieces of instruction and advice, were replaced by much more consistently set out and much more prescriptive instructions which clarified what a governor ‘must’ and what a governor ‘might’ do. In time the over-prescriptive nature of this approach (which reinforced the managerialist approach to public service provision), which often tended to drive up costs, was gradually replaced with a sharper focus on ‘outcomes’. The advent of ‘commissioning’ has sharpened the emphasis on the ‘what’ which has naturally prompted debate about how the ‘what’ is measured — binary measures of reconviction are not the most meaningful proxy of success. But prisons cannot be defined by ‘outcomes’ alone: the fundamental importance of the principle of decency alone requires careful consideration of the ‘how’. Benchmarking recognises this.

In essence benchmarking involves a simpler and more efficient method of resourcing prisons within a framework defined by a prison’s daily routine — the ‘core day’. The outcomes show we can make efficiencies without retrenching regimes. We can actually do better. We achieve this because benchmarking is a pragmatic and principled not a Procrustean approach. Procrustes, you will recall, was the tyrant in Ancient Greece who ensured his guests fitted the bed he offered them either by stretching them if they were too small or chopping off parts of their limbs if they were too large. Unlike Procrustes benchmarking adjusts the bed. And we make that adjustment in two ways.

First, for example, in the category C prison benchmark we have distinguished and differentiated provision for foreign national prisoners, for prisons with personality disorder units, for the restorative justice pilots; and at HMPs Bure and Whatton we have adjusted provision to accommodate the larger number of older, retired prisoners. We have also adjusted provision to ensure that the offender management function is resourced to reflect the greater weight of work involved in prisons with a higher proportion of public protection cases. The fact that we will have different benchmarks for prisons which hold women, young adults, the most dangerous and the youngest of all also serves to illustrate that benchmarking is far from being the centrally prescriptive ‘one size fits all’ solution to delivering an additional cost efficiencies in both this and the next financial year.

Secondly, benchmarking provides not a flat-pack IKEA kit which governors have simply to put together but
a resource provision and the capacity for a regime which can be can be shaped to suit the facilities of each prison and to meet the particular needs of prisoners. Benchmarking contributes to the ‘new ways of managing, working and delivering’ which Michael Spurr, Chief Executive of NOMS, has promoted. Key to this contribution is the involvement of governors and staff locally in both informing the initial application of the benchmark principles and then in driving the planning of the implementation. Implementation is resourced according to the scale of the challenge each establishment faces and the capability and capacity of the prison’s management team. Benchmarking promotes and enables problem solving.

‘Every contact matters’

It is one thing to have a change process which allows local managerial discretion and ownership, another that this means it will deliver what is most important in prisons: not just decency, safety and security but an engagement with prisoners which potentiates change of the sort which the body of research on desistance underpins. This sort of change increases the positive life-chances of prisoners and best protects the public by reducing the risk of harm to prisoners present to themselves and others in custody and after their release. Central to the achievement of this ambition are the relationships between staff and prisoners. We have always known this but now we have a much better understanding it. When about 25 years ago Ian Dunbar articulated the notion of ‘dynamic of security’ — a concept of security based upon more than procedures and hardware, critically dependent on engaging prisoners not only as fellow human beings and by providing them with a purpose and with something to do in prison — we all instinctively knew what was meant but the means to achieving this weren’t that clear. Hence in part we coined the term ‘prison craft’, to denote the collection of interpersonal skills and landing know-how which make all the difference.

The difference now is that due in no small part to the illuminating research Alison Liebling, Ben Crewe and Susan Hulley at Cambridge have conducted over several years, we have a better grasp of how to make provision of a sort which can enable the best sort of staff-prisoner relationships to flourish. This is not to suggest we have it cracked but that the social sciences have provided us with analyses which show what makes prisons good prisons. This is a big subject and I shall focus on one aspect of the research into the quality of prison life, the values and practices in public private sector prisons and into the distinctiveness of the work of prison officers.

In working up our bids in the prisons competition we needed to identify what was the irreducible core of our work, the essence without which we would not longer be a public sector Prison Service. In crude terms this boiled down to ‘make or buy’ decisions. This involved identifying which services in a prison we should ‘make’ — that is, directly employ staff to deliver; and which do we ‘buy’ — that is, let a contract for another organisation to deliver. We are in the middle of a continuum at one end of which (where we were many years ago) where we directly employ staff to deliver almost all the services involved in running a prison. At the other end of the continuum, at least hypothetically, we could outsource the delivery of all services and leave the governor as a super contract manager. We recognised the irreducible core as being defined by the role of prison officers perform, not as operational supernumeraries but as central to establishing and sustaining a high quality of prison life. But we recognised too — and devised in the new methodology we used in determining the number of prison officers we require to ensure safety, decency and security — that we had to break free from the constraints a very traditional, task-oriented approach to ‘profiling’ work and staffing it imposed.

We also recognised — another blinding flash of the obvious you might well think — that in addition to having to have a more flexible approach to deploying and managing prison officers, we needed to integrate their work with those of every other person — member of staff or contractor — who works with prisoners. The unhelpful, at times even tribal demarcation of uniformed and non-uniformed staff needed to go. We have too often paid lip-service to ‘multi-disciplinary’ team working,

and we have also tended to understand — being as we are part of the Prison Service monolith — that partnership was essentially a ‘master/slave’ relationship. The partnerships we established with MITIE, Working Links and Shaw Trust in the course of the prison competition disabused us of this and to be fair the best arrangements governors around the country have established for working well with education and health providers has also shown the way forward. This forced us to think again about how the work of prison officers could form the foundation of new operating model. The outcome was more than the slogan ‘every contact matters’ but a commitment to integrate the work of officers with all those who deliver services in a prison. This was the basis of our ‘whole prison approach’ and key to it was what we learned from how the best prisons operate which is what the body of the Cambridge research reveals.

We used the term ‘Every Contact Matters’ because it neatly encapsulated the idea that however small or fleeting, experience and the distance research shows that even the most common day-to-day interactions between everyone who works in a prison and prisoners can and do make a difference. Importantly, altogether if each of these contacts is positive, their cumulative impact can be profound. They make a difference to the tone and culture of institutional life which becomes self-perpetuating: when positive this helps not only promote safe, decent and secure conditions but potentiates the benefits which ‘what works’ literature shows that the delivery of services which meet prisoners’ criminogenic needs can realise. We use the term ‘Every Contact Matters’ to denote the touchstone of the effective working practices within teams of staff, between teams of staff, and with and between individual members of staff and prisoners. And it models behaviour which in turn influences how prisoners behave for the better. The idea provides the focus for everyone who works in a prison: it is the currency of our interaction amongst everyone who lives and works in the prison; and it is the currency of our interaction with visitors and the wider community. So it really is more than a slogan, and it is underpinned by the leadership role governors and their management teams perform in meeting the challenges of ‘contraction in an age of expansion’; and, the findings of the research Cambridge University has conducted into the characteristics of the best prisons and the key role that prison officers can play in potentiating change in prisoners.

The role of the governor as leader and the supporting role of his or her management team — not just the senior managers but every manager — is crucial to enabling prison officers and all staff to perform their roles best. At a time of great change particularly this aspect of the governor’s role is important to stress.

The leadership role depends upon personal visibility — not just of the governor which is crucial — but all managers. This visibility enables leaders to model behaviours and to communicate their expectations so that high standards become ‘givens’. Visibility isn’t one-way communication, it’s about listening as well as telling, and it’s about asking probing questions — this is a sure way of avoiding what Anne Owers tellingly termed the ‘virtual prison’ which exists in the mind of the governor. This visibility is about setting the tone and gauging and influencing the culture of a prison. Every contact in the performance of this aspect of the leadership role really does matter. Personal visibility builds staff confidence, it helps reinforce the best behaviours and challenges the worst. If the governor does this, it legitimises all managers doing this, and if all managers do this the effect becomes powerful.

Secondly, leadership requires attention to ‘housekeeping’ matters — not just cleanliness but orderliness in terms of accountability for the roll in the workshop, in visits, on the landing and on the exercise yard — and lack of clutter and timeliness. This is also orderliness which attends to the small details of prisoners’ lives. This attention to ‘housekeeping’ will have also impact positively on prisoner behaviour and staff morale. While too much attention to detail can lead you to get lost in the weeds, too little leaves a leader exposed.

Thirdly, the leadership role which enables and sustains the crucial role of officers and staff who work directly with prisoners, requires the governor to communicate key messages clearly and consistently. While the accessibility and immediacy of modern communication can facilitate, it can also too easily confuse not least by providing such a plethora of information that key messages get lost. If leaders do not provide clear messages about collective purpose and what is important, misinformation will too easily fill the void. In the context of ‘contraction and expansion’ and in managing competing demands, the need for clear

communication is even more important. The communication aspect of the leadership role is perhaps most important in such times in providing a rationale for what’s happening. So in addition to providing direction and clarity about the four or five things which are most important and which are linked to values, the leaders must communicate an explanation. While the ‘what’ is clearly important and the ‘how’, leaders need to convince on the ‘why’ too.

It may sound a little glib to suggest that the leadership role is simply about being visible, attention to detail when it matters and being a good communicator — and I recognise that the managerial challenge governors face is more complex — but these features are key to enabling the work of prison officers which Cambridge research has shown can be crucial in enabling prisoners to change their lives.

In developing the thinking for the bids, which underpins the benchmarking approach, we discussed in detail with Alison Liebling and Ben Crewe at Cambridge the implications of their findings. Probably the most important one of which was that staff professionalism, and the professionalism of officers in particular, is an under-appreciated strength of public sector prisons. As Liebling herself put it:

> What is distinctive about prison officer work is that it is based on, or requires, a sophisticated, dynamic and often subtle use of power, through enduring and challenging relationships which has effects on recipients. This is highly skilled work. Competence in this area — in the use of authority — contributes most to prisoner perceptions of the quality of like in, or moral performance of, a prison.4

The comparative study of two public sector and two private sector prisons confirmed earlier research findings that the way prison staff use their authority makes a huge difference to the quality of a prison.5 The study identified the ‘professionalism’ of officers as comprising ‘staff professionalism’, ‘bureaucratic legitimacy’, ‘fairness’ and ‘organisation and consistency’. These dimensions represent the key aspects of the ‘craft’ of prison work. They shape the way it is carried out and they involve indeed require a general expertise — communication and other skills — and experience; and they also involved internalised as well as organisational values — hence the importance of the role of leaders setting this out and modeling them. These dimensions are very important in the statistically derived models of prison quality — they are the main contributors to the ‘weight’ (the ‘psychological burden of imprisonment’), the overall quality of prison life and the ‘personal development’ of prisoners.

So you can see why if you have to place officers at the core of your operating model; and this is why we have included in the role for prison officers a responsibility as ‘offender supervisors’ in the broader ‘offender management’ model and in the delivery of some programmes. Both these elements of the prison officer role anticipate the changes which the reforms of probation will bring about, not the least significant of which for prisons will be the ‘out-sourcing’ of what are referred to as ‘through the gate’ services. The probation reforms are a fundamental change to the criminal justice system. In the diversification of provision we are making prison officers central not marginal to the reforms. This is particularly given the opportunity our competitors in running prisons will have to provide outsourced probation services too.

While the Cambridge research identified that public or private operation of prisons is not the most important variable in determining prison quality, it does suggest that the public sector potentially possesses greater strength. The public sector has an advantage over most private sector prisons in the key area of professionalism, mainly because our officers tend to be more experienced and more confident in performing their role. Hitherto we have underestimated this. What benchmarking seeks to do is to make proper provision and to enable ‘a model of prison officer work that is confident, authoritative and proactive’.6 It boils down to this:

- benchmarking is founded fundamentally on the need to ensure safety, decency and security;
- but even at a time of major resource contraction and at a time when there is an expansion of the role of our competitors we are able to do more than deliver the baseline requirements of safety, decency and security;
- we can expand the scope of our achievement by making public sector prisons the best on any measure but particularly in potentiating change in prisoners,
- which will make public sector prisons principled, purposeful and all who work in them rightly proud.

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5. Liebling, Crewe and Hulley (2011) see n.2.
6. Ibid.
When considering ‘Contraction in an Age of Expansion’ in criminal justice and more specifically, prisons, I contextualised it in my experiences and understandings of prison. So my interpretation is informed by my personal experience of prison, my academic knowledge, my consultancy work/research in prisons, and one of my current projects, namely British Convict Criminology (BCC). BCC is an academic group consisting of ex-con academics, and non-con academics, who share a similar critical perspective on crime, prisons/prisoners, the criminal justice system, and corrections/rehabilitation. Some of our work involves direct correspondence with serving prisoners and former prisoners studying criminology or its cognate disciplines.1,2

Whilst BCC is a recent conception, its intellectual and theoretical foundations are rooted in the well-established Convict Criminology perspective. Convict Criminology is a branch of criminology that emerged in the United States in 1997. It was founded by former prisoners, turned academics, who were dissatisfied and frustrated with the absence of ‘prisoner voices’ in research on criminal justice issues. Led by former prisoners, it is a controversial perspective, which challenges the way in which crime and correctional problems are traditionally represented and discussed by researchers, policy makers and politicians. It approaches existing practices, research and political commentary in the US with a critical lens that is not only informed by personal experiences, but underpinned by these experiences.4 Therefore, Convict Criminology by its very nature privileges the ‘insider perspective’, a voice typically excluded in academic criminology. Like other disciplines studying the nature of human behaviour and social life (in particular psychology) criminology commonly neglects the perspectives and ‘real life’ experiences of their participants. Typically, these experiences are explored through pre-conceived categories and concepts, and broader misguided positivist research frameworks that serve to constrain ‘prisoner realities’ and mute the voice of the ‘prisoner’.

This discrepancy between the ‘lived realities of prison’ and the academic knowledge is neatly captured by Richards and colleagues in a book chapter aptly entitled ‘Prisons as seen by Convict Criminologists’.6

We [the authors] never volunteered to become experts on prison. Our expertise is the result of 40 years in prison, combined with extensive academic training that came later.....we struggle to reconcile what we experienced with the more benign accounts of prison life appearing in most criminology and criminal justice articles and books.

In many respects, this resonates with my experience, although for me the discrepancy between my lived experience and academic accounts is as equally pronounced in life after prison, living with the label ‘ex-offender’; a label that still has significant implications for me in the present. This is the case for many other former prisoners I have spoken to. In some contexts there is little if any distinction between your former status, ‘offender’ or ‘prisoner’ and your current one, ‘ex-offender’ or ‘former prisoner’. In the eyes of many this distinction does not exist, you are as Johnson articulates ‘morally contaminated’.7 So I use the term ‘prisoner’ in its broadest sense here, to include those that despite leaving prison, still live with ‘the ghosts of their pasts’.

Based on these experiences, the experiences of other ‘prisoners’ and subsequent discussions with two other academics, Sacha Darke and Rod Earle, the idea

of establishing a Convict Criminology group in the UK evolved. Critical to its conception, was a growing awareness that there were others like ‘us’; individuals that had served time, and had made the all-important shift in to academia, or were on the way to achieving this. Through our teaching and personal involvement or contact with NGO’s working in the criminal justice field, we were becoming increasingly aware that more and more ‘prisoners’ in the UK were studying for degrees in criminology or its cognate disciplines, or were engaging in post graduate study. Some were doing masters, and a few doing PhD’s. This generated the belief that there was a need to establish a Convict Criminology group, over here in the UK. This notion developed into a reality when BCC emerged in 2011.8

At present, BCC is growing with momentum and is beginning to establish itself within criminology as distinct from our US counterparts. Whilst we share many of the same principles and intellectual/theoretical foundations with the US group, there are some significant differences, particularly in terms of localised understandings and experiences of crime, prisons, resettlement and criminal justice issues. Nevertheless, like many of the US Convict Criminologists I share the view that we need to develop humane, effective and cost efficient prisons that are used sparingly. We also need to utilize and integrate ‘prisoner voices’ in our academic understandings of crime, prisons, and ‘rehabilitation’ initiatives and strategies, as well using this voice to inform policy that impinges on the life of the ‘prisoner’ in prison and thereafter.9

Given all that I have said so far, you probably won’t be shocked to hear that my perception of prisons is quite negative, and moreover quite critical. For me ‘expansion’ generates an image of the continual growth of the prison estate and the prison population, and a shift to a broader involvement of the private sector in the provision of services within the prison complex. In contrast, contraction generates an image of a lack of resources and funds within the prison system, impacting on prison conditions and initiatives or strategies that can facilitate desistance. Despite this negative view, I would like to say that I have met some very dedicated, helpful and supportive prison staff whilst serving time, and when doing research in prisons. One person particularly sticks in my mind; the head of the education department at HMP Pentonville back in the 1990’s when I was a serving prisoner. She went out of her way to support me and facilitate my educational development. Whilst I can’t be certain, I believe that if it wasn’t for her I wouldn’t be standing here speaking to you today, and I may well have not pursued a career in academia. That woman is very special and will always have a place in my heart.

