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

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Editorial Comment

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

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

The 2015 Lectures were on the subject of older prisoners. There are 12,000 prisoners aged 50 and over in England and Wales, and around 4,000 who are aged 60 and over. This is the fastest growing section of the prison population, and has risen by 164 per cent between 2002 and 2015. This edition of PSJ includes one of those lectures, by Dr. Mary Turner and Dr Marian Peacock both from Lancaster University. Their work focuses on the work of HMP Wymott in managing older prisoners including the sensitive issue of palliative and end of life care. This is also complemented by an article by Dr Nataline Mann and others examining the impact of the Social Care Act 2014. This is a timely article that draws into relief the financial and operational challenges of implementing social care in prisons.

This edition also includes a fascinating interview with the winner of the Perrie Award for 2015, Sir Martin Narey, a former Director General of the Prison Service and Chief Executive of National Offender Management Service, who moved into the charitable sector as Chief Executive of Barnados before becoming a special advisor at the Department of Education and now at the Ministry of Justice. This interview is an excellent insight into the moral challenges of working within the public services.

This edition also includes three articles that focus on the voice of prisoners and ex-prisoners. Dr. Andreas Aresti, Dr. Sacha Darke and Dr. David Manlow, set out a manifesto for British Convict Criminology, a movement that seeks to encourage education for prisoners and also their direct engagement in academia and research. David Honeywell, now an academic, provides personal reflections on returning to Durham Prison, thirty years after serving a sentence there. In a fascinating case study, Asad Ul Lah, a prisoner in the Fens Unit at HMP Whitemoor, and Jacqui Saradjian, a therapist on the unit, reveal the process of change that can take place within therapeutic environments.

The other articles in this edition include an American research project by Dr. Brian Wyant and Dr. Holly Harner on the financial stresses experienced by prisoners. This focussed on the impoverishment of prisoners within prisons as one of the pains of imprisonment. The research reveals that this can have a detrimental impact inside on individual well being and safety, but can also make transition into the community after imprisonment more difficult. The final article is a historical piece by Allan Brodie of Historic England. This places the current reorganisation of the prison system and the closure of prisons within a historical context, revealing how changing times and changing values have been reflected in the prisons that have disappeared as much as those that have been constructed.

This edition covers a wide range of subjects but returns to two central interests of PSJ. The first is providing a medium for the intersection of theory and practice, fostering the use of evidence in order to improve the experience of those who live and work in these institutions. The second is the value that is placed upon the direct and unmediated voice of those inside prisons. As those most directly affected by the prison experience, it is the voice of prisoners, staff and families that deserve a prominent place in the dialogue about criminal justice. It is through these means that PSJ attempts to encourage reflection, debate, discussion and ultimately positive action.

'Bridging the Gap':

Giving Public Voice to Prisoners and Former Prisoners through Research Activism

Dr Andreas Aresti, Dr Sacha Darke and David Manlow are all based at the Department of History, Sociology and Criminology, University of Westminster, and members of British Convict Criminology.

At the one day conference that gave rise to this article¹ we heard a number of interesting papers around the broad theme of the relationships between 'the prison and the public' — from how the prison system fails and misleads in terms of the diversity of prisoner experiences, the false dichotomies in media representations between the 'criminal' and the 'law abiding' and the 'normal' and the 'deviant', the roles played by former prisoner mentors in affecting change, the potential for creative prisoner art and writing to challenge public misconceptions of prisons and prisoners, as well as the means by which public support can be harnessed for prison reform.² In this article we come from a slightly different angle and perspective in terms of exploring how we can 'bridge the gap' between what counts and is accepted as public knowledge about prisoners (which is mediated and highly selective) and their actual lived experiences. We introduce some of the work- in- progress by British Convict Criminology (BCC) in producing knowledge that privileges the standpoint and situated experiences of prisoners and former prisoners. The view taken here is that the field of criminology plays an important part in perpetuating dominant, mediated discourses through systematically preventing research that questions the status quo. We begin by sketching out some of the problems and challenges in developing insider perspectives in today's academic and political climate. This is done through drawing on Sibley³ and the notion of 'dangerous knowledge', and the problems we, in the academy, face in terms of the constraints of working in neo-liberal universities with their increasing stress on research ethics and risk assessment, and diktats on what counts as acceptable knowledge. We offer a thumbnail

sketch of some the ways in which BCC aims to give voice to prisoners and former prisoners in order to shift the public debate on crime, criminality and punishment, and we set out where it is at the moment in terms of the various projects and initiatives it is in the process of launching, encouraging and developing. In the final section the role statutory and non-statutory services play in constraining the 'prisoner voice' is explored.

Thirteen years ago in his book *Geographies of Exclusion*, the urban geographer David Sibley wrote not only of the forms of social and spatial exclusion (in his work, those faced by women and black writers), but also of how particular forms of knowledge are kept from the academic establishment and society in general. This is important to us for, as he wrote, knowledge is undoubtedly:

... conditioned by power relations which determine the boundaries of 'knowledge' and exclude dangerous and threatening ideas and authors. It follows that any prescriptions for a better integrated and more egalitarian society must also include proposals for change in the way academic knowledge is produced.⁴

Whilst this has recently served as a rallying cry for more culturally attuned criminologists in terms of their methodological attack on the drift towards 'crime science' and positivism in general, it is also highly relevant to the Convict Criminology movement as it highlights how the rigid and seemingly impermeable boundaries between so-called 'experts' and 'criminals' are being drawn, re-drawn and maintained. There is growing danger that the dominance of administrative forms of criminology not only sets the agenda, but also helps to perpetuate what Thomas Mathiesen⁵ calls the 'prison fiasco', and a situation whereby the 'crime control industry'⁶ is exerting a hegemonic influence on

1. Prison and the Public, Edge Hill University, 27 March 2013.

2. A number of these papers were subsequently published in two special editions of the Prison Service Journal, volumes 210 (2013) and 214 (2014).

3. Sibley, D. (1995) *Geographies of Exclusion; Society and Difference in the West*, London: Routledge.

4. Christie, N. (2000) *Crime Control as Industry: Towards Gulags, Western Style?*, London: Routledge.

5. Mathiesen, T. (1990) *Prison On Trial: A Critical Assessment*, Winchester: Waterside.

6. Christie, N. (2000) *Crime Control as Industry: Towards Gulags, Western Style?*, London: Routledge.

academic criminological research. It could be argued that this situation has worsened still in the past few years with the gradual erosion of government funding in higher education. We now find ourselves in a position where academic departments are coming under very real pressures to develop external sources of research funding. But what sort of criminological research is currently being funded? A brief perusal of the main criminological journals will show that whilst some solid radical work is still being conducted in some quarters, there is a deepening drift towards what Jock Young calls a 'voodoo criminology'⁷ — that is a criminology which is highly technical and statistical, and one which effectively silences certain forms of knowledge and knowledge claims whilst prioritising and exalting others.

Similarly, in a recent brief paper sketching out what he perceives as the challenges to critical criminological research in an age of 'market positivism' and 'exclusionary research protocols', Pete Squires⁸ warns that universities themselves are developing a 'research prevention culture' that is putting ethical, risk assessment and methodological stumbling blocks in the way of critical research. In support of this argument, Squires focuses on the increasing emphasis in social science departments on producing 'policy-led evidence chasing' studies. This, he explains, has major implications not only for

the types of question that the criminologist can ask (privileging hypothesis-testing, 'impact benefit' over grounded research), but also their choice of methods (privileging quantitative over qualitative methodologies and positivistic forms of data collection and analysis), and, what is of particular concern to some of us at BCC, their access to participants (privileging practitioner over offender voices). Here he wryly notes that university research ethics committees judge research with offenders and 'ex-offenders' as being inherently more problematic than research with other subjects — they are, after all, the reasoning goes, more prone to

dishonesty (unlike, for instance, police officers and politicians who, as we know, always tell the truth!), as the recent expenses scandals amongst British politicians and revelations of police cover ups in the Hillsborough tragedy illustrate. Squires gives a number of illustrations of how this latter insistence on institutionally relevant, micro-level analysis has already impacted on the possibilities for critical, exploratory research in the UK; from the Ministry of Justice encouraging applications for research assessing the effectiveness of operational policy, to local magistrates refusing to be interviewed by

university researchers due to their not being allowed to get involved in research by 'external agencies', and to government funding of university research being increasingly based primarily on notions of 'impactology'. To this, Mitch Librett and Dina Perrone warn,⁹ must be added the further challenge posed by the increasingly bureaucratic nature of university research committees, and in particular, the overwhelming emphasis that is being put on protecting their institutions from litigation. Such risk aversion, rightly or wrongly, including a growing insistence that research is covered by indemnity insurance, will no doubt disproportionately impact on qualitative prisons research, and indeed any research involving prisoners or former prisoners.

To summarise our argument so far: the various governmental and institutional push and pull factors surrounding the

production of academic knowledge are leading to a 'market led criminology' which, as Reece Walters puts it, '[c]ontinues to colonise research agendas with critical voices demarcated to an increasingly marginalised periphery.'¹⁰ Such things can, as Squires notes, only serve to reinforce conventional stereotypes and perceptions of the 'dangerous others' of tabloid hysteria. It is against such a backdrop, in recognition that the voices of prisoners and former prisoners are becoming increasingly muted if not silenced altogether, in academic as well as public debates on crime, criminality and punishment, that *Convict Criminology* is

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7. Young, J. (2004), 'Voodoo criminology and the numbers game', in Ferrell, J. et al. (eds.) *Cultural Criminology Unleashed*, London: Glasshouse.
8. Squires, P. (2013) 'Research prevention and the zombie university', *Criminal Justice Matters*, 91: 4-5.
9. Librett, M. and Perrone, D. (2010) 'Apples and oranges: Ethnography and the IRB', *Qualitative Research*, 10: 729-747.
10. Walters, R. (2003) *Deviant Knowledge*, Cullompton: Willan.

committed to generating an authentic criminology from below — a criminology that is based on ‘participative action research’ and in which prisoners are engaged not only as research participants, but as co-producers of academic knowledge working in collaboration with university scholars, and as researchers conducting ethnographies *in situ*.

Convict Criminology

Convict Criminology was originally established in the United States in 1997 by former prisoner and former corrections worker, turned academics, Steven C. Richards and Jeffrey Ian Ross. Steven C. Richards and Michael Lenza explain that the movement ‘was born of the frustration ex-convict professors and graduate students felt when reading the academic literature on prisons, [most of which] reflected the ideas of prison administrators, while largely ignoring what convicts knew about the day-to-day realities of imprisonment.’¹¹ In the most recent article outlining the Convict Criminology position, Jeffrey Ian Ross likewise emphasises the absence of insider perspectives on prisons in American (and we would argue, British) criminology. Ross describes the Convict Criminology movement as, ‘a collection of PhD-trained former prisoners, prison workers, and others who share a belief that in order to be a fully rounded discipline, mainstream criminology needs to be informed by input from those with personal experience of life in correctional institutions’.¹²

From this starting point two essential features of Convict Criminology emerge. First, Convict Criminology aims to produce academic research and commentary on prisons that is not just informed, but which is also

underpinned and securely moored by prison experiences.¹³ As Jason Warr emphasises in the British context, academic criminologists are far from immune to the social ignorance that pervades public discourses on penalty.¹⁴ Both in Britain and the United States, the vast majority of our academic knowledge and commentary on prisons remains predicated by second-hand accounts, in which prisoners and staff remain no more than research participants, and the privileged academic claims the right to formulate an appropriate research design to measure and interpret their experiences, and the validity of their views. The point is that even the most dedicated prison ethnographer cannot fully appreciate what it is like to be incarcerated, or the social

problems (personal and societal neglect, violence, substance abuse, stigma and so on) typically faced by prisoners and former prisoners unless they have experienced prison themselves. In Britain as in America, prisoners and former prisoners invariably complain that they recognise little of the way in which their lives are depicted in much of the established prisons literature. To bridge this chasm between researcher and research participant, Convict Criminology promotes a broad range of insider methodologies, including auto-ethnography,¹⁵ peer research,¹⁶ and collaborative research in which prisoners and former prisoners are co-producers of knowledge,¹⁷ or with academics

taking a back seat and utilising their knowledge of research methodologies to facilitate prisoner ethnographies.¹⁸ And whilst the intention here is not to discredit or invalidate the valuable contribution other academics have made to our understandings of prisoner realities, given the limited involvement of prisoners in prison research, the benefits of the convict criminology approach to research are undoubtedly plentiful.

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11. Richards, S. C. and Lenza, M. (2012) ‘The first dime and nickel of Convict Criminology’, *Journal of Prisoners on Prisons*, 2(1&2): 3-14, p. 3.
12. Ross, J. I., Darke, S., Aresti, A., Newbold, G. and Earle, R. (2014) ‘Developing convict criminology beyond North America’, *International Criminal Justice Review*, 24(2), 121-33, p.121.
13. Aresti, A. (2014) ‘A convict perspective’, *Prison Service Journal*, 211: 19-25.
14. Warr, J. (2012) ‘Afterword’, in Crewe, B. and Bennett, J. (eds.) *The Prisoner*, London: Routledge.
15. e.g. Newbold, G., Ross, J. I., Jones, R. S., Richards, S. C., and Lenza, M. (2014) ‘Prison research from the inside: The role of convict autoethnography’, *Qualitative Inquiry*, 20(4): 454-463.
16. e.g. Aresti, A. (2012) ‘Developing a convict criminology group in the UK’, *Journal of Prisoners on Prisons*, 21(1): 148-165.
17. e.g. Taylor, J. M. and Tewksbury, R. (1995) ‘From the inside out to the outside in: Team research in the correctional setting’, *Journal of Contemporary Criminal Justice*, 11(2): 119-136; cf. Fine, M. (2006) ‘Intimate details: Participatory action research in prison’, *Action Research*, 4(3): 253-269.
18. e.g. Piché, J., Gaucher, B. and Walby, K. (2014) ‘Facilitating prisoner ethnography: An alternative approach to doing prison research differently’, *Qualitative Inquiry*, 20(4): 449-460.

