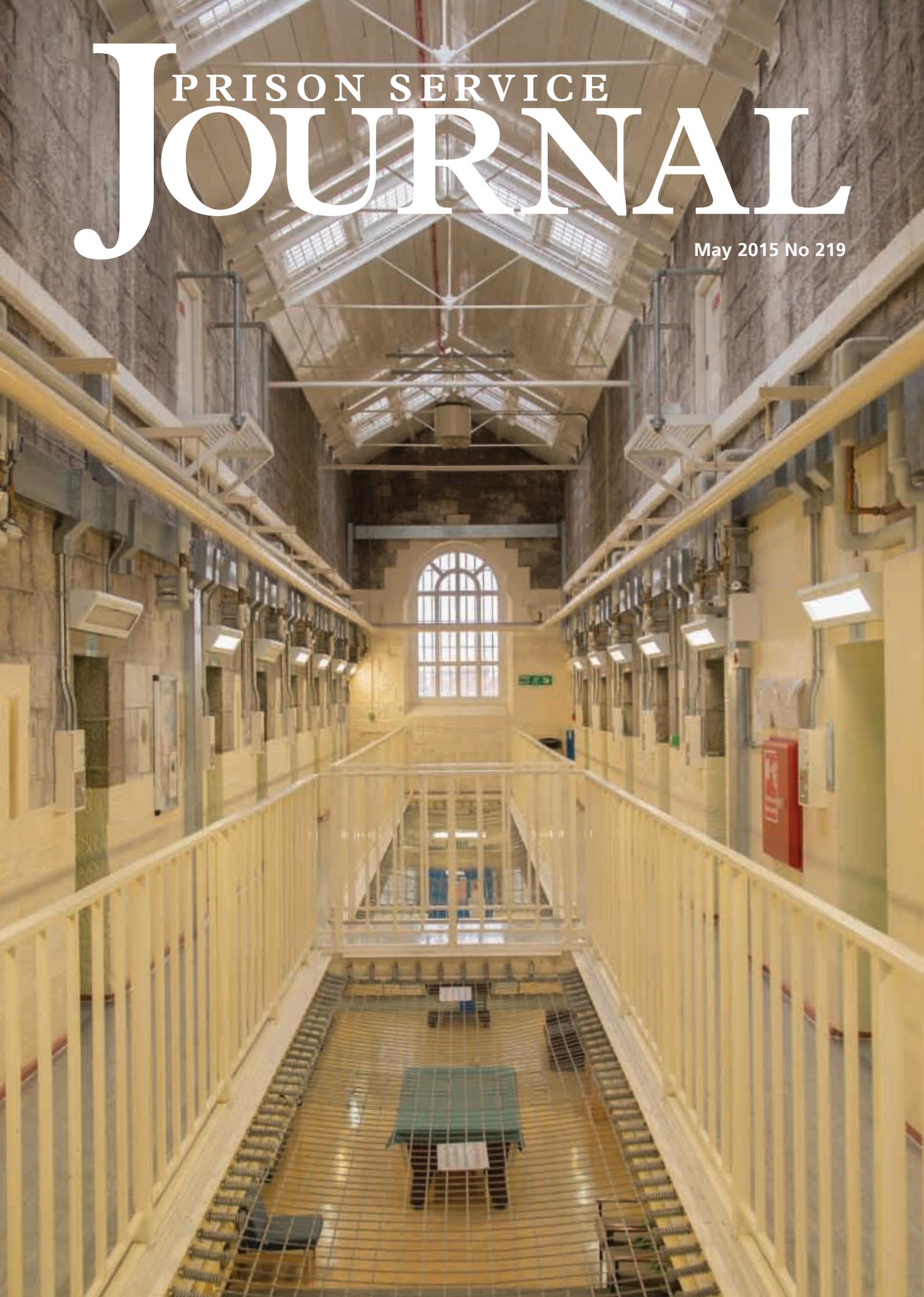


PRISON SERVICE JOURNAL

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Editorial Comment

There are two broad themes that link the main articles in this edition of *Prison Service Journal*. The first is diversity, a regular issue addressed in articles, recognising the range of needs and experiences of prisoners as well as the profound issues of power and inequality that are indelible in prisons. The second is a focus on the effectiveness of prison regimes as means of transforming the lives of prisoners. Together these subjects reveal some of the core values that intersect in prison life: prisons as a reflection of an instrument of wider social power structures; the efforts to construct prisons as humane institutions, and; the ambition that prisons become places in which lives can be improved.

The first article by Victor L. Shamma explores ethn racial relations in Norwegian open prisons. Similar to Coretta Phillips recent study of *The Multicultural Prison* in England,¹ Shamma observes the everyday civility, positive relationships and relative absence of conflict. He argues that this needs to be contextualised within both the prison and wider society. Within the prison, he argues that humane treatment, and reasonable access to facilities and resources create a foundation which minimises the grounds for conflict and facilitates order. Within wider society, he argues that the predominant acceptance of multi-culturalism within Norwegian society means that social divisions are not imported into the prison. The second article is contributed by Sarah Disspain. Richard Shuker and Emma Wildgoose, based upon research conducted at HMP Grendon into the experience of a transfemale prisoner. This is an issue that has received relatively little research attention and this paper is therefore an important contribution to existing knowledge. It explores issues around identity and coping, revealing the everyday experience of transgender prisoners with more depth than has previously been available. The final article on this theme is a literature review by Dr. Anthony Donnelly-Drummond examining the experiences of Gypsy, Romany and Travellers in prison. These are groups that have attracted some attention in recent years and this article is a further contribution to that new body of work. The article draws attention to the marginalisation of these groups and their over-representation in the criminal justice system. The article raises questions not only about Gypsy, Romany and Travellers in prisons but also in the wider community. Issues of diversity are also covered in the book review section with recent books on Black men in custody and disability in prisons being considered.

The second set of articles is concerned with effective prison regimes. Marguerite Schinkel's contribution is based upon research she conducted at HMP Glenochil in Scotland. Her research suggested that the relatively benign regime in the prison enabled prisoners to accept their sentence and engage with the activities available. However, she was also cautious that this did not necessarily result in better adaptation and reduced reoffending after prison and that in order to achieve such outcomes, humane also needed to offer diverse and effective interventions. The article by Dr James Woodall, Professor Jane South, Professor Rachael Dixey and Dr Nick de Viggiani focuses on peer interventions, in particular those factors that facilitate their effectiveness. The authors assert that peer interventions are most effective where they are part of a broad package of measures and are properly integrated within the organisation, being supported by the staff as well as prisoners. Whilst this article is specifically concerned with health interventions, the analysis and conclusions will also be relevant to the myriad of other circumstances in which peer support is provided in prisons.

This edition also features an interview with Jan King, Chief Executive of the Angelus Foundation, a charity who specifically work in the field of novel psychoactive substances, raising awareness of their effects and promoting good practice in management and interventions. This has been a growing issue in prisons, with the Chief Inspector noting in his most recent annual report that:

*The increased availability in prisons of 'new psychoactive substances', often known as 'legal highs', was a source of debt and associated bullying and a threat to health.'*²

This interview offers some broader context and discussion of the issues around the use of these substances and potential strategies that could be adopted in prisons and the community.

The subjects covered in this edition reiterate the central concerns of *Prison Service Journal* in facilitating a discourse about not only instrumental issues, about how to make prisons more effective, but also with normative matters, the values that are reflected in the practices of imprisonment.

1. Philips, C. (2012) *The Multicultural Prison: Ethnicity, Masculinity, and Social Relations among Prisoners*. Oxford: Oxford University Press.
2. HM Chief Inspector of Prisons (2014) Annual report 2013-14 London: The Stationary Office (p.9).

Denying the danger of difference:

Notes on the pacification of inmate social relations in an era of ethnoracial diversity

Victor L. Shammas is based in the Department of Sociology and Human Geography at University of Oslo, Norway.

Introduction

Prison populations frequently contain sizable groups that are ethnoracially, religiously or nationally diverse. Some criminal justice observers have viewed these groups as a source of risk. However, recent research suggests that inmates in European prisons frequently downplay the importance of diversity, establishing social orders that allow them to 'get along.' I report on a study of an open prison in Norway where inmates deny the importance of ethnoracial difference. Relatively harmonious prisoner relations are made more probable by the state of external social relations and internal institutional parameters. Liberality and permissiveness diminish conflict levels, allowing inmates to find common ground.

Disparity is one of the most striking features of correctional populations. Throughout the history of the prison, inmates have been a select crowd, rarely mirroring the social composition of the outside-world population. Correctional populations deviate from the world at large along a number of characteristics. In the advanced and industrialized societies, new entrants to prison are disproportionately young, male, drawn from the ranks of ethnic minorities, and originate from lower class positions. However, disparity need not be illegitimate. Disparity can arise out of differential patterns of behavior or treatment at any one of the stages in the criminal process: offending, arrest, prosecution, conviction, and release. To many, a sense of fairness would be violated only if disparities were driven by some other cause than differential patterns

of offending: If a group X did not commit certain acts to a greater degree than the population as a whole, so the argument goes, it would be unfair if the group were to be subject to greater degrees of arrest and incarceration. Put another way, disparity in imprisonment would, to many, be legitimate if it mirrored a differential tendency to commit criminal acts. Whether that fairness requirement is fulfilled in reality, however, is a contentious matter.

One of the most potent and poignant discrepancies between prison populations and the remainder of society has been along ethnic or racial lines.¹ In the United States, black men were 6 times more likely to receive a prison sentence than white men in 2012, and Hispanic men were 2.5 times more likely to be imprisoned than white men.² 18- and 19-year-old black men were 9.5 times more likely to be imprisoned than white men. Arrests and convictions over drug offences were particularly prone to ethnoracial disparity. 'In every year from 1980 to 2007,' Human Rights Watch note in a summary, 'blacks were arrested nationwide on drug charges at rates relative to population that were 2.8 to 5.5 times higher than white arrest rates.'³ And those differential arrest rates only served to fuel differential imprisonment rates: blacks were around 10 times more likely than whites to be imprisoned for drug offences.⁴ Crucially, disparities in drug arrests and imprisonment were not driven by differential rates of offending behavior. Blacks and whites used and sold drugs at roughly comparable rates, and so, 'all other things being equal, they should constitute a roughly similar proportion of people of both races who are arrested, convicted, and sent to prison for drug law violations.'⁵ But of course, 'all

1. I use the term *ethnoracial* to connote the problematic and constructed nature of the category. Race has typically been used to refer to populations united by shared physical, biological characteristics. Ethnicity has been used to denote populations that share cultural patterns of behavior. But the distinction between biological and cultural properties uneasily straddles a divide that is itself contestable. In reality, the constitution of ethnic or racial groups depends on a non-essential and muddled mélange of biological and cultural properties, variously drawing on national, religious or linguistic traits as well. For a cogent analysis of ethnoracial boundaries and group-formation, see Wimmer, Andreas. 2013. *Ethnic Boundary Making, Institutions, Power, Networks*. New York: Oxford University Press.
2. Carson, E. Ann and Daniela Golinelli. 2013. "Prisoners in 2012: Trends in Admissions and Releases, 1991-2012." Washington, DC: US Dept. of Justice Bureau of Justice Statistics. p. 25. <http://www.bjs.gov/content/pub/pdf/p12tar9112.pdf>
3. Human Rights Watch. 2009. "Decades of Disparity: Drug Arrests and Race in the United States." New York: Human Rights Watch. http://www.hrw.org/sites/default/files/reports/us0309web_1.pdf
4. *ibid.* p. 16.
5. Human Rights Watch. 2008. "Targeting Blacks: Drug Law Enforcement and Race in the United States." New York: Human Rights Watch. pp. 41-44. http://www.hrw.org/sites/default/files/reports/us0508_1.pdf

other things are not equal.⁶ Police strategies, courtroom dynamics, prison policies, and a whole host of other factors conspire to drive a wedge between offending rates and imprisonment rates.⁷

Ethnoracial disparity is not a solely American phenomenon, even if it finds its clearest expression in the United States. Smaller but still dramatic ethnoracial disparities exist in other prison systems. Indeed, 'members of *some* disadvantaged minority groups in every Western country are disproportionately likely to be arrested, convicted, and imprisoned for violent, property, and drug crimes,' Michael Tonry observes.⁸ In England and Wales, blacks comprised 13.7 percent of the prison population in 2010 while only making up some 2.7 percent of the total population aged 10 or over in 2009, yielding a fivefold overrepresentation in correctional populations. Whites were underrepresented: 88.6 percent of the population aged 10 or over in 2009, but only 72 percent of the prison population.⁹ Even the Nordic countries, commended for their 'penal exceptionalism,' contain a significant overrepresentation of foreign citizens in prisons.¹⁰ In Sweden, some 31.4 percent of persons sentenced to prison on a given day were foreign citizens, and in Norway, 22.8 percent were foreign citizens.¹¹

Criminal justice practitioners have contended that ethnoracially diverse prisoner populations would generate insurmountable challenges in daily prison life: tension, overt hostility, or violence. In California, for instance, the early 2000s saw a legal struggle over the right of the California Department of Corrections and Rehabilitation (CDCR) to segregate new arrivals by 'race' in prison reception dormitories for up to sixty days. Famously, separate-but-equal racial segregation had been struck down in the landmark *Brown v. Board of Education* (1954) Supreme Court decision that ended *de jure* segregation in public schools. More than a century later, judges in the US Court of Appeals for the Ninth Circuit defended segregation on the basis that it was 'reasonably related to the administrators'

concern for racial violence.'¹² While recognizing that segregation would be indefensible outside prisons, the judges noted that correctional facilities were 'inherently different,' obeying a *sui generis* logic of social interaction.¹³ Prison administrators believed, notes one legal scholar, that to integrate inmates 'would invite interracial violence, particularly among inmates affiliated with rival gangs.'¹⁴ The California Attorney General's office argued that California was 'ground zero' for 'racial' street and prison gangs, and that to integrate the nearly 160,000 prisoners in the state's prison system would be tantamount to disaster.¹⁵ The Supreme Court later rejected Californian prison segregation. Writing for the majority, one of the justices noted that the legitimacy of segregation depended on a utilitarian calculus of whether segregation would reduce violence. The majority opinion concluded that segregation could have the opposite of its intended effect, to 'potentially create greater hostility among inmates, or worse, actually increase racial violence.'¹⁶ But the judgment left the possibility of segregation intact.

European perspectives on integration have been centered on ethnoreligious difference as a source of danger, informed by debates on the looming specter of 'prisoner radicalization' by Islamic terrorist recruiters.¹⁷ Writing on the potential role of prisons as 'universities for terrorists,' Ian M. Cuthbertson argues that 'Islamic terrorists' have 'become increasingly sophisticated in their operational methods, especially in devising ways of recruiting and training those who spearhead their assaults.'¹⁸ Prisons serve as the crucible of terror in this fearful vision of the world. With some 3,000 Arab and Muslim men detained in the United States over immigration issues and over '13 million Muslims living in Europe,' combined with the fact that they are 'overrepresented in Europe's prison populations,' Cuthbertson argues that prison offers a bountiful arena for radicalization, 'ripe for the plucking by Islamic extremists.' Among the 'proactive'

6. *ibid.* p. 45.

7. See Tonry, Michael. 2011. *Punishing Race: A Continuing American Dilemma*. Oxford: Oxford University Press.

8. Tonry, Michael. 1997. "Ethnicity, Crime, and Immigration." *Crime and Justice*, 21: 1-29.

9. Ministry of Justice [United Kingdom]. 2011. "Statistics on Race and the Criminal Justice System 2010." October 2011. p. 11. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/219967/stats-race-cjs-2010.pdf

10. The Nordic countries follow the French tradition of not collecting data on ethnoracial characteristics of inmates, data on citizenship is collected and can be used as an imperfect proxy.

11. Kristoffersen, Ragnar. 2013. "Correctional Statistics of Denmark, Finland, Iceland, Norway, and Sweden." Report No. 1/2013. Oslo: Correctional Service of Norway Staff Academy. pp. 33-34.

http://www.kriminalvarden.se/upload/om_kriminalvarden/Forskning/Nordic%20Statistics%202008_2012_PDF.pdf

12. *Johnson v. California*, 321 F.3d 791. (9th Cir.) <https://law.resource.org/pub/us/case/reporter/F3/321/321.F3d.791.01-56436.html>

13. *ibid.*

14. Robertson, James E. 2006. "Foreword: 'Separate But Equal' in Prison: *Johnson v. California* and Common Sense Racism." *Journal of Criminal Law and Criminology*, 96(3): 795-848.

15. Trulson, Chad R., James W. Marquart, Craig Hemmens, and Leo Carroll. 2008. "Racial Desegregation in Prisons." *The Prison Journal*, 88(2): 270-99. p. 279.

16. Grunberger, Rachel C. 2006. "*Johnson v. California*: Setting a Constitutional Trap for Prison Officials." *Maryland Law Review*, 65(1): 271-300. p. 286.

17. Hamm, Mark S. 2009. "Prison Islam in the Age of Sacred Terror." *British Journal of Criminology*, 49(5): 667-85.

18. Cuthbertson, Ian M. "Prisons and the Education of Terrorists." *World Policy Journal*, 21(3): 15-22.

solutions offered is the isolation of potential leaders of this movement.

While solutions to the problem are frequently presented at an abstracted level of generality sufficient to permit everything from Guantánamo Bay-style internment to benign and humanitarian outreach programs, the message is unequivocal: Muslims, constituting Europe's dominant Other, are a potent threat to the fragile prison order and must be subdued or coerced into submission. Injecting a note of cautionary optimism into alarmist analyses of Muslim prisoners, a US study concluded that the probability of radicalization was 'modest' because inmates' activities could be closely monitored in the highly-controlled prison environment and because inmates were saddled with 'low levels of education,' making complex Islamic ideology less likely to encounter fertile minds.¹⁹

What is common to these seemingly disparate debates is the notion that ethnic, racial, national, and religious properties — in short, all those traits that are amalgamated into the 'folk concept' of race in daily life²⁰ — is a source of risk and contamination in the prison environment, specifically as it pertains to marginalized populations. Prison administrators may select different strategies for handling the symbolic pollution of their facilities that tainted groups threaten to produce, such debates suggest, but deal with it they must.

Norway's Permissive Prisons

Norway's open prison system suggests that ethnoracial properties need not be a source of violence, tension, or group-making difference. Difference may be denied. I report below on a 3-month-long ethnographic fieldwork in a minimum-security prison in Norway,

described here as *Prison Island*, carried out in the fall of 2011. I interviewed 15 inmates, spent dozens of hours chatting with inmates and staff alike, and observed daily life in the prison. Around one-third of the prison's population consisted of non-Norwegian citizens. While inmates occasionally self-organized into a 'Norwegian' and a 'foreign' social cluster, and in so doing created distance from the other group, quite frequently inmates would speak of a universal prisoner identity and practice a solidarity that crossed ethnoracial lines. Arguably, the denial of difference is the result of the unique institutional texture of both the open prison and the Norwegian prison system. Both are comparatively liberal and permissive.

Norway has been lauded as a member of that exclusive penal club of Scandinavian societies which, by international standards, exhibits relatively low imprisonment rates and humane conditions of confinement.²¹ The Nordic societies imprison relatively few people: nearly one-half of England and Wales' and one-tenth of the United States' prison population rates.²² In Norway, prisoners typically receive an allowance of 62 *kroner* (around £6) per day to cover various expenses.²³ One might compare this figure with, say, the maximum remuneration permitted by Ireland's Prison Service, at 2.35 Euros per day (around £1.90).²⁴ Even after factoring in the differential costs

of living, Norway's system is certainly more generous by a wide margin. Open prisons are used quite extensively: Around 15 percent of prison beds in Sweden are in open prisons, 32 percent in Denmark, and 37 percent in Norway.²⁵ The result is a relatively low recidivism rate for the five largest Nordic countries: in a two-year follow-up period, around 20 to 30 percent of released convicts received a new penal sentence, according to a 2010 study.²⁶

What is common to these seemingly disparate debates is the notion that ethnic, racial, national, and religious properties . . . is a source of risk and contamination in the prison environment . . .