I have also come across resettlement teams in prison that demonstrate similar traits, working very hard, and with dedication to help those imprisoned. Unfortunately, most if not all work under the constraints of a risk adverse prison culture and out of touch senior level officials, as well as having to work with limited resources.

As we are all aware the last few decades or so, has seen a dramatic increase in the prison estate and prison population. As we are all aware the last few decades or so, has seen a dramatic increase in the prison estate and prison population. Current discourses around increasing the capacity of the prison estate, specifically, in the form of Titan prisons, mini Titan prisons, and prison clusters serve to reinforce this trend. Interestingly, prison has become an attractive alternative to more productive ways of dealing with crime;10,11 a trend we have arguably adopted from the USA, which currently boasts a prison population of around 2 million, and shows no real signs of waning. In the US, expansion not only manifests itself in the growth of prisons, both structurally and in terms of capacity, but also in terms of more punitive penal policy and a shift to privatisation; an increased involvement of the private sector in service delivery and the ‘running’ of prisons. In this sense, expansion means the growth of prison as a business with fruitful economic gains.12,13

When considering this growing trend for expansion in its various guises, I question the implications this has for society. Expansion is a net widening process involving the growing criminalisation

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8. Aresti, Darke, & Earle (2012) see n. 3.
of particular populations in our society: the most disadvantaged, the marginalised and the most vulnerable. Indeed, a tour of most prison wings in the UK will demonstrate the disproportionate representation of these cohorts in the prison population. Interestingly, this is a mirror image of what is happening in the US penal system. And whilst contentious, the growing criminalisation and imprisonment of these particular cohorts may serve to divert our attention from the real underlying social issues rife in our communities. Expansion can only serve to antagonise these issues.

Such concerns were common place when I was in prison in the 1990’s. Penal reformists were becoming increasingly concerned with the rising prison population and the implications this has for the people living inside them and society. This was clearly articulated by penal reformist in statements like ‘the prison population is peaking at 64,000 and is on the increase’, ‘prisons are human warehouses’ and ‘prisons are universities of crime’. Disturbingly, since then the prison population which is currently simmering at just below 85,000 has increased by nearly 20,000 in 15 years. If this trend continues, my own crude projections suggest that in fifty years, the prison population could potentially be over 140,000.

The problem with expansion

‘Contraction in an Age of Expansion’ should be understood in a broader context. Considering expansion without questioning the purpose of prisons is illogical. If indeed prisons are primarily a means of retribution and incapacitation then clearly expansion makes sense. However, if they are equally a place for ‘rehabilitation’ then expansion is problematic. If indeed prisons are primarily a means of retribution and incapacitation then clearly expansion makes sense. However, if they are equally a place for ‘rehabilitation’ then expansion is problematic. In a sense these concepts are contradictory; retribution and rehabilitation are a toxic mix. This is apparent historically and in the present where prison has demonstrated little rehabilitative success. Exceptionally high reconviction rates within the first two years of release reinforce this. And even here we need to be cautious, as reconviction rates are a crude measure of reoffending, and in reality reoffending rates are likely to be considerably higher.

Considering this poor rehabilitative success, I question the current drive for ‘prison expansion’ and the government’s agenda, specifically its discourse around the ‘rehabilitation revolution’. In my view, this ‘drive’ underscores an alternative agenda; crime, punishment and prisons are very powerful political tools that not only feed into social anxieties regarding crime and prisons, but arguably heighten these anxieties via amplification and exaggeration of the ‘crime and prison problem’. Of course this is a contentious area and standpoint specific, and maybe a little provocative, yet surely it is difficult to contest that being ‘tough on crime’ and introducing tougher penal policy is directly related to political favour. And arguably this cyclical process underlies the drive for expansion, and consequently a drive towards privatisation. Prisons are not only a means of social control they are also a big business, and the privatization of services and prisons provide fruitful pickings for those motivated by economic gains.

The idea of prisons as a business exploiting an expanding market fits neatly into current criminal justice ideology, which typically works within a ‘managerialist’ framework that is overly concerned with the cost effective and efficient running of the criminal justice system, rather than with the root causes of crime. Consequently, prisons are primarily concerned with security, ‘risk management’ and control and so ‘rehabilitation’ is a secondary concern. Rehabilitation (encouraging desistance) is incompatible with the business objective of growth. Arguably it is also undermined by an over-emphasis on security and minimising risk. The government’s agenda ‘transforming rehabilitation’ has its roots in right wing ideology, which privileges punishment and ‘efficient management’ so it is difficult to see how a rehabilitative model can work under these conditions. In fact, whilst ‘rehabilitation’ was firmly rooted in prison ideology in the 1960’s and 70’s, limited success shifted the focus

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15. Ibid.
17. Prison Reform Trust (2013) see n. 10.
from ‘what works’ to ‘nothing works’ in the 1980’s and mid 90’s. As a result the administrative approach gained dominance, putting aside the rehabilitation agenda, and pushing forward a ‘managerial approach’, which is more concerned with effective management, security, surveillance, prevention and control. The emergence of a crime science in academia, anchored in this ‘managerial approach’ clearly demonstrates this shift.

This ‘managerial approach’ is reflected in a ‘risk adverse’ prison culture, where the focus on ‘risk management’ and control comes with a human cost, the prisoner’s personal development; a lack of trust and personal agency, along with an inability to take personal responsibility and little in the way of rehabilitative strategies, collectively work to constrain many attempts to implement personal change. This highlights the pragmatic incompatibility of two very diverse and competing working models in the ‘reducing reoffending’ arena. At present prisons typically work under a ‘Risk-needs’ model which is deeply rooted in the ‘risk adverse’ prison culture. Here the prisoner’s potential risks for reoffending are identified and these risks are reduced by trying to meet his or her needs. However, this is problematic as the individual is arguably perceived as a set of risk factors, rather than human, which is in stark contrast to a ‘Strengths based’ model, which is anchored in desistance theory, and focuses on the individual’s strengths and other attributes, that can facilitate self-change and desistance. Whether such a model is conducive to a prison environment is questionable.

Set within these current ideological and cultural frameworks, ‘expansion’ (of the prison estate and its capacity) can only serve to hinder attempts to use more progressive rehabilitation strategies or initiatives. The clear lack of resources and funds in the prison complex intensifies the problem, as does the additional burden of government proposed financial cutbacks. Moreover, the new payment by results (PBR) initiative in my view will only amplify this problem. Service providers will be under even more pressure to perform and meet targets, and to provide evidence of reduced reoffending. Consequently, this will have a human cost as arguably certain ‘model’ prisoners will be targeted or ‘cherry picked’ as they will assist the service providers to achieve results. In-effect this means that individuals that really need help and support, or are the hardest to reach are likely to suffer from little or poor service provision. Arguably, the privatization of services will confound this problem further. Whilst not to discredit those working within the private sector, many who have undoubtedly got a ‘conscience’, the ethos in the private sector is business orientated and therefore primarily motivated by economic gains, rather than guided by ethical or moral duty.

Relative to this and other issues discussed, a consequence of prison expansion will be a dramatic rise in short term sentenced prisoners; more prisons or bigger prisons and increased capacity, will make prisons an even more attractive option when dealing with ‘minor offenders’. Yet, as articulated by numerous penal reformists that is Prison Reform Trust, the Howard League, there are a variety of difficulties and obstacles when attempting to engage this particular cohort in rehabilitative strategies or initiatives. Service providers are unable to effectively work with short term sentenced prisoners. Considering this, together with the cost of imprisonment, few could contest the idea that valuable resources are wasted in this instance.

The challenges of negotiating a law abiding identity

The psychological implications of imprisonment are well documented (e.g. The Pains of Imprisonment) and can manifest themselves in a variety of ways including feelings of isolation, loss of self/identity, psychological trauma, negative self-conceptualisation and experiences of dehumanisation.

Despite these negative psychological experiences, we as a society have very high expectations of people leaving prison, expecting them to be crime/deviant free, and to be ‘model’ citizens. This is despite many recently released prisoner’s having to make a psychological adjustment to life on ‘the out’ and trying to negotiate a competitive market that lacks opportunities and resources. Yet in addition to these barriers and the presently dire economic climate, many former prisoners also have to negotiate a ‘spoiled identity’ or their ‘stigmatised ex-offender status’ which further
confounds their opportunities, as a custodial conviction significantly reduces this cohort’s life chances. 23, 24 Moreover, current legislation (ROA, 1974; Enhanced Disclosures Act, 1996) endorses this as these acts serve to limit and constrain legitimate employment opportunities. So in-effect, prison expansion will result in more people being imprisoned, and consequently more people being released into society with reduced life opportunities, psychological/mental health issues and further marginalisation.

One of the main problems with prison is that it does not, and cannot really prepare you for life after release. At the very best, and this is an ideal, prison may be able to help with the re-entry phase of resettlement, by meeting your basic needs that is help with housing, employment, benefits, dealing with addiction issues etc. However, in terms of long term resettlement or desisting from crime there is little professional support. Desistance for most is a long term process, whereby the intensity and frequency of crime decreases over a prolonged period of time. This involves a gradual psychological and behavioural transformation and a shift from a ‘criminal’ identity to a more pro-social or ‘law abiding’ identity. 25 Yet whilst academically we are aware of this, we do not have procedures or systems in place to accommodate this. This is particularly evident when considering the high rate of licence recalls for minor misdemeanours.

Importantly, not many people really understand the challenges and obstacles you face when having to negotiate your ‘spoiled identity’ and the implications this has for your self-esteem and sense of self. Despite the dramatic changes I have made in my life, as noted, I still live with the stigmatised ‘ex-offender’ status, even though I left prison nearly 15 years ago. I still find that I have to negotiate this stigmatised identity in certain situations or contexts. For example, I still have to tick the ‘box’ when asked if I have a criminal record when applying for jobs and in some instances, employers still insist that I have a CRB check. So for me there is always this existential tension where on the one hand, I have a PhD, and get to call myself Dr (arguably a pro-social identity), and on the other, I am still PC1804 (my prison no.) a ‘morally contaminated’ ex-con. Of course I am not alone, and many former prisoners have to live with the damaging effects of the ‘label’. Yet arguably, I have served my time, and paid my dues, yet I am still being punished, or as I describe it I am ‘doing time after time’.

In many respects, you learn to deal with these issues, and even the derogatory comments made about prisoners, or ex-offenders by those (often friends/colleagues) who do not know about my past. However, what is hard to deal with is that someday I will have to tell my children about my past. This of course pains me and is a constant source of tension. I fear that they may find out prematurely, before they are old enough to understand, or that others (e.g. friend’s parents) will find out about my past, and then stigmatise/marginalise them as a result of my past. The following anecdote provides an example of this tension.

Due to the nature of my work, I exist in cyberspace and details of my colourful past are there for all to see on the internet. The other day at home, my 12 year old daughter was on the Ipad and googled my name, telling me as she was doing it. I instantly panicked and was consumed with a fear of being ousted, and so flew across the room and grabbed the Ipad, to her bewilderment. In an agitated state, I asked her what she saw and what was said about me. Fortunately she was none the wiser, but since then my fears have intensified, because I might not be there the next time.

I guess my point here is this, prison expansion will result in more people having to deal with and negotiate a ‘spoiled identity’ on release from prison. As I have articulated, this is not easy and has a number of implications for how one perceives the self. For those that can successfully negotiate the stigmatised identity, desistance is likely to follow. However, as Maruna 26 rightly points out, those who are unable to negotiate this identity are likely to persist with crime.

Conclusion

In concluding, my first thoughts are why are we even having this conversation? Expanding an already failing prison system that has little rehabilitative success

26. Ibid.
does not make sense. We should be engaging with an alternative discourse; ‘contraction in an age of reduction’ whereby we are talking about reducing the prison estate both structurally and in terms of capacity; and, in its position at the heart of punishing crime. Admittedly, we do need prisons but they should be used sparingly, as a last resort. The provision of alternative non-custodial intervention strategies or initiatives that are more cost effective should be provided. This will release valuable resources for a much smaller prison estate whereby intervention strategies can be implemented and tailored to accommodate the individual’s needs.

Whilst this seems logical to me and many others, these ideas do not really feature in the dominant discourses around prisons and rehabilitation. I question this. Why is prison such an attractive option despite its lack of rehabilitative success? As noted, prisons are a big business, employing a very large amount of people, both directly (prison staff, service providers, security etc.) and indirectly (e.g. contractors who develop security systems, IT contractors, consultants etc.). They also use private companies to supply goods (IT systems, furniture, gates etc.) and provide goods to them that is the contracting of prison labour. The privatisation of services/prisons also provides substantial economic gains for those motivated by financial incentives, despite the ethical implications that is making money off the backs of some of the most damaged and vulnerable people in our society.

Therefore whilst contentious, the notion of the prison industrial complex may well explain the real underlying purpose of prison expansion. This concept refers to the rapid expansion of the prison estate and its population in the US, and the political influence private companies working in this field have in the provision of services and goods. Prisons are not only a big employer they are also big business, so ‘expansion’ is a very good way of providing employment and making money. As many a critic has articulated, the prison industrial complex is a ‘self-perpetuating machine’: the substantial investment in prisons, ‘correctional’ facilities, and law enforcement strategies combined with the perceived, and unchallenged political benefits of crime control have led to policies that ensure that more people are sentenced to prison, thereby creating more prison spaces.

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This paper addresses the topic of ‘Contraction in an Age of Expansion’ by exploring the notion of Titan prisons and their impact upon staff culture. It adapts the notion of ‘diffidence’ to explain staff culture and the manner in which this can lead to toxic behaviours that impact on the carceral experience of prisoners, the delivery of core activities and the safety of all those who inhabit a prison. This is especially pertinent with regard to recent announcements by The Justice Minister, Chris Grayling, about the possibility of future large site prisons both in North Wales and, potentially, within the M25, and the subsequent rating failures of HMP Oakwood and Thameside.1

The question that immediately presents itself when the Titan prison is discussed is: Does the size of the prison really matter and, if it does, in what way? In some regards the reasoning behind the Titan follows the belief that a large institution may be able to deliver services to a greater number for a much lower cost. As argued below this efficiency-utilitarian perspective poses problems for a prison but nevertheless is attractive to commissioners concerned with fiscal constraints. However, with regard to a penal establishment designed for human, not to mention humane, habitation there is a simple answer to this question. Yes, size does matter and bigger is not better.

I approach this subject not just as a researcher, nor as a former prisoner who was incarcerated between 1992 and 2004, but also as a professional working within the modern prison system. In one regard or another I have, in the last 20 years or so, either lived, worked or studied in prisons of varying sizes and structure. All this experience informs me that smaller is socially, morally and operationally better. This is an opinion shared by many of those who have commented upon this issue since its major rebirth in the mid Noughties.

In December 2007 the Government published Lord Carter’s review on prisons2 and, amongst the many recommendations made was the notion of regenerating the particular Victorian penal fetish of building three giant prisons (2500+) which became known as the ‘Titan’ prison plan. These recommendations came after an extended period of rapid expansion which had seen the population bloom from a little over 43,000 in the early 1990s to over 80,000 at the time the report was being compiled.3 This inevitably led to a situation where overcrowding, rising costs and constraints on effective delivery were prevalent and it was posited, largely without evidence, that these ‘Titans’ would ease the burden of overcrowding whilst at the same time providing a more fiscally efficacious penal estate. Jack Straw, the Minister of the day, and the wider Government immediately accepted the proposals (which we now understand to have been predetermined by various political influences)4 and launched a programme of expansion of a further 10,500 spaces to increase the operational capacity of the estate of England and Wales to 96,000 by 2014.5

This was a position that was reaffirmed by the Government throughout 2008 but which came under sustained attack and condemnation from all informed and interested quarters — HMCIP, the Prison Governors Association, the POA, the Prison Reform Trust, the Howard League, and others. All penal commentators, eventually even the Daily Mail, condemned the proposals and to a certain degree the ‘Titan’ retreated into the background of penal policy. The problem, as evident from recent MoJ announcements, is that the proposals never died; they did not ‘melt into air’ as much political rhetoric has a tendency to do, and, like a spectral hobgoblin, have thus haunted penal discourse ever since.

In these times of ever diminishing budgets, benchmarking and constrained service delivery it is no wonder that the ‘spectre’ of the Titan has re-emerged, from the dark recesses of the punitive political mind. Thus we find ourselves, once again, having to address the notion of why these Titans, the monolithic remnants of the ‘Victorian penal imagination’,6 are a

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The notion I wish to introduce to this discourse is staff ‘diffidence’ and the manner in which it can adversely impact both safety and security within a prison.

The notion of diffidence is taken from the 17th Century philosopher Thomas Hobbes. In his seminal text, ‘The Leviathan’, Hobbes posited the idea of the State of Nature, an imaginary primordial state of existence whereby every person lies in contention, either physical or psychological, with every other person. In this state of perpetual ‘war’, it is not the intermittent physical battle that so wearyes the individual but rather the constant competition and hostility whereby individuals become inherently mistrustful, wary and rightfully paranoid about their fellow competitors.