Second, Convict Criminology is essentially a grass-roots, research activist movement, whose purpose is to give voice to prisoners and former prisoners in public as well as academic debates on penalty. Aligned with critical criminology/victimology,¹⁹ Convict Criminology aims both to publically expose the failings of prison and, to borrow from Deborah Drake and Neena Samota's recent critique of grass-roots mobilisation in other areas of criminology,²⁰ to build genuine collective capacity for radical penal reform. To a large extent, this involves forming alliances between criminologists and voluntary sector penal reform groups, and engaging with criminal justice policy makers, the difficulties and dangers of which we return to below. Of utmost importance is the aspiration that prison research involves criminologists working directly with prisoners, former prisoners and local practitioners. Similar to the experiences of radical sociologists who have engaged with social workers,²¹ one of the major difficulties faced by criminologists who take a research activist perspective is convincing people that the theorising of largely, though not exclusively, middle class academics is relevant to their day to day experiences. Again, the Convict Criminology perspective emphasises that such collaboration must be on equal terms, and that solutions to the problems faced by prisoners, former prisoners and local practitioners are collectively devised. As a result of its 15 years experience of insider-outsider collaboration in the United States, for instance, Convict Criminology recently identified 12 priorities for reducing the size and scope of the prison system, and improving the chances of successful prisoner re-entry into mainstream society:

- restrict the use of prison to serious, dangerous offenders;
- increase restorative justice programmes;
- end the 'war on drugs';

- demilitarise the criminal justice system;
- end the practice of combining prison with community sentences;
- restore voting rights to felons and prisoners;
- close old and obsolete prisons;
- restore higher education to prisons;
- properly prepare prisoners for release;
- improve medical services;
- provide community resource centres;
- and invest in residential treatment centres.²²

For the purposes of this article, what is important about these policy recommendations is not so much their content, but as the authors put it, that they, 'are based on what we have learned from our own personal experiences and from the many interviews we have conducted with prisoners and parolees'.²³

Through its combining of insider and critical research action perspectives on penalty, it is our contention that Convict Criminology is well equipped to challenge public misconceptions on prisons and prisoners. Further, by insisting on the need to privilege the knowledge and standpoint of those with first-hand experience of prison, convict criminologists find themselves in a strong position to resist institutional pressure to produce quantitative, hypothesis-testing (voodoo, positivistic) research. In recognition of the role that grounded, insider perspectives might play in the development of

critical penology in the UK, BCC was formally launched in January 2012. Its active membership (defined by having self-identified as members due to their research or graduate studies being informed by the convict criminology perspective and/or their involvement in mentoring prisoners in higher education) now includes over 25 serving prisoners studying in higher education, and in excess of 30 lecturers, graduate or post-graduate students, most of who have prison experience.²⁴ At the outset, its founders and steering group members,

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19. Ross, J. I. and Richards, S. C. (eds.) (2003) *Convict Criminology*, Belmont, CA: Wadsworth/Thomson Learning; Ross et al. (2014), see n.12.
 20. Drake, D. and Samota, N. (2014) 'Building collective capacity for criminal justice policy change', paper presented at the British Society of Criminology annual conference, Liverpool, 10-12 July.
 21. See e.g. Cohen, S. (1975) 'It's all right for you to talk: Political and sociological manifestos for social work action', in Bailey, R. and Brake, M. (eds.) *Radical Social Work*, London: Edward Arnold; Pearson, G. (1975) *The Deviant Imagination: Psychiatry, Social Work, and Social Change*, London: Macmillan.
 22. Richards, S. C., Ross, J. I., Newbold, G., Lenza, M., Jones, R. S., Murphy, D. S. and Grigsby, R. S. (2012) 'Convict Criminology, prisoner reentry and public policy recommendations', *Journal of Prisoners on Prisons*, 21(1): 16-34.
 23. Ibid. (p.17).
 24. For an overview of the background to British Convict Criminology, see Aresti, A. (2012), see n. 16, and Ross et al. (2014), see n.12.

academic criminologists Andy Aresti, Sacha Darke and Rod Earle, two of whom are former prisoners, identified six key objectives for the group:

- ❑ provide support to prisoners and ex-prisoners in establishing themselves as academics in criminology and its cognate disciplines;
- ❑ Develop critical perspectives on prisons and research with prisoners and former prisoners;
- ❑ utilise our collective knowledge, experiences and expertise to influence policy change through our academic work and connections to advocacy/campaign groups;
- ❑ develop the membership and profile of the group through organising seminars, guest lectures and conferences;
- ❑ develop strong links with non-statutory sector organisations in the field, that is penal reform advocacy and campaign groups;
- ❑ share experiences and develop ideas that draw from the convergence of academic study of prison and experience of it as a prisoner.²⁵

In its first three years BCC has directed most attention towards the first, fourth and last of these objectives. Besides organising panels at the annual conferences of the British Society of Criminology in Portsmouth (2012), Wolverhampton (2013), Liverpool (2014) and Plymouth (2015), BCC has presented at the Institute of Criminology, Cambridge University, Padua University, HMP Grendon, two annual conferences of the European Group for the Study of Deviance and Social Control, Oslo University, and the Norwegian Association for Penal Reform, in addition to the one-day conference at Edge Hill University on which this article is based. Among the lecturers, Ph.D. students and advocacy group members that have joined Aresti, Darke, Earle and Manlow at these conferences and seminars, six are former prisoners. Two others have several years' experience of teaching higher education to prisoners. As previously noted, Jeffrey Ian Ross, who joined BCC at the conferences in Portsmouth and

Wolverhampton, has also worked in corrections. These efforts have been important means both of building BCC's profile among university and voluntary sector institutions, and supporting former prisoners through their higher education. In 2013 BCC had its first major breakthrough in this regard, when one of the former prisoners affiliated to the group secured a full-time lectureship in Criminology. As previously mentioned, BCC is also looking towards developing the future capacity of the Convict Criminology perspective in the UK by mentoring prisoners studying in higher education. It is currently providing academic mentoring to a dozen undergraduate students in prison.

As for the group's longer-term ambitions to develop critical, insider perspectives on prisons and to impact on prisons policy, BCC members have already published four peer-reviewed articles exploring the group's aims and/or providing autoethnographic accounts of the relevance of the authors' prison experience to their research or interpretations of the failure of prisons.²⁶ Three more papers are forthcoming in an edited collection on prison ethnography. As a result of the academic mentoring scheme, BCC has also recently helped facilitate two single authored publications by serving prisoners.²⁷ In December 2014 BCC was invited to facilitate and report on focus group discussions among former prisoners at a workshop in Belfast, sponsored by the Northern Ireland

Among the lecturers, Ph.D. students and advocacy group members that have joined Aresti, Darke, Earle and Manlow at these conferences and seminars, six are former prisoners.

Association for the Care and Resettlement of Offenders and Queen's University Belfast. A number of individual BCC members are also involved in activism through their links with penal reform groups. These efforts will undoubtedly gain momentum as BCC expands, and prisoners and former prisoners affiliated to the group progress through their postgraduate studies.

Whose voice is it anyway? Prisoners: a silenced (mis)represented voice

Whilst academic criminology is clearly guilty of contributing to the various (mis)representations of

25. Aresti, A., Darke, S. and Earle, R. (2012) *Convict Criminology in Britain? Background, Proposal and Invitation* (http://www.convictcriminology.org/pdf/CONVICTRIMINOLOGY_UK.pdf)

26. Aresti (2012), see n.16; Aresti (2014), see n.13; Earle, R. (2014) 'Insider and out: Reflections on a prison experience and research experience', *Qualitative Inquiry*, 20(4): 429-438; Ross et al. (2014), see n.12.

27. Alexander, M. (in press) 'Innocence projects: A way forward', *Inside Time*; Leick, J. (2014) 'Finding my way through Grayling's maze: A prisoner's struggle to get a book', *Inside Time*, July: 34.

prisoners, former prisoners and the lived realities of prison life, we also need to broaden our focus and consider the clear absence of prisoner voices in wider public discourse. Considering the substantive and highly influential role that both statutory and non-statutory services in the criminal justice field play in constructing prisoner realities and wider public discourses, it is critical to explore how these realities are represented. Arguably, the lack of prisoner voice in both statutory and non-statutory service agencies renders the knowledge and representations produced by these organisations highly questionable. Whilst this is contentious, especially when referring to the voluntary sector, it could be argued that much of the knowledge produced by and through these organisations is standpoint specific, and thus (despite the often very good intentions of many) it becomes filtered and refracted through a privileged lens and is thus articulated through organisational understandings and experiences, rather than those of the prisoners.

Notably, both statutory (and to a lesser extent non-statutory) agencies make little use of prisoners when generating knowledge, but more importantly, as with academia, few, if any, former prisoners have senior level roles in these organisations. It could thus be argued that the type of knowledge produced is determined by those who are in a position of power, and as argued comes from a particular organisational perspective or standpoint which are deeply embedded within distinct relationships of power.

Here we question the legitimacy of those in positions of power and the knowledge which they produce by critically examining the ideological, conceptual and practical frameworks within which they work. To highlight the issue that rather than provide a platform for the prisoners' voice, they too contribute to the silencing of this voice we draw on both academic and anecdotal evidence.

The process of 'silencing' (Mathiesen, 2004)²⁸ operates on a number of complex interlocking levels; both within and across organisations who work within

the criminal justice system, but also in particular through the dominant discourses which are utilised and reinforced by the statutory services and the so called 'experts in the field' who work alongside them. The experts here include the practitioners, researchers and other professionals working within the current neo-liberalist ideological framework which prioritises managerialism and individual responsibility. Expertise can however also be conceptualised in a broader sense, to include non-statutory organisations (and their members) working in the criminal justice system. As Nikolas Rose articulates, a new form of expertise has recently developed, whereby professional groups have based their claim to social authority upon their capacity to understand the psychological aspects of a person and to act upon them, or to advise others what to do.²⁹ Whilst his critique is primarily focused on psychology as a discipline, he argues that these 'experts' or professional groups include those working in the criminal justice system, (social workers, clinicians, educational workers and therapists) describing them as 'engineers of the human soul'. Not only do they produce new languages and expert systems and discourses for construing, understanding and evaluating ourselves, they have contributed to creating our realities. Nowhere else is this more evident than in 'prisoner' realities, where dominant discourses and sources of knowledge can not

only shape the public's perceptions of the prisoner, but also the lived experiences of the prisoner.

Taking the negative labels (ex-offender or ex-prisoner) assigned to former prisoners as a starting point, we can see how the prisoner's voice is not only suppressed through the use of such terms, but also how they can negatively impact on the prisoner's lived experiences and realities. The negative impacts of the labelling process and 'ex-offender' stigmatisation has been well-documented, demonstrating that this cohort is systematically devalued and excluded from a vast range of social domains and relationships.³⁰ Yet interestingly these labels remain a prominent feature in everyday

Arguably, the lack of prisoner voice in both statutory and non-statutory service agencies renders the knowledge and representations produced by these organisations highly questionable.

28. Mathiesen, T. (2004) *Silently Silenced: Essays on the Creation of Acquiescence in Modern Society*, Winchester: Waterside.

29. Rose, N. (1999) *Governing the Soul: The Shaping of the Private Self*, London: Free Association.

30. Aresti, A., Eatough, V. and Brooks-Gordon, B. (2010) 'Doing time after time: An Interpretative Phenomenological Analysis of reformed ex-prisoners experiences of self-change, identity and career opportunities', *Psychology, Crime & Law*, 16(3): 169-190; Pager, D. and Quillian, L. (2005) 'Walking the talk? What employers say versus what they do?', *American Sociological Review*, 70: 355-380; Uggen, C. (2000) 'Work is a turning point in the life course of criminals: A duration model of age, employment and recidivism', *American Sociological Review*, 65: 529-546.

discourses of rehabilitation, resettlement and more generally when referring to this cohort in particular contexts. Sixteen years on from leaving prison, one of the authors (AA) is still an 'ex-offender', an ex-prisoner or an ex-con. Such labels still have negative implications, not only impacting on many facets of life, but also as a means of the suppression of voice. Consequently, in some social contexts the label defines the person, which can often have a negative and transformational impact on their sense of self.

In effect, these labels serve to distinguish the 'normal' from the 'other'; the criminal or deviant from the law-abiding or morally upstanding citizen, the normal from the pathological, constructing an 'us' and 'them' dichotomy and producing myths about the 'bogeyman', a stigma widespread in current discourses on prisoners, former prisoners and 'ex-offenders'.³¹ As Flowers and colleagues have noted in their work on gay men and HIV, such scare stories or tales that demonise the individual can serve a social purpose, averting the story teller's eyes from their own stigmatising activities and immorality.³² There clearly operates a hierarchy of stigmatisation here which is dependent on the power to define and, perhaps more importantly, the power to evade. Such discourses are culturally embedded and are clearly influenced by broader social structures and institutions; this is specifically evident in the case of the prisoner, the government, statutory and non-statutory services in the CJS and the media. Drawing parallels with the work of Flowers and Langdrige on the social construction of deviance and pathology in gay men, we can see how narratives of difference are constructed to distance, label or demonise and question the morality of prisoners.³³ Interestingly, alternative narratives that focus on the positive characteristics of the prisoner are typically ignored, absent in everyday 'talk' about prisons, prisoners and rehabilitation, or desistance. Here the recent managerialist emphasis is on 'risk

management' and control, further alienating the already stigmatised prisoner, and mirroring wider cultural concerns with security, risk management and surveillance.³⁴ In short, it is evident that criminal justice has shifted from focusing on the risk factors of an individual to a collective focus; predictions on reoffending are now group focused.³⁵ This reduces diverse and heterogeneous experiences into overly simplistic, catch-all categories. This shift has a variety of implications for the lived realities of 'prisoners' and serves to suppress their voice, by limiting their ability to produce alternative knowledge and understandings of their lived realities.