19. Useem, Bert and Obie Clayton. 2009. "Radicalization of U.S. Prisoners." *Criminology & Public Policy*, 8(3): 561-592.
20. Banton, Michael. 1979. 'Analytical and folk concepts of race and ethnicity', *Ethnic and Racial Studies*, 2(2): 127-38.
21. Pratt, John and Anna Eriksson. 2013. *Contrasts in Punishment: An Explanation of Anglophone Excess and Nordic Exceptionalism*.
22. International Centre for Prison Studies. 2014. "World Prison Brief: Europe." <http://www.prisonstudies.org/map/europe>
23. Kriminalomsorgsdirektoratet [Norwegian Correctional Services Agency]. 2014. "Rundskriv om Dagpenger 2014 [Regulations Concerning Daily Allowances]." KDI 3/2014. <http://www.kriminalomsorgen.no/getfile.php/2559200.823.xyuuwrvwb/KDI+Rundskriv+3-2014.pdf>
24. McDonald, Brian. 2014. "Jailed criminals get € 19m in pocket money from State." *Independent.ie*, 18 August, 2014. <http://www.independent.ie/irish-news/jailed-criminals-get-19m-in-pocket-money-from-state-30515047.html>
25. Kristoffersen, 2013. pp. 44-48.
26. Graunbøl, Hans Monrad et al. 2010. "Retur: En nordisk undersøgelse af recidiv blandt klienter i kriminalforsorgen." p. 25. http://www.rikosseuraamus.fi/material/attachments/rise/julkaisut-risenjulkaisusarja/6Bzsbsks2/Paluu_2010.pdf

On Prison Island, inmates were permitted to move about relatively freely in the daytime, most were employed in agriculture (tending to crops and caring for horses), auxiliary services (working in the laundry room or mess hall), or pursued educational classes. The prison's boundaries were relatively porous. Inmates were sometimes permitted to travel to the mainland to sell firewood, go shopping, or see a dentist, typically in the company of one or several officers. Under certain conditions, Norwegian Correctional Services permit inmates to go on home leave, described as 'going on vacation' by some inmates. Home leave quotas usually consist of 18 days of vacation per year, and some inmates — typically those with parental responsibilities — may be granted up to 30 days of leave per year.²⁷ While the prison was untypical even by Nordic standards, the very fact that it was allowed to exist expressed what might be called significant 'differences in national appetites for punishment.'²⁸

Across the Great Divide

From both sides of the ethnoracial divide, outbursts of jealousy or hostility were heard. Such outbursts were occasions for essentializing statements about the seemingly immutable properties of the other group. The Norwegians were jealous of the solidarity that they occasionally saw the foreigners put on display. 'They're better at sticking together,' one inmate, Espen, said. 'They're better at cooking meals together, visiting each other at the various houses. In a way, they're a lot better at taking care of each other.' The Norwegians were not bound together by a common cause.

On the other hand, the foreigners occasionally viewed themselves as superior to the Norwegians. For example, one had landed a privileged job, working directly under the prison's senior officers; he felt it proved that he was more hard-working than the Norwegians who had grown complacent. 'I know that some Norwegians can not do the work I do,' he said. Norwegian inmates were not eager to gain privileges,

he suggested. 'Sometimes it's laziness. Sometimes they don't want to do the job because they feel that in their own country they have more. They don't need to do the job.'

Norwegian inmates occasionally considered foreign inmates the source of troublesome cultural values that were diametrically opposed to native ways of life. One inmate recounted how on the outside, he had no non-Norwegian friends and little contact with foreign cultures; placement in closed quarters with alien ways of life had 'frightened' him. For instance, he described how he had spoken to an inmate of Middle Eastern origin and encountered 'a lot of weird

comments, like the women [that you marry] should be 14-15 years old and [how] it doesn't matter if you're 50 years old.' The inmate continued,

It's completely normal down there, right. The family gets to decide if they can marry. Four wives and all of that stuff...This [Middle Eastern] guy, he says, '[Middle Eastern] women are very good,' he says, 'v e r y good. They're like a dog. You just say 'sit' and they sit.' He's sitting there bragging about how never cooks and she brings him tea, she does everything he asks, right. And we're trying to tell him that's not how it works around here, and is she really happy with that sort of thing? 'Yes, yes, very happy.' And then he talks

about how if they have sex with each other down there [in the Middle East] and it isn't approved by the imam and the family and all of that stuff — I don't know if it's true — but then the family can take the law into their own hands and almost chop their heads off. So, yeah, there's a lot of strange stuff.

But the collision of cultural values did not lead to overt conflict. The inmate and his Norwegian housemates listened to the foreigner's narrative with fascination, not enmity. Those who were provoked by his talk got up and left.

From both sides of the ethnoracial divide, outbursts of jealousy or hostility were heard. Such outbursts were occasions for essentializing statements about the seemingly immutable properties of the other group.

27. For further details on the institutional environment, see Shammas, Victor L. 2014. "The Pains of Freedom: Assessing the Ambiguity of Scandinavian Penal Exceptionalism on Norway's Prison Island." *Punishment & Society*, 16(1): 104-23.
28. Green, David A. 2007. "Comparing Penal Cultures: Child-on-Child Homicide in England and Norway." *Crime and Justice*, 36(1): 591-643.

Cross-group solidarity was also in evidence. In the rural milieu of the prison, inmates simply could not avoid encountering and interacting with each other. On the prison ferry, there were many Norwegians but also a few inmates of Middle Eastern or South American origin. The kitchen employed Africans and Middle Easterners. In the stables, where horses were kept for agricultural work, there were many Norwegians, but a few Eastern Europeans as well. Living arrangements were a force for integration. In the first few months, inmates resided in one of two large reception dorms where everyone was jumbled together at random. While inmates could later select their housing partners in smaller living units, mixed housing groups did exist that were both stable and harmonious. The house where the island's inmate-run rock band resided was once the preserve of Norwegian inmates, but the band had evolved into a diversified group of musically-interested prisoner co-residents, as Jan, an inmate, illustrated:

It's something we've joked about, that one of the side-effects — not directly intended, but an unintended side-effect — is that we've made a sort of free zone, a Norwegian house. But it's not like that any longer. Our keyboard player is African. Our bass player is from Poland. [...] We got three new members at the workshop last week who wanted to sign up — an Arab who wanted to play the drums, two Lithuanians who wanted to sing.

Jan argued that the prison band was fast becoming an arena for diversity, not exclusion. Others denied the notion of ethnoracial properties as the legitimate basis for differential group-making. An inmate of African origin denied that ethnicity was important in finding friends; what mattered was whether one could 'get along' with the other person:

They say birds of the same feather flock together. When you're a mechanic who repairs cars, you can't talk to a carpenter because the carpenter will not understand you. [laughs] You need to look for a mechanic. Even if not a car mechanic, maybe

a bicycle mechanic, because they know more about the tools.

This statement could have been an introduction to the need for ethnoracial self-segregation in the prison, but in actual fact the inmate made the diametrically opposite point: Like-minded persons could be found in any camp, regardless of background, and whether a person was Norwegian or foreign was unimportant. He said, 'The important thing is that some people have brains.' Another non-Norwegian inmate echoed this sentiment: 'Like me, I move with Norwegians, I move with Eastern Europeans. That you're a nice guy, that's the important thing,' he said. 'If you are Norwegian, that doesn't make you a man. What makes you a man is upstairs, it's intelligence.' In this way, personal suitability, not ethnic or national origins, was prioritized selecting one's companions.

Conclusion

A growing body of evidence suggests that inmates in European prisons are adept at denying or dealing with ethnoracial difference. In a study of a medium-security prison in England, Ben Crewe observes a 'fragile calm,' contending that 'much of the time, prisoners operated with a benign indifference towards the views and activities of other ethnic groups.'²⁹ Coretta Philips notes that in the 'multicultural prison' there is a 'lively, vibrant, and dynamic multicultural in which racial difference is not always foregrounded.'³⁰ I suggest that much the same holds true for an open prison in Norway. It is of course difficult to discern whence such 'multicultural con-vivality,' to use Philips' phrase, is derived. I suggest two primary sources.

On the one hand, the societal context matters. It is hard to conceive how a harmonious inter-ethnic prison social order could arise out of the Apartheid era of 1980s South Africa, the Jim Crow regime of 1950s Mississippi, or the Palestinian Second Intifada of the early 2000s. In an imperfect and refracted manner, prison culture reflects outside-world social relations. At times of highly polarized inter-ethnic conflict, 'multicultural con-vivality' surely will not fare well. Thus it seems significant that in Norway only 4.1 per cent of respondents to the 2007 World Values Survey

29. Crewe, Ben. 2009. *The Prisoner Society: Power, Adaptation, and Social Life in an English Prison*. Oxford: Oxford University Press. p. 354.
 30. Philips, Coretta. 2012. *The Multicultural Prison: Ethnicity, Masculinity, and Social Relations among Prisoners*. Oxford: Oxford University Press. p. 206.

said they would not want 'people of a different race' as their neighbors, and 85.1 per cent of respondents said they would 'trust completely' or 'trust a little' people of another nationality.³¹ The absence of caste-like cleavages in this relatively tolerant, social-democratic society plausibly permeates the prison environment.

On the other hand, institutional configurations matter. When prisoners are not brutalized and repressed on multiple fronts, when they may pursue meaningful work or edifying educational opportunities, when they have enough money to

spend on tobacco and snacks that may alleviate the pains of imprisonment, when they are permitted to move about relatively unrestricted or even leave the prison at regular intervals, they are less likely to engage in internecine warfare. In short, happiness matters. Since distress tends to breed discord, content prisoners are likely to be less combative. One way to promote this end would be to increase the use of open prisons and to make closed prisons more like open prisons. In this sense, prison administrators have a significant role to play in minimizing the deleterious effects of incarceration.

31. World Values Survey Wave 5: 2005-2009. Available online at: <http://www.worldvaluessurvey.org/WVSONline.jsp>.

Exploration of a transfemale prisoner's experience of a Prison Therapeutic Community

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This paper describes a piece of research undertaken to explore what it was like for transgender prisoner to engage in treatment within a prison therapeutic community (TC).

Therapeutic Communities (TC)

Prison TC's, provide a pro-social living and learning environment in which prisoners are able to explore and deconstruct the cognitions, feelings and behaviours associated with their past offending, in order to develop an alternative non-offending lifestyle. The model of change underpinning the TC uses different treatment approaches, which includes social learning, psychodynamic and cognitive behavioural approaches. This integrated approach is delivered through the TC treatment structure, which consists of small therapy groups, large community meetings and community living.¹ The TC where the research was carried out is accredited by the Correctional Services Accreditation Panel (CSAP).²

Transgender³ people within the Criminal Justice System

There is a dearth of research exploring the experiences of the transgender population⁴ both within

community and custodial settings.⁵ This is despite research indicating that transgender people are likely to be over represented within the prison system.⁶ Furthermore Jones and Brookes⁷ note that the majority of literature within this area has been conducted within the United States. They further note that most studies investigate policies concerning the management of transgender prisoners. This is problematic because there isn't enough yet known about the qualitative experience of transgender individuals in prison.⁸

The literature reports a high prevalence of physical and sexual assault against transgender prisoners,⁹ even when compared to rates of victimisation of other non-transgender prisoners.¹⁰ Problems related to gaining appropriate medical care and opportunities to 'live in role' (as their identified gender) have also been reported.¹¹

In relation to professionals working with transgender offenders, Poole, Whittle and Stephens¹² reported that probation officers felt they did not have enough knowledge or confidence to raise issues about someone's transgender status, deal with challenging and/or problematic behaviour and questioned whether they were able to confront and manage their own

1. HMP. (Her Majesty's Prison; 2007). *Democratic Therapeutic Communities: Core model*. Theory Manual. HM Prison Service.
2. CSAP supports the Ministry of Justice and National Offender Management Service (NOMS) in developing and implementing effective offender behaviour programmes designed to reduce re-offending.
3. A number of terms are used and referred to within the literature when discussing issues concerning gender identity. This is perhaps partly due to transgender people not conforming to the fixed structure of gender i.e. male or female (Gender Trust, nd). Blight (2000) and Michelle and Howarth (2009) advocate using self identification and state that asking the person to define their own gender status is the key indicator of trans status. In turn for the purposes of this paper, I will use the term 'transgender', which is a common umbrella term used to cover a wide variety of atypical gender experiences which may or may not lead to surgical intervention (Royal College of Psychiatrist, 2006 as cited in Jones and Brookes, 2013). However, I will use the term 'transfemale' when referring specifically to the participant in this study as this is how the participant defined her gender identity.
4. Mitchell, M. & Howarth, C. (2009). *Trans research review*. Manchester: Equality and Human Rights Commission.
5. Sexton, L. Jenness, V. & Sumner, J. (2010). Where the margins meet: A demographic assessment of transgender inmates in men's prisons. *Justice Quarterly*, 27 (6), 835-866; Poole, L., Whittle, S. & Stephens, P. (2002). Working with transgendered and transsexual people as offenders in the probation service. *Probation Journal*, 49, 227-231; See n.4.
6. See n.5; Brown, G. R. & McDuffie, E. (2009). Health care policies addressing transgender inmates in prison systems in the United States. *Journal of Correctional Health Care*, 15 (4), 280-291.
7. Jones, L. & Brookes, M. (2013). Transgender offenders: A literature review. *Prison Service Journal*, 206, 11-18.
8. See n. 4.
9. Dolovich, S. (2011). Strategic segregation in the modern prison. *American Criminal Law Review*, 48 (1), 1-110; Edney, R. (2004). To keep me safe from harm? Transgender prisoner and the experience of imprisonment. *Deakin Law Review*, 9, 327-338; Blight, J. (2000). Transgender Inmates. *Australia Institute of Criminology: Trends & issues in crime and criminal justice*, No 168. Available at: <http://aic.gov.au/documents/A/8/6/%7BA867CA37-BCA3-4AAF-8464-1EF0352658AD%7Dt1168.pdf>
10. Sexton, L. Jenness, V. & Sumner, J. (2010). Where the margins meet: A demographic assessment of transgender inmates in men's prisons. *Justice Quarterly*, 27 (6), 835-866.
11. Edney, R. (2004). To keep me safe from harm? Transgender prisoner and the experience of imprisonment. *Deakin Law Review*, 9, 327-338.
12. Poole, L., Whittle, S. & Stephens, P. (2002). Working with transgendered and transsexual people as offenders in the probation service. *Probation Journal*, 49, 227-231.

feelings about transsexualism appropriately. Jenness¹³ further noted that transgender prisoners are often considered difficult to manage due to their unique set of needs and because they do not clearly fit within the dichotomous organisation of prisons set up to be 'male prisons' or 'female prisons'.

Transgender people and treatment

Whilst much of the research relates to gender specific treatment, literature has found that transgender people seek therapy for a range of issues that are not necessarily related to their transgender status or transition.¹⁴ For example, transgender people are reported to have higher incidences of substance misuse, psychiatric illness and psychological problems, including personality disorder.¹⁵ Despite the apparent need for treatment there appears to be barriers to transgender people gaining access to and engaging effectively in treatment. Such barriers have included previous bad experiences of treatment and therefore anticipated maltreatment. Concerns regarding the treatment providers' ignorance regarding transgender care and potential insensitivity to their transgender needs were also found to impede transgender individuals decision to engage within treatment.¹⁶

There is no evidence of research exploring transgender prisoners' experiences of offending behaviour treatment aimed at reducing prisoner's risk of re-offending.¹⁷ Understandably therefore there is little guidance for treatment providers in regards to being responsive to transgender offenders when assessing and delivering treatment to such individuals. This represents an important area of enquiry as Nuttbrock¹⁸ argues that failing to understand and accommodate gender diversity in the treatment process means that the treatment of transgender individuals will be fundamentally misguided and probably ineffective.

Aims of current study

Therefore this research sought to better understand what it is like for a transgender prisoner to

engage in a prison TC. Specifically, the research was interested in exploring what was helpful or unhelpful about her experience in the TC, how, if at all, did being a transgender prisoner / going through the transgender process affect her experience in the TC and her engagement and ability to benefit from treatment?

Case Study

Background

The case study was purposively identified using inclusion criteria. The person in the case study will be referred to as 'Jane' in order to protect her identity. Jane was an adult prisoner serving a life sentence for a sexual offence. She reported attending the TC in order to address factors related to her offending behaviour. Furthermore, she expressed a need to explore her early childhood experiences in order to better understand her offending behaviour. Along with various criminogenic treatment needs Jane also had various personality, emotional and interpersonal difficulties. In relation to her gender identity, from a young age she reported experiencing gender variance. When she was 17 years old she reported realising she was transgender. Later in adulthood she identified her gender as 'transfemale'. When she had arrived at the TC she was not 'living in role' as her desired gender, although she had begun to investigate the possibility of this. At the time of research she had left the prison TC due to her being deselected for a threat of violence made towards another prisoner.

Research design

This research was ethically approved by the TC's Research Advisory Group and through consultation with the South Central Regional Psychologist of the National Offender Management Service (NOMS). As recommended by Jones and Brookes¹⁹ an explorative qualitative design was used. The qualitative design was also helpful in accessing the felt and perceived experiences of Jane. Martin²⁰ notes how qualitative approaches offer a range of information and depth of understanding about the experience of treatment that

13. Jenness, V. (2010). From policy to prisoners to people: A "soft mixed methods" approach to studying transgender prisoners. *Journal of Contemporary Ethnography*, 39, 517-553.
14. Rachlin, K. (2002). Transgender individual's experiences of psychotherapy. *International Journal of Transgenderism*, 6 (1). Available at <http://www.wpath.org> ; Israel, T., Gorcheva, R., Burnes T. R. & Walther, W.A. (2008). Helpful and unhelpful therapy experiences of LGBT clients. *Psychotherapy Research*, 18 (3), 294-305; Shipherd, J. C., Green, K. E. & Abramovitz, S. (2010). Transgender clients: Identifying and minimising barriers to mental health treatment. *Journal of Gay & Lesbian Mental Health*, 14, 94-108.
15. See n.10; Nuttbrock, L. A. (2012). Culturally Competent Substance Abuse Treatment with Transgender Persons. *Journal of Addictive Diseases*, 31 (3), 236-241; Coid, J. (2011). The co-morbidity of personality disorder and lifetime clinical syndromes in dangerous offenders. *Journal of Forensic Psychiatry & Psychology*, 14 (2), 341-366.
16. Shipherd, J. C., Green, K. E. & Abramovitz, S. (2010). Transgender clients: Identifying and minimising barriers to mental health treatment. *Journal of Gay & Lesbian Mental Health*, 14, 94-108; Nuttbrock, L. A. (2012). Culturally Competent Substance Abuse Treatment with Transgender Persons. *Journal of Addictive Diseases*, 31 (3), 236-241.
17. Examples of such treatment programmes include the Thinking Skills Programme (TSP), Therapeutic Community (TC) approaches, Sex Offender Treatment Programme (SOTP), Self Change Programme (SCP) amongst others.
18. Nuttbrock, L. A. (2012). Culturally Competent Substance Abuse Treatment with Transgender Persons. *Journal of Addictive Diseases*, 31 (3), 236-241.
19. See n. 7.
20. Martin, S. (1997). Sex offender treatment: An uphill journey. *Journal of Child and Youth Care*, 11, 27-42.

cannot be achieved using quantitative approaches. A series of in-depth semi-structured interviews were used because this allows participants to tell their stories in their own way and allows researchers to capture the richness and complexity of the experience being investigated whilst also providing opportunities to explore and open up pertinent issues.²¹ Background information about Jane was achieved from prison records.

Analysis

The interview was analysed using Interpretative Phenomenological Analysis (IPA).²² IPA is particularly well suited to the idiographic approach, including single case study studies as it enables exploration of the meanings an individual attributes to their experience(s).²³ Meek²⁴ also notes that IPA is particularly relevant for research within prisons because of its interest in individuals' subjective experiences within their social and cultural contexts. In order to improve

the validity of the research and avoid over identification within the analysis process,²⁵ analysts were recruited to review the transcript and provided their interpretation of the data and final summary.