For war consisteth not in battle only, or the act of fighting, but in a tract of time, wherein the will to contend by battle is sufficiently known: and therefore the notion of time is to be considered in the nature of war, as it is in the nature of weather. For as the nature of foul weather lieth not in a shower or two of rain, but in an inclination thereto of many days together: so the nature of war consisteth not in actual fighting, but in the known disposition thereto during all the time there is no assurance to the contrary. (p77-78).10

It is this state of being which Hobbes called diffidence — ‘a generalised insecurity and a consumptive wariness’ regarding those with whom one is compelled to co-exist.11 It is from this state of diffidence that Hobbes eventually predicates the social contract of base societies — a contract that ensures the protection and survival of its signatories. Prisons are not States of Nature in the sense that Hobbes outlined. Nevertheless, they are places of hostility, competing interests and matrices of power, mistrust, wariness, psycho-panoptic surveillance (everyone watching, evaluating and judging everyone else) and, therefore, justified paranoia. In essence, they are places where diffidence, in the Hobbesian sense, not only exists but is also perpetuated.

As described elsewhere,12 diffidence, and its alleviation, are major factors in the penal life of prisoners. However, prisoners are not the only people who inhabit the prison and who shape, and are shaped by, the emotional landscape. Staff members are too, and as we know from a number of sources (Liebling et al 2010,13 Liebling and Arnold 2004,14 Crawley and

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7. Ministry of Justice (2007), see n.2.
10. Ibid.
12. Ibid.
Crawley 2008, Warr 2007, etc.) that prison officers are just as vulnerable to the negative influences of the prison environment as are others who inhabit the same space. As such, uniformed staff are also subject to the various States of Diffidence that can exist in prisons. What, then, does this have to do with large prisons?

It is the conjunction of two factors which make the Titan prison a place more likely to involve higher states of diffidence. The first conjunct is the greater likelihood of spatial conditions that are reminiscent of the precursor conditions from which Sykes derived the ‘pains of imprisonment’ known as the deprivation of security. In Sykes’s study, the spatial conditions of the prison that engendered the greatest losses of security were those areas where the formal power of the staff was thinnest, or lightest, and where the malignant aspects of prisoner power were allowed to dominate or flourish. This could occur in those areas where staff had less of a presence or in those areas where their surveillance did not penetrate — of course this could also then occur when staff levels have fallen to either a direct or perceived dangerous level. The second conjunct is the findings of Megargee who found that population density and the subsequent restriction on personal space is closely correlated with the conditions in which disruptive, anti-social and violent behaviour are generated.

When these two factors, which together not only compound but also promote the likelihood of a negative environment, are coupled with market pressures, in which all prisons (either private or public sector) have to perform under ever tightening financial conditions and labour savings, this results in environments where hostilities, rivalries and resource competition are heightened. It is my contention that it in such prisons, where there are large numbers of prisoners, where staff feel that their numbers have been reduced to dangerous numbers, where targets and fiscal concerns dominate Governing decisions, that the state of staff diffidence — that sense of ‘generalised insecurity and consumptive wariness’ — is not only most likely to be prevalent and profound but also to become ‘toxic’ to the prison environment and corrosive, in the manner described by Sim, to the lives of prisoners and wider staff populations.

Proponents of these carceral monoliths have argued that these issues are not relevant because ‘Titans’, in their modern incarnation, are designed around a cluster model whereby four or five self-contained prisons, with populations of 4-500, are formulated within one secured site. Thus, they argue, these prisons operate, socially if not managerially, as separate entities. However, we know that it is possible, even in overt situationally controlled environments such as this, that both intra- and inter-unit cultural influence can still occur. Evidence from HMP Oakwood highlights that when poor design and corner cutting occur issues that begin in one block can then repeat in other blocks. These examples, and those from other such establishments (e.g. Mountjoy in Ireland), seems to counter the argument made by Titan proponents and shows that issues that occur in one unit affect the social world of the other units. It must be acknowledged that the social world of such prisons is little studied or understood. Nevertheless, it is my contention that, as cross cultural influence is possible between units, these clustered prisons are just as vulnerable as any other prison to the influence of staff diffidence.

What of ‘toxicity’ then? It is in this wary, mistrustful and paranoid environment that certain ‘toxic’ staff behaviours become apparent. Elaine and Peter

. . . it is my contention that, as cross cultural influence is possible between units, these clustered prisons are just as vulnerable as any other prison to the influence of staff diffidence.

22. Personal Communication for Governor of Mountjoy Prison.
Crawley note that cynicism and suspicion can play a major part in the rank and file of the prisoner officer body and that when these behaviours dominate the ‘in-group’ (a group of mutually identifying staff members), they can often perceive themselves as being threatened and besieged. This ‘diffidence’ with regard to the ‘out-group’ (usually prisoners, but also sometimes senior management) manifests itself in five core behaviours: first, increasing wariness and suspicion about the prisoner body that flows and ebbs around them — an issue that is often underpinned by what Sim (2007) refers to as a prevailing discourse whereby this stereotypical view of staff/prisoner relationship has become ‘normalised’; second, a banding together (with common purpose — as with the social contract) and solidification of a self interested group identity; third, a retreat from the wider spaces to safe (i.e. staff) areas — most commonly, in British prisons, the wing office, where staff feel fortified; fourth, reactive and aggressive use of formal and informal processes of sanction designed to pre-empt the hostility of the ‘out-group’; and fifth, an increasingly insular outlook that prioritises the interests and beliefs of the banded group and rejects perspectives, interests and beliefs that either challenge or counter those of their own. This last process is related to the notion of what Stanley Cohen might well refer to as a micro-cultural implicatory form of denial, that is, a form of cultural behaviour where the negative impact of the group’s banding/retreat cannot be accepted — or, if the impact is perceived, a minimisation and dismissal of its moral consequences. These toxic behaviours have a sliding scale of effects from the rather minor inconvenience of wing life under an un-interested staff right through to more serious effects that can impact on the safety of all those who inhabit a prison.

To illustrate this point I use the example of one fairly large (1,000+ places) local prison that I shall refer to as Prison A. This prison, partially a large traditional radial design coupled with more modern ‘New-Build’ units, had undergone a number of major changes at the time that I visited (during mid 2012) and had seen staff numbers reduced at a time when operationally the prison was already somewhat stretched. In all ways, the prison was an environment where staff diffidence was rife. On some wings this was manifested in minor toxic behaviours whereby it would be difficult to get staff to engage in the kind of collaborative behaviours that make a wing run smoothly — they were officious, adopted a ‘computer says no’ attitude and used their power in unpredictable and arbitrary ways. This resulted in frustration and anger and exacerbated problems of legitimacy. However, on other wings there were more serious manifestations. On one of the wings, staff had banded and retreated to such an extent that some of the core duties were being misconducted — applications, mail, visits, phone calls, food, kit change (the Prime Directives, or core deliverables as it were) were all being negatively impacted. In some instances, these practices were either being wilfully blocked or neglected. Because of staff diffidence, and its subsequent form of implicatory denial, the concerns of the prisoners on the wing were being ignored because they now ran counter to those of the staff, fortified in their wing office. This resulted in bitterness, anger and a sense of hopelessness amongst the prisoners about the possibility of resolving these issues by legitimate means. Increasingly, prisoners felt that they were being pushed to a situation whereby illegitimate means of protest were all that was left open to them. This is exactly one of the precursors that Lord Woolf so aptly described in his report into the Strangeway riots in the early 1990s.

Increasingly, prisoners felt that they were being pushed to a situation whereby illegitimate means of protest were all that was left open to them. This is exactly one of the precursors that Lord Woolf so aptly described in his report into the Strangeway riots in the early 1990s.

23. Crawley and Crawley (2008) see n.16.
Elsewhere in the prison, a similar situation was being repeated, but what was of particular note was the manner in which diffidence could impact on staff morale. On one of the wings, morale was very low and worsening, as a result of one member of staff having been assaulted and subsequently taken a leave of absence due to stress. Many staff on the wing felt that the management did not ‘have their back’ and that management decisions were being taken either for the benefit of prisoners or to save money and make the Senior Management ‘look good’. They felt that the conjunction of these two policies made their position both more tenuous (in terms of both physical and occupational safety) and that they were being abandoned in their front line role to the dangers of the environment. This impacted negatively on their ontological security which compounded their state of diffidence. Giddens\(^7\) argues that there is a thin line between the security that an individual can feel when in constrained and predictable circumstances and the insecurity that can occur when those constraints are absent. In a situation where the structures which underpin and confine an individual’s existence is assured then the individual is ontologically secure — they are confident in the nature of their reality. However, where crises and change occur and trustworthiness and reliability are thrown into question, people become ontologically insecure — they no longer have confidence in their reality. This is how the staff felt on this wing: they had undergone a period of rapid staffing and operational change; cutbacks meant that they felt that their jobs were no longer secure; and the example of their colleague meant that they no longer felt safe. In essence, they were ontologically insecure. Their lack of trust in their operational reality compounded their insecure positionality (where they perceived themselves in relation to other groups and bodies within the prison) and their sense of self as well as their diffident state, all of which impacted on their morale.

This resulted in a different kind of consequence than was noted with the previous wing. There, they had retreated and banded in a manner that prevented the core deliverables from being achieved. On this wing, staff had become aggressively reactive in their use of authority as a means of bolstering their morale and cementing their ‘in-group-status. Hobbes\(^9\) discusses the utility of pre-emptive displays of power and violence for diffident individuals, living within the State of Nature. It affords them a means of protection and security within an uncertain environment. This is what appeared to be occurring on this wing — any minor infraction of the rules (by the ‘out-group’) resulted in sanction, either through the formal systems of IEP and Adjudication, or more usually through informal means whereby prisoners would not be unlocked for association, gym or visits or would be purposefully deprived of other activities and privileges. Again, this resulted in mounting frustrations amongst the prisoner body — who felt that they had no means of legitimate recourse in an environment where any complaint resulted in further sanction.

Elsewhere in the prison, another consequence of staff diffidence was emerging. In the 1980s, Ian Dunbar\(^3\) utilised the phrase ‘dynamic security’ to describe the best security and intelligence gathering practice within the Prison Service. Fundamentally, this entails direct interaction and engagement by staff, with prisoners, out on the wings. The purpose of this practice is threefold: firstly, it enables staff to get to know, through a process of immersion, the prisoners in their care and develop relationships with them — which can provide informal means for the resolution of problems and wing based issues. This lubricates wing life and eases the burdens and frictions that can beset a wing; secondly, it acts as an intelligence mechanism whereby staff get to know the rhythms, rivalries, movements and backstage practices of the wing, enabling them to avoid, divert or intervene in potential hostilities. This occurs by extending, to all corners of the inhabited spaces, what Goffman\(^3\) referred to as ‘surveillance spaces’ where the authority and power of the staff and the establishment are present; and thirdly, it moves staff away from the kind of reactionary practices that often follow from passive forms of

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\(^9\) Hobbes (1651) see n.10.

\(^3\) Dunbar, I (1985), *A Sense of Direction*, London: HMPS.

intelligence gathering — which, due to an over use of immediate power, can exacerbate the problems of which they have latterly become aware (see above).

On the wing in question, this dynamic security had ceased to exist. Having retreated into the wing office, staff had very little notion of what was occurring on their wing. This of course heightened what Sykes called the deprivation of security by both removing the mechanism of policing (a staff presence) and exacerbating the particular pain of imprisonment that derives from increased interaction with other prisoners.32 The prison had an imported gang problem, in which street rivalries were imported into the prison, yet staff were unaware of which gang members were on their wing, ending up with some high ranking gang members from three rival factions being located on the same landing. This resulted in a number of attacks and retaliatory strikes, involving various forms of weaponry, leading to injuries to both prisoners and staff. For the staff on the wing, these incidents came out of the blue but most prisoners had been aware of the mounting tensions and could have predicted the outbreak of violence. If the staff had been involved ‘dynamically’, in the manner outlined here, then they too would have been able to see this coming and taken steps to prevent it from occurring.

That is the major concern with a diffident, and thus retreated and fortified, staff. They are operationally insecure, reactionary and unable or unwilling, to provide adequate protection to those in their care. Any environment that generates, encourages or allows diffident staff to exist and then allows the consequences of that staff culture to become toxic, is to be avoided and condemned. If this can occur in Prison A, a traditional design establishment of 1000+ prisoners, how much more likely is it that similar situations will pertain in much larger establishments? Even in a clustered model prison, as has been posited by the incumbent Minister, it is probable that diffident staff and toxic practice will occur. How would managers tackle a diffident staff, a problem in a traditional prison layout, in these clustered prisons where the degree of separation between the ‘in-group’ of unit staff and the SMT is even wider than in other prison constructions? As such, this objection to this particular punitive fetish should be added to the weight of all those others mentioned before and, once and for all, the notion of the Titan prison should be buried, the dust thrown atop, and the Titanic Hobgoblin exorcised from future penal discourse.

32. Sykes (1958) see n.17.
Introduction

With the largest prison in the country — HMP Oakwood near Wolverhampton, run by G4S — now up and running, and plans for a new ‘super-prison’ in Wales, it seems that ‘Titan’ prisons (or something very close to them) are firmly back on the agenda. Along with new accommodation planned at HMP Parc in Bridgend, HMP Peterborough in Cambridgeshire, HMP The Mount in Hertfordshire and HMP Thameside in London, an extra 1,260 places are to be added to the custodial estate. At the same time, 2,600 old places will be lost through the closure of six prisons and partial closure of three other sites; a capacity reduction which, it is hoped, will save £63 million per year. Among the prisons to be mothballed are Shrewsbury (originally built in 1793 and redesigned in the 1880s), Canterbury (1808) Gloucester (originating 1782 and rebuilt in the 1840s) and Shepton Mallett (on whose site there has been a prison since 1610). It has not yet been revealed what these prime sites might be turned into, but one can well imagine that if converted into apartments with the façades kept intact, they are likely to appeal to the kind of affluent young professionals who stay in the boutique hotel housed in the former HMP Oxford. But is it the case that ‘old’ always means ‘bad’ in the prison estate, and does ‘new’ necessarily mean ‘progressive’ or ‘humanitarian’?

Why is the study of prison architecture and design important?

Prison architecture and design are under-researched, despite longstanding implicit recognition of the significance of prison space, which can be traced from Bentham’s 18th century idea that prisoner reform and wellbeing are achieved in part by a simple idea in architecture; through the mid-19th century belief, as expressed by the Chaplain/Governor of Millbank, that good behaviour among prisoners could be maintained with the passive instrument of the building itself;1 to Sykes’ evocative description of the Kafka-like architecture and layout of New Jersey State prison in the mid-twentieth century.2 In 1961 a special issue of British Journal of Criminology was devoted to prison architecture but, subsequently, criminological scholarship on prison design has been sparse and largely historical, focusing on the 18th/19th century ‘birth of the prison’. More recent studies introduce themes including: discourses of legitimacy and non-legitimacy security; therapy; compliance and neo-paternalism; prison size, quality of life and ‘healthy’ prisons; normalization; the depth, weight and tightness of imprisonment; the resurgence of the doctrine of less eligibility; and the Prison Service Instruction that prisons must meet a public acceptability test.

However, somewhat surprisingly, these studies have not included architecture and design as key variables and the most vivid descriptions of their form and effects are to be found in prisoner (auto)biographies. One of the most striking examples is Life Without Parole: Living and Dying in Prison Today, written by Victor Hassine, a ‘lifer’ in the American system who committed suicide after nearly 28 years inside, after being denied a parole hearing. His observations about the different prisons he served time in, which varied considerably in age, size and layout, tell us much about the effects that carceral design has on its occupants; in fact, Hassine states that many of the crises facing penal systems in the developed world — including overcrowding, violence, mental and physical illness, drug use, high levels of suicide and self-harm — are intrinsically related to the ‘fear-suffused environments’ created by prison architects:

To fully understand the prison experience requires a personal awareness of how bricks, mortar, steel, and the endless enforcement of rules and regulations animate a prison into a living, breathing entity designed to manipulate its inhabitants… Prison designers

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and managers have developed a precise and universal alphabet of fear that is carefully assembled and arranged — bricks, steel, uniforms, colors, odors, shapes, and management style — to effectively control the conduct of whole prison populations.¹

More recent developments in penal architecture in the UK can be traced back to the escapes from Whitemoor in 1994 and Parkhurst in 1995. The resulting Woodcock and Learmont inquiries and reports ushered in a new regime of security and control, including fortified perimeters, increased use of CCTV internally as well as externally, strict volumetric control of prisoners’ property and a dramatic reversal of policy on many privileges that could be presented by the media as inappropriately conceived indulgences to an anti-social population. In essence, countless everyday procedures, practices and activities were introduced, curtailed or changed that combined to form insidious and pervasive erosions of humanity. In fact, Deborah Drake argues that the prison is a useful barometer for understanding the methods and parameters of state power and that security within the penal system has run parallel to it rise in prominence in a post 9/11, risk-attuned and retributive society.² With a growing political and public appetite for excessive punishment to be inflicted on the ‘worst of the worst’, Drake observes that the high-profile escapes that precipitated these measures were viewed politically as a fortuitous catalyst for change.