A prime example of this is in the labour market and the limited career opportunities available to ex-convicts, especially within the criminal justice field and related areas. Such arenas would clearly provide an ideal platform for the generation of alternative discourses and novel and innovative areas of knowledge production which privilege prisoner experiences. Yet such opportunities are effectively blocked and are exempt from the Rehabilitation of Offenders Act (ROA) (1974), even in its recently revised form under the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Closer inspection of this revised legislation reveals that very little has changed in terms of the ROA Exceptions Order (1975). In addition to sensitive areas (such as working with children or other vulnerable groups, high level financial positions and the healthcare profession) professional positions of trust are exempt, excluding the prisoner from a career in the legal profession, law enforcement, the criminal justice system (prisons, probation etc.), and clinical positions such as forensic or clinical psychologists; all of which would provide a rich and fertile ground for the generation of alternative knowledge and discourses on crime, criminal justice issues and prisoner realities.

To our knowledge, few if any former prisoners are employed by the National Offender Management Service

There clearly operates a hierarchy of stigmatisation here which is dependent on the power to define and, perhaps more importantly, the power to evade.

31. Maruna, S. (2001) *Making good: How Ex-Convicts Reform and Rebuild their Lives*, Washington DC: American Psychological Association; Ross, J. I. (2003) '(Mis)representing prisons: The role of our cultural industries', In J. I. Ross and Richards, S. C. (eds.) *Convict Criminology*, Belmont, California: Wadsworth.
32. Flowers, P., Duncan, B. and Frankis, J. (2000) 'Community, responsibility and culpability: HIV risk-management amongst Scottish gay men', *Journal of Community and Applied Social Psychology*, 10(4): 285-300.
33. Flowers, P. and Langdrige, D. (2007) 'Offending the other: Deconstructing narratives of deviance and pathology', *British Journal of Social Psychology*, 46(3), 679-690.
34. Beck, U. (1992) *Risk Society: Towards a New Modernism*, London: Sage.
35. Mathiesen, T. (1983) 'The future of control systems: The case of Norway', in Garland, D. and Young, P. (eds.) *The Power to Punish*, London: Heinemann; O'Malley, P. (2001) 'Risk, crime and prudentialism revisited', in Stenson, K. and Sullivan, R. (eds.) *Crime, Risk and Justice: The Politics of Crime Control in Liberal Democracies*, Cullompton: Willan.

(NOMS), the Ministry of Justice (MOJ) or any other related statutory or professional service (psychologists, probation, social workers etc.) working with prisoners. Whilst this absence is dictated and governed by current legislation, to us this appears totally counterintuitive, as undoubtedly an ex-convict with the right academic or vocational qualifications would not only provide a deeper insight into the lived realities of prisoners, but also, based on their experiences and understandings, could effectively utilise this knowledge to contribute to developing more effective practices, policy and services in the field. Clearly, when considering the current state of the prison system (overcrowding, under-resourcing, staffing anxieties and general discontent) and its poor record in rehabilitative success, alternative approaches and strategies are paramount. Yet as noted, such valuable resources are not utilised, which begs the obvious question as to why this is the case.

Whilst the statutory services are bound and constrained by legislation in terms of employing former prisoners, they generate an illusion that they value what the ex-con has to say, implying that they will utilise their voices to develop their understandings of prisoner realities, and as a means of influencing practices and policy. To what extent they achieve this is highly questionable. Having been part of a delegation of ex-convicts that on a few occasions have been invited by NOMS and the MOJ to articulate their experiences, primarily on employment discrimination or the usefulness of the ROA (1974) it is evident that the fit between the 'dangerous knowledge' provided by the prisoner voice, and organisational or operational priorities is a poor one.

An example of this would be to briefly recount a recent meeting which took place at the MOJ. The focus of this particular meeting was to explore the negative attitudes of most employers to employing ex-offenders and, to this end, ex-offenders' experiences of direct and indirect discrimination were canvassed. In short, the key problematic was how to affect changes in employers' attitudes. The questions that were posed on why NOMS and the MOJ did not employ ex-prisoners and precisely how many ex-offenders did the MOJ employ were met with a very uncomfortable and lengthy silence. Surely, as was argued at the time, someone with inside

experience who had been released from prison and who had gone on to be awarded a doctorate which investigated desistance from crime would be an asset to the MOJ, especially considering the current policy focus on desistance in prisoner rehabilitation and resettlement. Yet intuitively, if the MOJ want to change employers' attitudes to employing ex-convicts, the most effective way to do so would be to set a precedent; it would send a very clear message that 'we value and trust these people, therefore so should you'. The very absence of prisoners working for the MOJ or NOMS speaks volumes.

Whilst this is perhaps only anecdotal evidence, it highlights an important issue. Specifically, the absence of prisoner voices in statutory services renders the knowledge and representations produced by these organisations as questionable. In particular, we can question the authenticity and accuracy of this knowledge because, as noted above, it is standpoint specific and is filtered through one's own experiences and understandings, or preconceptions. Given that we are interpretative beings, and that we assign meaning to our experiences, we can utilise Heidegger's argument here that an interpretation is never a pre-suppositionless apprehending of something presented to us. Thus our prior experiences, assumptions and preconceptions provide a lens for our

understanding of social phenomena. These understandings are influenced by our wider cultural and social frames of reference and ideological positions. Therefore, we always impose our own subjectivity on a given event or account experienced by another, and hence there is always the danger of rendering its meaning in a radically different way.³⁶

To hold the view that we can objectively understand social phenomena, and that our subjective or personal experience does not impinge on these understandings, is to say the least extremely naive. Considering that statutory services are working within a specific administrative and managerial framework, such ideological frames of reference serve only to hinder alternative modes of understandings in terms of prisoner realities. Hence the emphasis on developing critical perspectives on prisons, where prisoners and former prisoners utilise their collective knowledge,

The questions that were posed on why NOMS and the MOJ did not employ ex-prisoners and precisely how many ex-offenders did the MOJ employ was met with a very uncomfortable and lengthy silence.

36. Heidegger, M. (1931/1962) *Being and Time* [Trans. J. Macquarrie & E. Robinson], Oxford: Blackwell.

experiences (many of which are shared due to the environmental conditions and structural constraints experienced) and expertise to not only inform, but co-produce the knowledge produced on 'prisoner' realities.

Prisoner Realities and the Production of 'Dangerous' Knowledge

The question that needs consideration here is to what extent current research on prisons, prisoners and ex-convicts accurately captures this cohort's lived experiences. This is particularly important, as in many respects such research is used not only to inform our understandings and knowledge but, perhaps more importantly, it is also drawn on to inform and influence policy and practice. Until recently, little use of prisoners or ex-convicts was made when conducting research in this arena. However, more research teams are making use of peer researchers in their investigations, and in effect providing a platform or voice for prisoners to some extent. Whilst these efforts should be recognised and applauded, we still need to acknowledge some of the problematic issues underlying these 'collaborative' research approaches, especially when considering the relationship between power and knowledge production as discussed above.

Peer researchers are a valuable resource that can facilitate the research process in a variety of ways. Critically, peer researchers are viewed as being the 'experts' within their field of experience, and this can benefit the research focus via their experiential, conceptual and practical contributions.³⁷ Being employed as a consultant for voluntary sector organisations who conduct research on resettlement issues in prisons and on post-prison life has undoubtedly contributed much to elevating the volume of the prisoner voice. Experience has however raised questions about the extent to which such research can truly capture the very essence of prisoner realities and lived experiences. This argument is made in part due to the accepted practice that conventional (non-con) academics retain the power to steer the whole process

whilst others merely row. There are many fine non-con academics who have a great deal of empathy and who aim to counter the usual de-humanisation and de-personalisation of much extant prisons research but it could be argued that many still experience prisoner realities through their privileged and concave lenses. This has implications for the way the research is designed, conducted, interpreted and reported, and therefore the type of knowledge which is ultimately exalted.³⁸ This issue was addressed in more detail in a recent conference paper.³⁹ Suffice it to say, the position adopted here is that there is a clear need for prisoner research that is led by ex-con academics, or, at the very least, collaborative research where ex-con academics jointly lead on the projects.

Arguably, there are only a few ex-con researchers with the experience or the credentials to lead on such projects, although as noted previously, potential candidates are presently on the increase. For the few who do meet the criteria, there are persistent obstacles and barriers in place that block meaningful access and limit the opportunities to conduct such research in prison. Certainly personal experience has time and again demonstrated that gaining access to prisons is a complex bureaucratic process, unless one is with a research team working under the guise and patronage of a well-respected NGO, or by

However, more research teams are making use of peer researchers in their investigations, and in effect providing a platform or voice for prisoners to some extent.

invitation from a prison governor or someone working in prison (to do a talk, present at or attend an event). In all of these instances, visits have been infrequent — that is no more than three visits to the same prison within a given year. In terms of a security risk, these infrequent visits are not problematic. In stark contrast, to gain access to a prison on a more frequent basis, say for longitudinal research, like any other non-directly employed member of staff or 'visitor', access is dependent on a risk assessment, specifically, an enhanced security vetting process. Unsurprisingly, one of the authors (AA) has been unsuccessful on two occasions. This of course has implications for a current research project that the authors are working on, specifically in terms of who was going to act as the academic lead. This is illustrative of how the prisoner voice can be silenced.

37. Fletcher, D. R. and Batty, E. (2012) *Offender Peer Interventions: What do we know?*, Sheffield Hallam University.

38. Flowers and Langdridge (2007), see n.32.

39. Aresti, A. and Darke, S. (2013) *Shifting the Research Hierarchies: Articulated Experiences of Studying Degrees Inside*, paper presented at British Society of Criminology annual conference, 3-5 July 2013.

Voluntary Sector Exceptionalism?

Whilst statutory organisations working in the criminal justice field have been exclusive in terms of prisoner or ex-con employability, the voluntary sector has often seen the value of utilising prisoners or ex-cons in their work. Yet whilst many utilise prisoners and former prisoners (e.g. SOVA, St. Giles Trust,) valuing their experience, many of these voluntary sector organisations or NGOs could also be subject to some of the same criticisms as their statutory service counterparts. As Hilton and colleagues note, NGOs have played a key role in the professionalization and privatization of politics, emerging as the 'new' experts and legitimate authorities on a range of issues (especially within the CJS). These 'highly professionalized' NGOs led by the technocratic elite have according to these authors, become the 'ultimate beneficiaries of this new form of politics'.⁴⁰ This too has substantial implications for knowledge production on 'prisoner' realities and shaping the public's understandings and conceptualisations of prisoners. Yet who are the 'technocratic elite'?

A quick internet search of some of the most well-known NGOs working in the criminal justice system reveals that few former prisoners hold senior positions in these organisations, although of course there is the odd exception such as User Voice, and until recently UNLOCK. Moreover, few if any of the CEOs of such organisations match the demographic of the typical prisoner. This is problematic as it raises the same kinds of questions and issues discussed throughout this paper in terms of whose voices are heard and through which cognitive and organisational frameworks these are interpreted. Specifically, this knowledge is filtered through the CEO's, (and by default the organisation's) own value system, norms, morals and beliefs about the world. This influences not only how prisoners are represented and conceptualised, but the aims and focus

This influences not only how prisoners are represented and conceptualised, but the aims and focus of the organisation, as well as influencing the types of projects, research and services provided.

of the organisation, as well as influencing the types of projects, research and services provided. In effect, this 'privileged' world view is woven into the fabric of the organisation's structure and decision making processes. And yet this world view is arguably embedded in wider social, cultural and ideological frames of reference. Hilton et al., point out that NGOs '*have become embedded in the modern state*' for a variety of reasons; these include the state funding of their activities, the increasingly blurred boundaries of expertise, the need for a politics of pragmatism, that captures and maintains public support and that of the state and/or statutory services working in the CJS. This issue is even more prominent in the present climate and landscape

pertaining to the changing role of NGOs in the CJS, specifically their greater involvement, especially in terms of service provision, or advocates of service provision.⁴¹ Consequently, this has generated some not particularly creative tensions, with NGOs having to negotiate their positions in terms of their autonomy, integrity critical voice etc.⁴²

Perhaps the concept of ethnocentrism is useful here, in terms that there is perhaps a tendency to use our own cultural or ethnic group's norms and values to define what is 'natural' or 'correct' for everyone else's lived realities.⁴³ Whilst this term is specifically used to critique how human sciences in general have been dominated by western cultural understandings, and how this knowledge is used as a frame of reference through which to understand and view non-western cultures, it is, we would argue, also applicable here. It is no secret that prisoners are predominantly from disadvantaged, working class backgrounds and that ethnic minorities are also disproportionately represented in this cohort. Indeed, the empirical trends here are compelling. Yet, like many professional institutions (academia, politics, the CJS etc.), those working at a senior level in the criminal justice organisations, typically, come from 'privileged' backgrounds. This disproportionality at both

40. Hilton, M. (2014) *The Politics of Expertise: How NGO's Shaped Modern Britain*, available at www.historyandpolicy.org/historians-books/books/the-politics-of-expertise-how-ngos-shaped-modern-britain [accessed 16/07/14].

41. Ministry of Justice (2008) *Third Sector Strategy: Improving Policies and Securing Better Public Services through Effective Partnerships 2008 – 2011*, London: Ministry of Justice.

42. Meek, R., Gojkovic, D. and Mills, A. (2010) *The Role of the Third Sector in Work with Offenders: The Perceptions of Criminal Justice and Third Sector Stakeholders*, Third Sector Research Centre, Working Paper 34, available at www.birmingham.ac.uk/generic/tsrc/documents/tsrc/working-papers/working-paper-34.pdf [accessed 16/07/2014].

43. Triandis, H. C. (1990) 'Theoretical concepts that are applicable to the analysis of ethnocentrism', in Brislin, W. R. (ed.) *Applied Cross-Cultural Psychology*, Newbury Park, CA: Sage.

ends of the spectrum, coupled with the absence of prisoner voices can only serve to maintain the existing status quo and broaden power relations, where these 'privileged' cultural and ethnic frames of understanding are utilised to generate knowledge on prisoner realities. This is particularly important when considering that the state and 'experts' are linked within a network of authority.⁴⁴

Even if we put this issue aside, and for argument's sake concede that these NGOs can in fact generate 'accurate' knowledge on prisoner realities, how this knowledge is represented is still open to higher level decision making processes, for example, and as noted previously, funders, commissioners and those who govern or are affiliated with the voluntary sector organisations that is the trustees and/or influential patrons. Many of the trustee boards of these voluntary sector organisations consist of individuals coming from 'privileged' backgrounds and are, as argued throughout this paper, from a particular standpoint. In many instances, such trustees have come from professional or legal backgrounds and some have worked in the field of criminal justice. Yet on closer inspection of these trustee boards it is clear that the voice of prisoners or ex-convicts is typically absent or at the very least not adequately represented, with only a few of these boards including an ex-convict. This of course also has implications for the governance, direction and focus of the organisation.