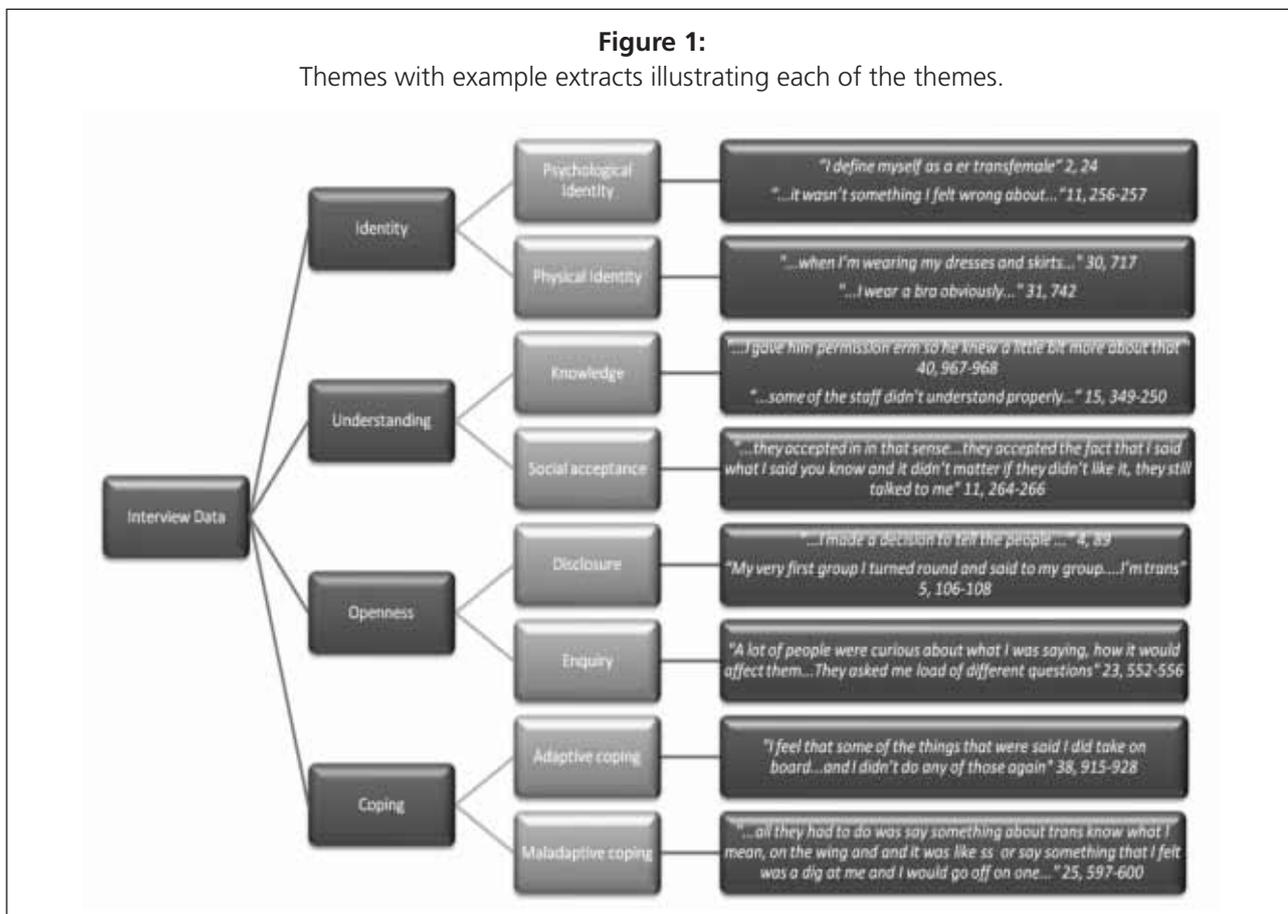
Findings

Theme descriptions

The analysis of the data revealed eight themes which were grouped into four core themes (see Figure 1):

1. Identity

This theme related to how Jane defined her gender. It comprised of two subordinate themes: 'Psychological identity' and 'Physical identity'. 'Psychological identity' related to how Jane mentally viewed her gender identity status. Physical identity related to how Jane expressed her gender identity through her physical appearance.



21. Eatough, V. & Smith, S. (2006). 'I was like a wild wild person': Understanding feelings of anger using interpretative phenomenological analysis. *British Journal of Psychology*, 97, 483-498.
22. Smith, J. A. & Osborne, M. (2003). Interpretative Phenomenological Analysis. In J. A. Smith (Ed.), *Qualitative psychology: A practical guide to research methods* (pp.51-80). London: Sage.
23. See n. 20; Smith, J. A. & Eatough, V. (2007). Interpretative Phenomenological Analysis. In E. Lyons & A. Coyle (Eds.) *Analysing qualitative data in psychology* (pp 35-50). London: Sage Publications; Larkin, M., Watts, S. & Clifton, E. (2006). Giving voice and making sense in interpretative phenomenological analysis. *Qualitative Research in Psychology*, 3, 102-120; see n. 21.
24. Meek, R. (2007). The experiences of a young gypsy-traveller in the transition from custody to community: An interpretative phenomenology analysis. *Legal and Criminological Psychology*, 12, 133-147.
25. Storey, L. (2007). Doing interpretative phenomenological analysis. In E. Lyons & A. Coyle (Eds.) *Analysing qualitative data in psychology* (pp 51-64). London: Sage Publications.

2. Understanding

This theme related to others knowledge of Jane's gender status and transition (having an understanding) and their acceptance of it (being understanding). It comprised of two subordinate themes: 'Knowledge' and 'Social acceptance'. 'Knowledge' related to how much information other people had regarding Jane's gender status and transition. 'Social acceptance' was associated with the extent to which others accommodated and / or supported her gender identity.

3. Openness

This theme related to Jane being open with others about her transfemale status and the curiosity of others regarding it. The theme was made up of two subordinate themes: 'Disclosure' and 'Enquiry'. 'Disclosure' related to the process of disclosing her gender identity to others. 'Enquiry' is associated with Jane and others having open communication marked by query about her gender status and transition.

4. Coping

This theme related to how Jane coped with her experience of being at the TC as a transfemale. It consisted of two subordinate themes: 'Adaptive coping' and 'Maladaptive coping'. Whilst these are topologically distinct and therefore simplistic they provide a broad conceptualisation of the theme.²⁶ 'Adaptive coping' is concerned with Jane's use of helpful coping strategies. In contrast 'Maladaptive coping' is related to Jane's use of unhelpful coping strategies.

Discussion

The aim of this study was to explore what it was like for a transgender prisoner to engage in treatment at a prison TC. This included exploring what was helpful or unhelpful about her experience in the TC and how, if at all, did being a transgender prisoner / going through the transgender process affect her experience

in the TC and her engagement and ability to benefit from treatment.

Overall, results indicate that others having knowledge about Jane's gender identity and the transition process, those who enquired about this and who were accepting of this helped increase her feelings of approval and reduced her negative emotional responses. Her experience of the TC was partly affected by her transition process, particularly when disclosing her gender identity to others and gaining access to items related to her physical identity. These experiences were unique to Jane and required additional attention and resources. The process of disclosing her gender identity to others also had an impact on her engagement in treatment. Specifically, at the disclosure point, telling others about her gender identity and experience of gender variance was prioritised over other treatment areas. There was no evidence that her gender identity or transition process impacted on her ability to benefit from treatment. To the contrary, she appeared to develop adaptive coping strategies during her time within treatment.

Each of the themes are discussed in turn complimented by extracts from the transcript to illustrate the relevance of the themes within the Jane's account.

Identity

Despite previous experiences of maltreatment and a lack of support, Jane had developed a strong positive psychological identity as a transfemale.

I define myself as a er transfemale...

...I didn't think it was er weird, I didn't think it was a fetish, I didn't think it was wrong...

Branscombe and Ellemers²⁷ state that the importance of a person's identity (e.g. being transfemale) is a crucial determinant of how negative events will be perceived and coped with. Specifically the Rejection Identification model²⁸ notes that perceiving prejudice directed against one's identity can be harmful to the individual's psychological wellbeing. However,

Branscombe and Ellemers state that the importance of a person's identity (e.g. being transfemale) is a crucial determinant of how negative events will be perceived and coped with.

26. See Skinner EA, Edge K, Altman J, Sherwood H. (2003). Searching for the structure of coping: A review and critique of category systems for classifying ways of coping. *Psychological Bulletin*, 129, pg 216–269 for further consideration of coping strategy categories.
27. Branscombe N. R. & Ellemers, N. (1998). Coping with group-based discrimination: Individualistic versus group-level strategies. In J. K. Swim & C. Stangor (Eds.), *Prejudice: The target's perspective* (pp. 243-266). New York: Academic Press.
28. See n.25.

identifying more with their stigmatised identity can function as a buffer to counteract such harm. Therefore Jane's strong sense of self as a transfemale may be, in part, used as a means of protecting herself against negative responses from others.

Following the disclosure of her gender identity she was able to explore and develop her physical identity as a transfemale. This experience was initially marked by a fear of ridicule but through experiences of acceptance it appeared to help her develop her physical identity and confidence in living as a transfemale.

...the very first time erm I come out (in female clothing), I went down to X's cell ... I knew he'd be in there and he'd be the biggest one to laugh ... and I went 'can I come in', (he said) 'yeh I ain't bothered' and oh o.k. and he went 'what reaction do you think you were going to get?' And I turned round and said 'I thought you were going to laugh cause you are the biggest one for laughing' and that is how I gauged that know what I mean, how I overcome that probably for my group for when I went into my group (wearing female clothing).

Zandvliet²⁹ notes that whilst 'gender' can be considered a psychological concept, being transgender is heavily related to physical aspects, including appearance. It appeared Jane's process of developing her physical appearance was mediated by both psychological support provided by others and contextual support provided by the establishment. In relation to the latter point, previous research has found prisons often deny transgender prisoners opportunities to express their gender identity and live in role.³⁰ This was to some extent also a feature of Jane's experience, as her ability to express her gender identity physically for example gaining gender specific items such as clothing, hair removal equipment, was affected by the extent to which the context and

regime were willing and able to accommodate and support her and other transgender prisoners gender expression.

...she wasn't allowed to live in role at that time...

I would have to go to him to get him to sign off my stuff...

It seems that a number of conflicting pressures were present; a need to support her living as a transfemale but an uncertainty of what this meant in practical terms, monitoring items requested and also ensuring items complied with security requirements.

It seems that a number of conflicting pressures were present; a need to support her living as a transfemale but an uncertainty of what this meant in practical terms, monitoring items requested and also ensuring items complied with security requirements. This coupled with a lack of knowledge or understanding from staff appears to have contributed to Jane struggling to live in role and express her gender identity at times.

Understanding

Whilst it was not consistently experienced, being accepted by others was an important feature of Jane's experience. Jane noted how being referred to as 'she', 'her' and by her female name were important indicators of acceptance and support from others.

Jane: Erm I don't like it, I still don't like it, staff here they say 'come on fellas' and I think to myself he ain't talking to me...

Researcher: And why is that important for you; for people to call you 'she' and 'her' and 'Jane'?

Jane: Because it's my identity of living as a transfemale... I feel that that it's a sign not not of respect but a sign of them accepting the fact that even if they don't like it, they accept that I'm trans.

29. Zandvliet, T. (1996). Transgender issues in therapy. In C. Neal and D. Davies (Eds) *Issues in therapy with lesbian, gay, bisexual and transgender clients* (pp. 176-189). Buckingham: Open University Press.

30. Sylvia Rivera Law Project. (2007). "It's war in here": A report on the treatment of transgender and intersex people in New York state men's prisons. The Sylvia Rivera Law Project: New York.

Being searched as a male prisoner was also a marked negative experience that affected her wellbeing and conflicted with her gender identity.

... (it's) derogatory ... it makes me feel bad ...
I feel that I should be treated as a female.

Zandvliet³¹ states that an important aspect of being transgender is not about 'being' a male, female or neither but of being considered, respected and treated as whatever one experiences oneself to be. Therefore, it also seems that having an experience of being accepted and having one's gender identity affirmed is likely to impact on the extent to which clients engage and benefit from treatment. Indeed, Israel et al.³² found such clients valued therapists who were respectful, helpful and affirming in dealing with the client's gender identity. Social acceptance links closely with the concept of therapeutic alliance, which refers to relationships marked by mutual support and trust. This concept is a core underlying principle and practice of TC treatment³³ and whilst not consistently experienced by Jane it appears such TC principles were important in engaging Jane positively within treatment.

A lack of knowledge by others of gender identity and the transition process acted as a barrier to Jane developing more meaningful relationships with other prisoners and staff within treatment and limited her ability to explore the psychological effects of the transition process.

Researcher: 'Is that how you expected people to react when you started wearing female clothes in front of others? You felt that they would laugh?'

Jane: Yeh people who don't understand they either just ignore you and and say nothing or they take the mick because it makes them feel better and and that is what I found...

This finding supports other literature which has found that professionals working with transgender clients, including the delivery of treatment to transgender clients, lack knowledge and confidence in working with such clients.³⁴ Treatment providers' lack of knowledge is also linked to client's lack of engagement in treatment and in turn their ability to benefit from treatment.³⁵ There are various ways professionals are able to develop their understanding and knowledge of such issues. This includes but is not limited to reviewing relevant literature and discussions with experienced professionals. It also makes sense that through exposure and experience of working with transgender clients professionals would develop their knowledge and understanding of such issues specific to the individual. Indeed Rachlin³⁶ found that therapists who were more experienced with working with gender issues produced more positive results of treatment. The danger of a lack of knowledge and understanding is the use of stereotypes about the attributes of transgender people; a process which often occurs when there is a lack of information or understanding. Overall this research has provided support to

This concept is a core underlying principle and practice of TC treatment and whilst not consistently experienced by Jane it appears such TC principles were important in engaging Jane positively within treatment.

Shiphherd, Green and Abramovitz³⁷ assertion that as treatment providers increase their knowledge barriers to treatment for transgender clients are likely to be reduced.

Openness

The disclosure of a transgender identity to others, and in turn receiving responses from others which allow for the desired gender role behaviour, are reported to

31. See n.27.

32. See n.31.

33. Shuker, R. (2010). Personality Disorder: Using therapeutic Communities as an integrative approach to address risk. In R. Shuker & E. Sullivan (Eds.) *X and the emergence of forensic Therapeutic Communities: Developments in Research and Practice*. Chichester: Wiley-Blackwell.

34. See n.27 and n.12.

35. Israel, T., Gorcheva, R., Burnes T. R. & Walther, W.A. (2008). Helpful and unhelpful therapy experiences of LGBT clients. *Psychotherapy Research*, 18 (3), 294-305.

36. Rachlin, K. (2002). Transgender individual's experiences of psychotherapy. *International Journal of Transgenderism*, 6 (1). Available at <http://www.wpath.org>

37. Shiphherd, J. C., Green, K. E. & Abramovitz, S. (2010). Transgender clients: Identifying and minimising barriers to mental health treatment. *Journal of Gay & Lesbian Mental Health*, 14, 94-108;

be defining events for transgender people.³⁸ Jane described this process as a freeing experience that allowed her to be honest with others.

Researcher: 'What was that like, saying that you wanted to tell people...?'

Jane: For me it was starting to become part of a release to say o.k. this is me know what I mean and and no matter what you think of me this is how it is... and that for me was a liberating thing, you know...I felt a big release, you know.

Jane: ...me not keeping it in, me not keeping a secret, me not erm basically in retrospect met not erm (pause) lying to people so to speak.

Researcher: And was that something you found helpful?

Jane: Yeh, I found it helpful...

In order for this to happen she emphasised the importance of individual choice.

I just said you need to take that to your group...let them do it in their own time.

Zandvliet³⁹ states that by helping someone to own their own experience individually whilst at the same time sharing the experience with the wider group/society is important in validating the person's experience. Nuttbrock et al.⁴⁰ also found that transgender people were more likely to disclose to those who were likely to hold positive attitudes toward a gender variant lifestyle. This suggests that the TC provided a supportive context for disclosure to occur. Stevens⁴¹ describes an experience for prisoners within TC's of finding out and

being 'who you really are'. Therefore, it may be that TC environments are conducive to disclosure and identity development. The finding that having control and autonomy over the decision to disclose supports Israel et al.⁴² results which found that transgender clients in treatment experienced therapists who pushed them to disclose as unhelpful.

The process of disclosing her transfemale status did appear to impact on her engagement in treatment in the short term as it was considered an urgent priority.

I said I wanted to use the group straightaway, first group ...I wanted to tell them as soon as possible...

Zandvliet³⁹ states that by helping someone to own their own experience individually whilst at the same time sharing the experience with the wider group/society is important in validating the person's experience.

This is in line with Jones and Brookes⁴³ hypothesis that addressing gender discomfort may feel critical to the offender and in turn may affect engagement in treatment. This impact on treatment did not appear to be detrimental however. In contrast, the prioritisation of the individual's experience of gender variation and decision to disclose appeared to counteract what has been described as a stressful and distressing experience.⁴⁴

Others enquiring and consulting with Jane regarding her gender identity and transition, served to improve her feelings of social acceptance.

...she didn't know as much as me (but) she wanted to know as much as me and she wanted that knowledge and she went and she found that knowledge ... for me that was brilliant because then although she wasn't as clued up we didn't get to stumbling blocks because we didn't talk about the ins and outs of everything I'd be going through, we talked about how I feel ... at least there was someone that I had an outlet to you know.

38. Nuttbrock, L. A., Bockting, W. O., Hwahng, S., Rosenblum, A., Mason, M., Macri, M., & Becker, J. (2009). Gender identity affirmation among male-to-female transgender persons: a life course analysis across types of relationships and cultural/lifestyle factors. *Sexual and Relationship Therapy*, 24 (2), 108–125.

39. See n.27.

40. See n.36.

41. Stevens, A. (2013). *Offender rehabilitation and therapeutic communities: Enabling change the TC way*. New York: Routledge.

42. See n.31.

43. See n.7.

44. Purnell, A. (2004). *Transsexed and transgendered people: A guide*. Gendys Network, London; Purnell, A., & Bland, J. (2011). *Trans in the twenty first century: Concerning gender diversity*. Beaumont Trust, London.

The opposite was also true where she reported feeling angry when there was a lack of enquiry about her gender identity and transition process on the part of others.

Jane: '...you turned round and said you'd been told I was padding. I went ape... I was getting so angry I just had to shut up.

Researcher: What was it you found unhelpful about that question?

Jane: You didn't ask me a question you made a statement.

Zandvliet⁴⁵ emphasises that good practice should involve finding out about the individual's experience and not making assumptions or categorising. Israel et al.⁴⁶ also found that therapists who impose their values, judgements or decisions on the transgender clients are unhelpful. A culture of enquiry which encourages people to be curious about themselves and others is a core feature of TC treatment.⁴⁷ It is hypothesised that where there was a lack of enquiry on the part of others, this may be linked to a lack of knowledge. Indeed as previously noted the use of stereotypes about the attributes of social groups for example transgender people, are often used when there is a lack of information or understanding. In turn Matusitz⁴⁸ notes that having more knowledge about another group leads to a reduction in the use of stereotypes and in turn prejudices.

Coping

The use of maladaptive and adaptive coping mechanisms⁴⁹ was evident in how Jane sought to manage stressful experiences within the TC. In relation to maladaptive coping Jane primarily used aggression at times where she felt her gender identity was being threatened.

...I would've dealt with that (other prisoners not wanting a transgender person on their group) you know, in probably in an aggressive way ...

Dolovich⁵⁰ and Alexander and Meshelemiah⁵¹ note how the 'hyper-masculine' context of prison can deter transgender prisoners from expressing their gender identity and contribute to negative reactions to such expressions. Interestingly Stevens⁵² in her research exploring prisoners' experiences of TC treatment notes how aggression and the related concept of hyper-masculinity was not as highly valued within prison TCs as it is within mainstream prison culture. Instead vulnerability, including the use of emotional expression and interpersonal and communication skills, were admired. This may explain why Jane seemed to develop the adaptive coping strategies of seeking out support and increased verbalisation of her struggles to others during her time at the TC.

I slowly got a sort of lid on that ... I mean I talked about it on my small group, why I felt like I felt...

Seeking out and gaining support were salient features of her experience. She reported a mixed experience of contact with other transgender prisoners.

Researcher: 'There were other people who were going through that process so ... what was that like?

Jane: Erm (pause) I'll be honest with you I did not believe what this person was saying to begin with erm.

Researcher: Believe in terms of what?

Jane: There were certain things that was being said that didn't ring true in my eyes ... I

A culture of enquiry which encourages people to be curious about themselves and others is a core feature of TC treatment.

45. See n.27.

46. See n.31.

47. Campling, P. (2001). *Therapeutic communities. Advances in Psychiatric Treatment*, 7, 365-372.

48. Matusitz, J. (2012). Relationship between knowledge, stereotyping and prejudice in interethnic communication. *Revista du Turismo y Patrimonio Cultural*, 10 (1), 89-98.

49. See n. 26.

50. Dolovich, S. (2011). Strategic segregation in the modern prison. *American Criminal Law Review*, 48 (1), 1-110; Edney, R. (2004). To keep me safe from harm? Transgender prisoner and the experience of imprisonment. *Deakin Law Review*, 9, 327-338; Blight.

51. Alexander Jr., R. & Meshelemiah, J. (2010). Gender identity disorder in prisons: What are the legal implications for prison mental health professionals and administrators?. *Prison Journal*, 90 (3), 269-287.

52. Stevens, A. (2013). *Offender rehabilitation and therapeutic communities: Enabling change the TC way*. New York: Routledge.

said I'm not going to give up my stuff for you to go to clinic right and and yam up my stuff, know what I mean, because the person was asking me about my life my experiences, about my, you know, what I felt and and I wouldn't give that up...

Whilst her decision to distance herself from other transgender prisoners may be for a number of reasons, the perceived authenticity of the other transgender prisoner's motivations appeared to influence her decision as to whether to accept support and share experiences with the individual. This is in line with research exploring the functioning of marginalised individuals and groups. Namely identifying and affiliating with other similarly stigmatised individuals can act as a useful coping mechanism which protects the individual's self concept and self esteem from the effects of discrimination.⁵³ However, Hornsey and Jetten⁵⁴ found that when there is an 'imposter' within a group this was considered to be damaging and they were less likable than an authentic non-group member. What appeared significant was not necessarily having other transgender prisoners to speak to but having anyone who understood her and who she could express herself to.

I felt alone as in the sense of the only person on the wing who was transgender but I didn't feel isolated as such erm based on other people, my best mate (non-transgender prisoner) for example that knew about me erm and he knew quite a lot about my life as well erm so I had somebody else to go and talk to.

This was further evidenced in her relationship with other transgender prisoners, which was not solely based on their experiences of being transgender / transfemale.

...we didn't talk about trans stuff...we wouldn't just talk about that issue we talked about lots of different things...