This nascent preoccupation with repressive structural and situational security as a means of controlling risk coincided with the prison service becoming an executive agency in 1993, and a period of new managerialism, with performance measures for prisons and a system of incentives and earned privileges awarded or withdrawn according to prisoners’ behaviour and complicity. In addition, in the early 1990s, the introduction of the Private Finance Initiative (PFI) enabled awarding of contracts for design, construction, management and finance (DCMF) of penal institutions and, by 2007, warehouse-style ‘Titan’ prisons were being mooted as the way forward in prison construction. In a sense, the newest prison in England and Wales, HMP Oakwood near Wolverhampton, represents the culmination of these events and processes. Designed by Pick Everard, built by Kier and run by G4S, Oakwood is the largest prison project in the UK. It is also the cheapest in terms of cost per prisoner. Oakwood accommodates its occupants at a cost of £13,200 per prisoner place per year, whereas the average direct cost at Category C prisons is £21,600, and the average overall annual cost per prisoner is £31,300. Completed in June 2012, with three main house-blocks each containing 480 cells, together with the associated ancillary buildings, accommodation is currently provided for 1620 prisoners. Oakwood is situated adjacent to two existing custodial facilities, HMP Featherstone and HMP Brinsford YOI. It is designed and constructed as a stand-alone facility, but with potential to share facilities and staff with the other prisons on the site, if the need arises. Although holding Category C prisoners, Oakwood has been flexibly constructed so that it can hold higher category inmates without expensive retrofitting of security. The result of ‘future-proofing’ Oakwood is that it is replete with all the security and control paraphernalia one would expect to find in a dispersal prison and arguably feels over-securitised for the inmate population it currently holds. As Drake observes security in new-build prisons has risen to a level of prominence that eclipses every other consideration, including what it means to be human.

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An alternative approach

A prison in Norway, Halden Fengsel, highlights the different approach taken to prison design in parts of northern Europe, where the strategic application of architectural and aesthetic principles to the design of new prisons encourages personal and intellectual creativity, and even a lightness and vividness of experience.³ Designers have not only experimented with progressive and highly stylized forms of penal architecture but have also designed internal prison spaces that explore more open, creative, even playful spatial planning. An absence of hard fixtures and

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furnishings, the use of psychologically effective colour schemes, attention to the maximum exploitation of natural light, and the incorporation of unevenness and differing horizons in the belief that distances, shadows and minimization of spatial repetition ward off monotony, are all to be found in these new prison buildings.6

Halden, a high security facility, is Norway’s second largest prison and is set on a 75 acre site in the south of Norway, near the border with Sweden. Halden also represents the first time that interior designers have been employed to work on a prison. According to the Norwegian government’s public construction and property management consultants, in each area (or ‘zone’) of the prison, different colour palettes make it easier to find one’s way around and provide a varied and pleasant atmosphere; for example, the colours in the activity rooms are bright and energizing, while the cells are painted in more subdued, soothing shades.7

While reportedly costing approximately the same as Oakwood, Halden houses a maximum of 252 prisoners, as opposed to the 2000 capacity of Oakwood. In some senses they have a similar feel from the outside and in the public visiting areas and the prisoner reception and induction areas. But internally they feel very different and as a visitor the overriding impression of the UK prison is that it is predominantly driven by security and control imperatives (and achieving these at low cost), while in Norway the watchword is ‘normalization’. The family house, where prisoners can invite their partners and children to stay with them for a night and the communal living spaces with a high-spec kitchen area separated from the TV lounge by a low-level island on which meals can be prepared, are the most obvious differences when compared to prisons in the UK. The living ‘pods’ in Halden contain heavy, vandal-proof furniture like their British counterparts, but their domestic spaces emulate the designs considered by contemporary house-builders to be most desirable for aspirational family living.

The cells at Halden are reminiscent of rooms in student halls of residence with their flat-screen TVs and mini-fridges. Designers chose long vertical windows for the rooms because they let in more sunlight. Every 10 to 12 cells share a living room and kitchen which, with their stainless-steel countertops, wraparound sofas and birch-colored coffee tables, might be likened to the display kitchens found in Ikea showrooms (except of a higher quality; all the fittings in the prison are solid maple and were made in the carpentry workshop at another high-security facility in Norway). Design plays a key role in Halden’s rehabilitation efforts. According to the architect, the most important thing is that the prison looks as much like the outside world as possible. To avoid an institutional feel, exteriors are not concrete but made of bricks, galvanized steel and larch; the buildings seem to have grown organically from the woodlands. In addition, Halden is equipped throughout with state-of-the-art lighting designed to imitate natural daylight (regarded as having a positive effect on inmates’ state of mind, including the reduction of aggression — and a commodity in relatively short supply during Scandinavian winters); and none of the windows anywhere in the prison have bars. In the prison exercise yards Banksy-style murals created by Norwegian street artist, Dolk, adorn the walls.

Like Oakwood, Halden has been described as a ‘showcase’ prison. Both have been used politically by their governments who have held them up as symbols of their — markedly different — penal policies and philosophies. While Oakwood might be considered a model prison in a country characterized by penal excess, Halden may be regarded as an example of the Nordic countries penal exceptionalism, a concept characterized by low imprisonment rates, humane prison conditions and a large number of small prisons, many housing fewer than 100 prisoners. According to Pratt,8 ‘the exceptional conditions in most Scandinavian prisons, while not eliminating the pains of imprisonment, must surely ease them’, while a spokesperson for the Norwegian Ministry of Justice has stated that what matters most for prisoners and staff in Norwegian prisons is to be seen, heard and respected as human beings.9 In the Nordic countries, where there has not been the same marked shift of emphasis from the welfare model to the punitive, populist penal model, prisoners are referred to as ‘clients’ and prison officers as ‘prison carers’ or ‘treatment staff’. Of course,

According to the architect, the most important thing is that the prison looks as much like the outside world as possible.

7. http://www.statsbygg.no
there are huge differences in crime and imprisonment rates in each country and prisons in many Scandinavian countries are very unlikely to become overcrowded, with all the problems that gives rise to, because when prisons are full, convicted offenders simply join a prison waiting list. These differences arguably reflect a broader discourse and moral relationship to groups often constructed and treated as ‘outsiders’. There is more routine interaction and less social distance between officers and prisoners in Norway than in the UK. These differences in culture are reflected in the training the officers receive as well as the structure of their working environment. In England and Wales the basic prison officer training is eight weeks with a focus on professional attitudes, interpersonal skills, security, control and restraint techniques, managing prisoners and professional standards, searching, diversity, and understanding prisoners’ behaviour, including suicide and self-harm, substance misuse and mental health. In Norway, prison officer training is a two-year university accredited degree.

Halden is proud to be called ‘the world’s most humane prison’, and the Governor is quoted in Time magazine (10 May 2010) as saying ‘In the Norwegian prison system, there’s a focus on human rights and respect’. The same article notes: ‘Halden embodies the guiding principles of the country’s penal system: that repressive prisons do not work and that treating prisoners humanely boosts their chances of reintegrating into society. When they arrive, many of them are in bad shape’, says the Governor Hoidal says, noting that Halden houses drug dealers, murderers and rapists, among others: ‘We want to build them up, give them confidence through education and work and have them leave as better people’.

Underlining the importance of staff-prisoner relations that can be facilitated in a prison like Halden, its Governor also says:

Halden’s greatest asset, though, may be the strong relationship between staff and inmates. Prison guards... routinely eat meals and play sports with the inmates. ‘Many of the prisoners come from bad homes, so we wanted to create a sense of family,’ says architect Per Hojgaard Nielsen. Half the guards are women — Hoidal believes this decreases aggression — and prisoners receive questionnaires asking how their experience in prison can be improved. There’s plenty of enthusiasm for transforming lives. ‘None of us were forced to work here. We chose to...Our goal is to give all the prisoners...a meaningful life inside these walls.’ It’s warmth like that, not the expensive TV sets, that will likely have the most lasting impact.

Research on morale, leadership, safety and quality of prison life all also indicate that ‘small is better’.

Once again, this is partially determined by size of prison. Liebling and Arnold in the UK and Johnsen et al in Norway have found that the humanistic values central to the prison experience and to forging positive prisoner-staff relationships are respect, humanity, trust and support and that these are greatly enhanced in small prison environments and significantly undermined in large establishments. Research on morale, leadership, safety and quality of prison life all also indicate that ‘small is better’. Ian O’Donnell has further argued:

[Generally speaking prisons work better if they are small...large prisons need to be highly regimented and life within them has an assembly line quality. Individual needs can quickly become lost in the drive to meet institutional priorities. These are dehumanising places where security and order are difficult to maintain, vulnerable prisoners becomes isolated, and the slim chance of reform is further attenuated. To minimise the harms of confinement prisons must be modest in size.]

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11. http://content.time.com/time/magazine/article/0,9171,1986002,00.html
12. Ibid.
13. Ibid.
Of course the rationale for building giant prisons is cost-effectiveness and efficiency, but this seems a very short-term view based on what we know about recidivism. All countries must decide what is a suitable amount of pain to inflict on individuals defined in relation to cultural discourses — and, putting it crudely, those discourses are dominated by themes of vengeance and punitive punishment in the US and UK, and of welfare, citizenship and rehabilitation in Norway.

Looking to the future

A new ESRC-funded research study is planned which will address these issues. With Dominique Moran (University of Birmingham) I will explore whether it is the case that a prison is a prison is a prison, regardless of the way it is designed. Is the loss of liberty everything? Or, if we think of prisons as punishment, not for further punishment, might we stand a better chance of returning prisoners to society as reasonably well-adjusted, rehabilitated citizens and thus reducing future prison population numbers if we follow elements of the Nordic model?

Imagine that in some Utopian parallel universe we could start building small, aesthetically pleasing and spiritually nourishing prisons at low cost. Would they aid rehabilitation? Are open, colourful, flexible spaces like those at Halden in some senses ‘liberating’? Or do good intentions in architecture, design and technology sometimes have unintended outcomes or perverse consequences?

Certainly ‘new’ does not necessarily mean ‘better’ and the designers behind the new ‘super-prison’ being planned for construction in Wrexham, north Wales (starting mid-2014 and due to open in 2017) might be cautioned that size does matter in prison construction. According to an artist’s impression published on the BBC website, HMP Wrexham will continue the design model found in recent prison construction in England and Wales; a bland but functional approach which calls to mind Victor Hassine’s words about Graterford State Prison, Pennsylvania, built in 1920s:

There are no trees in the great walled fortress of Graterford and very few shrubs. In fact, there isn’t much of anything green that hasn’t been painted green. Also, the prison has been designed so that you can never get an unobstructed view of anything. Walls keep getting in the way.

But he also describes his time in a prison built in the 1990s which, on the face of it, would appear to lend weight to the Ministry of Justice’s view that new, cost effective, modern facilities are the way forward:

Albion was an ocean of plush green fields of grass with handsome geometric outcroppings of earth-toned brick buildings of various shapes and sizes. The buildings were generously spaced so that the deep green of the grass, the proportionate lines of the buildings, and the surrounding cerulean blue of the sky combined to create an eye-pleasing and harmonious vision of tranquility that evoked safety and relaxation. All of Albion’s buildings are climate-controlled, well-lit, spotlessly clean, and color coordinated. There are security cameras everywhere and blind spots nowhere.

There are eight separate housing units of only 128 cells each, three separate dining halls, and two huge recreation yards…Albion is the most comfortable, best designed, most structured, and most attractive prison that I have ever lived in. It looks and feels like it can actually work as a rehabilitative prison.

However, he goes on to dispel the notion that a prison such as Albion promotes quality of life and has a rehabilitative function:

In fact it is the least effective prison of all. It is a dysfunctional, mean-spirited facility that callously steeps you in despair while it lavishes you with physical comfort. Albion provides the inmate a sterile environment with faceless bells and voices precisely controlling time and movement for no apparent purpose other than order. It is a place where everyone is suspicious of each other and superficial

17. ESRC Standard Grant ES/K011081/1: ‘Fear-suffused environments or potential to rehabilitate? Prison architecture, design and technology and the lived experience of carceral spaces’, www.prisonspaces.com
friendliness is all that can exist. It is a place where perception is the only reality that matters and where induced poverty is used to generate illusory wealth.

Hassine’s descriptions of Albion’s sterile, warehouse-style environment accommodating an inmate population of 2,300 men, might also be regarded as a cautionary tale for those who commission and design future prisons in the UK. Clean, humane and safe environments are unquestionably desirable for prisoners and prison staff and factors such as natural daylight, aesthetic stimuli and comfort are clear indices of quality of life. But at Albion (and perhaps at Halden), the illusory, progressively modern architecture made the ‘hard and gritty daily grind of prison outwardly appear natural and even benign’. Hassine compares the manufactured effect of this environment to that of an ant farm:

The visible order, regularity, and routine of the seemingly content ant farm fails to expose the violence and crushing hopelessness the trapped ants are actually forced to endure. Albion is ... paradoxically more hopeless and indifferent than any prison that had ever housed me.

Another consequence of Albion’s combination of warehousing and controlled movement is sharply limited inmate social interaction which produces a dominance of self-interest over social integration. As more media technologies are introduced into prisons like Oakwood and Wrexham, including in-cell phones, TVs, play stations and video links to courtrooms, fewer opportunities for human interaction become available. As we know from research, criminal activity is sometimes the result of poor socialisation skills, and this can be exacerbated by tuning in to personal media and ‘tuning out’ of the prison culture, with vulnerable or fragile inmates becoming entirely invisible and unheard, and all prisoners losing out on the benefits of association. 

Concluding thoughts

A wide-ranging, public discussion about the purposes and impacts of penal architecture is long overdue. Proposals for the building of Titan prisons appeared to initiate such a debate. However, following Lord Carter’s recommendations and a consultation document published in June 2008, dissenting voices claiming that Titans would be monolithic prison warehouses meant that the plans were shelved. Instead, an approach was promised that would offer small units within a shared secure perimeter. But now the powers-that-be appear to have returned to the ‘bigger is better’ approach, seduced by the economies of scale which have drastically reduced the cost of imprisoning offenders at prisons like Oakwood. But has the market society forgotten the transformative power of imprisoning offenders in its desire for consumption and profit?

In most countries rethinking prison design is low down on the penal agenda and frequently clashes with public ideas about what prisons should be like, or becomes politically embarrassing to ministers trying to prove their ‘tough on crime’ credentials. One of the few scholars to write about prison design, Iona Spens pointed out nearly two decades ago that unattractive prisons cost just as much to build as ones designed with a view to aesthetic appeal. She observed that more dignified accommodation in an environment which facilities movement, interaction and behavioural change is evidently more conducive to rehabilitation and, ultimately, reintegration into society. Prisons, she said, need to be more than human filing cabinets. But now that the UK is following the American model prisons that are cheap to build and effective at keeping prisoners inside them are understandably attractive to the Ministry of Justice, one has to wonder if there are other costs, human costs, attached to the new model prisons. The MOJ promised the delivery of rehabilitation in the new prisons. Is this an achievable goal in buildings that resemble vast, sterile ant colonies?

19. Ibid.
A Study of Prisonization among Danish Prisoners

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Introduction

There is an extensive international literature on socialization into prison culture. However, the topic has not been systematically examined in Denmark in recent decades despite prison conditions having changed significantly: longer sentences, a higher proportion of foreign national prisoners, more drugs in prison and more gang members in prison society. This study seeks to shed light on prison culture in a Danish maximum security prison between 2007-2009 asking (1) in what ways are prisoners socialized into prison culture and (2) in what ways does prison culture affect the individual prisoner?

Theoretical approach

Based on his research in a US maximum security prison, the late American sociologist Donald Clemmer developed the concept of prisonization, which he defined as: ‘The taking on in greater or less degree of the folkways, mores, customs, and general culture of the penitentiary.’

By ‘Culture’, Clemmer meant artefacts, norms, language, attitudes toward staff as well as acts and relationships among prisoners. The process of prisonization therefore implied acquisition by each prisoner of a new view of themselves, their fellow inmates, the prison system and wider society. The process of prisonization resulted in an oppositional attitude towards the prison and its representatives — the staff. However, Clemmer was mainly concerned with the process of induction and paid little attention to the changes that inmates may exhibit as they approach the time of release.