Drawing on the experiences (AA) of being a trustee for a voluntary sector organisation, two things were clear. First, there was a clear demarcation of perspectives between the equally represented ex-convict/non-convict trustee board. Specifically, the ex-convicts shared similar views on a range of issues, whilst their non-convict counterparts held contrary views. In many respects, this was a great source of tension, although on a positive note, a healthy mixture of ex-convict and non-convict trustees provided fertile ground for the governance, direction and focus of the charity, and importantly in terms of knowledge production of prisoner realities. In this respect, prisoner voices were privileged. However, as noted, prisoners' voices are not typically represented on such boards, and whilst there may be a number of reasons for this, one of the main problems, faced by ex-convict trustees, relates to the structural barriers put in place by governing institutions; that is the charity commissions. To be a trustee, at this particular voluntary sector organisation, the ex-convict candidates were required

to go through a thorough risk assessment process to determine whether they were suitable for the position. Ironically, not all of the ex-convicts succeeded! A voluntary sector organisation working to improve prisoners' and ex-convicts' lives, by tackling the stigmatisation and discrimination experienced by this cohort, has to not only risk assess their ex-convict trustee candidates, but consequently discriminate, by having to reject some of these candidates.

Bridging the Gap

In this paper we have explored the potential of the convict criminology movement in helping to 'bridge the gap' between the public and the prison. Although convict criminology is still in its early stages of development in the UK, it is beginning to have a real presence. Our particular focus here has been the production of knowledge about prisons, prisoners and how their lived realities are constructed and maintained. We have explored some of the key matrices of power to highlight how the 'dangerous knowledge' and voices of marginalised groups are effectively and systematically muted and silenced, both in academic research and in the work of statutory and non-statutory organisations in the criminal justice field. To be clear, we are not arguing that prison research should only be conducted by prisoners or former prisoners, nor that the statutory or voluntary sector should be run by, or predominantly represented by, former prisoners or ex-convicts. This exclusivity would clearly generate a myriad of other problematic issues. However, a more balanced representation which provides diverse and multi-faceted perspectives would cultivate more fertile ground for knowledge production on the lived 'realities' of prisoners and a better informed policy debate. Here we can also utilise the diverse skills and understandings of people from different cultural and ethnic backgrounds; an idea that is gaining prominence in other areas, where disadvantage and oppression is rife. The prisoner's voice is an essential one for exposing bad practice, helping to set standards of decency and acceptability within prison walls and through resettlement processes, and for countering the de-humanisation, depersonalisation and stigmatisation of both prisoners and their families. Theirs are voices which have been silenced for too long. To facilitate lasting and effective penal reform and change they demand to be authentically heard.

44. Fine, G. A. and Xu, B. (2011) 'Honest brokers: The politics of expertise in the 'who lost china?' debate, *Social Problems*, 58(4): 593-614.

Returning to HMP Durham prison 30 years on:

An ex-prisoners perspective

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Introduction

Several weeks before I started writing this article, I was invited to deliver a talk to an audience of academics, prison governors (past and present), prisoner charities, educators and university students at HMP Durham Prison Officer's Club. My talk was about my journey from prisoner to criminologist and I was one of several other speakers taking part in what was a celebration marking the end of the first Inside-Out Prison Exchange at Durham University.¹ This wonderful incentive involves university students studying alongside prisoners on a 10-week criminology programme — something that was praised by the Chief Inspector of prisons, Nick Hardwick.² The day also marked a very different occasion from a personal perspective as 30 years to the day I was incarcerated in HMP Durham which was the second and final time I would be sent there. My time in HMP Durham was also when I first got the 'bug' for education. During my talk I stated, 'I never particularly want to go back inside a prison again', but fortunately, my offhand remark didn't deter the prisons Learning, Skills and Employment Manager, Lynda Elliott and the governor, Tim Allen, from asking me if I would like to do just that. They believed that prisoners could benefit from hearing about my journey. I ate my words spoken earlier and immediately agreed and when that day finally arrived it would become a life changing experience. The main thrust of this article is to compare two very different institutions — HMP Durham 1985 and HMP Durham 2015 — however, I have also drawn on some of my experiences in other prisons where I served two different sentences within two different decades. This enabled me to contextualise different inmate cultures and regimes of those periods. I will also discuss some of the main points raised in the 2013 inspection

report about HMP Durham³ which highlighted a number of very important issues both good and bad with recommendations for change. These will link to the main themes I talk about.

I was released from HMP Durham in July 1985 promising never to return, but as I said earlier, it was a promise I broke 30 years later — albeit this time as a visitor. However, it wasn't the first time I had seen inside a prison since my release day in 1985 because in 1995 I was held on remand in the then newly built HMP Holme House which now accommodated Teesside prisoners which in the past HMP Durham had done. But this was the first time I had ever been invited to any prison as a guest and when I did return to HMP Durham in 2015, it was inspirational to see the many changes that had taken place within the prison culture as a whole and to feel the positive vibes from staff and prisoners.

Although I went back to HMP Durham with my eyes wide open I was not prepared for what I was about to encounter. I entered the prison from three different perspectives — as an ex-prisoner, an educator and a research student. As an ex-prisoner I was amazed at the changes that had taken place since I was a prisoner in HMP Durham; as an educator I was impressed by the new incentives such as prisoners having the opportunity to work towards NVQs in relation to their specific job roles. I was also enthused by the staff vibrancy and the prisoner's thirst for learning and improving their prospects after release. I left the prison a changed person that day with a completely different outlook of a prison that once only conjured up bad memories.

Changing prison culture

When I was sent to HMP Holme House in 1995, I immediately noticed a significant change in the prison culture from what I had experienced a decade earlier inside HMP Durham (changes that were both positive and negative). But the 1990s was a major turning point

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1. HMP Durham University Inside-Out Prison Exchange Programme, [online] 15 April 2015. Available at :< <https://www.dur.ac.uk/sass/crim/insideout/>>[accessed 15 April 2015].
 2. Hardwick, N. 2015. *Prison Research Network Conference*. [April 28 2015] Leeds Beckett University, Leeds.
 3. Her Majesty's Inspectorate of Prisons., *Report on an unannounced inspection of HMP Durham*. [Online] 2-13 December 2013. Available at :< <http://www.justiceinspectorates.gov.uk/hmiprisons/>>[accessed 14 August 2015].

of its deep rooted problems in prisons and an overzealous disciplinarian prison officer culture associated with Victorian designed prisons such as HMP Durham and other similar prisons including HMP Armley (Leeds), HMP Strangeways (Manchester), HMP Wandsworth (London), HMP Walton (Liverpool), to name a few. Eamonn Carrabine reminds us of that prison culture dominated by a structured form of authoritarian brotherhoods manifested in a 'strong canteen culture...and the celebration of hard drinking and their associated ethic of hard men doing a hard job'.⁴ In his book, *Punishment and Prisons: Power and the Carceral State* (2009), Joe Sim echoes this saying, 'even when there were policy changes as Carrabine labels the 'uneven transition' from authoritarianism to professionalism' — 'an aggressive confrontational approach to prisoners continued to characterise interactions.'⁵ But in the main, the once disciplinarian male dominated prison officer culture Carrabine talks about, drastically changed following the Woolf report in 1991 which came as a result of the HMP Strangeways riots.⁶ However, despite these changes, and according to David Scott, 'it had not completely been eradicated, he claims, as there still exists a number of prison officers — especially those who consider security, discipline and control to be central to their working practices — who exercise power through their personal authority'.⁷

I also noticed how the staff/prisoner relationship was significantly different to how I remember in HMP Durham. The old school prison officer Carrabine talks about had now been replaced by a more modern, easy going prison officer. The disciplinarian prison officer culture was long gone and had been significantly changed by the equal presence of female prison officers.⁸ Toilets and washbasins had replaced slop out buckets and it wasn't frowned upon to make conversation with prison officers. But one of the most positive changes in prison culture (in my opinion) was

The disciplinarian prison officer culture was long gone and had been significantly changed by the equal presence of female prison officers.

the introduction of female prison officers working on the prison landings in what was once strictly hyper-masculine territory.⁹ It created a significant shift in the prison culture affecting both prisoners and male prison staff whereby male prisoners began to experience and demonstrate a more sensitive side to their behaviour. Ben Crewe's 2006 study of male prisoners' attitudes towards female prison officers showed that for some prisoners, female prison officers had a more positive influence, but as mentioned earlier — David Scott points out that despite the absence of the once prison officer disciplinarian culture, there was still an element of prison officers exerting their personal authority.⁷ The most negative and oppressive vibes I could feel when I returned to prison in the 1990s came from the all encompassing drug culture¹⁰ that infected the very fabric of the prison environment and whereas a decade

earlier I was in the majority of non drug taking prisoners, I was now in the minority (a straight head) as people like me (non drug users) were labelled by drug users.

In terms of the changing inmate culture of the 1990's, it wasn't just drugs that contributed to these radical changes nor was it just in the UK as it began to change on both sides of the Atlantic according to Wacquant¹¹ who refers to John Irwin's revised 1990 book *the Felon*¹² where Irwin claimed that 'there was no longer a single overarching convict culture — a

social organisation — as there tended to be decades earlier when *the Felon* was written in 1970'. Wacquant's analysis¹¹ and the rapidly changing inmate culture coincide with a surge of multiculturalism within UK prisons during the 1990s.¹³ In the early/mid 1990s foreign prisoners accounted for 8 per cent of the total prison population rising to and remaining consistent at around 13 per cent by 2003. Poland, Jamaica and the Irish Republic are the countries with the most nationals in prison. The Prison Service also attempted in vain to combat racist prison officer cultures by implementing a

4. Carrabine, E, (2004) cited in Sim, J (2009) *Punishment and Prisons: Power and the Carceral State*. London: Sage, p. 57.

5. (ibid).

6. Woolf Report (1991) *Prison Disturbances April 1990*, Cm 1456 HMSO.

7. Scott, D (2011) *That's not my name: Prisoner deference and disciplinarian prison officers*, *Criminal Justice Matters*, 84:1, 8-9, p.8.

8. Crewe, B (2006), *Male Prisoners' Orientations towards female prison officers in an English prison*. *Punishment & Society* 8: 395-421.

9. Ibid.

10. Crewe, B., (2005) *The Prisoner Society in the Era of Hard Drugs*, *Punishment and Society*, 7(4): 457-481.

11. Wacquant, L (2001) *Deadly symbiosis. When ghetto and prison meet and mesh*. *Punishment & Society*. Vol 3, No 1. p.95-134.

12. Irwin, J., (1970 [1990]) *The Felon*. London. Prentice Hall.

13. Berman and Dar (2013) *Prison Population Statistics*. www.parliament.uk/briefing-papers/sn04334, 108.

comprehensive race relation manual; training events and a race relations liaison officer yet despite this, problems still persisted throughout the 1990s.¹³

Slopping out

As I mentioned earlier, when I returned to prison in the 1990s I noticed that one of the most important and much needed changes that had taken place was the ending of 'slop out'. Slopping out which was described by the 1991 Woolf report⁶ as being 'a symbol of the inhumanity which existed in prisons', was once a major characteristic of prison life. It was supposedly abolished in 1996 though it took much longer for every British prison to completely dispense with it. Apart from being unhygienic, it was degrading having to perform bodily functions in full view of other prisoners and staff when they were doing roll check. I recall the degrading ritual of 'slop out' commencing each morning around 06.30am where rows of weary looking prisoners carrying plastic chamber pots full of human waste would make their way along the landing to dispose of its contents along with plastic bowls to fill with water for washing and white plastic jugs to collect drinking water. In those days we didn't have toilets and washbasins in the cells because HMP Durham dated from the Victorian era and wasn't originally designed to have toilets. Three times a day we were unlocked to dispose of our stinking faeces and urine into large sinks situated in a recess area at the foot of each landing.¹⁶

Tempers were frayed as it was far too early in the morning to be suddenly woken by a bright light and a bang on the door by a prison officer bellowing 'slop out!' only then to be then hit by the overpowering aroma of human waste. There was one toilet in the recess area and if you could get there before someone else beat you to it, you made the most of it. I never thought using a toilet could ever be such a luxury, but it was at times like that, I realised just how much I had taken everything in life for granted. The disadvantage of the toilet though, was that the cubicle door was only waist height so when everyone was crammed in

the packed recess area slopping out, you were on full view. We were all used to not having any kind of privacy though. We had to perform our bodily functions in the presence of two cellmates but there was sort of a mutual respect where we always gave one another as much privacy as possible.¹⁶ In 2013, according to the inspectors, there were still some issues in HMP Durham regarding privacy, where they claimed that cells had inadequately screened toilets.¹⁴

As the morning 'slop out' ritual unfolded, a prison officer would visit each cell with a wooden box containing our individually named razor blades. The paper which our razor blades were wrapped in had our names written on to make sure we got the right one because we used the same blade every morning for that week. It was a rule to be clean shaven unless you made a formal application to grow facial hair as this was classed as 'changing your appearance'. Once we'd had time to shave, our razors were then collected back, but while we were waiting for the prison officer to come and collect them, we would quickly use this period to slice our matches into four quarters so they would last longer. It was quite a skill to do this while making sure the sulphur remained intact.¹⁶

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Meal times

Meal times were always the highlight of our day — something that has remained a consistent factor of prison life. Lunch would consist of something like chicken or vegetable pie, mash and gravy with duff (pudding) such as sponge and custard. At tea time around 4:30 pm it was a lighter meal with perhaps chips and ham and a different piece of fruit each day. Each night around 9:00pm when we were all safely locked behind our doors for the night, a prison officer and a kitchen orderly would go around the landings with a tea urn perched on top of a trolley and a tray of cookies left over from earlier. It was these small but significant treats that made a grim situation more bearable. The 2013 report shows that many prisoners were dissatisfied with the food in HMP Durham, but a survey showed that 18 per cent of prisoners thought the food was good with few issues raised.¹⁵

14. Her Majesty's Inspectorate of Prisons see n. 3, p.42.

15. Her Majesty's Inspectorate of Prisons, see n. 3, 14.

16. Honeywell, D.M., (2014) *Never Ending Circles* (2nd ed). Beehive books, 71-94; Honeywell, D., *Doing Hard Time in the United Kingdom* In Richards, S (ed) (2015) *The Marion Experiment: Long-Term Solitary Confinement and the Supermax Movement* Carbondale, IL: Southern Illinois University Press, 203-221.