Jane also placed significant importance on having extensive knowledge regarding her gender status and transition process, which seemed to help her feel more secure. This is likely to have contributed to her strong sense of self as a transfemale which in line with the Rejection Identification model⁵⁵ states that identifying more with a stigmatised identity can function as a buffer to counteract harm that is experienced.

...see in the world of everything, knowledge is power so therefore erm I made it my business to know as much as I know about transgender and about my process and about everything.

. . . identifying and affiliating with other similarly stigmatised individuals can act as a useful coping mechanism which protects the individual's self concept and self esteem from the effects of discrimination.

Practice implications

Transgender offenders and TC treatment

The aim of this research was to better understand what it is like for a transfemale prisoner to be in treatment within a prison TC. Specifically, the research conducted provides further insight into the extent to which disclosure impacts upon treatment engagement and indicates how supporting the prisoner in having autonomy over the process and decision to disclose is important. In regards to treatment responsivity factors, Jones and Brooks⁵⁶ state that sequencing of treatment requires consideration when gender reassignment affects the prisoner's short and long term response to the therapeutic intervention. This research indicates that transgender prisoners are able to benefit from offending behaviour treatment. Their engagement in offending behaviour treatment is mediated by the extent to which the treatment approach is responsive to the needs of the transgender prisoner. Specifically engagement within treatment was enhanced where the treatment environment and those involved in treatment were able to be supportive,

53. Abrams, D., Hogg, M. A. & Marques, J. M. (2005). *The Social Psychology of Inclusion and Exclusion*. Psychology Press: New York.

54. Hornsey, M. & Jetten, J. (2003). "Not being what you claim to be: Impostors as sources of group threat". *European Journal of Social Psychology*, 33, 639-657.

55. See n.25.

56. See n. 7.

knowledgeable and engage with the individual about their gender identity and transition process. From this the following considerations are recommended for professionals when working with transgender prisoners within offending behaviour treatment:

- What is the prisoner's transgender status and what does it mean to them individually?
- To what extent is the prisoner's transgender status apparent / known to others? What confidentiality issues and / or agreements need to be considered in relation to this? How would disclosure affect their treatment engagement?
- Practically what needs does the prisoner have that may impact on treatment engagement, for example location and association with other prisoners?
- How will other prisoners respond? How will this be managed?
- What changes to course material are required so the individual's transgender status is recognised and affirmed?
- How do the treatment providers feel about working with the transgender prisoner in terms of their confidence, knowledge and understanding and views regarding transgender status and transition processes generally? What support can be offered to inform and skill up treatment providers?
- Does the individual's transgender identity and transition process feature in their risk of reoffending? If yes, how is this going to be approached / addressed in treatment?

Case study research

A common concern associated with case study research is the generalisability of the results. The author makes no assumption that the single case study presented in this paper is representative of all members of the transgender prisoner population. Furthermore, whilst the generalisation of results is important to help aid practice and scientific development, the value of case studies in developing our knowledge and understanding of the specific experience should not be underestimated. It provides a detailed account of the experiences of one member of a group largely ignored by both the general research community and the criminal justice system.⁵⁷ Limitation to case study research concerns the potential for 'verification bias', a tendency to confirm the researcher's preconceived notions. However, Flyvbjerg⁵⁸ reports that all researchers, quantitative and qualitative, are vulnerable to verification bias. Furthermore, Flyvbjerg⁵⁹ notes that due to quantitative data being unable to 'talk back' there is a higher likelihood of verification bias, compared with qualitative research.

Future research

There is no official data held in relation to the number of transgender prisoners within the UK Prison estate,⁶⁰ which would help facilitate further research within the area. In turn further research exploring transgender prisoners' experiences of treatment would help provide further insight. Such research will help better inform guidance and policy for treating such prisoners whilst in custody. In addition, consideration of how gender reassignment impacts upon risk of future reoffending would be of value. This would help inform risk assessments of such offenders to ensure they are managed safely and supported appropriately.

57. See n. 23.

58. Flyvbjerg, B. (2006). Five misunderstandings about case-study research. *Qualitative Inquiry*, 12 (2), 219-245.

59. See n.56.

60. See n. 12.

Becoming Visible: Gypsy Roma Travellers in Prison

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Introduction

In February 2014 Her Majesty's Inspectorate of Prisons found 1/20 of all prisoners to be from a Gypsy Roma or Traveller background.¹ The findings beg further investigation to fill the gaps in knowledge, and, encourage debate (in contrast to the silence) around why so many GRT people are incarcerated, or, at risk of being so in the near future. Apposite to the disclosure by HMIP this article focuses on the literature available on GRT communities and the criminal justice systems across the UK, Ireland and elsewhere in Europe. In particular, attention is drawn to key works sourced during compilation of my 2008 PhD.² In the first instance the historic invisibility of GRT communities within criminal justice systems is analysed, followed by a critical evaluation of literature concerning policing of these communities. Thereafter and prior to a conclusion, attention is focussed on how we might theorize the situation of Gypsy Roma Travellers within criminal justice systems.

The Invisibility of Gypsy Roma Travellers

As far back as 1979 Marti Gronfors raised concerns as to what was unknown about the GRT community and the criminal justice system in Finland suggesting that:

It would be of great service to criminologists, to administrators and to public opinion in

general, if national or ethnic origins, both of offenders and of victims, could be shown, along with sex and age.³

Later, in 1994 Pizani Williams⁴ was the first author to assess the situation of GRTs within the criminal justice system in England. As a serving probation officer, Williams had contact with the Traveller community in Kent. Using her status as an insider to undertake research and create statistics⁵ Williams found that Travellers were more likely to be prosecuted earlier in their criminal career than non-Travellers and this finding was supported by the number of cautions⁶ Travellers had received in comparison to non-Travellers. It is of concern then that the recent report by HMIP found that within secure training centres (holding young people between 12 and 18 years old) 12 per cent considered themselves as Gypsy, Romany or Traveller whilst in Medway STC in Kent, this figure was 22 per cent. More shocking still is the fact that these figures may be even higher (many individuals may have feared negative consequences of disclosure). It is also of huge concern that in 2014 policy officer Cottrell-Boyce⁷ stated that:

On numerous occasions I've spoken to frustrated probation officers who have had to recommend custody rather than a community sentence in pre-sentence reports because the Traveller offender in question lacked the literacy level needed to enrol on an offender behaviour course in the community.⁸

1. People in prison: Gypsies, Romany and Travellers A findings paper by HM Inspectorate of Prisons: <http://www.justice.gov.uk/downloads/publications/inspectorate-reports/hmiprobation/joint-thematic/gypsies-romany-travellers-findings.pdf>
2. Drummond, A. (2008) *Irish Travellers and the Criminal Justice Systems across the Island of Ireland*, PhD Thesis University of Ulster, funded by DELNI.
3. Page 15: Gronfors, M. (1979) *Finnish Gypsies and the Police: An Examination of a Racial Minority and its Relationship with Law Enforcement Agents*, London School of Economics and Political Science, University of London.
4. Williams, L.P. (1994) *Gypsies and Travellers in the Criminal Justice System: The Forgotten Minority?* University of Cambridge Institute of Criminology, Cropwood Occasional Papers No. 23.
5. At the behest of Williams from 01/04/1994 until 13/09/1994 Kent Probation Service included an additional category of Traveller within the monitoring of pre-sentence reports. Thus, comparisons of proposals made in pre-sentencing reports and decisions taken in sentencing between black/white and Traveller populations were enabled. Probation officers also completed an additional 21 questionnaires with Travellers and interviewed six Travellers already known to them on their caseload.
6. As stated by the CPS 'A caution is a serious matter [yet it may] give 'rise to a danger that an offender will be cautioned when a more informal action might have been more appropriate': http://www.cps.gov.uk/legal/a_to_c/cautioning_and_diversion/index.html#a03
7. Cottrell-Boyce, J. (2014) 'Too many Gypsies and Travellers end up in prison – this must be addressed', <http://www.theguardian.com/commentisfree/2014/mar/12/too-many-gypsies-travellers-prison-education> [Accessed: 13/03/14]
8. Similar issues were identified within a major research project on which I was employed as a research assistant: Power (2004) <http://www.statewatch.org/news/2005/feb/Room-to-Roam-England's-Irish-Travellers.pdf>

The 2014 findings of HMIP beg at least two questions. In the first instance: how many opportunities have been missed to intervene in this dire situation since Williams first raised the issue in 1994? Secondly, what impact is the government funding cuts having on this particular group?⁹

In 2002 police officer O'Hanlon¹⁰ observed that the 'invisibility of the [Gypsy/Traveller] community alone [within criminal justice system statistics] suggests a potential for institutional racism'. Likewise, referring to the situation pan-Europe the Directorate General for Employment and Social Affairs of the European Commission (2004)¹¹ expressed concerns that:

The current gap in race-specific statistical data deprives policy makers of a clear and justifiable basis for action. Without such statistical data, little concrete information exists which might motivate change (DGESAEC, 2004: 39).

Hence the recent findings by HMIP on the GRT community should be welcomed by academics, practitioners, and, members of the GRT communities.

As in the case of researchers before me, one of the main problems I faced in my research was a dearth of statistics on the GRT community and criminal justice (in any jurisdiction within Europe). Literature on stop and search on the island of Ireland was unavailable during my research exercise. Largely, I found the ethnicity of Travellers was not monitored by criminal justice systems across the island. Efforts to ascertain information on Travellers held within prisons in Northern Ireland and the Republic were met with extremely limited assistance. However, during the literature review I

found that in 2002 and 2003 respectively Linehan *et al*¹² and Fitzpatrick Associates¹³ both raised concerns as to the lack of accurate statistics on Travellers in jail. Apposite to the findings of HMIP in 2014 Linehan *et al* assessed the incarceration rate of Travellers to be particularly high in contrast to other white Irish prisoners. In addition, Linehan *et al* were particularly concerned as to the un-met mental health needs of incarcerated Travellers. Similarly, in Greece in 2000 Livaditis *et al* raised concerns with regards the situation for the Roma vis-à-vis non Roma held within Greek jails.¹⁴ Due to the lack of knowledge on Travellers and prison the research findings of Fitzpatrick Associates and NTDI remain of special interest.

The research conducted by Fitzpatrick Associates and NTDI consisted of a training project with three aims. The first aim was to assess the awareness levels of prison officers and inmates concerning multi-ethnic nationality¹⁵ and Irish Traveller cultures. The second aim was to deliver training to prison officers and inmates relevant to differing 'multi-cultures'. The third aim was to collect feedback and assess the findings. The outcome was that inmates reported that the sessions concerning Travellers had been more beneficial to them (the inmates) than sessions concerning multi-ethnic nationalities, yet, for prison officers, the reverse was found to be true.¹⁶

Despite a lack of statistics to inform my research, informally I found the Police Service for Northern Ireland *do* record Travellers held in custody although this information is not made publicly available.¹⁷ Also, in summer 2007, as a consequence of an informal conversation with police officers at Londonderry/Derry airport, I was shown a receipt book used when stopping and cautioning or fining individuals for traffic

9. In 2011 myself and others were made redundant from a GRT support services team (which I managed) delivered by Central & Cecil Housing Trust. The service had been praised by police and probation services for its intervention and work with ex offenders, and, amongst other issues, assisting Travellers with literacy to enable them to take their driver theory tests.
10. P. 57: O'Hanlon, M. (2002) 'An Investigation into how the Metropolitan Police Service Performs its Function in Relation to Gypsy and Traveller Communities, MSc. Race and Ethnic Relations, Birkbeck College, University of London.
11. Directorate General for Employment and Social affairs of the European Commission, (2004) 'The Situation of Roma in an Enlarged European Union; Fundamental Rights and Anti-discrimination', Luxembourg: Office for Official Publications of the European Communities.
12. Linehan, S., Duffy, D., O'Neill, H., O'Neill, C., Kennedy, H. G. (2002) 'Irish Travellers and Forensic Mental Health', *Irish Journal of Psychological Medicine*, 2002; 19 (3): 76-79.
13. Fitzpatrick Associates and NTDI (2003) 'Research and Training Project for Intercultural Awareness', Report prepared for The Irish Prison Service, conducted in Wheatfield Prison.
14. Livaditis *et al* (2000) found that Greek Gypsies were over-represented in Greek jails and that the mental health of Gypsies held in Greek prisons was also a cause for concern: Livaditis, M., Fotiadou, M., Kouloubardou, F., Samakouri, M., Tripsianis, G., Gizari, F., (2000) 'Greek Adolescents in Custody: Psychological Morbidity, Family Characteristics and Minority Groups', *The Journal of Forensic Psychiatry*, Vol 11, December, 597-607.
15. This is the actual term used by NTDI.
16. The findings raise the following hypotheses:
 - a. Perhaps there were more Irish Travellers in prison than indicated in official statistics such as Volume 8 of the 2002 Census. In Volume 8, Table 27 indicated that only 197 Irish Travellers had been held in prison in 2002: http://www.cso.ie/census/documents/vol8_t26_34.pdf, [Accessed: 20/05/05]. Regrettably, the link has been removed since my initial discovery of this information.
 - b. The findings could reflect the fact that prison officers were in greater need of knowledge concerning minorities other than Travellers.
 - c. Perhaps the findings are indicative of racism towards non Irish nationals by inmates.
 - d. The findings could indicate a lack of concern for Irish Travellers as a distinct ethnic minority by officers.
17. This information was made known to me as a consequence of meetings with three police officers in Northern Ireland.

violations. The receipt book held five categories of ethnicity, one being 'Irish Traveller'. Therefore the PSNI has for some (indistinguishable) time had the ability to officially monitor the ethnicity of Travellers (and others) with regards traffic violations. Yet, it remains unclear as to how such a system can be enforced. Travellers stopped for motoring offences might simply claim a White identity. Despite a lack of statistics on the GRT communities and concerns at the negative outcomes this may have had for them,¹⁸ as outlined in detail below the impact of what has been referred to as the canteen culture¹⁹ of policing on Travellers is clearer.

Policing the GRT Communities

In England Police officer John Coxhead²⁰ disclosed that in 2001 the Police Complaints Authority Annual Report²¹ raised concerns that their members 'noted a growing number of examples during the year of allegations of discriminatory treatment of Travellers'. Dismay was expressed by the PCA that 'police officers, on and off duty, continue to use offensive language and stereotypes' with regards Travellers.²² Overall, the PCA found the behaviour of some officers to be 'incompatible with ethical and respectful policing' and that 'evidence of it should invariably result in formal misconduct action'.²³ Coxhead also found that prejudiced officers are allowed to contaminate cultural awareness training sessions (especially concerning GRT issues) and little has been done to counteract such a serious issue. In fact, Coxhead identified that sessions can become problematic for trainers:

Coxhead also found that prejudiced officers are allowed to contaminate cultural awareness training sessions (especially concerning GRT issues) and little has been done to counteract such a serious issue.

*Racists can believe very strongly that their labelling, categorisations and assumptions are the truth and such strong belief can be overwhelming to a susceptible trainer...No practitioner can be effective unless they believe in what they are doing and their values are harmonised, not cognitively dissonant, with the content matter they are training.*²⁴

Similarly, during my research I found five Travellers who had trained police officers in cultural awareness perceived those officers as being there purely on orders, as opposed to wanting to learn about Traveller culture.²⁵ The perspectives of the Travellers were that the attitudes of police officers had made trainers anxious for each awareness seminar to end. In particular, the manner of police officers had dissuaded one Traveller who had given awareness sessions to police in Northern Ireland from ever doing so again. I was informed by this same Traveller that some police officers (some of whom were new recruits) sat with their heads bowed as if asleep, some yawned animatedly, others leaned back in their chairs as if relaxing. This is despite recommendations in Northern Ireland made by the Patten Report in 1999²⁶ as to 'the development and integration of community awareness training into all aspects of training for police recruits'.²⁷

The information presented so far indicates a need for the continual close inspection of police work. As stated by O'Rawe and Moore in 1997: 'policing is a

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18. If the ethnicity of GRTs is not recorded then intervention is impossible. See: Mac Gabhann, C. (2012) *Voices Unheard A Study of Irish Travellers in Prison*, The Irish Chaplaincy in Britain: http://www.iprt.ie/files/Voices_Unheard_June_2011.pdf
 19. Identified by Reiner (1992) as the sexist/racist/homophobic behaviour and language of policing: Reiner, R. (1992) *The Politics of the Police*, 2nd Edition, Sussex, St. Martins Press.
 20. Coxhead, J (2004) 'Anti-Racism Training Strategies for the Police Service and Criminal Justice Sector, Gypsies and Travellers', Paper presented to the Police Service and Criminal Justice Sector, 01/08/04, Derbyshire Police Headquarters. Coxhead, J. (2007) *The Last Bastion of Racism: Gypsies, Travellers and Policing*, Trentham Books, Stoke on Trent.
 21. Police Complaints Annual Report (2001 - 2002: 65), cited by Coxhead (2004: 4).
 22. *Ibid*: cited by Coxhead, (2004: 4).
 23. *Ibid*: 2004: 4.
 24. Coxhead, 2007: 40.
 25. In Britain Williams, (1994: 25) found that '[a]ttempts to include Gypsies and Travellers in race relations training for police officers have been received with hostility and rejection [by police]'
 26. Patten Report (1999) The Report of the Independent Commission on Policing for Northern Ireland, <http://cain.ulst.ac.uk/issues/police/patten/patten99.pdf>
 27. Patten Report (1999) cited at p: 29: Police Service of Northern Ireland (2002) 'New Directions, A Human Rights and Racial Equality Focus on Policing with Ethnic Minority Communities', Ramada Hotel, Belfast, 21st-22nd October 2002, PSNI Northern Ireland.

function carried out in the name of society as a whole'. Moreover:

...it is a civic responsibility to monitor closely how policing is carried out, and to ensure that it is discharged in accordance with international principles, and with respect for all...It is in the interests of the police and society as a whole that policing be subjected to regular and intense scrutiny.²⁸

In line with the mantra of respect for all, in discussion of a miscarriage of justice that occurred close to the border with Northern Ireland, the conclusion of the Morris Tribunal 2006²⁹ exemplified why policing requires 'regular and intense scrutiny'.

The Morris Tribunal 2006 found that on the 22nd of May 1998, in the company of Detective Garda Thomas Kilcoyne, Detective Sergeant John White had 'deliberately planted a gun at an encampment of the Irish Traveller Community at Burnfoot'³⁰ in County Donegal. It was said that Detective Sergeant White had engaged in 'this shocking conduct' in order to:

...make it more likely that an arrest under section 30 of the Offences Against the State Act, 1939 could, and would, be used against those peacefully camped there.³¹

The Morris Tribunal found that after planting a gun at the Traveller site Detective Sergeant John White organised a search of the site and seven Travellers were arrested. In summary of the findings, the Morris Tribunal found that the seven Irish Travellers were 'referred to casually by derogatory names while they were in Garda custody'.³² In fact, it was found that members of the Irish Traveller Community had been subjected to:

...racist abuse by certain isolated Gardaí that the Tribunal cannot [could not/was unable to] identify by name or rank.³³

In summary, the Morris Tribunal asserted that 'for the security of the State and for the security of its citizens', it is evident that there must be an 'effective police force'.³⁴ In the Tribunal's opinion, with regards to the events at Burnfoot 'proper discipline [had] been lost from the Garda Síochána'.³⁵ In conclusion the Morris Tribunal warned that:

Without a management structure being restored to the Gardaí that is based on strict compliance with orders, and immediate accountability, the danger is extreme that what the Tribunal has reported on in Donegal will be repeated; and that such conduct will multiply if allowed to go unchecked.³⁶

Given the evidence outlined so far, how might we begin to theorize the findings by HMIP 2014 that 1/20 prisoners are from the GRT communities?