Twenty years later Stanton Wheeler re-examined Clemmer's concept of prisonization and provided an empirical test of the process. Wheeler found that prisoners’ conformity to conventional norms covered an important aspect of prisonization. He used hypothetical conflict situations to develop an index of conformity to staff role-expectations. These vignettes were presented in a questionnaire which was distributed among 259 inmates between 16 and 30 years of age. He also classified inmates into phases or stages of their sentence and then examined whether conformity to staff role-expectations changed during time spent in prison. Wheeler found two processes in operation. When inmates were classified either by length of time served or by stage of sentence he found a steady increase in the proportion who had low levels of conformity to staff norms. The second process appeared to be a differential attachment to the values of the broader society: a u-shaped distribution of ‘high conformity’ responses. The trends suggested that inmates who were soon to return to the community were more frequently oriented to conventional values. Inmates conformed least to conventional standards during the middle phase of their sentence. Later, Wheeler conducted a similar study in the Scandinavian

1. I am most grateful for useful comments from anonymous referees and I am also grateful to Mary Munro for her comments on earlier drafts.


3. In Denmark, gang members and outlaw bikers are defined and registered as such by the police. When an official gang member serves his sentence, he does so in a maximum secured prison in a segregated unit among similar gang members/outlaw bikers.


countries. He found no evidence of a similar u-curve among Scandinavian inmates. Neither has subsequent research found evidence of a u-shaped distribution between stage of sentence and prisonization.

In this study prisonization is defined as:

A socialization process in the prison where the inmates in prison in varying degrees endorse oppositional norms towards the employees and the official prison system they manage and represent.

According to this definition one may be less or more prisonized during imprisonment but prisonization involves conflicts with officialdom and opposition towards society.

A study of prisonization among prisoners in Denmark — method and context

This investigation of the incidence of prisonization of prisoners in Danish prisons was conducted from 2007-2009 using a mix of quantitative and qualitative methods. The research approach is inspired by reflections about and strategies of doing ethnographic fieldwork in general and has, of course, taken the particular setting — a prison — into account. This, for example, means awareness of performance in prison society, prison conduct, the importance of prison regimes and rules, order and security.

The qualitative study took place in a closed prison with a total of 220 prisoners. The prison was built in 1859 to a cellular design based on the Philadelphia System. Nowadays, most prisoners are on association during the day. Prisoners who are not on association are kept in solitary confinement voluntarily or because of disciplinary infractions. The prison consists of four wings each of three sections ordinarily holding 20 — 22 prisoners. Prisoners have association until 9.25 pm when all inmates are locked in their cell until the next morning at 7 am. All cells are one-man cells. In each section, the prisoners have to share two showers, two toilets, a TV room, a dining room, and a kitchen. There is segregation within the prison: prisoners undergoing drug treatment serve their sentence in special units; and members of particular (biker) gangs serve their sentence in another section. Six sections consist of a mixed group of inmates serving sentences up to life.

As a rule, prisoners receive money to buy their own food in the prison shop. Prisoners have a right and a duty to occupation through work, education or other approved activities, during the day between eight in the morning and three in the afternoon. Prisoners receive wages for this. Due to the Danish principle of normalization all prisoners wear their own clothes and prepare their own dinner. Much leisure time among the prisoners is about planning, shopping, and preparing dinner. Prisoners are entitled to visits for at least one hour a week. Visits take place in separate visit rooms and are not normally supervised by staff. Cells are about nine square metres and are furnished with a bed, a table, a chair, a refrigerator, and a wash hand basin. Most prisoners rent a TV and PlayStation equipment from the prison authorities.

The prisoners are male, mainly over 23, having lived in Greater Copenhagen prior to imprisonment. Most of them are serving sentences of over 5 years on conviction for drug offences, robbery, homicide and aggravated assault.

The ethnographic fieldwork in the prison lasted for 13 months (or 148 days or 1090 hours), during which the prisoners’ everyday life, interaction patterns, relationships between the prisoners and staff and the surrounding community were studied. I carried keys to the prison and, except at night, I was allowed to join all sections almost any time I wanted to. During the same period, I conducted structured interviews with 68 prisoners of which 59 were audio-recorded. The

7. Wellford conducted a quantitative survey of 120 male prisoners, which identified a weak correlation between the temporal phase of imprisonment and prisonization: Wellford, C. (1967) Factors associated with adoption of the inmate code in Journal of Criminal Law, Criminology and Police Science, No. 58, pp. 197-203. Another U.S. study was conducted by criminologists Robert Atchley & Patrick McCabe. Although they used exactly the same time index as Wheeler, it was not possible to retrieve the u-curve: Atchley, R. & McCabe, P. (1968) Socialization in Correctional Communities: A Replication in American Sociological Review, Vol. 33, pp. 774-785. A survey study conducted under the guidance of Ronald Akers found that inmates who serve in treatment-oriented sections and in less restrictive prison regimes are less prisonized compared to prisoners in »ordinary sections« and in more restrictive regimes. The study did not support evidence of a u-curve: Akers, R., Hayner, S. and Gruninger, W. (1977) Prisonization in Five Countries in Criminology, Vol. 14, No. 4, pp. 527-554.
9. This is an average prison size compared to other closed and open prisons in Denmark.
10. The principle of normalization was introduced in 1946 in a preliminary version of the Danish penal law. It states that prison conditions as much as possible should be comparable to conditions in the surrounding community: Foreløbig Betænkning vedrørende Fængselsstraf mv (1946). Afgivet af det af Justitsministeriet den 25. februar vedrørende udvalg [Preliminary Penal Law etc. (1946)]. This approach was inspired by the Swedish penal law.
interviewees were selected using various criteria such as age, ethnicity, marital status, crime, length of imprisonment, and time served in prison. The social status of prisoners was also taken into account. In some cases, it was difficult to understand the hierarchy among the prisoners. I therefore asked an interviewee to nominate other interviewees whom he considered differed most from himself. Using this selection criterion I got information about prison life which would have been otherwise difficult to uncover. The long period of participant observation and my frequent presence in the prison led to a gradual build-up of trust and confidence on the part of the prisoners as well as the staff.

The quantitative study was a cross-sectional survey to examine if qualitative results could be generalised across other prisons and also to identify the most important factors which might influence levels of prisonization. The survey was conducted in 12 correctional institutions such as remand centres, closed and open prisons and half-way houses. A questionnaire (in Danish and/or Arabic) was distributed and collected by hand among 1647 convicted prisoners. This number was almost half of the overall prison population in Denmark at that time. There were 803 completed questionnaires, giving an effective response rate of 49 percent. Most non-completions were from prisoners who could not read Danish or Arabic.

Inspired by Wheeler’s early study on prisonization, three vignettes were devised to identify whether prisoners expressed solidarity with staff or fellow prisoners. Prisoners could mark their response on a 5 point Likert scale from ‘totally agree’ to ‘totally disagree’. Prisoners with an average value of ≤ 3 expressed conformity to inmate role-expectations and were categorised as ‘low prisonized’ and prisoners with an average value of > 3 expressed conformity to inmate role-expectations and were categorised as ‘high prisonized’. Values for respectively low and high prisonization were calculated for the population (N = 745): 56.5 percent of respondents expressed a high degree of prisonization and 43.5 percent expressed a low degree of prisonization.

A logistic regression analysis was undertaken in order to find out which variables had most impact on the level of prisonization. The model can be defined as an ‘integrated model’ and contains information about prisoners’ gender, age, ethnicity, marital status, children, educational level, employment, religious belief, number of prior sentences, conviction charge, whether the conviction charge was committed in association, type of prison, type of section in prison, stage of sentence and visits from outside.

The starting point of the analysis was the calculation of regression equations for all independent variables. By using a backwards search strategy it is possible to determine which independent variables contribute significantly (p<0.05) to the prediction of degree of prisonization.

But the question is how the process of prisonization is initiated? The ethnographic fieldwork discussed below helps to understand this process.

**The initiation of prisonization and introduction to prison codes of conduct**

Prior to transfer to a closed prison, several prisoners reported that they were anxious about being assaulted or exploited by other prisoners. For that
reason, most newcomers were wary and felt insecure about the prospect of imprisonment. A prisoner explained: ‘The first day in this prison, I stayed in my cell behind a closed door and I hoped that no-one would come in.’ Similarly, several prisoners said that they were mentally prepared for the worst case scenario such as being assaulted, raped or robbed. With limited prior knowledge about prison life some prisoners asked the staff questions but: ‘The guards don’t tell you much (...) But the other prisoners tell you a lot about how prison is.’ Because of prisoner turnover, poor communication skills or maybe limited knowledge about prison conditions, some prisoners forgot to pass important (informal) information to new prisoners. To ensure a less haphazard introduction, prisoners themselves had devised a proper induction process, named the ‘Spokesman introduction’¹⁶ (in Danish: ‘Talsmandsvisitationen’) as follows:

1) Introduce yourself and welcome the newcomer. 2) To ensure the newcomer can become accustomed as quickly as possible to prison life, review the different forms used by the prison authorities such as applications for visits, for making telephone calls, vouchers for the shop. 3) General introduction to the section, the routines and daily life e.g. for example dishwashing system. 4) Make a guided tour of the section. 5) Make sure the newcomer shows you his criminal record (for the sake of the newcomer, because we don’t want people to get into trouble because of the crime for which they were convicted).’

Some of these points merit further explanation. Point 2 ‘vouchers for the shop’ is to make sure that the prisoner can get groceries from the prison shop. At a given time once a week, prisoners in one section may shop for food but if a prisoner is unable to do his shopping at this particular time or has forgotten something he can give another prisoner a mandate to shop on his behalf. This mandate has to be completed in advance and is therefore important to know about. Point 3 ‘dishwashing system’ differs from one section to another. In some sections, prisoners employs a fellow inmate as dishwasher and then each prisoner has to pay an amount from his salary to him. It might be that the newcomer can apply for the dishwashing job. It is therefore seen as important to know about this practical issue. Point 5 to ‘show the criminal record’ is justified because prisoners do not want to serve their sentence in the same section as ‘grasses’ or inmates convicted for sexual crimes. If a newcomer refuses to show his criminal record — or if he has a problematic criminal record — he is usually asked by the fellow inmates to be transferred to another section or even to another prison. A prisoner explained: ‘If you don’t have a proper criminal record, then it’s goodbye.’ If a prisoner is transferred to another section or another prison for not having a proper record, it is almost impossible to be included in another prison. Rumours about the prisoner often arrive before the prisoner himself. In several cases, an excluded prisoner therefore has to serve his sentence in a ‘voluntary’ isolation section with all the limitations this kind of sentence entails.

Another informal part of the introduction relates to the most important aspect of the prison code of conduct. This may be summarised briefly as: ‘Don’t steal from fellow prisoners, don’t grass, and don’t interact with the guards.’ Depending on how serious rule breaking behaviour is perceived by others, the prisoner is met with a range of informal reactions: verbal reprimanded, being ‘voted out’ of the section, or in some cases being physically punished. When a prisoner is voted out, he has to move section or even prison. Fellow inmates claim to the prison authorities that they cannot guarantee his safety and then, because of the need to maintain order and security, the prison authorities have to transfer the prisoner whether he accepts it or not. The excluded prisoner runs a high risk of becoming a ‘ghost’ in the prison society. He is transferred from one place to the other leaving behind nothing but a bad name and a vague impression.

To examine how common the rule of conduct ‘not to interact with the prison guard’ was amongst prisoners, they were asked how often they talked voluntarily with prison guards or other professional for more than ten minutes. 53 percent (N = 766) of the prisoners had rarely (once a month or less) talked with

¹⁶. According to the Danish penal law section 34 prisoners should be able to influence their lives in the institution through elected spokesmen. In every section prisoners have possibility to elect a prisoner as a representative (spokesman) for the prisoners in each section. Normally the spokesmen from the different sections in the prison hold a meeting once a week and discuss different aspects of prison life. Among the spokesmen one of them is chosen as a »common spokesman«. This person is supposed to hold a monthly meeting with the prison authorities. During this meeting he is given authorization to speak on behalf of most prisoners in the prison.
prison guards for more than ten minutes. It is striking that, at the same time, 39 percent of the prisoners (N = 753) requested more social contact with the prison guards.

**Emotional brutalization as an possible aspect of prisonization**

‘Don’t grass’ means not divulging anything to prison officers about what takes place among fellow inmates. A prisoner also has to be careful not to listen or even to see too much of what takes place in prison. The ideal prisoner is described as like the three wise monkeys — eyes, ears and mouth closed — minding his own business. In many cases, this must be taken quite literally. One prisoner had observed a group of fellow inmates who had Gaffa taped a youngster and threatened to rape him to ‘scare him straight’. The youngster wet himself with fear while the other prisoners stood laughing around him. A prisoner observing this scenario felt bad emotionally about the incident but he could not talk about it even to his family, in case they would make them very worried. If he had told staff about the incident, he would have been regarded as a snitch. During my time doing participant observation in prison, I noticed a prisoner with a broken nose, prisoners with broken teeth and bruises on prisoners’ backs or faces because of punches. However, according to official prison statistics, only three prisoners are assaulted by fellow inmates a year. When I asked a prisoner about the number of incidents reported he laughed and responded it was a true sign that prisoners complied to the rule ‘not to grass’. If the prison system becomes aware of incidents among inmates which are perceived to be an order and safety risk, prisoners can be roughly strip searched, cells might be turned upside down for security purposes, and groups of prisoners might be isolated and transferred to other prisons. These forms for collective punishment have the consequence that prisoners keep their knowledge to themselves.

Because of their experiences during imprisonment, some prisoners said that they experienced a kind of emotional brutalization or hardening during their imprisonment. At the beginning of imprisonment, they reacted more emotionally to assaults or injustices towards themselves or fellow mates. As time went by, they reacted less. For that reason some prisoners found it difficult to see themselves through the eyes of, and also to relate to, people from the outside: ‘I cannot live in two worlds. If I do, I lose my strength and get weak. If I get weak, I will get attacked.’ The daily life in prison was seen as a struggle and the prisoner had to be psychologically alert and physically strong. He needed to keep in good shape physically to protect himself from other prisoners and was constantly on the alert for the worst case scenario. External contact and life beyond the prison walls was experienced as a parallel society, which the prisoner — for as long as he was imprisoned — did not have the resources to get too involved with. As a prisoner expressed it: ‘I don’t need friends from outside anymore. My life is so much about prison life. If I have visits from people outside, I don’t know what to talk about.’ Several prisoners reported similarly that as time went by they divorced themselves from social contact with people from the outside and focussed their concentration on life behind bars.

**Final model equating to high or low prisonization**

The logistic regression model equating to levels of prisonization had five variables left in the final model: 1) gender 2) age 3) conviction charge 4) prior sentences and 5) stage of sentence.

<table>
<thead>
<tr>
<th>Variable</th>
<th>Sig.</th>
<th>Exp. B Lower</th>
<th>Exp. B Upper</th>
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<tbody>
<tr>
<td>Gender</td>
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<tr>
<td>Male</td>
<td>.063</td>
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<td>.039</td>
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<tr>
<td>Age</td>
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<td>15-23</td>
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<tr>
<td>24-29</td>
<td>.625</td>
<td>.846</td>
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<td>30-39</td>
<td>.045</td>
<td>.536</td>
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<td>&gt; 40</td>
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<td>.185</td>
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<tr>
<td>Conviction charge</td>
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<tr>
<td>Drug offence</td>
<td>.010</td>
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<td>.476</td>
<td>.214</td>
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<tr>
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<td>.596</td>
<td>.860</td>
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<td>.014</td>
<td>.213</td>
<td>.062</td>
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<td>Prior sentences</td>
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<td>0</td>
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<td>&gt; 5</td>
<td>.000</td>
<td>3.015</td>
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<td>Early</td>
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<td>1.000</td>
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<tr>
<td>Middle</td>
<td>.002</td>
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<td>1.312</td>
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<tr>
<td>Late</td>
<td>.032</td>
<td>2.412</td>
<td>1.081</td>
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The analysis shows that male prisoners had a higher probability of being highly prisonized compared to women, and prisoners up to 29 years old had a higher probability of being highly prisonized compared to older prisoners. Prisoners with more than five
previous prison sentences were three times as likely to be highly prisonized as inmates being incarcerated for the first time. Prisoners who had committed drug offences had higher probability of being highly prisonized compared to prisoners who had committed sexual offences and those in the early stage of their sentence (less than 6 month spent in prison) were less likely to be highly prisonized compared to prisoners who had been imprisoned for a longer time. There were no statistical difference between middle and late stage of sentence which indicated no decline in level of prisonization as the time of release approached. In other words, the study did not find a u-shaped distribution of prison conformity responses.

**Discussion**

This study found that prisoners in Danish prisons are socialized to a prison culture which emphasizes a conflicting attitude about officialdom and society. It appears that the actual time the prisoner has spent in prison is significant in determining the level of prisonization. Taking other variables into account the analysis reveals that prisoners who spent more than six months in prison are more likely to be highly prisonized than inmates who have spent less than six months. No indication was found that prisonization decreases at the time of release. Furthermore, it did not matter which kind of prison regime — open or closed — the imprisonment took place in.