Purposeful activity

The 2013 inspection also showed that although fully employed prisoners had reasonable time out of their cells too many other prisoners were locked up during the working day. There was a lack of activity places but the prison paid good attention to education and vocational training where peer workers were used effectively to support learning. I could see the positive emphasis on education and work since the ending of the factory styled workshops designed to mass produce mail bags, football goal nets and army camouflage nets. The mailbag shop used to be run by the one and only female prison officer (a total comparison from today). She sat perched high on a chair at the head of the large room overlooking four rows of prisoners machining away earning their two-pence per bag. One day after realising I hadn't sewed a single stitch; she had me escorted back to my cell. She actually did me a great favour that day because several days later I was placed on education classes which would be the beginning of a life changing career in education.¹⁶

Lost in the system

Although I only spent a total of 14 months incarcerated in HMP Durham, it was a place that became embedded in every part of my being. Some of the inmates became lost within its system and it was quite common for prisoners to serve their entire sentences — sometimes up to three or four years in HMP Durham. Such was the effect of its pervasive culture, HMP Durham prison became part of my very existence. My life had become so entrenched in the masculinity of the environment that the chances of integrating into a more civilised, humane prison environment, would be very difficult — as I discovered when I was transferred to HMP Castington Young Offenders Institute (YOI) in July 1984. This transfer was a complete waste of time because my 21st birthday was just three weeks away which meant I would no longer be a Young Prisoner and would then need to be transferred back to HMP Durham. HMP Castington YOI had all the facilities that HMP Durham didn't. We had washbasins and toilets in our cells, there were no cockroaches and we spent a lot of time out of our cells. We had a dining hall to eat our meals in and the

She sat perched high on a chair at the head of the large room overlooking four rows of prisoners machining away earning their two-pence per bag.

activities were excellent. Everyone was employed, there was a modern and well equipped gymnasium and prisoners who liked to keep fit were allowed to run within the perimeter of the fence. The staff/prisoner relationship was much more personable and I was quite shocked to see friendly banter between prison officers and prisoners. As I mentioned earlier, this was something frowned upon in the adult estate. This sort of behaviour was seen as fraternising with the enemy and could result in swift retribution from your fellow prisoners. But despite the disciplinarian culture⁴ of HMP Durham I couldn't wait to get back there which, as I said earlier, was inevitable once I turned 21. The modern, prisoner-friendly institution of HMP Castington (YOI) disrupted my sense of self — mainly because of the immaturity typical of YOI inmates. I had become

accustomed and dependent on the militarised and masculine structure of HMP Durham. It was a system focussed on punishment rather than rehabilitation — an arena fraught with tension, mounting anger and mutual contempt — a pressure cooker waiting to explode. The 'us and them' mind-set dominated the prisoner/staff relationship in HMP Durham with constant mind games¹⁷ each trying to always get one over on the other — yet I still felt I belonged there.

Staff/Prisoner relationships

Staff and prisoner relationships have always been an issue in every prison and something that should be continually addressed. There will always be a constant flow of staff and prisoners entering and leaving prisons, therefore, in order to maintain equilibrium, the relationship between both is something that needs to always be monitored. According to the 2013 report, many prisoners didn't feel they were treated with respect which the inspectors said their observations confirmed with many prisoners feeling they were victimised by staff. As I observed during my two sentences, this was something that made prison time much harder than necessary and begs the question of whether offenders are sent to prison to be punished or as punishment. The report says that staff engaged well with prisoners and demonstrated a supportive and caring approach but that a significant number of staff did not show adequate care or support for prisoners which had a disproportionately negative effect on

17. McDermott, K and King, R.D. 1988. *Mind Games: Where the action is in prisons*. British Journal of Criminology Vol.28 No. 3, p. 357-375.

relationships. Also many staff displayed a disinterested attitude towards prisoners — as at their last inspection — and most interactions were superficial.¹⁸

If prisoner/staff relationships are to be improved, then it is worth addressing robustly as strains between the two can have huge implications on how a prison performs. In the 1980s, the growing resentment between staff and inmates continually festered which often resulted in skirmishes behind closed doors. As I've already said though, this culture along with its grim conditions of the day was not unique to HMP Durham. It was typical of the prison culture of the time. But it should never be forgotten that many prison officers were also faced with the same oppressive, disciplinarian culture from the same domineering element as were the inmates which of course led the riots at HMP Strangeways (Manchester) six years later.

Equally it should never be overlooked that there were as many well-meaning prison officers as there were bad prison officers with the essential 'firm but fair' approach who did a good job and in return received the men's respect. And in 1984, I was fortunate to become acquainted with one such prison officer called Mr Coates. He somehow managed to arrange it for me to attend education classes after I was dismissed from the mailbag workshop (I mentioned earlier). Mr Coates, who I remember as a mild mannered, very approachable prison officer — will have merely regarded his gesture as being nothing more than 'all in a day's work'. For me it was a life changing experience for which I shall be eternally grateful because it was that brief gesture that started to change my life. But more than that, it was a prison officer going out of his way to help a prisoner for whom he felt sympathy. And more importantly, an act of kindness from someone who felt I was worth making the effort for. I wish I was able to tell him that the foolish young 20-year-old who he made that gesture for 'came good' in the end and went on to make a success of his life. He may never know but at least I am able to continue similar gestures through my teaching.

Medical Care

One aspect of staff/prisoner relationships that was fraught with tension as I remember was between medical

staff and prisoners. Medical care was always a major issue throughout my time spent in prison during the 1980s and 1990s and though I never needed medical attention in HMP Durham I did in HM Castington (YOI) in 1984. For troubling the duty doctor one Sunday afternoon when I was suffering agonising migraine, I was punished with three days cell confinement. This punishment was made worse by the intense heat and direct sunlight streaming into my cell. We were punished for covering our windows with sheets or blankets so I had to suffer instead.

Medical care in prison was an aspect to prison life that was in dire need of reform across all category prisons. The 2013 report stated that in HMP Durham, 'patients were not seen quickly enough in reception and waited too long in the waiting room but on a positive note, the new health clinic was a huge improvement. 'Health

provisions had differing views about some prescribing practices which was unsatisfactory', however mental health services were excellent'. Registered mental health nurses — a specialist occupational therapist and forensic psychiatrists provide an excellent range of interventions for common, complex and serious mental health problems.¹⁹ With around 90 per cent of the prison population having at least one diagnosed mental health disorder and one in ten with a serious mental health issue, HMP Durham's positive focus on mental health is very encouraging.²⁰

April 2015

April 2015 marked the 25th anniversary of the HMP Strangeways (Manchester) riots that helped put an end to the brutality of the past prison culture I have continually referred to in this article. However, although now in the past, approaching the main gates of HMP Durham was one of the most nerve racking, daunting experiences since being incarcerated there three decades earlier. Fortunately, Dr Kate O'Brien criminology lecturer from Durham University and module convenor of the Inside/Out programme had asked if she could come along. Having her there made a difficult start to the day much easier than had I been alone. While I was waiting for Kate, my mind immediately reverted to inmate mode as my imagination ran wild — expecting things to be just the same as when I left. I rang Kate to make sure she

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18. Her Majesty's Inspectorate of Prisons, see n. 3, 32-33.

19. Her Majesty's Inspectorate of Prisons, see n. 3, 41.

20. Singleton et al, cited in Sainsbury Centre for Mental Health (2009) Briefing 39 *Mental health care and the criminal justice system* p.2.

was still coming. She told me to meet her in the café just inside where I bought a coffee. It was a friendly place. I relaxed a little. I suddenly noticed an office directly opposite the cafe where several prison officers were sat overseeing security yet I didn't feel intimidated by them as I would have expected to. For some reason they were not paying any attention to me. I wondered why I wasn't receiving icy glares of suspicion and disdain. As my imagination had gone into over drive I had fully expected to be met by several old school prison officers who would impatiently search me and place my belongings in a box to collect on my way out. Yet the only indicator that the old school prison officer culture ever existed came from a tunic displayed in a glass cabinet along with other various historical artefacts thus giving out a clear message that it all belonged in the distant past! It was enough to reassure me that beyond the next gate I could expect a different world.

A Sense of Purpose

It soon became apparent that the disciplinarian culture⁴ of three decades earlier was now extinct. I didn't hear a single raised voice or witness one icy glare. There was the same familiar fencing surrounding the exercise yard I had in the past spent many hours circling but now flower beds surrounded the pathways. As we walked through the myriad of corridors, we eventually entered an office where we were invited to take part in the early morning meeting about the day's education and training agenda and any issues that needed to be raised. I was drawn in by the whole energy within the small office and everyone's enthusiasm. I was even more amazed when I was asked for my opinion at the end of the meeting along with everyone else. To everyone else this would have seemed normal — to me it was another clear message of how much things had come full circle. I knew I was a different person to the one who was once a prisoner, but when this is reflected by the way others behave towards you, your sense of self is greatly empowered. The friendly banter and energy amongst staff was infectious and as the day continued, there were a catalogue of positive surprises. Therefore it comes as no surprise that the 2013 inspection identified the prison's 'strong focus on employment in developing prisoners' skills for successful resettlement. The report

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also identified, 'good management, with collaboration between the prison and the Offender Learning and Skills Service and National Career Service partners to drive improvements. 'Learners in vocational training and work developed high standards of commercial skills which enhanced their employability and improved their self-esteem and confidence'.²¹

Provision of activities

Visiting the various workshops, I was amazed by the level of skill some of these men demonstrated through their work. The traditional monotonous mailbag shops as I remember were replaced by IT skills and the once laborious chore of sewing goal nets had now been replaced with furniture craft where prisoners were creating works of art any major furniture store would be proud to sell. Ironically the fabric once used to sew goal nets was now being used as seat covering for small wooden stools. There was a printing workshop with impressive high tech equipment for all types of printing then as we made our way from one workshop to the next another historical artefact caught my eye. It was a large black and white photograph of the one of the mailbag workshops where I once worked (albeit briefly) displayed on the wall.

The modern workshops and employment incentives are highly praised in the 2013 report: 'The vocational workshops that provided about 35 places for brickwork, plastering and painting and decorating units at (level 2). Vocational training was offered in a good range of employment related subjects in well resourced environments. Staff made good use of their expertise to deliver effective demonstrations and individuals lacking in new skills'. This was something I also witnessed in their mentoring business skills class. 'Prisoners working in the kitchen completed NVQs in food hygiene and received first aid and health and safety training; survey workers received food hygiene and British Institute of Cleaning Services training'.²²

Every contact matters

The staff work towards an 'every contact matters' concept which was highlighted in an earlier edition of the Prison Service Journal by Ian Mulholland in 2014:

21. Her Majesty's Inspectorate of Prisons, (2009), 15.

22. Ibid, p.42.

We used the term 'Every Contact Matters' because it neatly encapsulated the idea that however small or fleeting, experience and the desistance research shows that even the most common day-today interactions between everyone who works in a prison and prisoners can and do make a difference. Importantly, altogether if each of these contacts is positive, their cumulative impact can be profound. They make a difference to the tone and culture of institutional life which becomes self-perpetuating: when positive this helps not only promote safe, decent and secure conditions but potentiates the benefits which 'what works' literature shows that the delivery of services which meet prisoners' criminogenic needs can realise.²³

The governor's keenness for this concept was clear to me from the outset and this resonated with mine and Mr Coates encounter all those years earlier. The prisoners I met on the education block were no longer just using the classes to escape the confines of their cells as in my day but rather using them to improve their skills and education. These classes would have matched any vibrant University seminar. The first class Kate and I participated in was for gateway prisoners which includes a five day induction/assessment of newly arriving prisoners. You could see the anger and fear on some of their faces which reminded me of the feelings I experienced when first entering the prison. The second class was a mentor group with men interested in setting up their own businesses. They asked me a lot of questions about the barriers I encountered when job hunting with the stigma of the ex-convict label. They were all fascinated of how I overcame them. They told me I was an inspiration but it was they who inspired me.

Conclusion

No matter how well a prison performs and works towards improvement, there will always be criticism

and room for further improvement. HMP Durham is continually working towards this. I soon began to realise that this was not the prison I left behind in 1985. The talent that the prison holds only highlights the wasted skills of the men and the need for employers to look beyond the crimes and more towards what these individuals can offer. I left the prison a free man again with the option of never returning except this time I couldn't wait to return. My lasting memories of HMP Durham being a place of brutality and degradation have now been replaced by a place of progression and forward thinking. The brutality has faded into insignificance where it firmly belongs. Today's culture in HMP Durham prison is one of moving forward, acceptance and support. I no longer felt emotional because of its bad memories and the resurfaced emotions but instead because of the changes I saw for myself- emphasising towards prisoner's needs. I am not for one moment suggesting that HMP Durham won't have its fair share of problems as with all prisons. That's just the nature of imprisonment. Clearly I will view HMP Durham differently through the eyes of someone whose life is now incomparable to the life I lived 30 years ago. And as the Chief Inspector of prisons, Nick Hardwick, explained to me two weeks after my visit, I would probably still feel the pains of imprisonment if I was an inmate in HMP Durham. This is true because the nature of prison is to deprive one of their liberty, but there is no mistake that HMP Durham has changed drastically from the institution I once knew — but essentially and more importantly — so have attitudes. HMP Durham is now a place where staff want to make positive changes. Walking out of the gates and leaving the prison behind didn't leave me with the sense of freedom I had felt 30 years ago, it was walking into the prison that made me feel a sense of freedom — free from a past that no longer exists and free to help others who are about to embark on the very same journey as my own.