Theorizing the Incarceration of GRT People

On occasions nomadic groups (and those linked by association such as non-nomadic GRT people) are subjected to increased surveillance by police due to their status as deviant or 'other' which is amplified in discourse within the media.³⁷ The Morris Tribunal underlined the fact that the status of outsider might incur miscarriages of justice for some Gypsy Roma Travellers. Thus, as indicated by a range of authors it appears to be the case that it is the processes involved in surveillance of so called 'dangerous classes',³⁸ the labelling (and processing) of them as deviants during stages of engagement with members of the criminal

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28. Cited at p:10: O'Rawe, M., Moore, L. (1997) *Human Rights on Duty, Principles for Better Policing – International Lessons for Northern Ireland*, Committee on the Administration of Justice Ltd, Belfast.
29. *The Morris Tribunal* (2006) 'Report of the Tribunal of Inquiry Set up Pursuant to the Tribunal of Inquiry (Evidence) Acts 1921- 2002 into Certain Gardaí in the Donegal Division; Chairman: The Honourable Mr. Justice Frederick R. Morris, Report on the Arrest and Detention of Seven Persons at Burnfoot, County Donegal on the 23rd of May 1998 and the Investigation Relating to Same', <http://www.justice.ie/en/JELR/Morris5thRpt.pdf/Files/Morris5thRpt.pdf> (Accessed: 10/11/06).
30. *The Morris Tribunal*, 2006, Conclusions (1): 187.
31. *The Morris Tribunal*, 2006, (1).
32. *The Morris Tribunal*, 2006, Chapter 2, Conclusions: 12.
33. *ibid*: 14.
34. *The Morris Tribunal*, Chapter 6, Conclusions and Recommendations: 6.05.
35. *ibid*: 6.05.
36. *ibid*: 6: 05.
37. See: Richardson, J. (2006) *The Gypsy Debate, Can Discourse Control?*, Imprint Academic, Exeter. See also Vanderbeck, R. M. (2003) 'Youth, Racism, and Place in the Tony Martin Affair,' *Antipode*, Volume 35, Number 2, March 2003, pp: 363-384(22) Publisher: Blackwell Publishing.
38. See page 298 of Scraton & Chadwick as they discuss what is referred to as the 'dangerous classes' being those individuals who's 'conditions were seen as the breeding ground of dissension and a real threat to civil order and social stability' Scraton, P., Chadwick, K. (2005) 'The Theoretical and Political Priorities of Critical Criminology', P: 294-309, in, *Criminological Perspectives, Essential Readings*, 2nd ed. E. McLaughlin, J. Muncie, G. Hughes, (Eds.) Sage, London.

justice agencies that requires further scrutiny.³⁹ The impact of marginalisation must also be considered. I doubt many Travellers are in jail due solely to the direct impact of anti-trespass laws and lack of accommodation provision.⁴⁰ Nevertheless, such a scenario will likely have an impact on access to education and employment for many Travellers⁴¹ and much has been written about the links between lack of education, employment opportunities and risk of incarceration.⁴² Moreover, as identified by Fountain 2006, unemployment is also a risk factor for problematic drug use.⁴³ The potential for victimhood at the hands of vigilantes may also be increased due to the double jeopardy created by lack of accommodation provision, and, use of anti-trespass legislation.⁴⁴ Of course it is true that some offenders choose to commit crimes. However, alongside the gaze of criminal justice agencies the notion of self-fulfilling prophecies: (broadly) acting up to stereotypes and becoming criminal as a consequence of labelling, requires further contemplation. Thus, sociology (especially its school of interactionist thought) may be able to enlighten us. Investigation along these lines of enquiry could enable us to answer the question why so many Gypsy Roma Travellers are incarcerated, and, how to counteract it. It may also engender further debate as to bad apples, barrels, or even, orchards, within policing.⁴⁵

It is evident that until very recently little was known as to the situation of Travellers with criminal justice agencies. Certainly there was a dearth of statistics. However, research such as mine and that of other authors has identified the gaps in knowledge surrounding this issue. We should all be concerned as to the recent findings of HMIP for they imply (as stated by Cottrell-Boyce) that we are paying 'a high [financial and social] price for telling an entire community that they are not wanted'. My research indicates strongly that since the 1960s governments in the UK and Ireland reinforced this message by passing anti-trespass legislation despite failing to deliver on promises concerning accommodation policies for Travellers. I remain deeply concerned as to the mental health issues of anyone who is victim to the pernicious impact of being labelled, relegated to the status of outsider, and, largely forgotten within society in general. Now that GRT people have started to become visible within prisons we need to open up debate around the silences on this issue and ask why so many Gypsy Roma Travellers are currently held in jail.

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39. Cemlyn et al found that Gypsies and Travellers can be reluctant to report crimes against them to police thus they can experience a high rate of surveillance alongside under-protection: Cemlyn, S., Greenfields, M., Burnett, S., Matthews, Z., & Whitwell, C. (2009) Inequalities experienced by Gypsy and Traveller communities: A review, available at: http://www.equalityhumanrights.com/uploaded_files/research/12inequalities_experienced_by_gypsy_and_traveller_communities_a_review.pdf [Accessed: 24/03/14].
40. Despite my claim, during my research I interviewed an elderly nomadic Traveller in Cork. As a consequence of there being no transient sites to resort to, the Traveller and his wife were the first two people to receive suspended prison sentences for illegal encampment in the Republic of Ireland. Despite the fact that the couple were claiming welfare benefits the courts also fined them and their son €1000 between them.
41. I discuss such issues in the following articles: Drummond, A. (2007) 'The Construction of Irish Travellers (and Gypsies) as a Problem', pp: 2 - 42, in, *Migrants and Memory: The Forgotten "Postcolonials"*, (Ed. Micheál Ó hAodha), Cambridge Scholars Publishing. Drummond, A. (2007) 'Keep on Moving, Don't Stop Now: Anti-trespass Laws on the Island of Ireland', (Eds. Micheal Hayes & Thomas Acton) p; 37 - 53, in, *Travellers, Gypsies, Roma: The Demonisation of Difference*, Cambridge Scholars Publishing, Newcastle-Upon-Tyne. Drummond, A. (2006), 'Cultural Denigration: Media representation of Irish Travellers as Criminal', P: 75 - 85, in, *Counter-Hegemony and the Postcolonial "Other"* (Eds. M, Hayes, T, Acton), Cambridge Scholars Press, Cambridge.
42. See for example: Morgan, M., Kett, M. (2003) 'The Prison Adult Literacy Survey Results and Implications', Irish Prisons Service and Education Department, St. Patrick's College, and Department of Education and Science, Dublin, http://www.irishprisons.ie/pdf/Adult_Literacy_Survey.pdf, (Accessed: 02/08/06). Ó Loingsigh, G. (2004) Getting Out, Staying Out: The experiences of Prisoners Upon Release', Irish Prisons, http://www.iprt.ie/files/ireland/getting_out_staying_out.pdf, (Accessed: 20/10/05). Seymour, M. (2004) 'Homeless Offenders in the Community: The Issues and Challenges for Probation Supervision', *Irish Probation Journal*, Volume 1, September 2004, pp: 2-13.
43. Fountain, J. (2006) National Advisory Committee on Drugs 'An Overview of the Nature and Extent of Illicit Drug Use Amongst the Traveller Community: an Exploratory Study', Published by the Stationery Office, Dublin.
44. Vigilantism against Travellers is the main concern of the following article: Drummond-Donnelly, A (2014) Not in My Back Yard: Control of Irish Travellers by Paramilitaries and Vigilantes across the Island of Ireland, *Contemporary Justice Review*.
45. See: Gottschalk, P., Dean, G., & Glomseth, R. 'Police Misconduct and Crime: Bad Apples or Systems Failure?' *Journal of Money Laundering*, Vol 15, 1, 2012.

Adaptation, the meaning of imprisonment and outcomes after release — the impact of the prison regime

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Introduction

The prison experience varies between regimes. Studies focusing on the different experiences of people in different prisons have found that prison conditions and staff-prisoner relationships are especially important in determining the experience of the sentence.¹ Very strict and punitive regimes have been associated with more oppositional coping styles² and with contributing to an aversarial stance towards the justice system.³ However, studies highlighting opposition⁴ have all been conducted in the US, where gang membership and ethnic divides lead to higher levels of violence amongst prisoners and where prison regimes tend to rely more on coercion than on legitimacy in order to maintain order.⁵ This article discusses how the experience of one regime impacted on the way long-term prisoners in HMP Glenochil in Scotland coped with their imprisonment and the effect this had on the meaning of their sentence and their prospects after release. It draws on 27 narrative interviews with men at the start and end of a long sentence (over 4 years) and on license that explored their views of the purpose of their sentence, its fairness, and how the sentence was given meaning in the context of their wider lives.

accommodated both short-term and long-term prisoners; amongst those interviewed, one had been sentenced to life and four men were sentenced to 10 years. All the others were serving four to 10 years sentences. As in the rest of Scottish prisons (where only 4 per cent of prisoners are recorded as being from a Black and minority ethnic (BME) background⁶), few prisoners were non-white, and amongst the interviewees there was only one BME prisoner. HMP Glenochil was praised in its most recent HM Inspectorate of Prisons report for its positive staff-prisoner relationships and the way in which the regime maintained a safe environment.⁷ While some of the interviewees in Glenochil commented on negative interactions they had had with staff members, in general they described most prison staff as cordial, respectful and relatively helpful.

There's not so much prisoners, they have better facilities, in this [prison] they seem to take a bigger interest in you. You are not just a statistic, so to speak, they try to do stuff for you. (Colin)

The interviews also suggested that levels of fear and violence were low within Glenochil. For example, James, who had been there 5 years, said 'It's been very easy, no problems at all, I've never even seen a fight'.

Prison conditions

HMP Glenochil held male prisoners of all security categories at the time of the interviews. It

Adaptation to imprisonment

In describing the best way to cope with imprisonment in Glenochil, it was striking how many of

1. C. Kruttschnitt & R. Gartner (2005) *Marking Time in the Golden State: Women's Imprisonment in California* (Cambridge: Cambridge University Press); A. Liebling (2004) *Prisons and Their Moral Performance: A Study of Values, Quality, and Prison Life*. (Oxford: Oxford University Press); R. Sparks, A. Bottoms & W. Hay (1996) *Prisons and the Problem of Order*. (Oxford: Clarendon Press).
2. Kruttschnitt & Gartner, *Marking Time in the Golden State*.
3. D. Franke, D. Bieri & D. L. Mackenzie (2010) Legitimacy in Corrections, *Criminology & Public Policy*, 9(1), pp. 89–117; L. Presser (2008) *Been a Heavy Life: Stories of Violent Men* (Urbana, IL: University of Illinois Press).
4. Franke, Bieri & Mackenzie (2010) Legitimacy in Corrections; Kruttschnitt & Gartner, *Marking Time in the Golden State*; Presser, *Been a Heavy Life*.
5. B. Crewe (2009) *The Prisoner Society: Power, Adaptation, and Social Life in an English Prison* (Oxford: Oxford University Press).
6. Scottish Government (2012) *Prison Statistics and Population Projections Scotland: 2011-12* (Edinburgh: Scottish Government), Edinburgh. Available at <http://www.scotland.gov.uk/Publications/2012/06/6972/3>, accessed December 7, 2012.
7. HM Inspectorate of Prisons (2010) *Report on HMP Glenochil* (Edinburgh: Scottish Government), Edinburgh. Available at <http://www.scotland.gov.uk/Resource/Doc/321554/0103379.pdf>, accessed June 4, 2013.

the men said that to survive you have to 'get your head down' or 'keep you head inside the walls'. These phrases vividly evoke how the men limited their horizons in order to make their imprisonment less painful. Limiting their horizons in space allowed them to ignore what they had lost.

Because I'm in the jail, I just forget about the outside world. It helps me to get on with it in here, you ken what I mean. Because if I don't have an outside, I can't bring it in. This is my world just now, you ken what I mean, I just deal with this. (James)

Limiting their horizons in time, or 'getting your head down and getting on with it' was, according to interviewees, the best way to speed up time. Not looking forward to anything, but being busy and getting immersed in the prison routine meant that the days passed more easily.

I can remember when it was June, I can remember saying to people, I was like that 'that's six months by already, it doesn't seem like two days ago it was Christmas' you know what I mean, that part flew in. See August/September, because there was a lot of rigmarole about me going to the Castle and stuff like that, the time sort of slowed down. (Doug)

This strategy of limiting their temporal horizons was made easier by the relatively busy days at Glenochil. The men said that because they spent little time locked up, with many different activities and work parties on offer, it was easier to focus on the here and now than in prisons where they spent a lot of time in their cells.

It makes the time go quicker, I find, rather than just sitting about. If you are sitting about the days go sort of dragging. Time sort of tends to stop. I also find this is a fast jail, it's a good set-up as far as jails go, it's busy all the time. (Neil)

Limiting their horizons included minimizing reminders of the world outside. The men described how they distanced themselves from family and friends in order to do so, with several prisoners limiting phone contact and visits in order to make their sentence easier to bear.

Devan: I tried both ways and in the end it was the second way that worked, keep my mind in here and forget more about outside.

MS: And how have you managed to do that, how do you do that?

Devan: Eehm, cut down the amount of time that I spend on the phone. Like, I only use the phone once a week and (pause) eehm, I don't write as much. (Devan)

Limiting their horizons in time, or 'getting your head down and getting on with it' was, according to interviewees, the best way to speed up time.

Remarkably, all the interviewees in Glenochil described limiting their horizons in order to make their sentence easier to bear. Most studies, in contrast, have found that adaptation styles vary with personal characteristics.⁸ One possible reason for this is that studies focusing on adaptation have tended to operationalise this along several dimensions, such as engagement in educational activities, contact

with the outside world and disciplinary infractions⁹ or relationships with other prisoners and staff.¹⁰ This means that the findings reported here are not directly comparable with those of such studies: the Glenochil interviewees varied on many of these dimensions, but not in their own description of their *global* adaptation to imprisonment. However, their lack of opposition to their sentence, discussed in the next section, suggests that these interviewees are more similar in their adaptation than found in other studies.

Fairness of sentence

The need to impose limits on their horizons meant that the men's evaluations of the fairness of their sentence were also circumscribed. The interviewees described how they accepted the sentence imposed in order to make it easier to bear, again using the phrase

8. Crewe, *The Prisoner Society*; M. K. Dhimi, P. Ayton & G. Loewenstein (2007) *Adaptation to Imprisonment: Indigenous or Imported?*, *Criminal Justice and Behavior*, 34(8), pp. 1085–1100; Kruttschnitt & Gartner, *Marking Time in the Golden State*.

9. Dhimi, Ayton & Loewenstein, *Adaptation To Imprisonment*.

10. Kruttschnitt & Gartner, *Marking Time in the Golden State*.

'getting your head down' as short-hand for this strategy. That surviving the sentence was a significant reason to accept it is demonstrated by nine out of the twelve men who were interviewed in Glenochil commenting on the link between acceptance and adaptation:

It's still fair, I'm here I'm doing it. It doesn't have to be fair, that's how I'm dealing with it. (Peter, emphasis added)

A lot of people that come in say 'oh, I shouldn't have got that, it was too big', I think that makes a sentence harder, because you just accept it, that's what you got, you broke the law and you got caught and that was it. You'll probably get on with your sentence a lot better. (James)

While some of the men commented that it was expedient to accept your sentence, or at least to mask any anger, in order to progress through the regime,¹¹ these quotes show that doing so was also part of the wider adaptation of limiting their horizons. Only by letting go of a sense of injustice about their imprisonment were these men able to live as if the prison was their whole world. That the need to accept one's sentence was powerful is illustrated by two Glenochil interviewees who maintained they were innocent of their index offence. If true, these men had ample reason to oppose their sentence, but both accepted their sentence by referring to their 'general guilt'¹² of past or future crimes.

Maybe a sentence was just waiting to happen. Maybe not maybe not as much or as long a sentence, but with the crowd I was running about with at the time, pretty much, see, there was maybe a sentence in the making, you know what I mean? (Gordon)

In a technical sense, it's both a miscarriage of justice and a malicious prosecution, simply, you know? But, that said, eeh (pause) I kind of

shrug my shoulders with it, because at the end of the day, I was up to a lot of no good. (Alex)

Many other prison studies have also noted that acceptance of one's sentence is a favoured strategy among prisoners. Sykes¹³ found that the most admired stance in the prison he researched was that of the 'real man', who bore his sentence with equanimity. Similarly, Crewe¹⁴ found that prisoners who managed their own problems without complaining often accrued respect, while those who could not handle their sentence were disparaged. However, while these authors describe an admired stoicism involving being uncomplaining about hardship, in this research the lack of opposition was described as *reducing* the hardships of imprisonment, rather than as a product of brave forbearance.

In this, the men's strategy of limiting their horizons is similar to the adaptation of 'colonization' described by Goffman,¹⁵ where inmates of institutions live a relatively contented life by treating the limited bit of the world available to them as the whole world. However, while Goffman saw colonization as an individual and personal way of adapting to the demands of the environment, here *all* the men described

Many other prison studies have also noted that acceptance of one's sentence is a favoured strategy among prisoners.

limiting their horizons. Furthermore, while for many of the men, limiting their horizons and accepting their sentence was merely a pragmatic way to get through their sentence, for several of the men, the acceptance of their sentence provided the necessary backdrop for a more ambitious story of self and future. These men, including one who maintained his innocence, told a story of *transformation through imprisonment*. Reasons for this and the possible impact of such stories are explored in greater detail elsewhere,¹⁶ but it is worthwhile to focus on them briefly here. These stories were told by men who had precious little else in their lives to make their future desistance seem likely: they had little family support and no financial resources or job prospects upon release. Prison was the only experience standing between them and their offending past, and therefore the only possible fulcrum to explain a desired change. That attributing

11. See also Crewe, *The Prisoner Society*.

12. J. D. Casper (1972) *American Criminal Justice: The Defendant's Perspective* (Englewood Cliffs, NJ: Prentice Hall).

13. G. Sykes (1958) *The Society of Captives* (Princeton: Princeton University Press).

14. Crewe, *The Prisoner Society*.

15. E. Goffman (1968) *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates* (Harmondsworth: Penguin Books), p. 62.

16. M. Schinkel (2014) *Being Imprisoned: Punishment, Adaptation and Desistance from Crime* (Houndmills: Palgrave Macmillan).

transformation through imprisonment was a strategy born out of a lack of alternatives was supported by the fact that most of these men described forms of 'as if' rehabilitation¹⁷: they did not ascribe their transformation to an intervention on the part of the prison regime or staff, but to 'having time to think', 'going to the gym', 'the advice of older prisoners' or 'people taking an interest'. While the predictive power of telling such a story remains in doubt,¹⁸ if optimism is associated with a reduced chance of reoffending,¹⁹ then being in a position to tell a transformation-through-imprisonment narrative may be valuable for the desistance process. Moreover, as progressive narratives allow for a belief in positive change,²⁰ such narratives are likely to be psychologically beneficial, regardless of eventual reoffending outcomes. Importantly, this sort of optimistic progressive narrative is not likely to be available to those holding on to a sense of injustice.

Rehabilitation and outcomes after release

Previous literature has found that prisons with better staff-prisoner relationships are perceived as more rehabilitative.²¹ However, this was not the case in Glenochil: despite positive relationships with staff, most prisoners (with the exception of those telling a transformation story) felt that the prison had failed to rehabilitate them.

That's it, you are flinging me out the door with nothing, so (pause) and it's always the same when you say (pause) they always turn around and say to you 'Oh aye, you slipped through the net this time' you know what I'm talking about, you're just like a wheel in a cog, that's what more or less it is. (Ian, emphasis added)

Participants felt that there was too much reliance on cognitive behavioural courses, which were seen by most as being too superficial, and too caught up with their progression in the prison, to be effective.

Participants felt that there was too much reliance on cognitive behavioural courses, which were seen by most as being too superficial, and too caught up with their progression in the prison, to be effective. Both in and outside of the courses, there was too little individual input for the sentence to be rehabilitative, the men felt.

Interviews with nine men on license suggest that the adaptation of making the prison one's whole life might actually hinder rehabilitation, making it more difficult to readjust to life outside. These men had (mostly) not been released from Glenochil, but they described adapting in similar ways to similar regimes.

I always went to the cooks, seven days a week and worked fae morning tae night. I always kept mysel' occupied and blanked ootside. If I ever went to prison, within the first couple of weeks oh' me being in prison, ootside will be forgot about. (Jack)

These men, too, had limited their horizons during their imprisonment. But while the Glenochil interviewees described their ability to adapt to the prison environment with something akin to pride, those on license often depicted themselves as institutionalised. Some of the dimensions of their institutionalization were unrelated to their adaptation style. For example, they described how they had become dependent on institutional structures, which they tried to recreate through imposing rigid routines on themselves outside. However, at least one element of their struggle to overcome their institutional experience was linked to their adaptation of limiting their horizons. The men on license, like the Glenochil interviewees, had cut themselves off from loved ones in order to minimise reminders of their life outside

17. M. Comfort (2008) *The Best Seven Years I Could'a Done: The Reconstruction of Imprisonment as Rehabilitation.*, in: P. Carlen (ed.) *Imaginary Penalties*, pp. 252–274 (Cullompton: Willan Publishing).

18. Schinkel, *Being Imprisoned: Punishment, Adaptation and Desistance from Crime*.

19. R. Burnett (2004) *To Reoffend or Not to Reoffend? The Ambivalence of Convicted Property Offenders*, in: S. Maruna & R. Immergeon (eds) *After Crime and Punishment: Pathways to Offender Reintegration*, pp. 152–180 (Cullompton: Willan Publishing); S. Maruna (2001) *Making Good: How Ex-Convicts Reform and Rebuild Their Lives* (Washington, DC: American Psychological Association).

20. K. J. Gergen & M. M. Gergen (1997) *Narratives of the Self*, in: L. P. Hinchman & S. K. Hinchman (eds) *Memory, Identity, Community: The Idea of Narrative in the Human Sciences*, pp. 161–184 (Albany: State University of New York Press).

21. Liebling, *Prisons and Their Moral Performance*; S. Patrick & R. Marsh (2001) *Perceptions of Punishment and Rehabilitation among Inmates in a Medium Security Prison: A Consumers' Report*, *Journal of Offender Rehabilitation*, 33(3), pp. 47–64; Sparks, Bottoms & Hay, *Prisons and the Problem of Order*.

while they were in prison, and were now suffering the consequences.