This study also found that prisoners are likely to undergo an emotional brutalization during imprisonment because of the power of the inmate code, which obliges them to keep quiet about incidents of assault and exploitation amongst prisoners. One reason for this norm is the knowledge that prison authorities will adopt a tougher regime and use collective punishment for security purposes if prisoners tell them about such incidents. Prisoners therefore keep their knowledge and experiences among themselves, which may result in a greater risk of separation from the wider values of Danish society and also may result in a higher likelihood of recidivism. The study also showed that prisoners are in fact willing to discuss incidents with staff if this does not have negative consequences for others or could impact negatively on the prison community in terms of higher levels of security, isolation and segregation. The asymmetrical power relations between prisoners and staff, and the norms of conduct among the prisoners, inhibit speaking out openly about problems and concerns about prison society.

This study suggests that the distinctive norms of Danish prisoner culture contribute to an individual and group identity that is in conflict with the institution and wider social values. This is likely to inhibit re-integration on release and the process of desistance.

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17. Wheeler found a decline in level for prisonization as time for release approached. The distribution was shaped as a u-curve (Wheeler 1961b:706 see n.1). In his later study of prisonization in Scandinavia he didn't find a similar u-curve (Cline & Wheeler 1968 see n.5).
Introduction

Mental illness and distress in prison has been well documented. Indeed research and reports have argued that the number of mental disorders among prisoners is much higher than in the general population.\(^1\) Furthermore, specific evidence linking the prevalence of mental ill health to specific sentences of imprisonment, such as indeterminate sentences for public protection (IPP),\(^2\) open the debate on how best to manage this area of contemporary punishments. The deleterious effects of prison life on mental well-being are, and continue to be, a pressing matter for prison authorities and the staff engaged in the support and treatment of remand and sentenced prisoners. Mental illness in prison is nothing new; rather the existence of what was once termed as ‘lunacy’ and psychiatric symptoms among those detained can be traced to the rise of the early modern prison and the confinement era of the eighteenth and nineteenth centuries.\(^3\) In Britain and elsewhere, as the nineteenth century progressed, society witnessed a ‘separating out’ of criminals, psychiatric patients and those deemed as ‘criminal lunatics’, with purpose built institutions pervading urban and rural areas of the country. However, these developments in confinement did not necessarily mean that mental illness or distress was eradicated from the prison setting, on the contrary; rather this situation is something that continues to be topical in the contemporary era of offender management.

Mental Illness and the Criminal Justice Process

Over recent decades, the development of specialist schemes and practitioners has given rise to enhancing opportunities to address mental illness at various points of the criminal justice process. Diversion schemes, mental health liaison practitioners and in-reach services have become an ever-growing part of the pre-punishment and punishment stages of the process. The twenty-first century has been marked by a growth in the convergence of criminal justice and psychiatric policy, practice and legislation\(^4\) something intended to improve the wellbeing of those subject to criminal proceedings. Despite some radical and innovative systems being instituted across criminal justice and health services, concern remains over how best to tackle what has been seen as a growth of psychiatric disturbances among those subject to criminal justice sanctions.

Several reports released in the first decade of the twenty-first century have attempted to judge the extent of the challenges that the criminal justice system faces. INQUEST’S Dying on the Inside,\(^5\) the Prison Reform Trust’s Too Little Too Late\(^6\) and The Lord Bradley Report\(^7\) are just some of the more recent explorations of responses to mental vulnerability within the criminal justice system. Whilst reports such as Lord Bradley’s have undertaken a broad-reaching analysis, many campaigning group’s evaluations, official inquiries and academic scholarship have focused upon the prison as the key territory for reform. Indeed, self-inflicted deaths in custody have received significant attention.

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The problems that present themselves may well be grounded in the ideologically opposed custodial setting whereby care and therapy are administered against a backdrop of punishment and control. Research has shown and concluded that it is challenging to see the therapeutic aims of custody in the context of a high prevalence of neurotic and psychotic disorders, substance dependency and personality disorders. As Smith remarks, ‘the debate around the relationship of mental ill-health and crime... has been well rehearsed and it is now widely recognised that the mentally ill should not be in prison’. Such sentiments are echoed by Lord Bradley, indicating that individuals suffering with mental ill-health could be diverted more often, and that for those who enter prison, support arrangements could be drastically improved. Clearly addressing the issues raised across a variety of reports is not a simple task. Indeed the mechanisms that drive current systems and are the basis for reform in this area are complex (such as the sentencing practices of the courts). Moreover, in a contemporary austere climate coupled with an extensive use of imprisonment, surpassing 88,000 people at the end of 2011, meeting expectations in this area is a challenge for officials, policy writers/makers and practitioners alike.

**Prison Life and Mental Ill-Health**

Dhami, Ayton and Loewenstein present a theoretical interpretation of adaptation to prison life that prisoners make. They detail an indigenous and importation approach to understanding patterns of adaptation that prisoners experience. Using an indigenous approach to understanding, Dhami, Ayton and Loewenstein highlight the impact of prison life on the adaptations to behaviour that prisoners make. Prison regimes, discipline and sentence lengths all have the potential to influence behaviours and be a source of frustration, stress or have a more serious bearing on the mental well-being of the prisoner.

Prison regimes, discipline and sentence lengths all have the potential to influence behaviours and be a source of frustration, stress or have a more serious bearing on the mental well-being of the prisoner. Several analyses indicate that many people in prison already experience mental illness or distress prior to being sent there. Adjustment to the prison environment and regime has also been cited as a potential catalyst to initiate or exacerbate symptoms. For many, entry into the custodial environment is traumatic and coping with the demands of authority, regimes and fellow prisoners requires a personal resilience, which for many is not achieved. Many authors have sought to explain what social and interpersonal aspects of prison life are likely to contribute to the mental distress and suffering of an inmate. O’Donnell and Edgar and Edgar locate victimisation (criminal or otherwise) as a key concern for prisoners, whilst Ireland draws similar conclusions in her analysis of bullying and exploitation by fellow inmates. Although it is difficult to earmark one particular dimension of prison life as the key contributor of mental or emotional stress, it is


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likely that any number of imposed social arrangements can be potentially harmful to the mental well-being of a prisoner.

Captured within Dhami, Ayton and Loewenstein’s *indigenous* approach to unveiling patterns of adaptation are the perspectives presented by sociologist Gresham sykes.17 His seminal work in 1958 provided an analytical lens that captured the essence of the social arrangements of the prison. Sykes contended that there were five ‘pains’ of imprisonment felt by inmates. These amounted to a series of deprivations that prison life had imposed; deprivation of liberty, deprivation of goods and services, deprivation of heterosexual relationships, deprivation of autonomy and a deprivation of security. Similarly, Cohen and Taylor18 illuminated the difficulties long-term prisoners faced in custody. They discuss the ‘psychological survival’ of prisoners and the challenges of long-term incarceration, in particular the impact that time has on a prisoner’s mental well-being. More recent studies have directed attention towards time being a great source of suffering19 echoing the sentiments of earlier work whereby the ownership and control of time has shifted from the individual to the institution.20,21

More recent studies have directed attention towards time being a great source of suffering19 echoing the sentiments of earlier work whereby the ownership and control of time has shifted from the individual to the institution.

In contrast to short-term or determinate sentenced prisoners, these prisoners may never be certain when normal scheduling of their life will re-commence,23 thus potentially fueling anxieties and contributing to distress.

**Indeterminate Sentences for Public Protection (IPP) and Mental Illness**

In terms of crime control and public protection, the New Labour years certainly had a distinct risk-minimisation character to them with a range of policies and legislations being generated during this time aimed at managing ‘risky’ populations.24 Whilst indeterminate detention has long been something established in the application of the Mental Health Act (for example, Section 37(41)) such approaches have been sparsely used in criminal justice until recently.

Of the various sentencing options available to judges, the IPP sentence has attracted the most critical commentary. Campaigning organisations such as the Howard League for Penal Reform have labelled the IPP as ‘ill-conceived’, ‘flawed’, ‘Orwellian’ and ‘draconian’.25,26 Elsewhere the perceived injurious impact of these sentences on the mental health of prisoners has been evaluated.27 Their introduction under the Criminal Justice Act (2003) and subsequent high usage sought to provide an answer to a growing public and political concern over offenders thought to be dangerous but whose offences existed outside of the mandatory life sentence for murder. The IPP

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sentence has allowed the courts to impose a minimum time in prison before the offender goes before the Parole Board. The Parole Board must then be convinced that the offender no longer poses a risk to the public, however the number of offenders who have had release denied has remained consistently high.28

It perhaps comes as no surprise that the level of mental distress among the IPP sentenced prisoner population is high. Research carried out by the Sainsbury Centre for Mental Health in 2008 indicated that more than half of all IPP prisoners experienced problems with emotional well-being and one in five IPP prisoners had previously received psychiatric treatment. The IPP sentence has been regarded as a catalyst for mental and emotional distress in prison, with authors citing the damaging effects of indeterminacy on a prisoner’s sense of hope and familial relationships, refusals by Parole Boards and denial of access to necessary behaviour programmes due to mental health problems.29,30,31

Predicting future offending behaviour is a challenging task and critics would argue that a concentration on minimising risks to the public overshadows more integrative/rehabilitative systems of offender management, resettlement and reparation. The high numbers of those receiving IPP sentences who serve beyond their tariff suggests that issues exist in the willingness of different risks to be accepted or not. Risk assessments, practitioner reports and inquisitorial Parole Board processes all serve to inform a judgment by the Parole Board to recommend or defer a release from custody. Deferrals are high and statistical trends that highlight the high numbers of prisoners remaining in custody beyond their tariff have been apportioned to various concerns over the process. Delayed decisions by Parole Boards, failures to provide resources for rehabilitation schemes necessary for IPP prisoners and risk-averse decision making trends by Parole Boards have culminated in the rights of offenders being eroded. When considering these issues in the context of a prisoner’s own mental well-being these analyses can serve to provide additional context to an experience that will inevitably have the potential to invoke feelings such as aggravation, infuriation and a dispiriting especially when coupled with a return to the everyday stressors of prison life.

Sentencing Reform

As the preceding discussion of the literature indicates, the legitimacy of IPP sentencing has been called into question. Such approaches to the control of offenders appear to be significantly weighted in the interests of public protection rather than the individual and collective rights of offenders. As research has shown, indeterminacy of detention has a hugely negative impact on the outlook for prisoners and it is not surprising that so many experience emotional and mental distress in addition to the already burdening ‘pains’ of prison life. Difficulties are likely to be experienced by many, as in the case of the IPP several questions can be raised; how are such prisoners to pass time when they do not know how long for, how are they to mark time when they have not end point and, how are they to ‘do time’ when they do not know how much time

Research carried out by the Sainsbury Centre for Mental Health in 2008 indicated that more than half of all IPP prisoners experienced problems with emotional well-being and one in five IPP prisoners had previously received psychiatric treatment.

28. ‘At the end of March 2011 there were 6,550 prisoners serving an indeterminate IPP sentence. 3,500 of this group are being held in custody beyond expiry of their minimum term in custody, or tariff’ (The Howard League for Penal Reform, 2012, p.3-4).
they have to do? Philosophically and theoretically, the IPP sentence is a denial of traditional penal thought whereby the courts, in response to the wrongdoing of the offender, hand down commensurate punishments.35 Certainly the question that has begs to be answered is ‘can indeterminacy ever be understood as a proportional response to offending behaviour?

From their legislative introduction in 2003 and their implementation since 2005, the lawfulness and legitimacy of the IPP sentence (and offender behaviour programmes) has been called into question and challenged officially through a case heard at the Court of Appeal in July 2007.36 Moreover, 2008 saw the IPP sentence subject to reform under the Criminal Justice and Immigration Act.37 The most recent and radical amendment is taking place at the time of writing, whereby under the Coalition Government’s ‘intelligent’ sentence reforms and the recently passed Legal Aid, Sentencing and Punishment of Offenders Act (2012), the IPP sentence is to be repealed.

The Legal Aid, Sentencing and Punishment of Offenders Act (2012) outlines the provision of new extended and life sentences. Crucially, these new sentencing options for offenders are determinate rather than indeterminate. However, whilst the Legal Aid, Sentencing and Punishment of Offenders Act (2012) has received Crown assent, many of its timetable of measures are yet to be implemented and it does not mean that current IPP sentenced prisoners are re-sentenced.

**Implications for Practice**

Caring for prisoners with mental health issues carries with it an array of complex challenges and tensions, not least in the delivery of care within an explicit remit of control.38,39 Furthermore, services such as NHS mental health prison in-reach teams have been regarded as facing a formidable challenge in the support of prisoners in terms of resource availability and the ‘complicated clinical picture’ that some prisoners present.41 Initiatives such as the Assessment Care in Custody and Teamwork (ACCT) approach have been widely regarded as making a positive contribution to the treatment and management of mental illness and distress in prison custody. With its focus on the reduction of suicide and attempted suicide, the ACCT approach framework of risk management and reporting has gathered momentum since its rollout between 2005 and 2007. The formalising of concerns for at-risk prisoners and the development of care plans to mitigate risks of self-injury or suicide has become a normative aspect of prison and offender management. Central to approaches such as ACCT is that any member of staff can undertake reporting and therefore ownership of the risk of self-injury or suicide has become wider and multidisciplinary.42 Moreover, additional positives can be felt, as at the same time, such approaches to working with mental health and risk in custody have the potential to enhance the skills of workers individually, collectively and across professional disciplines.43

Innovations in sentencing options will have a direct (albeit not immediate) impact on the character of mental ill-health in the prison environment. The character and nature of psychiatric symptoms or distress that healthcare practitioners are confronted with is likely to change; although this does not necessarily equate with improvement. Prison population statistics would indicate that prison

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remains a favoured method of disposal by the courts and as such practitioners are likely to interact with more offenders; some of which will be spending longer in custody.

Whilst the IPP sentence has been rescinded, this is not to say that its replacements will benefit the mental well-being of prisoners. Indeed, the Howard League for Penal Reform has raised concern over the inclusion of automatic life sentences for a second offence under the Legal Aid, Sentencing and Punishment of Offenders Act (2012). In such circumstances it is plausible to suggest that whilst there would be a reduction in the IPP sentenced prisoner population, the number of prisoners serving a life sentence may increase. Taking direction from existing perspectives in respect of indigenous and importation approaches to analysis of adaptation, similar issues remain, not least in the authors concluding that ‘those who spent longer in custody felt more hopeless and were more frequently charged with infractions’. Furthermore, the increased use of extended or life sentences have an abundance of practical implications. Whilst there is a general ministerial and parliamentary wish to reduce the prison population overall, longer custodial sentences may maintain conditions of prison overcrowding. This is certainly undesirable as the impact of overcrowded conditions invariably impacts upon conditions, staffing and regimes, conceivably worsening the experience of prisonization, evoking poor mental health among prisoners and potentially enflaming the prison’s crisis of legitimacy further.

The positive impact and the established assessment and treatment strategies already employed by prison-based and in-reach practitioners will continue to evolve as the knowledge and understanding of mental ill-health in custody develops. It is clear that mental illness or distress in prison is likely to be the product of concurrent issues, however as we note here, sentence tariffs cannot be ignored as a key contributor. In this vein, it is crucial to approach assessment and treatment that is grounded in the context of the type and length of a sentence. As authors have shown, time (and how to manage it) has an unmistakable effect on the experience of imprisonment (not least in terms of indeterminate or long-term sentences) and suicide prevention strategies can be enriched through an understanding of time in this context. Coupled with proven obstacles (for example, problems accessing offender behaviour programmes discussed earlier in this article and opportunities for improvements to be made to the mental health screening of prisoners), these structural hurdles must be understood and short and long-term goal setting developed with this in mind.

Whilst legislative and organisational matters affecting prison life should be recognised, these should not be viewed in isolation. Rather, assessments of social relationships maintained by prisoners and identifying the social needs of prisoners can be useful in the process of planning responses and proactively eliminating potential triggers of mental distress. Research has shown that factors such as isolation, a lack of meaningful activity, drug misuse, a breakdown of family contact, animosity between staff and prisoners and bullying between prisoners can serve as potential stressors. Interaction, then, be that between prisoners themselves, prisoners and their family or between prisoners and prison staff

44. Howard League for Penal Reform (The) (2012).
46. According to Clemmer’s (1940) original work this is the process of the values of the prison being impressed upon the prisoner. Clemmer, D. (1940). The Prison Community, Boston, USA: The Christopher Publishing House.
could be conceived as a key assessment priority. Whilst none of these stressors could be considered as a static entity, it is plausible to suggest that long-term sentences may aggravate or prolong these stressors, thus affecting the mental health of prisoners adversely.