23. Mulholland, I. (2014) *Perrie Lecture 2013: Contraction in an age of expansion: An operational perspective* in *Prison Service Journal* No. 211 p.14-18, p. 17.

Becoming Myself:

The process needed for real change and rehabilitation

Asad Ul Lah is a resident of the Fens Service at HMP Whitemoor and **Jacqui Saradjian** is a Consultant Clinical and Forensic Psychologist, formerly the Clinical Director at the Fens service.

Introduction

The Fens Service was one, of the original two, high secure services established in 2000 for the assessment and treatment of men within the prison system, deemed to have severe personality disorder and to be dangerous to others. The treatment service has now been running for more than 10 years with considerable success. Numerous men, who were considered to be untreatable, many of who had been primarily managed in Segregation Units, Close Supervision Centres or Health Care Centres, have now progressed safely through the system to lower levels of security.¹

The primary aim of the service is to treat rather than manage people with personality disorder. The areas addressed are therefore those areas that are dysfunctional in people who are diagnosed with personality disorder; attachment and trauma, cognition, interpersonal relationships, affect regulation and behaviours, including offending and addictions. These are addressed in individual therapy that continues throughout the time the man is in treatment, and therapeutic group work focusing specifically on each of these areas. Although, the interventions are separate, they are in fact interlinked via the fact that every man has a clinical formulation that directs the specific focus for that man of that intervention.

Numerous case studies have been written from the perspective of the therapist but few from the subjective experience of the client; such a perspective is even more rare in the forensic field. This case study is the subjective experience of one man who has completed that therapeutic programme.

Current Sentence

I am a 39-year-old man and am currently serving a life sentence within a high secure prison. I was sentenced in 2003 and in many ways lost 'my mind'; I went to a very dark place within myself. I am a black man, currently weighing around 15 stone, although until this year I weighed between 17 and 18 ½ stone. The additional weight was muscle and it kept me safe.

I was aggressive and intimidating; my presence and reputation were such that very few prisoners, or even staff, would disagree with me, let alone threaten or attack me. Institutions were forced to have me, rather than accept me into their prisons or units, and usually moved me on as quickly as possible.

Why I want to write this piece

As I write this in 2015, I have been in therapy for 5 years. My life and my relationships, inside and outside of prison, are very different; they are much healthier. The reason for me writing the following is because, although I see myself as a reasonably intelligent, educated man, I initially did not 'get it' when professionals would write and talk about forming the appropriate relationship needed to engage fully in therapy at the level needed to change. I respect these men and women, who are often at the top of their fields in regards such subjects, but they write for fellow professionals. I believe it is important that those of us who are now considered 'experts by experience' write for both those trying work with offenders, and also those who are also beginning their own journey of change through therapy, in a way that is more easily understood. The following account relates my experiences of forming such healthy therapeutic relationships over the last five years and how that process has led to the development of healthier peer relationships and also strengthened my family relationships. It is my experience but I am sharing in it the hope it will benefit others like me.

Life Before Prison

I come from a large family, although my upbringing was not a good one. My main carers were my mother and grandmother, who both have schizophrenia. I know now that I suffered emotional abuse and neglect and severe physical abuse, but as a child that was my normality. I had no toys, books or comics, only a bible which I could read by the age of four. I was not allowed to play with other children, or even on my own. Both my mother and grandmother were taken in and out of psychiatric hospitals,

1. Saradjian, J., Murphy, N., & Casey H., (2010) Report on the first cohort of prisoners that completed treatment in the Fens Unit, Dangerous and Severe Personality Disorder Unit at HMP Whitemoor. *Prison Service Journal*, 192, November 2010, pp.45-54.

meanwhile I spent periods of my early life in short-term care, but was always returned to my grandmother.

From my earliest memories, my grandmother and uncle inflicted beatings on me; some of which left me unconscious. As an additional punishment I would be shut in a coal-shed, often overnight. The punishments were sometimes due to minor misdemeanours such not getting 100 per cent in Sunday School tests and some were not at all contingent on my behaviour; all left me angry. I was told that 'Satan' was in me and even the church elders were attempting to drive 'him' out of me. By the age of 8, I believed I was bad and by the age of 9, I acted as if that was true.

Since the age of 9, I have always been in control; always been the boss or leader when I needed to be. At the time, I saw this as a good thing, without knowing or understanding the damage it was doing to me. From that time, my life was lived on both sides of the fence. My friends and family were all pro-social, law-abiding citizens; my associates however were antisocial and lived a criminal lifestyle. As I got older, people looking on from the outside would believe that I had the perfect life. Materially, I had it all, I lived in luxury, drove the best cars but the bulk of my income came through illegal behaviours. In every area of my life, my family, in relationships and in my criminal activities; I was the boss.

I have been a man who, on the surface has always kept it together and many saw me as 'the go-to guy'. Beneath the surface however, a lot was very wrong.

Unknown to me, I had been living with undiagnosed mental health disorders. It took me coming to prison and being placed in a specialist service for me to get the help I needed. In 2010, I was diagnosed with bipolar disorder as well as two personality disorders; antisocial and narcissistic personality disorders. Initially they were just labels; it was difficult for me to own them as being descriptive of my internal experience. It was particularly unsettling for me to be given these diagnoses, as mental illness, paranoia and psychiatric hospital were all very much a part of my life growing up. My experience was also that erratic violence and other behaviours were normal.

Now 5 years later, through committing myself to therapy and change, I have become the man I would have been had I not experienced such a dysfunctional upbringing. I have completely renounced violence and criminality and have developed a deep spirituality. I read and write poetry and have studied the theoretical side of psychotherapy and human development. I now write extensively to try to help and encourage others in a

similar situation to make a real commitment to use the treatment on offer to help repair the damage that has been done to them in their lives and ensure that they have no further victims.

My current surroundings

The service is based on a specialised wing within a high secure prison in Cambridgeshire and run jointly by prison staff with NHS staff based on the wing. Prison officers as well as a psychiatrist, nurses, psychologists and psychotherapists work as a team to provide therapy. The wing consists of up to 70 male offenders with a diagnosis of personality disorder, most of who are serving a life sentence. Over 80 per cent have no contact with family, so their sole emotional role models are people based on the unit; staff and other prisoners. Almost all the men that have been referred to this service have previously been operating in a dysfunctional way. Many have been classed as 'a disruptive prisoner', or seen as a control problem around the prison system. I myself was labelled as both, and experienced constant moves around the high security prison estate. I was often locked up in segregation units and strip cells. I twice underwent a CSC assessment (CSC stands for Close Supervision Centre). CSC is a system within the prison

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system in which each prisoner is almost completely isolated from all other prisoners. I was once placed in HMP Wakefield CSC, which is described as being, the 'worst of the worst'. I was in HMP Wakefield when I had my initial assessment. I was visited by the then Clinical Director of the service and an experienced prison officer who accepted me into the service. I was later told by the then governor of the prison that he had advised her against having me in the service as he was well aware of my negative reputation but she had persuaded him that I could be helped. That she believed in me and had trust in me from the start was important to me and we have maintained a good relationship throughout my time in this service.

After the 6 months assessment, during which the psychologists go through your whole life and you attend daily groups so prison officers and other clinical staff can assess your interactions and personality, you are given labels and a mental health diagnosis. I feared this diagnosis stage due to my family history of mental illness and indeed, I was diagnosed as having bipolar disorder. I was also labelled, at that time, with 4 personality disorders, borderline, narcissistic, paranoid and antisocial. I was not happy with the personality

diagnoses but did not know enough about them to challenge them. So alongside the treatment programme I studied personality disorders. Two years into the programme, I had studied enough to challenge two of the personality disorders, borderline and paranoid. My complaint was upheld as research indicates that if bipolar disorder is undiagnosed, the symptoms can often be attributed to both borderline and paranoid personality disorders. As the personality disorder diagnoses were made in isolation from the knowledge of my bipolar disorder diagnoses, they were not, on reassessment deemed to be valid.

Developing appropriate attachment relationships — beginning the process of change

Because the men who are referred to this service have committed interpersonal offences (physical or sexual violence), the treatment is interpersonal. This means that it focuses on the making and maintaining of healthy relationships. This is particularly difficult for people who reach criteria for the diagnosis of personality disorder, as we have suffered abuse during our childhood that has left us underdeveloped emotionally and unable to tolerate our emotions. We tend to have a pattern of destructive ways of coping; destructive towards ourselves and/or others, which can be particularly obvious in our relationships.

Prior to going through this journey, a rupture in any of my relationships would most often lead to me ending that relationship. I was also not able to tolerate the distress I felt if I experienced abandonment. It is therefore not surprising that it has been through the ruptures in relationships and people leaving the service with whom I have the greatest attachment that I have developed the most.

The importance of emotional availability

In order for me, and indeed anyone else who has had similar childhood experiences, to develop emotionally healthy relationships, we need therapists that are emotionally available. If you have brain damage, suffered emotional deprivation, and been abused whether it be physically, sexually or emotionally, you need a professional who expresses rather than represses emotions. If you work with a therapist who does not demonstrate emotions but only gives a

cognitive type of validation, it is difficult to break lifelong patterns. Therapists who show all emotions can become an emotional role model. More importantly though, emotionally available therapists can feel from you the emotions that you experienced but have repressed, often for many years. When you see the therapist's emotional response to your experiences, it somehow reaches within you and you at first sense, and then feel, that emotion.

At the start of therapy I began to work with a forensic psychologist. Initially I thought she was a man-hater who was on a crusade to crush all men but in the space of months I realised she was actually caring and, unbeknown to me I had already begun to trust her emotionally. Cognitively, however I didn't trust her for the first year of therapy. This was played out in the fact

that I would not look directly at her for that first year.

Simultaneously I had begun group-work. The facilitators were a male psychotherapist, a male nurse, and a female clinical researcher. The two men were the polar opposite of each other; the nurse was very 'doctor-like', very cognitive. The psychotherapist was very emotional and it was him I would focus on most. When a peer was talking of an event such as childhood abuse, the psychotherapist's response was as if he was actually there in the room when the abuse was

happening; I could see tears in his eyes and sense his sadness. I had never seen this in a man and, at first it initially left me very confused as I had been taught that only women showed such emotions. I was too embarrassed to ask anyone about this. As a person who likes to know 'everything about everything', it was even surprising to me that I was unable to ask about a man's emotions. I did not, at that time, realise that this man was beginning to make such an impact on me. He was my first emotional male role model who was demonstrating that it was not only safe to experience and express sadness in a room full of people but that it was okay for a man to do it, and most importantly, that it was normal.

After a year or so the male nurse left and I became increasingly attached to and trusting of the male psychotherapist. He would give clear explicit messages and would often say something like 'no one knows your 'fuck-it' button'. Such clear direct communication was what I needed.

I also began to recognise that my individual therapist was able to connect with me on an emotional

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level. She was able to pick up the emotion in my responses and feed that back to me; even changes in my tone of voice, or how I present non-verbally such as my own stare, which prevented me from sitting and facing her in my individual sessions for such a long time. Through these relationships, I was able to connect to my own vulnerable child; the part of me that was hurt as a child and that I had repressed for many, many years. The relationship my therapist developed with me enabled me to feel safe to connect to my own sadness and to learn that it was not only okay but also normal to express and not repress such emotions.

Schema Driven Behaviours

Schema therapy has become an important intervention for people with a diagnosis of personality disorder.² Schema, comprised of memories, emotions, cognitions, and bodily sensations are formed by life experiences that lead the individual to make assumptions about themselves and others. Schema become the filter through which an individual perceives and reacts to experiences. Young³ has identified 18 maladaptive schema which can drive dysfunctional behaviour.

I have recognised that one of my key schema is having unrelenting standards. I always knew that I expected everything to be 'the best' and to 'the highest standards'. I now recognise that my unrelenting standards are a defence against having developed a defectiveness schema in my childhood, primarily due to my treatment by my mother and gran; the way they behaved and treated me was strongly influenced by their mental illness. A defectiveness schema is the deeply held feeling that you are defective, bad, unwanted or inferior and that you are unlovable to significant others such as your parental figures. In order to avoid the shame associated with this deeply held belief being exposed, one defense is to minimise the likely of flaws by having unrelenting standards. This means that I always strive for the best standards in everything, particularly within myself. I often believed that 'things are not good enough'. People who do not know me well can, at times, misconstrue these unrelenting standards as narcissism. This was played

It is this triggered anger that is strongly associated with offending for people who reach criteria for a diagnosis of personality disorder.

out in my offending by my need to acquire money and material things, 'the best of everything'. My therapist also has unrelenting standards, which enables her to have a deeper understanding of me. This self-disclosure enabled me to look more closely at myself and feel genuine emotional empathy from her. Another key schema for me was mistrust/abuse schema. This grew out of the inconsistency of my upbringing and, in particular, the physical violence inflicted on me from a very young age. This schema was expressed in my offending by my violence; behaviours adopted to protect myself from fear of abuse, ensuring that I never had to experience the pain of victimisation again.

I have come to understand that when we experience triggers that are associated with aspects of our childhood trauma, we often become extremely angry, be that immediate anger or cold anger, both of which protect us from experiencing vulnerability associated with emotions such as shame and fear. It is this triggered anger that is strongly associated with offending for people who reach criteria for a diagnosis of personality disorder.

That I was able to have the same therapist throughout my treatment was crucial as she got to know me so well, and I learnt that I could trust her judgement and her reflections. For example, at times I could present as angry and she would simply state, 'you're not angry you're frightened'. Over time I have learnt to do this for myself, to look deeply into myself and recognise which emotion I am feeling and either sit with that emotion or deal with the issue that triggered the emotion.

Developing Compassion for Myself and Others

This combination of individual sessions with my therapist and group-work enabled me to develop a great emotional, as well as cognitive awareness of others and, importantly, over time, of myself. This journey was not however without pain. I was unlocking trauma in my individual sessions and having my emotional reactions to those experiences validated. After sessions, in my cell I was processing and making sense of it. I was suffering bad nightmares and the abuse I was unlocking often left me feeling suicidal.