Tim: But sometimes I miss some elements o' prison where I can (pause) shut my door and escape for a wee while, I enjoyed that (pause). The troubles will go away when you shut the door.

MS: So why can you do that in prison and not at home for example?

Tim: Because you've got family and you've got people depending on you and you've got to face people and you cannae bottle everything up and shut it all away, you've got to, got to go out there and face everybody so.

Having 'shut the door' literally and figuratively while in prison, Tim now struggled with opening up to his lived ones and having them rely on him. The fact that he had been released more than five years previously illustrates that problems with relationships do not necessarily reduce over time.

Discussion

While all the interviewed prisoners in Glenochil adapted by limiting their horizons, this is far from a universal adaptation amongst prisoners. Prisoners in other contexts take an oppositional stance towards the justice system as a whole, and their own treatment in particular.²² The main argument in this article is that the relatively positive prison conditions in HMP Glenochil had a significant effect on the way the men adapted to their imprisonment. This provides a counterpoint to the finding by other studies that prisons with relatively negative conditions tend to lead to oppositional coping styles. For example, Kruttschnitt and Gartner found that in a women's prison where relationships with staff were poor, the prison design was oppressive and security checks were frequent, the dominant coping style was one of isolation, with this

The main argument in this article is that the relatively positive prison conditions in HMP Glenochil had a significant effect on the way the men adapted to their imprisonment.

strategy adopted by women with very different pre-prison experiences. In another women's prison, where relationships were positive and daily experiences resembled outside life more closely, age and social class were much more important in determining how the women coped.²³ The findings reported here suggest that relatively positive conditions can also affect prisoners in such a way that almost all adopt the same adaptation strategy, regardless of different life experiences and different case characteristics, to the extent that even those who maintain they are innocent accept their sentence.

A recent UK illustration of how different regimes lead to different adaptations is provided by HMP Whitemoor, a high-security prison, where a recent study found that the overwhelming majority of prisoners served very long sentences, intrusive security measures were in place, staff-prisoner relationships were characterised by prisoners as stigmatising and there were high levels of violence between prisoners.²⁴ In Whitemoor 'a high proportion of prisoners were appealing and/or saw themselves as victims of an unfair criminal justice system'.²⁵ Prisoners describing their best moments in prison referred to opportunities to fantasise about being free; forgetting that they were imprisoned for short periods of time.

*It's only for a couple of hours but it's like you've been released. I can't believe how much it [the Older Prisoners' Club] means to me.*²⁶

This describes an adaptation that is almost the polar opposite of the one adopted by the Glenochil interviewees: one of mental escape rather than immersion in the prison routine. Like the Glenochil interviewees, prisoners in Whitemoor had to survive the prison environment and try to hold on to some positive sense of self, but given that their imprisonment was much 'deeper' 'heavier' and 'tighter'²⁷ than in

22. A. Liebling, H. Arnold & C. Straub (2011) *An Exploration of Staff-Prisoner Relationships at HMP Whitemoor: Twelve Years On* (London: Home Office); Franke, Bierie & Mackenzie, Legitimacy in Corrections; Presser, *Been a Heavy Life*.
23. Kruttschnitt & Gartner (2000) Doing Her Own Time? Women's Responses to Prison in the Context of the Old and the New Penology, *Criminology*, 38(3), pp. 681-718.
24. *Ibid.*, 36.
25. *Ibid.*, 35.
26. Liebling, Arnold & Straub, *An Exploration of Staff-Prisoner Relationships at HMP Whitemoor*, 48.
27. B. Crewe (2011) Depth, Weight, Tightness: Revisiting the Pains of Imprisonment, *Punishment & Society*, 13(5), pp. 509-529.

Glenochil, seeing themselves as victims was the best way to do both these things at once. The adaptation of limiting horizons and accepting one's sentence only works in prisons where life inside the prison walls is positive enough to become one's whole world.

Liebling and her colleagues have written:

if it were possible to construct a form of imprisonment whose basic structure and daily practices were more rather than less acceptable to those who undergo it, then the effects of this form of imprisonment might be less damaging and more socially constructive'.²⁸

The above indeed suggests that an acceptable regime does have benefits for those who undergo it, notable making it easier to cope with imprisonment. Prisoners in Glenochil benefited from their relatively acceptable environment. It made their life in prison easier to bear, which allowed them to make the prison their whole world and thereby to keep the pain of being confined and separated from loved ones to a minimum. This way of adapting meant that only very few opposed their sentence, which in turn is likely to

have had consequences for their, generally positive, view of the criminal justice system. It might be, then, that a more positive regime, can facilitate a view of the sentence as legitimate (or at least as acceptable), which in turn can improve the legitimacy of the criminal justice system amongst prisoners.²⁹

However, by looking beyond the prison walls the analysis here shows that there are limits to the positive consequences of a more liveable prison environment. Most Glenochil interviewees did not feel that they had been rehabilitated during their time in prison. They felt they needed more individual attention, rather than just cognitive behavioural programmes, to effect reform. Prisoners who had been released and who had adopted a similar adaptation-style as the Glenochil interviewees (limiting their horizons) struggled upon release to reconnect with loved ones and to find their place in society. This suggests that a more acceptable regime does not, in itself, lead to more 'socially constructive' outcomes. For this, far greater emphasis on personal development and preparing people for their release might be necessary. It might even be the more positive regimes that need to work harder to help their prisoners to maintain an outwards focus, in order to avoid problems with reintegration upon release.



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28. A. Liebling, S. Hulley & B. Crewe (2011) Conceptualising and Measuring the Quality of Prison Life, in: D. Gadd, S. Karstedt & S. F. Messner (eds) *The SAGE Handbook of Criminological Research Methods*, pp. 358–372 (London: Sage), p. 371.

29. See also Franke, Bierie & Mackenzie, Legitimacy in Corrections.

Factors that determine the effectiveness of peer interventions in prisons in England and Wales

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Epidemiological assessment of the prison population globally shows undeniable health need, with research evidence consistently demonstrating that the prevalence of ill health is higher than rates reported in the wider community. Since a meeting convened by the World Health Organisation in the mid-1990s, prisons have been regarded as legitimate settings for health promotion and a myriad of interventions have been adopted to address prisoners' health and social need. Peer-based approaches have been a common health intervention used within the prison system, but despite their popularity little evidence exists on the approach. This paper presents findings from an expert symposium — part of a wider study which included a systematic review — designed to gather expert opinion on whether and how peer—based approaches work within prisons and if they can contribute to improving the health of prisoners. Experts were selected from various fields including the prison service, academic research and third sector organisations. Expert evidence suggested that the magnitude of success of peer interventions in prison settings is contingent on understanding the contextual environment and a recognition that peer interventions are co-constructed with prison staff at all levels of the organisation. Implications for developing peer-based interventions in prison are given which assist in developing the concept, theory and practice of the health promoting prison.

Introduction

Since the inception of the 'health promoting prison' in the mid-1990s, the concept, theory and practice of settings-based health promotion has gained currency of late and has been regarded as a useful approach to address health inequalities in this population.^{1,2} This idea of a 'settings approach' embraces the perspective that health and well-being is influenced by a number of determinants, not just simply individual choice of whether to smoke, take drugs etc. Health, it is proposed, is determined by an interaction of social, political, environmental, organisational as well as personal factors within the places that people live their lives.³ Peer-based approaches have been consistently implemented in prisons across the world to address health need and are seen as legitimate interventions under the rubric of a 'healthy prison'.⁴ Despite their popularity, however, little evidence exists on the effectiveness of the approach and the process of delivery. This paper presents findings from an expert symposium designed to gather expert opinion on whether and how peer—based approaches work within prisons and Young Offender Institutions (YOIs) in England and Wales and if they can contribute to improving the health of the prison population. This, we believe, was the first expert symposium of its kind to focus specifically on peer interventions in prison settings and was used to complement a wider systematic review of their effectiveness and cost-effectiveness.⁵ The findings are particularly timely given that peer-based interventions are increasingly being recognised as a way to address the kaleidoscopic health and social issues presented by offenders.⁶

1. Woodall, J., Dixey, R. & South, J. (2014) Control and choice in English prisons: developing health-promoting prisons. *Health Promotion International*. 29 (3): 474-482.
2. Ross, M. (2013) *Health and health promotion in prisons*, Oxon, Routledge.
3. Woodall, J. (2012) Health promoting prisons: an overview and critique of the concept. *Prison Service Journal*, 202, 6-12.
4. Department of Health (2002) *Health promoting prisons: a shared approach*. London: Crown.
5. South, J., Bagnall, A., Hulme, C., Woodall, J., Longo, R., Dixey, R., Kinsella, K., Raine, G., Vinall, K. & Wright, J. (2014) A systematic review of the effectiveness and cost-effectiveness of peer-based interventions to maintain and improve offender health in prison settings. Report for the National Institute for Health Research (NIHR) Health Services and Delivery Research (NIHR HS&DR) programme Project: 10/2002/13.
6. Fletcher, D. & Batty, E. (2012) *Offender peer interventions: what do we know?* Sheffield: Sheffield Hallam University.

'Peer intervention' is used throughout this paper as an umbrella term to cover a myriad of approaches, ranging from peer education, mentoring, peer support, peer counselling, peer training. Whilst each approach may have individual nuances, the premise is the same — programmes delivered by prisoners for prisoners.⁷ While we concede that there is nothing necessarily 'new' about prisoners mutually supporting each other as part of daily interactions^{8,9} — a kind of natural lay helper¹⁰ — this paper specifically reports on structured and formally delivered intervention programmes addressing individuals' health and the factors that determine their effectiveness.

Accurate data on the number of prisoners accessing peer support services is unclear as this is not consistently monitored.¹¹ Indeed, the number of prisoners currently involved in delivering peer support activities is unknown, although estimates based on information published in 2002 suggested that around seven percent of prisoners in England and Wales were engaged in some form of activity that involved them helping other prisoners.¹² There are strong arguments in favour of delivering peer interventions in prison. Peer interventions help to expand the range of services on

offer in the criminal justice system,¹³ and also increase access. For example, one survey, reported that for half of the prisoners in contact with a prison health trainer, this was the first health service that they had chosen to engage with whilst in prison.¹⁴ Furthermore, it has been suggested that peer interventions can improve the atmosphere of the prison environment¹⁵ and improve relationships with prison staff,^{16,17} both of which are crucial constituents of a health promoting prison. These interventions may also ease the burden on professional staff¹⁸ — particularly pertinent given that pressure on prison services are likely to increase as a result of the rising prison population.¹⁹

Although peer interventions make 'common sense', the current evidence base for the effectiveness of peer interventions in prison is patchy, as noted by a recent systematic review.²⁰ That review does, however, demonstrate positive outcomes as a result of peer based interventions, including improvements in prisoners' knowledge of HIV^{21,22,23,24} and uptake of HIV testing,²⁵ knowledge of sexually transmitted infections,²⁶ beliefs, intentions and reported increases in condom use^{27,28,29} and increased inclination to practice safer drug using behaviours.³⁰ The Listener scheme,

7. Devilly, G. J., Sorbello, L., Eccleston, L. & Ward, T. (2005) Prison-based peer-education schemes. *Aggression and Violent Behaviour*, 10, 219-240.
8. Snow, L. 2002. The role of formalised peer-group support in prisons. In: TOWL, G., SNOW, L. & MCHUGH, M. (eds.) *Suicide in prisons*. Oxford: BPS Blackwell.
9. Schinkel & Whyte (2012) Routes out of prison using life coaches to assist resettlement. *The Howard Journal of Criminal Justice*, 4, 359-371.
10. Dennis, C.-L. (2003) Peer support within a health care context: a concept analysis. *International Journal of Nursing Studies*, 40, 321-332.
11. Foster, J. (2011) Peer support in prison health care. An investigation into the Listening scheme in one adult male prison. Greenwich: School of Health and Social Care, University of Greenwich.
12. Farrant, F. & Levenson, J. (2002) *Barred citizens: volunteering and active citizenship by prisoners*. London: Prison Reform Trust.
13. Sirdifield, C., Bevan, L., Calverley, M., Mitchell, L., Craven, J. & Brooker, C. (2007) *A guide to implementing the new futures health trainer role across the criminal justice system*. Lincoln: University of Lincoln.
14. Brooker, C. & Sirdifield, C. (2007) *New futures health trainers: an impact assessment*. Lincoln: University of Lincoln.
15. Ibid, Devilly et al. (2005)
16. Davies, B. (1994) The Swansea listener scheme: views from the prison landings. *The Howard Journal of Criminal Justice*, 33, 125-136.
17. Snow, L. 2002. The role of formalised peer-group support in prisons. In: TOWL, G., SNOW, L. & MCHUGH, M. (eds.) *Suicide in prisons*. Oxford: BPS Blackwell.
18. Ibid, Devilly et al. (2005).
19. Sirdifield, C. (2006) Piloting a new role in mental health – prison based health trainers. *The Journal of Mental Health Workforce Development*, 1, 15-22.
20. Wright, N., Bleakley, A., Butt, C., Chadwick, O., Mahmood, K., Patel, K. & Salhi, A. (2011) Peer health promotion in prisons: a systematic review. *International Journal of Prisoner Health*, 7, 37-51.
21. Collica, K. (2002) Levels of knowledge and risk perceptions about HIV/AIDS among female inmates in New York State: can prison-based HIV programs set the stage for behavior change? *The Prison Journal*, 82, 101-124.
22. Scott, D. P., Harzke, A. J., Mizwa, M., B, Pugh, M. & Ross, M. W. (2004) Evaluation of an HIV peer education program in Texas prisons. *Journal of Correctional Health Care*, 10, 151-173.
23. Bryan, A., Robbins, R. N., Ruiz, M. S. & O'Neill, D. (2006) Effectiveness of an HIV prevention intervention in prison among African Americans, Hispanics, and Caucasians. *Health Education & Behavior*, 33, 154-177.
24. Ross, M., Harzke, A. J., Scott, D. P., McCann, K. & Kelley, M. (2006) Outcomes of project wall talk: an HIV/AIDS peer education program implemented within the Texas state prison system. *AIDS Education and Prevention*, 18, 504-517.
25. Zack, B., Smith, C., Andrews, M. C. & May, J. P. (2013) Peer Health Education in Haiti's National Penitentiary The "Health through Walls" Experience. *Journal of Correctional Health Care*, 19, 65-68.
26. Sifunda, S., Reddy, P. S., Braithwaite, R., Stephens, T., Bhengu, S., Ruiters, R. A. & van den Borne, B. (2008) The Effectiveness of a Peer-Led HIV/AIDS and STI Health Education Intervention for Prison Inmates in South Africa. *Health Education & Behavior*, 35, 494-508.
27. Ibid, Bryan et al. (2004).
28. Magura, S., Kang, S. Y. & Shapiro, J. L. (1994) Outcomes of intensive AIDS education for male adolescent drug users in jail. *Journal of Adolescent Health*, 15, 457-463.
29. Grinstead, O., Zack, B., Faigles, B., Grossman, N. & Blea, L. (1999) Reducing postrelease HIV risk among male prison inmates. A peer led intervention. *Criminal Justice and Behavior*, 26, 453-465.
30. Ibid, Collica (2002).

supported by the Samaritans, has been synonymous with peer approaches in prisons in England and Wales since the early 1990s and, according to some, has been instrumental in reducing suicide and self-harm in prisons.^{31,32,33} The scheme operates in 89 per cent of prisons, with one in 56 prisoners (approximately 1500 individuals) trained as a Listener.^{34,35} A body of work, mainly underpinned by qualitative methodology, shows the health and social benefits of the Listener scheme both for the recipients and for the Listeners themselves.^{36,37,38,39,40}

Given the growing importance of peer based approaches in prisons and their prominence, there is a shortage of evidence of demonstrated effectiveness.⁴¹ Snow,⁴² for instance, has challenged the academic community to provide more robust examination of this intervention model in prison settings. This paper aims to contribute to this research gap through reporting findings from an expert symposium. The purpose of the paper is to present expert evidence on the range of contextual factors that may influence the implementation and effectiveness of peer interventions in prison settings. The rationale for obtaining expert evidence and the methods used are reported in the following section.

Methodology

Evidence hierarchies recognise the value of professional and expert opinion to generate knowledge. Indeed, it is recognised that expert opinion can offer valuable information in terms of understanding the process and mechanisms of implementing an intervention.⁴³ Expert hearings or symposia are designed to facilitate the process of

deliberation on an issue or series of issues⁴⁴ and were used in this study to stimulate dialogue and to gather expert opinion on peer-based approaches in prison settings. Rather than a focus group, the process of deliberation provides a mutual discussion between researchers and delegates that involves considering different points of view and coming to a reasoned decision.⁴⁵ To our knowledge, this was the first time that experts had been brought together specifically to discuss whether and how peer—based approaches can contribute to improving health within prisons and YOIs in England and Wales.

The paucity of literature on the application of expert hearings as a research method, in terms of optimum format and structure, sampling strategy, methods of data gathering, analysis and evaluation, has been noted previously.⁴⁶ There is however useful literature on deliberative methods which helped to inform our methodology.⁴⁷ The overall purpose of inviting experts was to gather opinion on whether and how peer interventions work within prisons, with the evidence heard at the symposium used to supplement data obtained from the systematic review of research studies conducted as part of this study. All aspects of the study had the appropriate ethical and governance approvals.

Sampling strategy

The criteria for 'expertise' have been debated elsewhere⁴⁸ and will not be rehearsed here. For this study, the process of sampling experts to contribute to the symposium comprised two stages. The first was making direct contact with individuals with known expertise in policy, practice and/or academic experience concerning peer interventions in prison. A sample of

31. Ibid, Snow and Biggar (2006).

32. Ibid, Davies (1994).

33. Samaritans (2012) A Listener lives here. The development of Samaritans' prison Listener scheme. Stirling: Samaritans.

34. Ibid, Farrant and Levenson (2002).

35. Edgar, K., Jacobson, J. & Biggar, K. (2011) Time well spent: a practical guide to active citizenship and volunteering in prison. London: Prison Reform Trust.

36. Ibid, Foster (2011).

37. Ibid, Davies (1994).

38. Boothby, M. R. K. (2011) Insiders' views of their role: toward their training. *Canadian Journal of Criminology and Criminal Justice*, 53, 424-448.

39. Richman, J. (2004) Listeners: inmate care workers and suicide policies in HM prisons. *N2N: Nurse2Nurse*, 4, 18-21.

40. Dhaliwal, R. & Harrower, J. (2009) Reducing prisoner vulnerability and providing a means of empowerment: evaluating the impact of a listener scheme on the listeners. *British Journal of Forensic Practice*, 11, 35-43.

41. Ibid, Wright et al. (2011).

42. Ibid, Snow (2002).

43. Petticrew, M. & Roberts, H. (2003) Evidence, hierarchies, and typologies: horses for courses. *Journal of Epidemiology and Community Health*, 57, 527-529.

44. South, J., Meah, A., Bagnall, A.-M., Kinsella, K., Branney, P., White, J. & Gamsu, M. (2010) People in Public Health - a study of approaches to develop and support people in public health roles. Final report. London: NIHR Service Delivery and Organisation programme.

45. Abelson, J., Forest, P. G., Eyles, J., Smith, P., Martin, E. & Gauvin, F. P. (2003) Deliberations about deliberative methods: issues in the design and evaluation of public participation processes. *Social Science & Medicine*, 57, 239-251.

46. Ibid, South et al. (2010).

47. Ibid, Abelson et al. (2003).

48. Shanteau, J., Weiss, D. J., Thomas, R. P. & Pounds, J. C. (2002) Performance-based assessment of expertise: How to decide if someone is an expert or not. *European Journal of Operational Research*, 136, 253-263.

possible experts was drawn up through the contacts made through the systematic review of literature (part of the wider study), personal contacts and through individuals identified by the project steering and advisory group. This approach followed what Patton⁴⁹ describes as 'critical case sampling', where critical cases are selected as they offer particularly important insight or knowledge on the issue being studied. Experts were targeted from different fields including prison health services, academic research and third sector organisations.

The second phase of the sampling strategy consisted of inviting experts via email networks, websites and through organisations. Those individuals who responded were asked to express their interest in participating and to then complete a proforma which asked them to briefly indicate their particular interest/expertise/role. The final sample was drawn up in consultation with the research team and steering group with the aim of purposively selecting individuals who could provide expert insight into peer based interventions in prisons. The invited experts represented a variety of organisations and, in total, 58 delegates (including 16 members of the research team and partners) were present at the expert symposium.

Process

During the symposium, four keynote presentations were delivered to stimulate discussion and dialogue amongst delegates. Between each presentation, experts were divided into three separate discussion groups. The composition of each discussion group was considered to ensure representation of individuals with various expertise. The groups were facilitated by members of the research team and participants were encouraged to discuss specific issues, drawing on expert opinion and experience, relating to two key questions:

1. What factors affect whether and how well peer-based interventions work within prison settings?
2. What are the positive and negative impacts of peer-based interventions for prisoners, the Prison Service, the NHS and NOMS?