Conclusions

The abolition of IPP sentences and the introduction of alternatives for dangerous offenders under recent legislation herald an opportunity to explore their impact on the mental well-being of this particular group of prisoners. We anticipate that the removal of indeterminacy in prison sentencing will have a positive impact on mental ill-health in the prison context. However, in line with the concerns already raised by The Howard League for Penal Reform,\textsuperscript{51} alternatives may also be harmful. Within current risk theory, discourse and practice there is a persistent appetite for (some) legislators, politicians, policy writers and (some of) the public to service the needs of public protection above and beyond the fair and proportionate treatment of offenders.

Dominant, official, academic and subjugated accounts of mental ill-health in custody remain an important and evolving area of critical debate. The recurring analyses that indicate that mental illness should not be present within the prison environment pose significant challenges for those involved in addressing these issues. However at transitional points such as this, changes in sentencing for example, offer an opportunity to reflect on what has come before and how the future presents opportunities to develop multiagency forward-thinking interventions in the area of prisoner support and well-being. It is imperative that a new era of sentencing involves a shared and multi-professional (for example, policy makers, state officials, the courts and prison authorities) understanding of the implications of imprisonment on those who experience it. Such an informed approach has much greater potential to develop criminal justice responses that are legitimate, balanced and proportionate.

\textsuperscript{51} Howard League for Penal Reform [The] (2012).
Crime and economic factors can be that the complex linkages between societies and the economy in advanced, capitalist structure and functioning of the criminal behaviour and the multifaceted linkages between objectives, which are to:

In this short but effective volume, distinguished American academics Richard Rosenfeld and Steven Messner, make a contribution to these debates, offering a theoretical approach accounting for and exploring the links between economics and crime. In the Preface, Rosenfeld and Messner set out their two primary objectives, which are to:

‘... shed light on the multifaceted linkages between criminal behaviour and the structure and functioning of the economy in advanced, capitalist societies ... [and] ... demonstrate that the complex linkages between crime and economic factors can be best understood when viewed through the lens of an institutional perspective.’ (italics in original)

The opening two chapters focus on the first aim, discussing the links between socio-economic factors and crime, victimization and entanglement with criminal justice system. They also offer some economic accounts for crime including rational choice theory and descriptions of economically derived sub-cultures. The third and fourth chapters explore more extensively the institutional perspective so central to Rosenfeld and Messner’s account. Form this perspective, they argue that:

‘... crime is a normal property of social systems which reflects the core features of the institutional order. Different institutional arrangements are expected to generate distinctive levels and types of crime, which should change along with alterations to these arrangements.’ (p.57)

They articulate what they term ‘institutional-anomie theory’. In this theory the economic order is seen in the context of non-economic institutions such as families and communities that provide a moral foundation, The theory suggests that:

‘... an institutional structure characterized by economic dominance impedes the social control and support functions of institutions which, when combined with an anomie cultural ethic, strips away the moral authority of these institutions and in so doing undermines institutional regulation. In other words, when the market economy dominates the institutional order, its rules and the values they reflect tend to prevail over those that would counterbalance market-orientated values and alleviate the impact of market conditions and outcomes on families and individuals.’ (p.66-7)

From this basis, Rosenfeld and Messner suggest that rampant, unconstrained capitalism has deleterious social consequences, creating a self-interested culture. They argue that counter-balancing social institutions are required in order to ameliorate these effects. In their conclusion, they argue that radical new ways of thinking about and organising society will emerge in the future, but in the meantime:

‘We see no better way to limit crime and promote justice in contemporary developed societies than to reign in the excess of market economies with policies that guarantee a decent standard of living to all citizens and, by their very nature, reinforce a sense of mutual obligation and collective responsibility. That is the historic promise of the welfare state as part of a vital and responsive democratic polity.’ (p.118).

This concise but powerful volume packs a considerable punch. It enunciates and develops a credible account for the links between economics and crime as well as drawing upon work that situates this within a wider social context. As such, this is not only a book about crime; it is a book that illuminates the darker corners of contemporary global capitalism.

Dr Jamie Bennett is Governor of HMP Grendon and Springhill.

**Book Review**

*The Evidence Enigma: Correctional Boot Camps and Other Failures in Evidence-Based Policymaking*

By: Tiffany Bergin  
Publisher: Ashgate (2013)  
Price: £55.00 (hardback)

The Evidence Enigma, presents a mixed methods analysis of the diffusion and subsequent contraction of correctional ‘boot camps’ across the United States between 1983 and 2005. Extensive use of statistical methods, and rather thinner qualitative textual analysis, combine to present a wide ranging and sometimes surprising account of the rise and fall of boot camps in the United States.

Bergin claims to have conducted the ‘most statistically rigorous examination of criminal justice policy making ever undertaken in criminology’ (p. 138). Her use of statistics, in an area that does not easily lend itself to quantification, is certainly ambitious. Though I baulked at the quantification of abstract concepts like ‘legislative professionalism’ and ‘liberal public ideology’, I was nonetheless impressed — or perhaps I should say amazed — that the analysis generated a series of statistically significant findings regarding these variables and others as diverse as ‘veteran status of governor’ and ‘income inequality’. Starting with basic correlations, and moving to more complicated statistical regressions through to event history analysis, Bergin tests her wide range of variables against four main outcomes: the diffusion and the contraction of adult boot camps, the diffusion of juvenile boot camps, and the combined contraction of adult and juvenile boot camps. Surprisingly, many of her variables were highly significant with reference to one of these outcomes, but few variables were significant against more than one of these outcomes, and none significant across all four.

Compared to the scope of the quantitative section, Bergin’s qualitative section, based on a case study of the two states Illinois and New Jersey, lacks detail and depth. The most interesting finding was that role that a single pragmatic consideration played towards different outcomes in otherwise similar states: in New Jersey the introduction of boot camps was very much delayed by difficulties finding a publicly acceptable site for one.

Notwithstanding the shortcomings of the qualitative chapter, the use of mixed methods does prove fruitful. For example, the quantitative section finds a strong correlation between boot camp diffusion and a high proportion of African Americans within a state, but the qualitative section provides no indication that race might have played a role in the diffusion of boot camps. Bergin’s use of mixed methods thus enables her to demonstrate the significance of a factor, race, which might not have been apparent using qualitative methods alone. However, further statistical analysis establishes that the racial profile of states was associated with the diffusion of juvenile — but not adult — boot camps, and that state racial profiles did not predict the closure of boot camps within a state. In this way Bergin provides some limited support for ‘racial threat theory’ (which suggest that states with higher African American or Hispanic populations will adopt more punitive criminal justice policies), but little explanation of why race might be relevant only to the establishment of juvenile bootcamps and not to their closure or to the establishment of adult boot camps. Unfortunately the shear breadth of Bergin’s questions and methods prevents her from exploring such matters in any further depth.

Overall, it was the very ambition of the research, and the heterogeneity of its findings that left me questioning its significance. Bergin tests a diverse range of theories about boot camp diffusion and contraction and finds most of them significant some of the time, but none of them significant most of the time. But, without delving deeper into the ambiguities of her findings, Bergin’s extensive efforts generate only the unremarkable conclusion that there may be some substance to all the theories tested, but that the situation is too complex to be reduced to any single one.

Personally, I had hoped that this book would provide insights into the role of evidence in current British policy making. However, and despite the promise of its title and introduction, this book is not so much about a failure of evidence based policymaking as it is about policymaking occurring with little reference to the available evidence base. Boot camps, Bergin suggests, seemed so self-evidently effective to many policy makers and voters that little attention was paid to the applicable research evidence; ‘statistics could not compete against conviction’ (p. 114). In contrast, over 15 years since New Labour came to power with promises of ‘evidence based policy’, the Coalition government’s ‘payment by results’ take evidence a stage further. It is no longer enough to generate evidence based policy (or to pay lip service to it); it is now becoming policy that service providers must provide evidence of their efficacy if they are to secure or retain the privilege of being service providers. The US policy makers in Bergin’s research may have been sceptical or disinterested in the research evidence relating to their criminal justice policies. By contrast current UK policy making is fixated with evidence. Politicians not only

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want evidence to show that their policies work, they want to use evidence itself as a device to improve performance. Ours is not an environment where statistics cannot compete with conviction; it is becoming one in which conviction is invested in the transformative power of evidence itself.

Dr Rachel Campbell-Colquhoun
HM and YOI Holloway.

Book Review
Life Imprisonment: An Unofficial Guide
By Alan Baker
Publisher: Waterside Press (2013)
ISBN: 978-1-904380-93-1 (paperback)
Price: £9.95

Life Imprisonment: An Unofficial Guide aims to provide an easy to read reference book aimed principally at the small market of newly sentenced ‘lifers’. The unique selling point of the book is that, although there have been a number of books and articles written by ex-offenders, this has been written by a serving life sentenced prisoner, Alan Baker, who has served over 20 years in prison. The manuscript of this book won the Koestler Trust Silver Award so promises to be an insightful read.

A forward is provided by Tim Newell, a former Prison Governor, accompanied by an interesting and apparently sincere apology from the author to his past victims. The bulk of the book, however, comprises of 41 short segments that explain some key pieces of information relevant to the ‘offender journey’ of a life sentenced prisoner, throughout their time in custody, including explanations of Life Sentence Tariffs, Personal Officer Schemes and Money Management.

The book aims to be ‘credible’ to Lifers because of the author's background, reflecting a literary form of the benefits of a prisoner ‘Insider’ scheme, much used across prisons in England and Wales. Each segment is concise and written clearly for the prisoner naïve to custody, a common occurrence for Life Sentenced prisoners, assuming that unlike 60 per cent of prisoners with literacy problems, they are literate enough to read it. In practical terms an audio accompaniment may have been appropriate for the target audience.

Although some segments are quite specialised for Lifers such as Stages of an Indeterminate Sentence, other segments could easily be applied to all prisoners, including the section about The Complaints System, and include difficult subjects that the author does not shy away from such as Hygiene and Same Sex Relationships in prison. Considering the concise nature of the book and the potentially voluminous amount of information that could be offered to a new Life Sentenced Prisoner, there are some segments that seem incredibly niche, such as the segment on Artificial Insemination, for which the author highlights, within the passage, that only 28 applications have been made since 1996.

Another drawback to this book is that as the author is recounting useful information from his whole sentence, some information is invariably out of date, such as references to Enhanced Thinking Skills courses and Racist Incident Reporting Forms, which could confuse prisoners. Furthermore, a few of the useful addresses are out of date by a number of years, including buildings that no longer exist, and the prison slang section appears quite dated. Future editions of this book would benefit from proof reading for these mistakes so that the author's work doesn’t lose credibility with its audience.

In summary, the book offers some useful advice encouraging prisoner readers to behave ‘positively’ in order to obtain what they need to progress or gain privileges, including encouraging them to take charge of their sentence. It would seem appropriate for this book to be available in libraries in ‘local’ prisons or in court holding cells, as well as in visitors’ centres for families and friends to gain an insight into the often closed world of prisons. It would probably be of very little value to practitioners and academics, with the exception of students new to criminology that need a starting reference point for the typical experiences of Life Sentenced prisoners.

Paul Crosse is an Operational Prison Manager seconded to NOMS Headquarters.

Book Review
Key Concepts in Youth Studies
By Mark Cieslik and Donald Simpson
Publisher: SAGE (2013)
ISBN: 9781848609846 (hardback) 9781848609853 (paperback)
Price: £65.00 (hardback) £21.99 (paperback)

Key Concepts in Youth Studies is a welcome addition to the wider SAGE Key Concepts series which provides students with accessible and authoritative knowledge of the essential topics in a variety of disciplines. Experienced authors and researchers Mark Cieslik and Donald Simpson have acutely summarised the complex field of youth studies in this concise and accessible book. When approaching research and work with young people it can be somewhat perplexing to comprehend the range of issues faced by young people in contemporary society.
This book neatly separates the range of key concepts in youth studies in short chapters which introduce major themes and debates to the reader. The use of concise entries enables the reader to access the information presented more readily than many textbooks in the social sciences which are structured around lengthy chapters. In addition, the authors endeavour to highlight where possible the interconnection between the entries, further enabling the reader to contextualise each issue within the wider concepts presented. The book at first appears short (178 pages) for such a broad subject matter, however these established authors provide a very informative and accessible discussion throughout, which will be of valued interest to academics, youth practitioners and students alike.

The book begins with an introduction *Making Sense of Young People Today?* contextualising the different entries in the book, and sets out some key questions which the authors addressed when focusing on the most important issues in youth research, such as: how do we define ‘youth’? which provides the focus of discussion in the first chapter. The introduction further highlights the analytical approaches and debates to studying young people in relation to their cultural practice and social identities and life course transitions to adulthood, setting the scene for the core content of the book which is split into two major sections: (1) Foundational Concepts, Issues and Debates and (2) Major Concepts, Issues and Debates.

Section one, Foundational Concepts, Issues and Debates, consists of ten chapters addressing some of the significant foundations for discussion in youth research. The authors cover a broad range of core concepts, such as the complexity of defining youth; the importance of youth transitions to adulthood; understanding youth cultures; the ubiquitous nature of social policy and its direct and indirect impact on young people; the unique role of youth workers; the complexities of researching young people; theorising youth; historical perspectives of youth; the social divisions and inequality young people face; (mis-)representations of youth through images and language. These core areas which underpin much youth research provide a broad context for section two, Major Concepts, Issues and Debates, which consists of twenty-three chapters, each one introducing a major area of research in youth studies.

The authors address many areas of research, all of which are important to the study of youth. For example, the different spheres in the lives of young people are addressed such as their education, training, leisure, work and families. The social identities of young people in these settings, how they perceive themselves, and how these evolve over time as young people age are also addressed. The authors acknowledge that these ‘short entries cannot possibly hope to cover all of the developments in research’ (ix), however these core concepts are presented in an articulate and comprehensible format which offer an excellent introduction to the reader and provides guidance to additional reading for further investigation, which the inquisitive reader should follow-up.

Throughout the series of entries in section two, the authors highlight connections between entries using bold text. For example, the entry for crime is connected to leisure. This works very well in the text, and is particularly of use for readers with specific interests, for example the youth underclass, to quickly identify connected areas within youth studies work.

A major strength of the book is its accessibility. For the busy practitioner with little time to look-up research — let alone comprehend the complexities of research — the short entries on core topics provide an excellent introduction to youth studies research, highlighting key issues, which will undoubtedly be beneficial to work with young people. For the academic, tutor, or student, who requires a more in-depth knowledge of a particular topic within youth research, the book provides a nuanced introduction to the complexities of understanding, interpreting and conducting research with young people, as well as the benefit of short introductory chapters detailing reading for further investigation and exploration.

The cover of the book identifies that the authors set out to provide a comprehensive overview of the different ways that social science researchers have explored the lives of young people. This is achieved in a clearly written and accessible way. The complex experiences young people encounter in contemporary society as they navigate their path to adulthood is both a fascinating area of research and of acute importance. Cieslik and Simpson present the core issues in a compelling and thought-provoking style. This well-written text would be a welcome addition to any library with a focus on youth studies or work with young people and to anyone with an interest in understanding the complexities faced by youth in contemporary society.

**Dr Daniel Marshall, Monitoring and Evaluation Officer, Catch22 NCAS. Visiting Scholar, Institute of Criminology, University of Cambridge, UK.**
Book Review
Edited by Margaret Malloch, and Gill McIvor.
Publisher: Routledge (2013).
Price: £80.00 (hardback)

**Women, Punishment and Social Justice** is a very timely work which is drawn from a series of seminars held during the summer of 2010. These seminars addressed growing concerns about the rise in the imprisonment of women and the ineffectiveness of punitive responses to women who are in conflict with the law. Edited by Malloch and McIvor, *Women, Punishment and Social Justice* provides the reader with an insight into the gendered nature of women's imprisonment. According to the editors it ‘provides a critical analysis of approaches and experiences of penal sanctions, human rights and social justice as enacted in different jurisdictions within and beyond the UK’. This is especially pertinent in the light of the talk about the collapse of the International Criminal Court (ICC) and what this might mean for women’s rights, the condemnation by the Justice Select Committee as to the unacceptable delays in implementing the Corston Report which was published in 2007 and UN Women organising events at the General Assembly to address the issue of women and access to justice.

Prison has often been the focus for concerns about human rights violations, and campaigns aimed at achieving social justice, and for those with an interest in the criminalisation of women. Evidence seems to suggest that women offenders are receiving harsher sentences from judges and magistrates for less serious crimes and this is contributing to a steep rise in the number of women in prison.¹ To reduce the number of women imprisoned, a range of policy initiatives have been developed to increase the use of community-based responses to women in conflict with the law. These initiatives have tended to operate alongside reforms to the prison estate and are often defined as ‘community punishment’, ‘community sanctions’ and ‘alternatives to imprisonment’. *Women, Punishment and Social Justice* challenges the contention that regimes and provisions within the criminal justice system are capable of addressing human rights concerns and the needs of the criminalised woman whilst neglecting to engage with the wider social and economic issues of women’s lives.