2. Bamelis, L.L.M.; Evers, S.M.A.A.; Spinhoven, P.; Arntz, A.R. (2014) Results of a Multicenter Randomized Controlled Trial of the Clinical Effectiveness of Schema Therapy for Personality Disorders. *American Journal of Psychiatry*, 171(3), 305-322; Gitta A. J. and Arntz, A (2013). Schema Therapy for Personality Disorders—A Review. *International Journal of Cognitive Therapy*: 6: 171-185.
3. Young, J.E. (1990). *Cognitive therapy for personality disorders: A schema-focused approach*. Professional Resource Press: Florida; Young, J.E., Klosko, J.S., & Weishaar, M. (2003). *Schema Therapy: A Practitioner's Guide*. Guilford Publications: New York.

This process, whilst highly distressing, I now know was actually repairing parts of my damaged brain.

Emotional self-awareness enabled me to connect to the emotions of my peers during the groups. Hearing the sufferings of my peers, I was able to feel the emotions that they were repressing and this gave me an insight into the suffering of my victims. This led to deep feelings of remorse and shame and a determination not to have any future victims.

Importantly, in groups, I was able to allow my peers to see my own vulnerability. When first upset in an open arena such as a group I felt so exposed. I would look over at the psychotherapist or the female co-facilitator and would receive non-verbal communication that it was 'ok, safe and normal'. Thus in both individual and group work, I was beginning to become totally myself. By allowing others to show compassion for the young child that I was, that was so damaged, I was able to feel compassion for myself. It was that compassion for myself as a victim, that enabled me to have true compassion for my victims.

Repairing Ruptures and Replications in Relationships

As time has progressed I have not needed external validation and am able to own my own emotions. When there were ruptures in relationships, I was able to tolerate the distress that caused me and became able to repair with that person and engage in a conversation with them rather than shut down as I would have done in the past.

There were two particular people in the service with whom I had particularly difficult relationships. As a child I suffered horrendous abuse at the hands of an uncle. My grandmothers also inflicted physical and emotional abuse and allowed my uncle to inflict it. My grandmother was my primary carer but had schizophrenia and was regularly sectioned under the Mental Health Act. I would visit my grandmother there and learned from those experiences that nurses were caring people and psychiatrists took people away and filled them with drugs. With a short time on the unit, the psychiatrist approached me and asked if I needed any medication. I told her I did not take medication but this interaction, however well-meaning was enough to make me believe this woman was out to medicate me. Over the next year and a half, our interactions were very limited. The psychiatrist often asked my peers if they were afraid of me and this reminded me of my grandmother who was always looking out for something bad about me even when I was doing

nothing wrong. Because of her suspiciousness of me, that she was an older woman and her profession, the psychiatrist took on a replication of my grandmother.

I love my grandmother very much, she is old and frail now and not the ill, disturbed woman she was when I was a child. The vulnerable child within me was still however frightened of her and the power she had over me.

After one interaction with the psychiatrist, I submitted a complaint about her behaviour. The Clinical Director at that time sat in on a meeting with her about this complaint. As we began to talk, my heart began to pound and I experienced anxiety that I was sure was not all mine. The psychiatrist then began to speak of experiencing herself carrying fears and how to her and others I felt so powerful and so authoritative. Her being able to share her real emotions and beliefs with me led me to feel very guilty. I felt so ashamed that I wished a hole would appear in the floor and swallow me up. The psychiatrist looked as if she had aged in front of me. It was at this moment she was able to tell me that she wanted to please me and believed that if I liked her everyone would like her and if I didn't, nobody would. Hearing her explicit communication, I began to cry with shame and sadness that I had had this impact on her.

After the meeting I could not erase her face from my mind.

It was a face I had seen many times; the face of my grandmother when my uncle was in a bad mood. This relationship was part of the healing of my experiences with the part of my grandmother that was 'bad gran'. Whenever I was in a low mood, I would write complaints about the psychiatrist but would destroy them rather than not submit them. I adopted a strategy so that the psychiatrist did not represent my grandmother; when I saw her I always called her by name. Four years into our therapeutic relationship, I have made the decision to take medication for my bipolar disorder. The psychiatrist and I now get on very well and there is no replication of the 'bad-gran' transference in our relationship. I know that this could not have happened if she and I had not been honest and open about our thoughts and emotions that we triggered in each other.

I have had to go through a similar process with another member of the clinical team, the deputy clinical director, who represented my uncle for me. The healing I gained through working on that relationship has enabled me to develop a healthy current relationship with my uncle.

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Confronting My Abusers

Once I had worked on these replications of my childhood relationships and I knew I could protect and care for my vulnerable child, I felt the need to confront my abusers. I spoke of my grandmother about my childhood abuse and she visibly aged in front of me. She stated I had been told to say those things to her, and she could not hear or believe that that was my experience of her. She suffers with schizophrenia and is frail, so I did not push the subject.

I wrote a letter to my uncle to explain how his treatment had affected my life. I also wanted him to know that no child should be treated in that way. He failed to reply for some time but when he did reply he stated that it was the area I had moved to with my mum that had shaped me. I understood from his response that he could not take responsibility for his behaviour towards me, or the serious effect that it had had on me. His avoidant behaviour left me having to form my own hypotheses on why he had abused me so badly for so many years. Regardless of this, we have been able to develop a healthier relationship now.

What enabled me to build these relationships that led to therapeutic change

The people that have guided me most strongly through this journey are my individual therapist and the male group psychotherapist. It is the way that they can feel with another person and for the other person; true emotional empathy that has enabled the change within me. They are not however the only people that I have learnt from, indeed I have had many healing therapeutic experiences with both officers and clinical staff, particularly those with whom I have worked through issues by replicating past expectations of past relationships in my relationship with them.

Ironically, I have also gained significant learning from those staff that have not been able to develop healthy therapeutic relationships. If I speak to some members of staff, clinician or officer, I often in the split-second see the non-verbal communication in their eyes; it is a look of a child who has been summoned. Now that I am a more emotionally assured person, I sense and feel their anxiety. Many believe that I am going to ask questions that they cannot answer or make requests that they cannot grant. Thus their own defectiveness is triggered. They mask their anxiety with over-confidence and meaningless professional phrases. There is an emotional dishonesty in the inability to own their own responses in these

professional relationships. A professional should be able to have an honest reflective dialogue, yet the reluctance to own defectiveness allowed me to feel as if I am feared.

Clinicians often refer to my narcissistic presentation, more often than not behind my back, but sometimes to my face. Hearing those words, can trip my defectiveness schema and my anxiety, but I also wonder what is the ratio of narcissistic presentation to defectiveness in them. Thinking about how both clinical staff and officers interact and what may be the blocks in them that prevent them from forming healthy therapeutic relationships, has helped me clarify which characteristics enabled the development of the healthy therapeutic relationships and about the characteristics that they required from me.

To form good attachments, the professional initially, and then the client needs to be able to do the following:

1. Communicate emotionally
2. Communicate verbally and non-verbally
3. Have reflective dialogue
4. Ability to repair ruptures in relationships
5. Build trust
6. Validate each other's emotions
7. Develop awareness of self and thus of others

It is the way that they can feel with another person and for the other person; true emotional empathy that has enabled the change within me.

How I am now

I now realise how distorted my previous values and concepts of life were. I provided materially but I was emotionally stunted due to my own damage. Through this treatment programme, I have become the pro-social person I would have been had I not experienced such severe childhood abuse. It has been an immensely emotional journey and I have grown in so many ways. Over these last two years, I have been able to heal relationships that had not been good for more than eight years. The therapeutic relationships that I have developed, have helped my relationships with my family, including my relationships with my children. I am in contact with, and have good bonds with, each of my children. My family are closer than ever. More recently I have requested all my loved-ones send me details of their normal day-to-day lives in their letters. The normal things such as school runs, what day the bin is put out and other normal daily tasks. This helps me to feel more part of their lives than the abnormal environment of prison.

I have also recently adopted the use of explicit communication in all my relationships. I realised now that I used to do this when operating in an emotionally volatile way, but at those times, it was highly counterproductive. The reason I have adopted explicit communication now, is it lets people know exactly what

I am thinking and feeling rather than them making assumptions based on their preconceptions. It allows people to get to know the real me and base their connections with me on genuineness.

This has meant that I have better relationships with everyone, even with those to whom I am not particularly emotionally close. There are people with whom I can be emotionally close and disclosing and other people with whom I am able to engage in a superficial way but I do not commit my trust to them.

I can still have verbal outbursts, but these are far less frequent. I can still push people away. In each situation though, I am a lot quicker at owning my behaviour, reflecting on the trigger and apologising. Every time that this has happened with those people who are important to me, I can honestly say that the relationship becomes stronger as a consequence of the rupture.

Hopes for the future

My primary hope is that I will never offend again. Through therapy, I have come to know my triggers and, having worked on my trauma, those same triggers have not led to the offending behaviours or parallel offending processes that they would have in the past.

I want to experience living in society as a pro-social member of the community. I would like to experience family life, and maybe a healthy marriage. No matter how strong your mind is, incarceration has a negative impact. It is difficult to know how to be 'normal' whilst in such an abnormal environment.

Final thoughts

I have read professional papers, many of which have tried to describe the processes needed to bring about therapeutic change. This account however, is my own experience and constitutes no more than my opinion. I am no professor with a Ph.D. I am currently a patient/prisoner on a personality disorder unit. This is just a real life honest account of how I have learnt, grown and functioned so much more healthily after having experienced forming secure therapeutic attachment relationships over the last five years. Without developing such relationships, a person is cognitively and emotionally isolated and the beliefs and ways of managing your emotions that led to your offending are maintained and often reinforced.

The importance of being therapeutically connected to emotionally available therapists who are self-reflective enough to engage in emotionally explicit communication cannot be overestimated.



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Being poor in prison:

An examination of the prevalence and sources of financial stress among a sample of male inmates

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Introduction

It has long been recognized that the unique conditions of prison generate very stressful situations for those inside.² The lack of liberty, basic goods, heterosexual relationships, autonomy and security may result in elevated stress levels.³ Further, the authoritarian relationship between correctional officers and inmates and the overall lack of freedom afforded to inmates are significant stressors.⁴ Other researchers have noted the constant threat of violence, and the perceived ambiguities of how rules are enforced by correctional officers produce stress.⁵

Financial concerns may also be a source of stress for inmates; however, research thus far has failed to consider the potential existence of financial stress among inmates. It has been well documented that prisoners disproportionately come from poor neighborhoods,⁶ plus in the United States there is an increasing trend of prisons charging inmates for a variety of items and services.⁷ Together, these two factors may produce financial stress among those currently incarcerated, yet no study to date has examined the financial needs and concerns of those incarcerated, and particularly if worry about finances is a source of stress. The current study attempts to fill this

gap via semi-structured interviewer with currently incarcerated male inmates from a maximum security prison.

In general, financial stress is important to understand as it can have a detrimental affect on one's psycho-social and physical well-being. Financial stress or strain can affect a considerable number of basic activities, reducing one's productivity, negatively effecting personal relationships,⁸ lowering self-worth, increasing rates of depression, sleep disturbances, and is associated with worse general personal health.⁹ Research on elderly non-incarcerated individuals found that financial strain leads to poorer nutritional choices and reduces life expectancy.¹⁰ Lastly, many inmates rely on financial help from friends and family, and this might trigger feelings of dependency which in turn has been found to lessen ones perceptions of personal control in their life.¹¹

In the prison context understanding causes of inmate stress is important as stress and strain can lead inmates who are unable to cope in these environments to potentially respond with violence or misconduct.¹² Reducing stress might aid in creating a healthier prison environment, one with reduced level of violence thus better ensuring inmates' safety, reducing prison liability and potentially reducing risks to correctional officers. Further, when stress becomes disabling it can even lead to suicide among a variety of negative consequences in

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1. The authors would like to thank the study participants for their time and candor, the Prison Administrators, Unit Managers, and Counselors at the study site for their help in coordinating the research, and Caitlin Taylor and Alison LaLond Wyant for helpful comments on earlier drafts. The authors received no financial interest/benefits from this research.
 2. Toch, H. (1977). *Living in prison: The ecology of survival*. New York: Free Press.
 3. Sykes, G. (1958). *The society of captives: A study of a maximum security prison*. Princeton, NJ: Princeton University Press.
 4. Goffman, E. (1961). *Asylums*. Garden City, NJ: Doubleday.
 5. Roth, J. (1985). Consistency of rule application to inmates in long-term treatment institutions. *Social Science & Medicine*, 20, 247-252.
 6. Clear, T. R. (2007). *Imprisoning communities: How mass incarceration makes disadvantaged neighborhoods worse*. New York: Oxford University Press.
 7. Gipson, F. T. & Pierce, E. A. (1996). Current trends in state user fee programs for health services. *Journal of Correctional Health Care*, 3(2), 159-178.
 8. Williams, F. L., Haldeman, V., & Cramer, S. (1996). Financial concerns and productivity. *Financial Counseling and Planning*, 7, 147-156.
 9. Drentea, P. & Lavrakas, P. J. (2000). Over the limit: The association among health status, race and debt. *Social Science & Medicine*, 50, 517-529.
 10. Varghese, R. & Medinger, F. (1979). Fatalism in response to stress among the minority aged. In D. Gelfand & A. Kutzik (Eds.), *Ethnicity and aging: Theory, research, and policy* (pp. 96-116). New York: Springer.
 11. Krause, N. (1987). Understanding the stress process: Linking social support with locus of control beliefs. *Journal of Gerontology*, 42, 589-593.
 12. Blevins, K. R., Listwan, S. J., Cullen, F. T., & Jonson, C. L. (2010). A general strain theory of prison violence and misconduct: An integrated model of inmate behavior. *Journal of Contemporary Criminal Justice*, 26(2), 148-166.

the prison setting.¹³ Lastly, perceived financial scarcity has been found negatively affects cognitive reasoning potentially leading inmates to make poorer choices.¹⁴

Although it is clear that many non-incarcerated people in both the United States and Europe are experiencing financial stress as they struggle to find work, pay off their mortgage, and generally worry about their personal finances what is less clear however, is whether, inmates in the United States a group of people who are provided sometimes without cost access to food, clothing and shelter also feel financial stress. In fact despite research that has shown prisons to be stark and even harsh¹⁵ in some cases the general public and legislators have argued inmates have it easy and have even commonly compare prisons to country clubs insinuating inmates do not face financial stress. Prior to his appointment to the United States Supreme Court, Judge Samuel Alito in a case regarding inmate's ability to pay a medical co-payment noted many inmates choose to purchase non-essential items such as candy and subscriptions of magazines therefore suggesting inmates might not be under significant financial stress.¹⁶

Background

The State Departments of Correction (DOC) are legally required to provide adequate food and medical care for inmates but inmates often perceive these services as inadequate. Further, many inmates purchase personal items such as additional hygiene products and are required to pay for episodic health care and medications. In many correctional institutions, including the prison in which this study was conducted, prisoner wages have remained stagnant while commissary prices and medical co-payment fees climb exponentially. Although wages and fees for services vary greatly by jurisdiction, wages are generally well-below minimum wage and there appears to be a growing trend by prison officials to

charge inmates for services.¹⁷ Additionally, more recently incarcerated individuals often are required to pay court costs, fines, and restitution, which might total several thousands of dollars. Lastly, a disproportionate number of people incarcerated come from low-income neighborhoods. Family and friends may thus struggle to offer sufficient financial support to those incarcerated.