The focus of this particular paper is on the findings related to question 1.

The discussion groups were audio recorded with the consent of all delegates. Individuals were assured that they would not be identified directly and that no direct quotations would be used in the presentation of emerging themes. In addition, each discussion group had a note taker who acted as a silent observer, noting contributions made by participants and summaries/clarifications made by the facilitator. Steering group members were also present at the discussions in a purely observational capacity.

Data analysis

The verbatim transcripts of the discussion groups, along with the accompanying notes, were analysed using Framework Analysis. Framework Analysis develops a hierarchical thematic framework to classify and organise data according to key themes, concepts and emergent categories. The framework is the analytic tool that identifies key themes as a matrix where patterns and connections emerge across the data. Framework Analysis was considered an appropriate method given the applied nature of the study and the emphasis on policy and practice.⁵⁰ The matrix was constructed using five main categories and several sub-themes. These were agreed by members of the research team.

Individuals were assured that they would not be identified directly and that no direct quotations would be used in the presentation of emerging themes.

Findings

The concept of 'peerness'

Delegates examined the concept of a 'peer' in the prison context and the attributes required to be perceived as a peer by fellow prisoners. A shared understanding and some form of commonality in terms of language, culture and experience were necessary attributes, but there was a consensus amongst delegates that not all prisoners could be considered peers by virtue of sharing the same prison environment. For example, it was suggested that the high proportions of foreign national prisoners in some institutions meant that language barriers existed which could inhibit peer relationships from forming. In addition, prisoner social hierarchies and differential offence status (e.g. sexual offender and non-sexual offender) were raised as important features of prison life, which prevented some prisoners from being recognised as legitimate peers to

49. Patton, M. Q. (2002) *Qualitative research & evaluation methods*, Thousand Oaks, Sage.

50. Ritchie, J., Spencer, L. & O'Connor, W. 2003. Carrying out qualitative analysis. In: RITCHIE, J. & LEWIS, J. (eds.) *Qualitative research practice*. London: Sage.

others. Indeed, the segregation of certain prisoners (e.g. those within Vulnerable Prisoner Units) was suggested to restrict peer relationships and had clear implications for the design of peer interventions.

The plethora of peer-based approaches in operation

The expert symposium highlighted a variety of models involving prisoners (and ex-prisoners) in peer interventions, and participants discussed a range of peer schemes that they had either directly or indirectly experienced. Some of these clearly related to addressing health issues (like prison health trainers), and others were more broadly concerned with addressing the determinants of offending and reducing recidivism (like peer housing advice projects). The mechanism of the peer-to-peer relationship also varied. For example, participants emphasised the distinctions between different peer models currently in operation. The nuances between 'peer support' (seen as a 'passive' intervention, that is listening) and 'peer mentoring' (regarded as an active role, that is advising, educating) was identified by delegates and caution was raised about using such terms interchangeably.

The importance of context and setting

Many participants discussed the particular nature of different prison environments as a major factor in the effectiveness of peer interventions. The need for interventions to be adaptable to contextual factors and the specific environment of the prison was critical to success. The variability of prison establishments in terms of governance (public versus private prisons), function (remand, training, YOI etc.) and security (open prisons, closed prisons etc.) was consistently mentioned and the need for peer interventions to fit accordingly within those contexts was made clear. Appreciation of these contextual factors was critical, for example, when considering the duration and frequency of training prisoners for peer roles. In short, it was important not to generalise across the prison estate.

The effectiveness of peer interventions in prison settings was reported to be contingent on managing 'prisoner turnover', that is the rate at which prisoners

arrive and then are released from institutions or relocated to another prison. Remand prisons and institutions serving the courts have high turnovers and can create instability and challenges in relation to the training and retention of peer deliverers. Clearly, lengthy training programmes are not best placed in prisons with high turnovers, but may be appropriate in longer stay prisons containing less transient populations with reduced probability of imminent release or relocation to another institution. Participants argued that due to these contextual issues, national peer-based

initiatives in prisons (e.g. Listeners, Health Trainers, Toe by Toe Scheme) need to ensure a balance between standardisation and flexibility. Standardised training may be helpful whilst being mindful that flexibility is required in order for these programmes to work in all settings.

The importance of setting and context in the delivery of peer interventions was exemplified when experts suggested that trained prisoners acting in a peer role, who were subsequently relocated, were often unable to transfer their skills, even if these were skills developed through standardised national training. Differing cultures in the prison ethos, regime, management and ways of working often meant that an effective peer in one institution was not guaranteed to be effective in another. Moreover, participants suggested that

trained prisoners were not always identified on arrival at a new institution due to inadequate transfer of prison information.

YOIs were discussed as a specific environment not always conducive to peer-based models of delivery. Delegates suggested that young offenders may not always be sufficiently emotionally competent to then be trained as a peer worker, especially if they lack maturity and experience. This was reported in relation to the prison Listener service which does not target prisoners under the age of 18 years.

Multi-level relationships

Participants noted that relationships at various levels, both within and outside prison settings, were critical for effective peer interventions to flourish. These relationships are represented diagrammatically

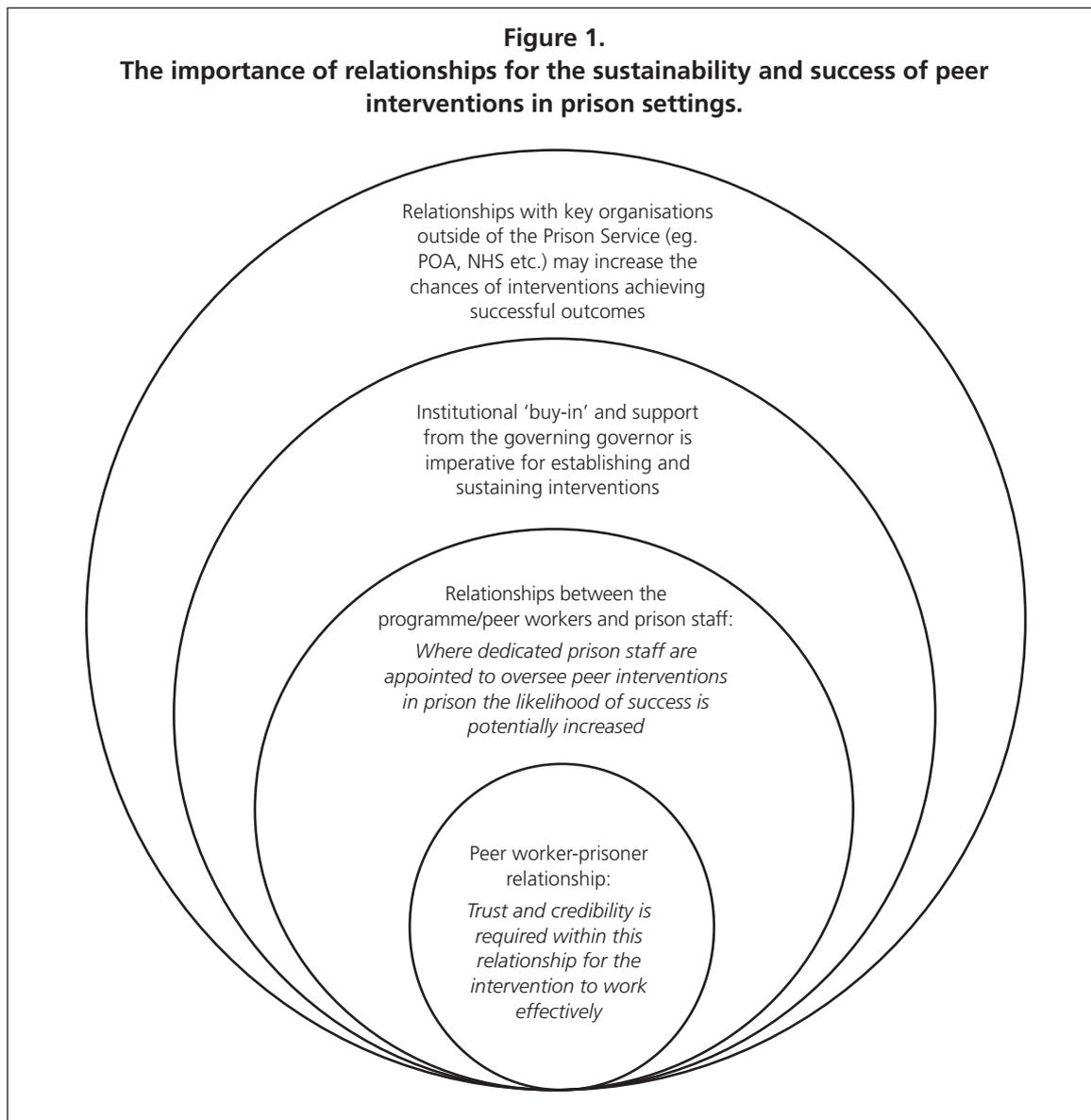
Many participants discussed the particular nature of different prison environments as a major factor in the effectiveness of peer interventions. The need for interventions to be adaptable to contextual factors and the specific environment of the prison was critical to success.

in Figure 1. At a micro-level, effective relationships are required between peer workers and prisoners. Participants suggested that those prisoners appointed as peer workers should be perceived as credible and trustworthy by other prisoners for the intervention to work. Secondly, the importance of positive relationships between peer workers and prison staff (uniformed and non-uniformed) was considered critical. Prison staff can facilitate the smooth running of an intervention by assisting with unlocking and escorting of prisoners and, more generally, by managing the logistics of the intervention within wing/residential environments. Where dedicated prison staff are appointed to oversee interventions, likelihood of success was perceived to be increased. Thirdly, institutional 'buy-in' and support from the establishment's governing Governor is a major factor in the efficacy of peer interventions involving

prisoners. Establishments with progressive senior management teams are considered an essential ingredient for interventions to become established and to flourish; it was emphasised that interventions would be unsustainable and would struggle to have any level of success without this dedication. Finally, where relationships were established with key organisations like the Prison Officers Association (POA) and the NHS, it was felt that interventions were more likely to prosper.

Discussion

A growing body of evidence suggests that peer interventions can provide positive opportunities for improving prisoner health and can contribute to other important outcomes, such as improved prison culture and staff-prisoner relations.^{51,52} However, an



51. Ibid, Devilly et al. (2005).
52. Ibid, Wright et al. (2011).

understanding of the factors that determine the delivery and effectiveness of peer interventions in prison settings has been largely absent from the research literature. The findings presented here, derived from an expert symposium, suggest that the magnitude of success of peer interventions within prison settings is contingent upon understanding the contextual environment of prisons and upon addressing barriers to delivery and implementation.

According to the experts that participated in this symposium, the need for peer interventions to adapt to contextual factors and to the specific environment of the prison, is critical for success. While there are certain overlaps and commonalities between prisons, strategies and approaches to peer interventions need to reflect the institutional profile and be realistic in terms of the outcomes to be achieved. Poland and colleagues, for example, have warned practitioners and academics to be conscious of the diversity that lies behind the apparent homogeneity of settings.⁵³ One salient issue to emerge from participants was the notion of managing prison 'turnover' and the challenge of continuity within peer-led services. Indeed, in Edgar et al.'s⁵⁴ work, prisons commonly cited rapid prisoner turnover as a major obstacle for recruiting volunteers and engaging active citizenship. In their study, the training of peer workers within prisons was identified as a key example, particularly the difficulties faced in remand prisons, where prisoner turnover was likely to be high. Indeed for some interventions, selection criteria to become an eligible peer worker is contingent upon the length of sentence remaining.⁵⁵ This could potentially restrict recruitment and reduce the diversity of individuals involved in

Relationships at multiple levels are needed to ensure the successful delivery and effectiveness of peer interventions in prison settings, according to the selected experts.

schemes. The dilemma, it seems, is whether training for these roles should be localised, based on prison function, or whether a more standardised programme across the prison estate is required so that individual prisoners can transfer their skills between institutions.

Relationships at multiple levels are needed to ensure the successful delivery and effectiveness of peer interventions in prison settings, according to the selected experts. The finding that peer-prisoner relationships are imperative and fundamental to this mode of intervention is supported by research which shows that prisoners are attracted to peer-based interventions because peers are considered less likely to judge them than staff,⁵⁶ share a common experience of imprisonment^{57,58} and provide complete confidentiality in certain circumstances.⁵⁹

Evidence also suggests that peer deliverers are more approachable and accessible^{60,61} and that trust between peer deliverers and prisoners is often higher than between prisoners and staff. Hunter and Boyce,⁶² for example, noted how prisoners feel that they are less likely to feel 'fobbed-off' by peer deliverers in prison than staff. Interestingly, some research suggests that relationships between prisoners and prison staff may, in fact, be jeopardised by peer interventions in prison, since there might be less need for offenders to talk to staff about their problems.⁶³ This finding, however, has not been supported empirically and was not discussed

by the participants in this study.

The relationship between peer workers and prison staff is important. Staff resistance to such interventions can be a major barrier to the successful delivery and effectiveness of projects; for example, on a logistical level, the buy-in of prison personnel is essential as they control the movement of peer workers.^{64,65} Where

53. Poland, B., Krupa, G. & McCall, D. (2009) Settings for health promotion: an analytic framework to guide intervention design and implementation. *Health Promotion Practice*, 10, 505-516.

54. *Ibid*, Edgar et al. (2011).

55. *Ibid*, Brooker and Sirdifield (2007).

56. *Ibid*, Foster (2011).

57. *Ibid*, Foster (2011).

58. *Ibid*, Brooker and Sirdifield (2007).

59. *Ibid*, Boothby (2011).

60. *Ibid*, Brooker and Sirdifield (2007).

61. *Ibid*, Boothby (2011).

62. Hunter, G. & Boyce, I. (2009) Preparing for employment: prisoners' experience of participating in a prison training programme. *The Howard Journal of Criminal Justice*, 48, 117-131.

63. Delveaux, K. & Blanchette, K. (2000) Results of an Evaluation of the Peer Support Program at Nova Institution for Women. Research Branch, Correctional Service of Canada.

64. Wright, K. N. & Bronstein, L. (2007) An organizational analysis of prison hospice. *The Prison Journal*, 87, 391-407.

65. Boyce, I., Hunter, G. & Hough, M. (2009) *St Giles Trust peer advice project: an evaluation*. London: The Institute for Criminal Policy Research, School of Law, King's College London.

prison staff understand the rationale and value of the peer intervention there is evidence that schemes within prison operate more successfully. Indeed, it has been argued elsewhere that prison staff are 'street-level bureaucrats', able to block policy implementation and with the power to subvert the implementation of new procedures. They are the front line workers whose co-operation is a vital requirement if interventions are to succeed, and, according to their inclinations, they can block or enhance the implementation.⁶⁶ Peer interventions in prison, like other interventions delivered in this context,⁶⁷ require senior level support in order to succeed — this was termed as 'institutional buy-in' by the experts that participated in this study.

Participants suggested that where relationships were established with external organisations, interventions were more likely to prosper. Within the wider literature, the role of the voluntary sector in managing and implementing peer interventions seems to be critical and where partnerships are established between the prison service and outside organisations, interventions can prosper.⁶⁸

Conclusion

To our knowledge, this is the first expert symposium that has focussed its attention on peer interventions in prison settings. While the methodology and approach for gathering expert evidence in the wider literature is relatively scant, its strength in this study was that it offered a unique insight into peer interventions from multiple 'expert' perspectives gathered from practice, policy and academic fields. The overriding consensus from the expert symposium was the heterogeneity of prison settings and that peer interventions need to be

sensitive to these contextual factors if they are to flourish. While there is no evidence that peer interventions are most suited to some establishments than others, there are clear indications that delivery models must be adapted accordingly based on context. The research also indicates that strong relationships within all levels of the prison are required for the successful delivery and sustainability of peer interventions. Critically, peer-based interventions, although premised on prisoner-to-prisoner relationships, ultimately have to be co-constructed with prison staff at all levels in order to be effective. We are not suggesting peer-based approaches as the only strategy to address the health of the prison population, rather a myriad of intervention strategies are necessary. The concept of a health promoting prison is useful in that all facets of prison life, from addressing individual health need through to organisational factors and the physical environment are considered when considering prisoners' health.⁶⁹ We suggest that peer approaches must be seen as part of an overall package of interventions delivered to prisoners to address health under the broad banner of a health promoting prison setting.

Disclaimer:

Peers in Prison Settings is an independent study that is funded by the National Institute for Health Research Health Services and Delivery Research (NIHR HSandDR) programme: Project: 10/2002/13. The views and opinions expressed therein are those of the authors and do not necessarily reflect those of the HS and DR programme, NIHR, NHS or the Department of Health. The study received approval from the National Offender Management Service National Research Committee and commenced on 1st February 2012.

66. Dixey, R. & Woodall, J. (2011) Prison staff and the health promoting prison. *International Journal of Prisoner Health*, 7, 8-16.

67. Woodall, J. (2013) Identifying health promotion needs among prison staff in three English prisons results from a qualitative study. *Health Promotion Practice*, 14, 256-262.

68. Ibid, Edgar et al. (2011).

69. de Viggiani, N. (2009) A healthy prison strategy for HMP Bristol. Project report. Bristol: University of the West of England.

Reviews

Book Review

**Disability incarcerated:
Imprisonment and disability in
the United States and Canada**

Edited by Liat Ben-Moshe, Chris Chapman and Alison Carey
Publisher: Palgrave MacMillan
(2014)

ISBN: 978-1-137-39323-4
(hardback) 978-1-137-40405-3
(paperback)

Price: £62.50 (hardback) £25.00
(paperback)

In the grand traditions of critical criminology, this book offers a critique of places of confinement, including prisons, and their position in structures of power, domination and inequality. It makes an important contribution by addressing the ways in which disability is situated within this power nexus.

The editors of this volume, three American scholars, explain in their Preface that one of the aims of the book is to, ‘...highlight connections amongst various sites of confinement and institutionalization’ (p.ix) such as prisons, hospitals, immigration detention, and also schools. In the tradition of Foucault,¹ they illuminate how those institutions have a shared architecture and combine together as modes of social control. They go on to explain that their concern with disability is, ‘both in terms of the heterogeneous ‘population’ that gets abstractly collected together as ‘people with disabilities’ and in terms of processes of labelling, normalization, and marginalization upon which these settings rely and in which they

participate’ (p.ix). In this way, they are concerned with both ‘disabled people’, who meet a medico-legal definition, but also ‘processes of disablement’ through which those people are positioned so as to be excluded or restricted in their social participation and exercise of power.

This book has some strong contributions that offer some powerful, if polemical arguments. For example, Nirmala Ervelles describes the intersection of race and disability in the ways that diagnosis and access to services are practiced and that this contributes to and reinforces social segregation. Michael Rembis offers an account of the connections between the decarceration of the asylum system and the growth of mass imprisonment, not only as an empirical reality but also as a process of knowledge construction and the exercise of power. These accounts will be of particular interest to those working in or concerned with prisons.

One of the problems with critical accounts is their focus on broad macro-level arguments, often polemical, which have a tendency to reify their position. As a result, they sometimes fail to capture the nuances, contradictions and conflicts of everyday life. In this regard, Alison Carey and Lucy Gu’s chapter on the role of parents in disability rights activism is particularly important. This contribution, a historical case study of a parents’ organisation in Pennsylvania, illustrates that parents did not

adopt an ideological position, but were more pragmatic. As a result, they often held conflicted views about issues such as institutionalisation/decarceration, segregation/integration, and reform/abolition. The organisation itself had to navigate a contested field. This chapter is particularly important in addressing some of the complex messiness of activism and everyday social life.

Another criticism often levied at critical accounts is that they fail to articulate realistic alternatives. This volume takes that issue seriously. Several of the chapters offer reflections on intellectual resistance and the fact that several of the contributions are by scholars who themselves have experienced disability and detention is significant. Most directly, though, the final two chapters are concerned with self-advocacy and alternatives to incarceration, respectively. These contributions articulate forms of resistance, reform and radical transformation.

This is a book resolutely aimed at an intellectual audience. Practitioners seeking detailed guidance would not be best served by this book and would be best advised to look elsewhere. However, on its own merits, this book makes an important contribution in incorporating disability along with race, class and gender in a radical critique of confinement.

Dr Jamie Bennett is Governor of Grendon and Springhill.

1. Foucault, M. (1977) *Discipline and punish: The birth of the prison* London: Allen Lane.

Book Review

Black Men, Invisibility and Crime

By Martin Glynn

Publisher: Routledge

ISBN: 978-0-415-71535-5

Price: £90.00

Black Men, Invisibility and Crime forms part of the International Series on Desistance and Rehabilitation. This series comprises of high quality PhD work coupled with items from more established academics, and focuses on extending knowledge as opposed to providing a review of a subject. An impressive editorial board have so far produced six books in the series, largely with an international flavour.

Martin Glynn is both a Visiting Lecturer at Birmingham City University and a Research Assistant at the University of Wolverhampton. This book is based on his ethnographic PhD research completed at Birmingham City University and brings together his findings from both the UK and the US, in prisons and in the community. His unique approach to this series on desistance is that he aims to produce a black criminology of desistance through the use of critical theories of race.