The book provides insightful discussions about the increase in women’s imprisonment internationally despite the dearth of evidence supporting the rise of women’s criminal activities. The key themes are women, punishment and social justice with a strong emphasis on the gendered nature of new penal policies, penal institutions, the provision of services both in and outside the prison, the need for change and the dire lack of consideration for complex problems related to women’s imprisonment and conflict with the law. These themes are addressed using academic theory, various research findings and experiences which provides the reader with a critical lens into how ‘correctional policies become subverted by criminal justice agenda’ (p. 206). Threading through these themes and chapters is the criminalisation of women who have mental health problems and the failure of healthcare interventions to recognize and address this particular issue.

The book is divided into four parts with a total of sixteen chapters. The chapters are coherent and there is explicit integration between theory and practice. Part one provides a discussion of community provisions for women and how the Canadian experience demonstrates that well-intended correctional policies are easily subverted by criminal justice agencies. Gelthorpe’s chapter emphasises the point that what ‘works for men’ does not necessarily work for women and that women are incarcerated in a prison system specifically designed to meet the needs of men. Stressing gender equality should not mean that everyone should be treated the same but, as Baroness Corston suggests, rather ‘treatment as an equal’ (p. 18).

Parts two and three provide the reader with descriptions of women’s experiences in prison, both in the UK and internationally. Part two focuses on the penal context and part three on community sanctions, human rights and social justice. Throughout both parts two and three there is an awareness of indirect references to Hosie’s argument that a human rights approach is vital in order to improve the experiences of women who are detained, of their families and those working within the institution.

In part two Moore and Jemphrey’s chapter strongly supports Gelthorpe’s argument for change, greater cognisance of women’s mental health issues and the provision of more adequate personal services regarding issues such as menstruation, hygiene and menopause. Their description of women’s experience of imprisonment in Northern Ireland succinctly stresses the dire conditions that women prisoners

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¹. Commission on Women and the Criminal Justice System (Fawcett Society 2006).
have to endure in prisons that were specifically designed for high security male prisoners and male young offenders. References to strip searches give clear and candid accounts of how女人的 vulnerabilities are exploited within the prison system. Serious mental health problems and self-harming are, according to Cole, endemic. Her use of the casework of INQUEST to highlight how the inappropriate use of prison risks re-traumatising women prisoners and, in some cases, leading to death as in the cases of Petra Blanksby (p. 43) and Sarah Campbell (p. 45) is insightful and moving. Mills et al are somewhat scathing of the limitations of using the Diagnostic and Statistical Manual of Mental Disorders (DSM) when assessing women prisoners as 1) they were based on the 'expectations of male development and behaviour', 2) it fails to ‘recognise the many symptoms of mental disorder’ and 3) it tends to reflect the experiences of males. Their experiences of researching mental health problems offer a disturbing reflection about the inadequacies of a clinical approach which is neglectful of recognising the ‘complexities and context of women’s lives’ and this reflects Wahidin and Aday’s reiteration of the point that women prisoners are treated ‘as an afterthought’ (p. 65). They explore reasons for a rising ageing women prison population in the UK and US as well as the high prevalence of mental health issues among ageing women prisoners. Malloch’s chapter on the Okimaw Ohci Healing Lodge (OOHL) and creating a space for ‘healing’ within a prison environment for Aboriginal women provides insightful challenges and discussions as to the contradictions between the foci of Euro-Western and Aboriginal justice.

The fragmented, exclusionary and marginalisation of women’s experience of the criminal justice system continues in part three. Here Lawston refers to Liberty’s experience of the gender responsive approach which frames parole as being similar to ‘being under correctional control in the community’ (p. 109) and a violation of human rights in regard to Article 5 of the UN Declaration of Human Rights (p. 15). This is reflected in the argument proposed by Barton and Cooper that women’s penal and correctional institutions do not sufficiently address the practical and ethical problems of women’s incarceration. Sheehan continues this discussion in her chapter focusing on risk and how the courts in Australia should not use the prison service as social services for women offenders. I found Beglan’s research into The 281 Service and the women’s narratives about change quite emotional. Despite the rise in the imprisonment of women in Scotland, this service provides a forum for discussion as how to not only manage women’s offending behaviour but also how to provide support when women leave prison. In sharp contrast to this chapter is Convery’s which presents evidence that women’s experience of imprisonment in Northern Ireland is inappropriate, that there is limited response by the State to concerns about women’s imprisonment and that ‘the state has perpetuated inappropriate criminal justice responses’ to women offending and imprisonment, which is evident in Gordaliza’s chapter, where she raises the question of racist and xenophobic issues that target Gitana and Roma young women throughout the criminal justice system. Malloch and MacIver’s concluding comments detail the importance of wider political and public commitment and socio-economic change. They stress the need for more resources that will not only support women in prison but also target issues such as homelessness, poverty and social injustice.

Drawing on international knowledge and expertise, the contributors to this book challenge the efficacy of gender-responsive interventions by examining issues affecting women in the criminal justice system such as mental health, age, and ethnicity. Crucially, the book engages with the paradox of implementing rights within a largely punishment-orientated system designed to meet the needs of the male offending population. Women, Punishment and Social Justice will be of interest to those undertaking undergraduate and post-graduate courses that examine punishment, gender and justice, and which lend themselves to an international/comparative aspect such as criminal justice, criminology, criminal justice and sociology. It will also be useful for practitioners undergoing professional training (criminal justice, social work, health) and for those who work with women in the criminal justice system.

Bev Orton is a Fellow in the Criminology Department at the University of Hull.
The Venerable William Noblett CBE was Chaplain General of HM Prison Service between 2001 and 2011. He is interviewed by Martin Kettle who is a former prison manager currently Home Affairs Policy Advisor to the Church of England.

The late David Bosch, a South African theologian, in his magisterial work, Transforming Mission, sums up the real process of transformation for me when he wrote: ‘a paradigm shift always means both continuity and change, both faithfulness to the past and boldness to engage the future, both constancy and contingency, both tradition and transformation … to be both evolutionary and revolutionary.’ He said that the transition ‘from one paradigm to another is not abrupt’, and the agenda is ‘always one of reform, not replacement’, with ‘creative tension between the new and the old’.

MK: What has change meant in practice?

WN: The changes in chaplaincy have been many, and initially were not always welcomed. To take forward this programme of work we needed to harness the contribution of many including Chaplains, Faith Advisers, Prospect, HR and legal colleagues too. One of the first changes we made, with the support of senior faith leaders on what became the Chaplaincy Council, was to agree that faith representatives going into prisons to minister should be known as chaplains, a term widely recognised in the institutional context and already used by some faith groups other than Christian. We also spelt out what that meant with a list of principles for collaborative team-working. We wanted, and have largely achieved, an inclusive chaplaincy that respects the integrity of each tradition, working for the common good of prisoners, staff and faith communities as an essential part of prison life.

MK: What obstacles did you have to overcome?

WN: The obstacles were as much attitudinal as practical, with some chaplains (though not all, as many shared the need for change) and staff saying ‘we have done it this way for hundreds of years, we don’t need to change!’ Institutional power and privilege was strong, and understandably, not easy to change. Change usually requires people to be confident in their own position, and those chaplains most sure in their own faith, and the generosity of that faith, were amongst the first to embrace a new vision. We required some people to be much more professional in their approach to enabling the experience of sharing with people of different faith traditions, and have seen the contribution that chaplains from those traditions can make.

The Venerable William Noblett CBE was Chaplain General of HM Prison Service between 2001 and 2011. He was ordained in 1978 and held a number of posts in the community before becoming Chaplain of HMP Wakefield in 1987. He continued to work in prisons for the next decade and a half, holding Chaplain posts at HMP Norwich and HMP Full Sutton. He has written and published on prison faith matters, including two books: Prayers for People in Prison published in 1998 and Inside Faith: Praying for People in Prison, published in 2009.

He has been widely recognized for his faith work and was appointed as one the Chaplains to HM The Queen in 2005, and subsequently awarded a CBE in 2012.

MK: A number of people have said that your great achievement as Chaplain General was to broaden prison chaplaincy so that it includes all faiths, at every level. Why did you want to do that?

WN: At the time I was appointed as Chaplain General the only employed chaplains in the service were Christian, and prisoners from other than Christian traditions were not being enabled to properly practise their faith. The majority of faith representatives were termed ‘visiting ministers’, with many experiencing that as an excluding experience. At a time of great change within the service, chaplaincy needed to be much more inclusive, to give greater recognition to the contribution and validity of the ministry of those who were not Christian. Chaplaincy needed to serve staff, prisoners, and faith communities in a way that some described as a paradigm shift to inclusion — at the same time maintaining the integrity of each tradition (which has always been at the heart of all that we have sought to do) and also to be serving the common good. I believed there was an imperative for change, and that it was the right thing to do.

MK: So you have been a bit of a revolutionary?

WN: There’s been a lot of change, but hardly a revolution. I believe in chaplaincy — in all that it can contribute to the lives of individuals in any institutional context. I experienced it in my time as a chaplain in the RAF, including some time in an RAF hospital, as a TA chaplain, and then as a prison chaplain. I have always been committed to collaborative ministry and team working, inter, and intra disciplinary. I have been enriched by the experience of sharing with people of different faith traditions, and have seen the contribution that chaplains from those traditions can make.

MK: What obstacles did you have to overcome?

WN: The obstacles were as much attitudinal as practical, with some chaplains (though not all, as many shared the need for change) and staff saying ‘we have done it this way for hundreds of years, we don’t need to change!’ Institutional power and privilege was strong, and understandably, not easy to change. Change usually requires people to be confident in their own position, and those chaplains most sure in their own faith, and the generosity of that faith, were amongst the first to embrace a new vision. We required some people to be much more professional in their approach to enabling
asked to visit a parishioner in Durham gaol. I went to prison staff, and have worked alongside some wonderful people in all disciplines. There is something very direct, intense, immediate and honest about ministry in prison, that is rare to experience in other situations.

MK: Are there any individual prisoners — no names — who stay in your mind because chaplaincy made a difference to them?

WN: Yes, there are plenty — again, evidenced in my book — but also many staff, too. My understanding of chaplaincy, rooted in our Christian understanding, is that chaplains are there for all within the walls. Chaplaincy is in a hugely privileged position in England and Wales, and is very much part of the whole life of the prison. It can and does make a difference, which is why it has endured, and flourished, despite the constant changes over the years. Religion certainly has the potential to change people, but with all conversion experiences, especially in prison, you have to be cautious. What the New Testament talks about is metanoia, turning round, real transformation. So much of the language about desistance from crime nowadays has strong echoes of faith language — and we have done a great deal of work to find the common ground between faith perspectives and psychological perspectives on how people change. This has borne fruit in the ‘Belief in Change’ course.

MK: Much has been said about the ‘new managerialism’ sweeping through the system in the last few years. We even have ‘managing chaplains’ now. Do you think all this business of targets, benchmarking and so on gets in the way of real chaplaincy work?

WN: ‘Managing chaplains’ are not significantly different from co-ordinating chaplains, but for the first time the service has the option of a clearer management structure for chaplains. Chaplaincy changes as the institution changes, it has to, reacting positively, sometimes with enthusiasm, sometimes with resignation. It can be a challenging job to manage chaplaincy teams...
— as many Governors have told me over the years! Chaplaincy teams also need to support others going through the change process, whilst also helping to ensure it is good for the people at the very centre of the system. The chaplaincy specification, which also reflects the Chief Inspector’s Expectations, is a major step forward in setting this out, whilst also helping to improve the professionalism of chaplaincy.

MK: Chaplaincy staffing is not escaping the current wave of cuts to front-line services. Are the best days of prison chaplaincy over?

WN: The harsh reality is that every aspect of NOMS expenditure has to be scrutinized and justified at a time of significant financial constraint. Research that I commissioned a few years ago, drew out something of the distinctive contribution that chaplaincy can and does make and provided evidence of how chaplaincy is valued by prisoners and staff. It showed something of the essential nature of the ministry and work of chaplaincy teams. So, no, I don’t think the best days are over — Chaplaincy has always adapted to changing circumstances whilst making its contribution to the lives of those in prison, and will continue to do so.

For example, I mentioned the Belief in Change programme currently running in two prisons. We developed it to bring together faith and psychology in a positive and dynamic way that could, potentially, help some offenders to change their thinking, and the way they lead their lives. It is a rare example of such an inter-disciplinary approach. It may soon be adapted for use with offenders in the community. The programme uses volunteers from the wider community, something that chaplaincy has always been able to offer, working in partnership with a number of organizations and groups concerned for prisoners and for their support on release.

Also too, the development of the Tarbiyyah course, led by the Muslim Adviser, to help increase the understanding of Islam by Muslim prisoners, and the faith awareness booklet and other materials designed to increase staff awareness of religious issues to enable them to deal with the faith needs of the prison population in an informed and professional way. This is in a huge number of prisons now. We have had to work these initiatives up from scratch — there is nothing quite like them elsewhere.

MK: For all the multi-faith developments we notice that the new Chaplain-General is a Church of England priest. Do you think that’s how it should be?

WN: Chaplaincy has worked incredibly hard over the past ten years to ensure that chaplains from each faith are part of the team. As I have mentioned, this has led to the role of managing chaplain being open to any employed chaplain. Whilst I would have wished to have
seen that same opportunity reflected in the recent competition for the Head of Faith and Chaplaincy Services post, it was not to be, on this occasion.

MK: What advice would you give your successor?

WN: I don’t think it would be appropriate for me to offer advice to someone who has already been appointed, but I am confident that Mike Kavanagh will continue to lead chaplaincy in a very positive way on its developing journey. I know he is leading a very good team of people at HQ, with the support of NOMS, as in turn the team seek to support chaplaincy teams, managers, Governors, and faith communities. It is an exciting time, and I wish him well, as I do the HQ team, and chaplaincy teams in prisons.

MK: How retired are you planning to be? Are there any prison causes that you will be championing in the years to come?

WN: Ever since my earliest encounter with suicide in prison, in my first few weeks at Wakefield, I have been concerned about the impact of such an action on staff, on other prisoners, and, of course, on the family and friends of the person who has died. I am just beginning some voluntary work with a very special charity, Survivors of Bereavement by Suicide, who provide just the sort of support needed by many who have been bereaved in that way. A training package will soon be available for people such as Prison Family Liaison Officers, which we hope to offer to the NOMS. I feel very privileged to be one of their Patrons, and intend to be very active within the charity.

Other than that, I have deliberately taken ‘time out’, but hope to make some appropriate contribution in the years to come.
The Prisoner

Edited by
Ben Crewe
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and

Jamie Bennett
Editor, Prison Service Journal

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Little of what we know about prison comes from the mouths of prisoners, and very few academic accounts of prison life manage to convey some of its most profound and important features: its daily pressures and frustrations, the culture of the wings and landings, and the relationships which shape the everyday experience of being imprisoned.

The Prisoner aims to redress this by foregrounding prisoners’ own accounts of prison life in what is an original and penetrating edited collection. Each of its chapters explores a particular prisoner subgroup or an important aspect of prisoners’ lives, and each is divided into two sections: extended extracts from interviews with prisoners, followed by academic commentary and analysis written by a leading scholar or practitioner. This structure allows prisoners’ voices to speak for themselves, while situating what they say in a wider discussion of research, policy and practice. The result is a rich and evocative portrayal of the lived reality of imprisonment and a poignant insight into prisoners’ lives.

The book aims to bring to life key penological issues and to provide an accessible text for anyone interested in prisons, including students, practitioners and a general audience. It seeks to represent and humanise a group which is often silent in discussions of imprisonment, and to shine a light on a world which is generally hidden from view.


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Purpose and editorial arrangements

The Prison Service Journal is a peer reviewed journal published by HM Prison Service of England and Wales. Its purpose is to promote discussion on issues related to the work of the Prison Service, the wider criminal justice system and associated fields. It aims to present reliable information and a range of views about these issues.

The editor is responsible for the style and content of each edition, and for managing production and the Journal’s budget. The editor is supported by an editorial board — a body of volunteers all of whom have worked for the Prison Service in various capacities. The editorial board considers all articles submitted and decides the outline and composition of each edition, although the editor retains an over-riding discretion in deciding which articles are published and their precise length and language.

From May 2011 each edition is available electronically from the website of the Centre for Crime and Justice Studies. This is available at http://www.crimeandjustice.org.uk/psj.html

Circulation of editions and submission of articles

Six editions of the Journal, printed at HMP Leyhill, are published each year with a circulation of approximately 6,500 per edition. The editor welcomes articles which should be up to c.4,000 words and submitted by email to jamie.bennett@hmpps.gsi.gov.uk or as hard copy and on disk to Prison Service Journal, c/o Print Shop Manager, HMP Leyhill, Wotton-under-Edge, Gloucestershire, GL12 8HL. All other correspondence may also be sent to the Editor at this address or to jamie.bennett@hmpps.gsi.gov.uk.

Footnotes are preferred to endnotes, which must be kept to a minimum. All articles are subject to peer review and may be altered in accordance with house style. No payments are made for articles.

Subscriptions

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