Although based on his recently completed PhD (2013) Glynn has been working and engaging with black men for almost thirty years. Having said that, there appears to be a surprising lack of research into the perspectives of black offenders on their own approach to desistance. This is even more surprising considering the racial disparities black men appear to face in the criminal justice system. Glynn highlights that over 25 per cent of the prison population are ethnic minorities compared to 10 per cent of the general population. Of the prison population 11 per cent (53 per cent of ethnic minority prisoners) are black compared to fewer than 3 per cent of the

general population. Most shocking of all is that, proportionally, Glynn highlights that the UK incarcerates more black men than the US.

Glynn approaches his groundbreaking research by attempting to cover three significant areas. He aims to demonstrate what the impact of the 'racialisation' of crime has on black men's desistance, how black men formulate their own understanding of desistance in an oppressive society, and crucially what factors promote or inhibit black men's approach to desist from crime. Set within the framework of Critical Race Theory, which has been used to provide counter-narratives from a black perspective in education and sport, Glynn worked closely with black men in the community in Birmingham in the UK and Baltimore in the US, along with black prisoners in HMP Grendon's therapeutic community. The use of Critical Race Theory throughout the book allows two separate story-telling approaches to be considered; that of a white oppressive view and a counter narrative from a black view which allows black people to remove themselves from the inhibition of subordination when they 'create' their own self understanding.

The book is divided into ten chapters. Chapters one, two and three set out the structure of the book, the context of the racialisation of crime and the research method. Chapter four then considers the development of a black criminology of desistance with a focus on the issues around the approach of 'traditional' criminologists and a consideration of the merits of 'black on black' research. Glynn refers to himself as an 'on road criminologist', essentially using the relatively rare attributes of being black, a criminologist and prepared to understand, and abide by, the 'code of the streets' in order to gain acceptance, approval and permission from his subjects which

facilitates the gathering of the most accurate material.

Chapters five, six and seven summarise the author's findings from his research across the three differing settings highlighted above. The emergent themes explored from the ethnography across these chapters include; lack of fathering, fatherhood, hyper-masculinity, gangs, the criminal justice system, self concept, the code of the street and re-entry into the community. These sections are particularly detailed, but, with an intensive focus on the oppression of black men which prevents them from resisting crime, a limitation appears to be that there is little evidence of the attractiveness of crime, in particular to young black men, through a popular racialised counter-culture of money and power associated with crime. This 'pull' of crime as opposed to 'push' effect is only very lightly touched upon within Chapter five and could have formed part of the self narrative regarding oppression 'culture'.

Chapter eight extends the analysis of Glynn's findings by importantly exploring black men's desistance within the framework of masculinity. In particular this crucial chapter highlights the importance of masculine transitions from the prison to community and how black men in particular are disadvantaged during this time through their world view. Unsurprisingly, the final two chapters of this book discuss future research directions that can build on the counter narrative created here.

In conclusion, this book provides a much needed and surprisingly overdue in depth analysis of black men's views of their own desistance. The author is extremely credible and gathers insights that numerous criminologists would be unable to gather through ethnography or any other means. It is clearly aimed at promoting further research and provides a compelling argument for

other criminologists to take forward. The book is aimed at criminologists and sociologists with an interest in the area of the racialisation of crime but I believe it would also be an invaluable read for practitioners working within the criminal justice field. Furthermore, as an ethnographic study the book is written in a style which would be of genuine interest to the wider public, for example the author's use of poetic quotes to peak interest and to support his assertions.

Paul Crossey is Head of Admissions and Care (Young People) at HMYOI Feltham.

Book Review

Pain and Retribution: A Short History of British Prisons 1066 to the Present

By David Wilson

Publisher: Reakton Books (2014)

ISBN: 978-1-78023-283-6

Price: £20

This ambitious publication by a well-known criminologist provides, as the title suggests, a concise history of a large topic. About half of the content of the book is devoted to examining pre-1945 with most of that concentrating on the modern prison from the late eighteenth century onwards. The latter half of the book concerns the post-1945 period which has been researched more thoroughly by criminologists than historians. It is commendable that the writer is endeavouring to contribute to academic efforts underway to bridge the divide between historical and criminological investigation of the prison in Britain. I'm sure such interdisciplinary work will bring forth new insights and perspectives. In this publication that endeavour has in part been undertaken through the use of theories of

moral panics and legitimacy and in part through concentration upon the experience of the prisoner. This is effective but the writer underestimates the extent to which historians as well as criminologists have made use of these theories in their examinations of the operation and impact of this institution. Also, significant research has already been conducted to uncover the experience of the prison using autobiographical material. Nevertheless, this book includes interesting and very readable examinations of autobiographical sources, including where possible multiple accounts giving differing perspectives on the same period which works well. Therefore, this publication has contributed to further establishing the efficacy of that subjective approach.

It has to be said that the exploration of the period since 1945 is more questioning and more confidently written, largely because of the wealth of secondary material drawn upon. That half of the book includes consideration of the introduction of security categorisations, the occurrence of major prison disturbances, the development of therapeutic endeavours at Barlinni and Grendon Underwood, the toughening of regimes from 1992 and prison privatisation. Importantly, the value of media representations of the prison are also recognised and discussed. This is a subject on which the author has published widely and he asserts convincingly that even fictional prison television programmes can have an influential role in raising public understanding.

This publication is worthwhile purchasing as an initial introduction to the history of the prison and gives a very useful starting point regarding particular sources and theories. Efforts are made to genuinely reflect the 'British' in the title with limited but interesting case studies concerning events in Scotland and Ireland. Some of the

broad interpretations of historical change are debatable, such as the extent and velocity of the shift towards reform following the Gladstone Committee Report of 1895, but this text does cover many of the most crucial issues affecting prisons in Britain in the past and present.

Alyson Brown is a History Professor at Edge Hill University.

Book Review

A Companion to Criminal Justice, Mental Health and Risk

Edited by Paul Taylor, Karen Corteen and Sharon Morley

Publisher: Policy Press

ISBN: 978-1-44731-034-1

Price: £27.99 (Paperback)

The Companion to Criminal Justice, Mental Health and Risk specifically aims to provide an expert analysis of the growing hybridisation of criminal justice and mental health. With a large proportion of those who are in contact with the criminal justice system suffering from mental health issues, the pressure on mental health units and a higher than anticipated prison population, the overlap and occasional clash between care and control is contemporary, but also nothing new.

However, what is clear is that the convergence between criminal justice and mental health is complex and difficult to observe regardless of whichever background or specialism it is approached from. The editors have aimed this book at a readership of criminal justice and mental health practitioners, students (both undergraduate and postgraduate) and researchers facing these challenges.

The editors are three senior lecturers from the Department of Social and Political Science at the University of Chester. Despite covering such a broad scope with the focus on criminal justice and mental health, and from a multi-disciplinary perspective, the editors have compiled just over 180 key terms.

These terms are defined by an impressive collection of contributors, who also highlight the contemporary theoretical and practical debates that accompany this controversial field. Although a 'companion', this book's entries vary from the Assessment, Care in Custody and Teamwork (ACCT) approach to Zemiology; which serves to highlight the deliberate, eclectic mix of the practical with the conceptual. Indeed, the variety and complexity of the entries necessitates the book's aims to encourage critical thinking in the reader rather than 'provide all of the answers'; an aim the editors would probably avoid even if that were possible. This is advanced further with concise yet highly relevant suggestions for further reading at the end of each entry, as well as a useful Appendix covering international campaign groups and sources of interest.

The group of contributors are international (although focused on western civilisations) with an extensive background, experience and history in their own area of expertise. As well as academics in psychology, history, criminal justice and mental health, they include practitioners in learning differences, mental health nurses and social workers amongst others. The editors are rightly keen to highlight the policy and practical experience of some of the contributors, which compliments the entries from the theorists and intellectual thinkers. An additional practical bonus in the book that shouldn't be underestimated is the inclusion of a legislation and policy index as well as the traditional subject index.

Overall, this book provides an excellent reference point for students, researchers and practitioners and importantly offers an insight into crucial debates around each subject in addition to simple definitions. It is a highly relevant publication, with credible contributors and editors, and incredibly useful in today's climate of multi-disciplinary approaches to risk management within the criminal justice system.

Paul Crossey is Head of Admissions and Care (Young People) at HMYOI Feltham.

Book Review

Criminal Justice: A Beginner's Guide

By Bryan Gibson

Publisher: Waterside Press

ISBN: 978-1-909976-00-9

Price: £12.95 (paperback)

This book aims to provide a 'no frills' overview of the criminal justice system, primarily aimed at those who want to start with the most basic level of understanding. The book hopes to provide an initial 'Skeleton' of knowledge that the reader can add more to via signposts to further reading. It comprises of ten chapters starting with the most basic understanding of 'What is Crime?', but also including sections on restorative justice and sentencing.

The author is both a barrister and the founder and editor-in-chief at Waterside Press. He acknowledges that the book comprises of ideas, facts and information from a variety of authors he has worked with over the 26 years of his editorship including Frankie Owens, Tim Newell, Sir Louis Blom-Cooper, Stephen Shaw and David Faulkner (who reviewed a late revision of the

text). Of note was a lack of currently employed practitioners that could comment on the contemporary factual accuracy of some sections of the book.

The introduction provides a very good summary of the key elements of the justice system, explaining not only the mechanics, processes and stakeholders involved, but also providing an overview of the rationale, principles and reasons behind why things happen in a certain way. Throughout the book there are very useful signposts to relevant reading that can help supplement the initial information given, mainly summarised in a section at the end of each chapter. This reading does cover important texts and includes fairly recent articles, books and reports of note.

The chapters consist of a large number of bullet-point lists. This is designed to keep the book succinct and accessible, although it does not provide an easy going or enjoyable read for the novice who wants the full overview in one sitting. It does however, provide as a reference book an opportunity for the reader to dip in and out of relevant sections as and when they are needed. Particularly useful is the fourth chapter that covers modern developments in the criminal justice system. This is particularly useful for novice readers to gain an understanding of what is new(ish) in the criminal justice system and gain an understanding of the history behind current thinking at the executive level. Although this book may quickly become dated it is very inexpensive and a useful starting point.

Unfortunately, one of the most significant draw backs is the sometimes outdated or inaccurate information it contains. The lack of consultation with a current practitioner has led to some flaws in accuracy. Of note is the suggestion that under 18 offenders typically receive Detention in a Young

Offender Institute (DYOI) rather than the Detention and Training Order (DTO). This is particularly relevant to those studying the Criminal Justice Systems as DYOI (which is typically given to 18-21 year olds) is currently under consideration for being abolished whereas the DTO is not. References to the Prison Service News (which has not been published for some years), the IEP scheme (which has undergone high profile change), Race Relation Liaison Officers

(which have not been termed that for a number of years) and 'added days' described as added to a sentence (when in fact they are a reduction in remission) are all glaring errors to those currently working in the system and are disappointing to see from a well intentioned book.

Overall, this book does provide the nuts and bolts needed for beginners to work in or study the criminal justice system and will allow them to understand the basic

processes, key players and reasons why certain policies are in place. It does this in a succinct and inexpensive fashion, providing clear signposts for further, contemporary reading. Where it is let down is in the outdated and occasionally inaccurate information in some of the detail which can mislead some readers.

Paul Crossey is Head of Admissions and Care (Young People) at HMYOI Feltham.

Understanding novel psychoactive substances

Interview with Jan King, Chief Executive of The Angelus Foundation

Jan King is Chief Executive of The Angelus Foundation and is interviewed by Dr Jamie Bennett, Governor of HMP Grendon & Springhill.

Jan King is the Chief Executive of The Angelus Foundation, the leading organisation working to raise awareness and reduce the harms caused by novel psychoactive substances. The organisation was founded in 2009 by Maryon Stewart, the health practitioner, author and broadcaster. Her 21 year-old daughter Hester, a medical student and athlete, passed away after consuming a legal high (GBL) in April 2009.

The aim of the Angelus Foundation is to educate, encourage and assist individuals to be more knowledgeable about the risks to their health and wellbeing of using 'legal highs' and other new psychoactive substances, so they may be more responsible for the choices they make, and lead more wholesome and safer lives. The Foundation has an Advisory Board that brings together expertise from chemical, medical and behavioural sciences, as well as having considerable knowledge and experience in the areas of enforcement and misuse of substances.

Further information is available from their website: <http://www.angelusfoundation.com/>

This interview took place in February 2015.

JB: What are novel psychoactive substances?

JK: They are substances that are not regulated and are not captured by the current law relating to drugs and medicines. They don't have a status. They are marketed as something that is fun and novel, whilst also being safe. There are a wide variety trying to mimic the effects of illegal drugs including stimulants, depressants, psychedelics and particularly cannabis, which recently has become the dominant one that is used.

JB: What is known about the prevalence of the use of these substances?

JK: It varies from area to area and from demographic group to group. There was a United Nations report in 2013, which estimated that 670,000 people aged 16-25 in the UK had tried one. We completed a quick and dirty survey at some Fresher

events at Universities, so with people around 19 years of age, and around one in five had taken one. It's difficult to say exactly what the extent of use is. It is only recently that drug treatment data bases have been recording this for people in treatment.

JB: What is the size of the market economically? Where and by whom are these products produced? What approaches are taken to marketing them?

JK: Nobody knows as there hasn't been a detailed study of the size of the market. Recently I was at a conference where one speaker estimated that the market was worth around £2 billion. If it is that is very high, but it is difficult to say whether this is accurate.

They are mainly produced in China and are then exported in bulk and then packaged either in the UK or in other parts of Europe before being distributed. It is a big operation that replicates other businesses with costs around labour and production.

They are marketed in shops, on-line and in various outlets. There was a survey by Drugscope last year which showed them being sold in kebab shops, chip shops, a whole range of places. They are made to look attractive so they are in brightly coloured packets with interesting names which keep changing. 'Charley Sheen' and 'Bubble Gum' were names I came across recently. They are marketed through social media and websites and they use typical supermarket approaches such as bulk discounts, suggestions for Christmas gifts and loyalty cards.

JB: What role does the consumer take in shaping this developing market?

JK: Without the demand there wouldn't be a market. When mephedrone became popular, that spurred on the production of substances to mimic it. So there is an element of what people want. There has also been an influence from the illicit market when illicit drugs are of lower quality and more expensive then people turn to NPS. A few years ago the purity of MDMA and cocaine were lower and that was when the use of NPS increased. There is a dynamic based on what else is around. The price of NPS has been stable at

about £10 a gram or £25 for a three gram packet. That hasn't change suggesting that there is a consistent level of supply.

JB: What is known about who are using these substances?

JK: There is not a detailed survey but we know that they are often targeted at young people. A number of young people will use them, but not always, and the demographics do shift. What we see is that more vulnerable people use them, such as homeless young people and prisoners. It feels that their use is becoming more problematic and more dangerous in terms of what they might be mixing it with and the situations they are being used in. There are other changes over time, for example mephedrone was popular in dance culture when it was a non-illegal drug but MDMA has re-emerged as the number clubbing drug.

JB: What approaches are taken to regulate NPS and are these effective?

JK: There has been regulation over recent years. For example GBL has been banned as has mephedrone. What has been used is the Misuse of Drugs Act, putting them into other categories. The difficulty there is the time it takes to implement that, whilst all the time new substances are coming onto the market. It has had an impact on availability, but then new substitute substances are produced which we don't know anything about. The Home Office NPS review has proposed new legislation to impose a blanket ban with some exemptions such as alcohol and tobacco. However, we are concerned that there will still be ways around the law as some of the substances are used for other purposes.

JB: What are the potential harms for individuals from using NPS including physical and mental health?

JK: There is the potential of dying in the worst case scenario. We have seen the number of deaths attributed to NPS increasing, although because coroners do not always know about it, this is not always recorded. Another issue we have picked up on is that some people who are using NPS, it has such an impact on their mental health that they take their own lives. Some families have spoken to us about that.

Some of the physical effects come from the acute toxicity of the substances, which can cause all kinds of problems. It can lead to raised or irregular heart beat, vomiting, collapsing. Stimulants cause elevated body temperature which can be dangerous. Synthetic

cannabinoids have more of a risk of dependence than natural cannabis. There is a range of issues. This is exacerbated because of the uncertainty of dosage. It's always a risk choosing what to take and how to take it.

JB: What are the potential social harms, including links with crime and social marginalisation?

JK: I mentioned homeless people earlier. We have picked up on some homeless people being used to test out substances. That has an impact. There are clearly issues about anti-social behaviour. Belfast tried to stop availability as part of General Product Safety Regulations and Lincoln are looking to ban NPS from specified areas, similar to alcohol exclusion zones. That is a local approach. In terms of crime there is not a lot of evidence, but we have heard from some people who, as with illicit drugs, will steal to fund their addiction.

JB: How would you describe the current media and public discourse on NPS? What are the potential effects of this?

JK: The media use the term 'legal highs' which is a great bit of marketing for the people selling them. It perpetuates the sense of them being of low harm. It also does not differentiate one from the other, like it's an amorphous mass. There is also the danger of exaggerating. There is a risk that people may overreact causing more anxiety and problems in families. Where

we come from is trying to educate, give accurate information and develop the skills to deal with issues. Our approach is to make sure there is good information out there and we deal with this evolving problem in a sensible and systematic way.

JB: What is the most effective approach to providing information and advice to those using or at risk of using NPS?

JK: We have tried a number of approaches along the way, but what we have found is that it is important to engage with the people most likely to be affected, that approaches are as peer-led as they can be, and that they are tailored to different audiences, age groups and experiences. For example, something aimed at a 13 year old doesn't work for students, there needs to be a different angle to it.

People who haven't used are concerned that they are being duped, being sold something that isn't what it seems to be. That message gets across to them. So do straightforward stories of people who have used, or people who have lost someone that is close to them. They have an impact.

The media use the term 'legal highs' which is a great bit of marketing for the people selling them. It perpetuates the sense of them being harmless.

For those that have used, we try to focus more on harm minimisation approaches and stories from those who have used, sharing their experiences. That can put people off, or at least help them to be clearer about how they might use and so minimise the harm.

JB: Have specific treatment interventions been developed for working with those misusing NPS?

JK: No and there is no substitute, so no medical detox. The approaches we are aware of are psycho-social interventions such as group work and one-to-one therapy. The Club Drug Clinic in London has developed some successful approaches, particularly with gay men, based on harm minimisation, looking at why people use in the first place and how they might use more safely.

JB: Prisons have historically developed drug strategies including testing and detection, which is problematic in such a diverse and rapidly changing environment. Are there approaches that could be developed in this area or are alternative strategies required?

JK: We are on the outside, but what we are picking up from prisons is that there is a wholesale change in how NPS are used in some prisons and it is causing all kinds of issues. The initial approach was to be more punitive. Of course there are security, discipline and health issues, but our approach would be to have staff and prisoners involved in developing strategies that protect everyone. We would focus on good

information, training for staff, education, tools that work for people. We would also suggest information for visitors and families because they may well be bringing substances in or being put under pressure to do so, thinking they are safe or that they are not illegal. On the testing side there is some technology around for tests, but it is hard for it to catch up and it is always going to be limited. It won't necessarily solve the problems that NPS are creating. The other issue is that clinical services, which are geared up for illicit drugs, need to be geared up as well for working with NPS.

JB: How do you see the future panning out? Is this a temporary fad that is likely to fade or does the emergence of NPS raise fundamental questions about substance misuse and its governance?

JK: It is hard to say how things will go, particularly with the proposed blanket ban. It is not likely that things will go back to how they were five years ago before NPS emerged. Some of those substances are out there, there are dependencies to some of them and also there are suppliers that will be looking for ways to keep this lucrative market going and to protect it. At Angelus we see that the drug landscape is constantly changing and you can't turn the clock back. Through our work we want people to understand and be aware of the changing drugs landscape, understand why it changes and what they can do about it to stay safe.



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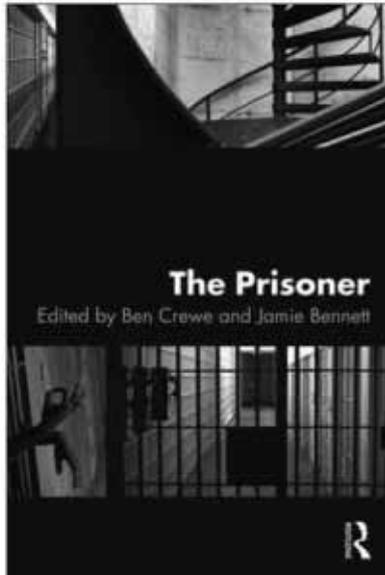
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The *Prison Service Journal* is a peer reviewed journal published by HM Prison Service of England and Wales. Its purpose is to promote discussion on issues related to the work of the Prison Service, the wider criminal justice system and associated 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>

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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@hmps.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@hmps.gsi.gov.uk**.

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Interview with Jan King, Chief Executive of
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Dr Jamie Bennett