Financial stress inmates might experience in jails and prisons might best be explained via an environmental congruence model.¹⁸ The environmental congruence model posits that individuals who successfully adapt to their environment are generally going to be healthier, whereas those who perceive that their needs cannot be met in their current environment are more likely to be less healthy. In the latter situation there is incongruence between a person's needs from their environment and the supply or resources available in their environment. For example, in the context of prisons, stress is generated when an inmate desires safety from violence and threats of violence but perceives safety is not in supply or readily available. Thus there is a lack of environmental congruence that might have led to significantly higher levels of mental health problems.¹⁹

Although inmates likely vary in their desire for obtaining certain products and services, inmates who desire these services might feel that due to low pay, increasing prices, and lack of outside financial support, it is unlikely their needs will be met. Thus, the current environment of prisons might create financial stress due to a lack of congruence between what is in demand and what is perceived as in supply.

Gaps in the Literature

To date it does not appear research has described the financial needs and potential related stress of male inmates. Considering the lack of financial resources

Although wages and fees for services vary greatly by jurisdiction, wages are generally well-below minimum wage and there appears to be a growing trend by prison officials to charge inmates for services.

13. Toch, H. (1975). *Men in crisis: Human breakdowns in prison*. Chicago, IL: Aldine.
14. Mullainathan, S., & Shafir, E. (2013). *Scarcity: Why having too little means so much*. Macmillan.
15. Conover, T. (2010). *Newjack: Guarding Sing Sing*. New York: Random House.
16. Quinn, C. (2009). Right to refuse medical treatment or to direct the course of medical treatment: Where should inmate autonomy begin and end. *The New England Journal on Criminal & Civic Confinement*, 35, 453-488.
17. Gipson, F. T. & Pierce, E. A. (1996), Current trends in state user fee programs for health services. *Journal of Correctional Health Care*, 3(2) 159-178.
18. Michelson, W. (1976). *Man and his urban environment*. Reading, MA: Addison Wesley.
19. Gibbs, J. (1991). Social congruence and symptoms of psychopathology: A further exploration of the effects of exposure to the jail environment. *Criminal Justice and Behavior*, 18, 351-374.

available to most incarcerated individuals, the current trends in corrections to charge fees for services coupled with low minimum wages and the documented harmful effect of financial stress and examination of the financial needs and concerns of inmates would seem to be in order.

Sample and Methods

This investigation, which was part of a larger investigation examining the financial needs and concerns of both incarcerated men and women, was conducted in a maximum security men's prison located on the East Coast of the United States. This prison is located approximately 30 minutes outside of a major urban city and housed approximately 3,500 inmates at the time of our investigation. Data were collected using individual semi-structured interview led by the first author. One Institutional Review Board (IRB) associated with our academic institution and the research review board of the Department of Corrections approved this investigation. Participants were not asked to provide any identifying data at any point during the investigation. Participants were not compensated for their time.

Participant Interviews

Potential participants were solicited via informational flyers broadly describing a research study examining the financial needs and concerns of incarcerated men. Those interested in participating in the study were asked to give their name to the officer in charge of the unit to facilitate a pass to meet with the researcher. Potential participants initially gave their name to an officer, but no identifying information (e.g. name/inmate number) was recorded by the researcher.

After potential participants reviewed the approved information statement with the first author, the individual interview began. Interviews were conducted during the months of July and August of 2012 on several prison units, generally in a single prison cell that

was used as a prison counselor's office. These offices were separated by a wall and locked door away from unit managers' offices and the galley where inmates and correctional officers congregated. These semi-private areas were outside the listening range of officers or other inmates. Participants were invited to speak openly and honestly about their experiences. Interviews lasted approximately 30 minutes and they ranged in duration from 15 minutes to one hour.

With the assistance of two formerly incarcerated individuals, a structured survey was developed and used to guide data collection. Participants were asked approximately 60 questions about basic demographic information, spending habits in prison, current account balance, personal assets in prisons and their physical and mental health. All questions were read out loud for the participants and the first author recorded answers by hand. The survey ended with three open ended questions: 1) 'Describe your biggest financial stress in prison,'²⁰ 2) 'If you had more money right now, how would you use it?,' and 3) 'Is there anything else you think is important for us to know about you and your financial needs and concerns?' Again the first author recorded participants' responses by hand as recording devices were not permitted in the institution. Participant responses to these questions will be the focus of the current study.

The average age of those interviewed was slightly less than 39 years old. The majority were not currently married and approximately 40 per cent currently had young (17 years old or younger) children. The offenses responsible for their current sentence range from drug sales to murder. Slightly less than half had a legal job prior to their current sentence and about two-thirds had a prison job at the time of the interview. Most worked the State maximum of 30 hours a week earning 19 to 42 cents an hour.²¹ Most did receive some financial support from the outside, but this varied greatly and many noted the support was very sporadic. Sample characteristics appear in table 1.

Participants were asked approximately 60 questions about basic demographic information, spending habits in prison, current account balance, personal assets in prisons and their physical and mental health.

20. Research has traditionally explored both objective and subjective measures to depict the financial conditions and related stress of individuals and according to Prawitz et al. (2006) both are useful. However, because the following research was interested in one's feelings and reactions to their financial situation, a subjective measure instead of an objective indicator appears appropriate.

21. One inmate interviewed was allowed to work up to 40 hours a week because he was one of a small number of inmates who were able to provide basic adult education. Further, one inmate indicated he earned 51 cents an hour for a job cutting grass/landscaping performed in the community.

Table 1: Characteristics of Participants (n = 45)

	Mean	SD	Min	Max
Current level of financial stress (1 = low ...10 high)	6.7	2.70	1	10
Age	38.8	11.0	22	63
Race (White = 1, non-White = 0)	0.27	0.45	0	1
Years incarcerated for current sentence	13.1	10.7	0	42
Years remaining until minimum (non-life sentence)*	4.0	2.30	0	6
Currently have children under 18 (yes = 1, no = 0)	0.38	0.49	0	1
Current marital status (married = 1, not married = 0)	0.09	0.29	0	1
Working prior to arrest (yes = 1, no = 0)	0.47	0.51	0	1
Welfare prior to incarceration (yes = 1, no = 0)	0.16	0.37	0	1
Receive general labor pool (GLP) pay (yes = 1, no = 0)	0.04	0.21	0	1
Prison job (yes = 1, no = 0)	0.67	0.48	0	1
Pay rate for current prison job (cents per hour)	0.33	0.12	0.19	0.51
Hours paid per week	29.0	0.46	15	40
Financial help from family/friends (yes = 1, no = 0)	0.91	0.29	0	1
Average amount others put into account per month	\$70/35 (MED)	75.8	0	300
Current money total in account**	\$68/30 (MED)	81.7	0	300
Average money spend per week from commissary	\$25/20 (MED)	17.9	0	75

*Approximately 40% of inmates interviewed (19/45) had life-sentences and therefore had no minimum.

**Participants after stating the current amount in thier account were asked whether this total was "more than normal, less than normal or average". Overall 33 of the 45 respondents (73%) indicated the amount was average, 6 (13%) indicated the amount was more than normal and 6 indicated it was less than normal.

The central form of analysis used was based on a constant comparative approach informed by grounded theory. The qualitative portions of the structured survey were systematically coded by one researcher to identify emergent factors and themes.²² A second researcher reviewed the transcripts, initial coding scheme, and themes identified. Anomalies between researchers regarding factors and themes identified were discussed and resulted in minor alterations to the coding scheme.

Results

Despite generally having access to food, clothing and shelter inmates reported high levels of financial stress. When asked to rate how stressed they were about their finances in prison (1 = low ... 10 = high) respondents indicated an average of 6.7 and median of 7. Approximately one-fourth (11/45) of those interviewed indicated their financial stress was 10 out of 10, by far the most common answer.

Participants consistently stated the current arrangements in prison likely contributed to their generally high levels of financial stress. There appeared to be considerable overlap among the financial stressors identified by the participants. Some of the financial stressors were related to what can be termed 'pressing

and immediate' financial concerns (e.g. hygiene products, food, phone and cable), 'ongoing and prospective' financial concerns (e.g. post-conviction relief, money for re-entry, and money for family members), and lastly what we are terming 'prison poor' where one perceives they are deprived of meaningful economic opportunities (e.g. low pay rates) and have a general frustration related to having few assets/ability to gain new assets. We review each of these themes below.

Pressing and Immediate Financial Concerns

The most common (20 of the 45 participants) financial stress articulated by men in prison was their inability to afford many basic needs, that were defined by most participants as 'hygiene products' (soap, toothpaste, deodorant, etc.), food, and, to a lesser degree, clothes/shoes and phone time. As one participant expressed, 'There is never enough money to buy things at the commissary, you can't buy enough cosmetics and hygiene' (# 25). Similarly, another participant explained, 'It is tough just trying to maintain things you need, getting the daily needs like toothpaste, soap, etc. It is especially expensive to buy healthy food' (#20).

Related to basic needs is the ability to afford phone time. Others have documented the expense and

22. Glaser, B. & Strauss, A. (1967). *The discovery of grounded theory: Strategies for qualitative research*. Chicago, IL: Aldine.

importance of phone time for inmates.²³ One participant who mentioned he had not talked to his family in three years remarked that he needed money for items such as 'hygiene and a phone card' (# 19). Additionally, one inmate who has three young children noted stress related to 'not having enough money to stay in contact with family' (# 35). Phone time was mentioned as important as a means to not only stay in touch with family and friends but also because talking to those on the outside was a common way to request additional money.²⁴ After lamenting about the delays in receiving money via JPay (the electronic system family members/friends must use in order to deposit money into an inmate's account) one participant stated 'You need phone time to get money from the outside' (# 42).

Although it would be arguably incorrect to classify cable television as a basic necessity, as inmates look for ways to pass the time, one can imagine the desire of an inmate to obtain and maintain cable television services. Inmates who desired access to cable television service were required to pay \$16.50 per-month. If an inmate did not have sufficient funds in his account at the time the bill was issued, cable services were discontinued and he will be unable to reinstate service for at least 60 days. There was a constant fear among some (13 per cent of participants) inmates that they would not have adequate funds in their inmate account and thus might lose cable access and experience prolonged delays in regaining services. As one participant revealed, 'I am worried that money might be removed from account and not realize it and you lose cable' (# 8).

Ongoing and Prospective Financial Concerns

Participants also identified ongoing and prospective financial concerns. Even though these concerns were vital, they were less related to urgent needs, but ones that were continuing and forthcoming. Beyond basic needs, study participants' most common (approximately 20 per cent of participants) financial stress was related to the need for additional money to pay attorney fees and related expenses for post-conviction relief. For example, one participant who was recently implicated in an older

case stated, 'I need money because of the expense of attorney and legal fees... to investigate and fight my current case' (# 39). One participant who was serving a life sentence for a murder elaborated that he 'already missed an important deadline' and further stated, 'I need money for legal, attorney and postage. I need a typewriter for legal purposes, and money for certified mail' (# 26).

Men nearing their minimum or maximum sentence length and who anticipated being released indicated financial stress related to the lack of money they were able to save to help them upon released. For example, one inmate who had approximately two years until he reached his maximum time stated, 'It's tough to save money, and if I max out I won't have money. I'm really worried how tough it will be' (# 12). Likewise, one participant who expected to be released when he reached his minimum sentence in approximately two years declared 'It is important to have money when you get out, what will one do when he gets out with a little money' (# 34).

Eight different participants remarked that it was stressful to be unable to send money to family members and other loved ones on the outside. This was especially true for some study participants with young children and/or grandchildren. One participant did not have young children of his own but did have a number of nieces and remarked 'I want to send money to family, especially to the little ones' (# 2). Similarly another said 'with so many restrictions on inmates you can't make money to help family, I just want to make money but I make so little I can't contribute to my family' (# 22).

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Prison Poor

Lastly, a common refrain from a majority of participants was a resentment related to the difficulty of earning enough money to care for daily needs as well as other more long-term concerns. We termed this being 'prison poor.' One inmate who worked 30 hours a week for the maximum 42 cents an hour still reported 'There is a lack of opportunity to make more money. It is very tough to get ahead in saving for things. If you want or need something you can't get it as there is only enough

23. Iddings, B. (2006). Will anyone answer the call to lower excessive prisoner telephone rates? *North Carolina Journal of Law & Technology*, 8(1), 159-203.

24. Separate codes for 'money for phone time' and 'requesting money from outsiders' were found to overlap in some circumstances."

money to maintain (# 7).’ This view was shared by others, for example one inmate remarked that ‘Fifty-two dollars is the most one can make in a month and if they take out 20 per cent, there is basically nothing left (# 16).²⁵

In addition to dissatisfaction with the low pay rate that made it difficult to save and purchase needed items and services, some participants alluded to their feelings that the low pay trivialized or undervalued their hard work. For instance, one inmate employed in the kitchen for 30 hours a week argued that ‘compared to pay on the outside we make very little, 19 cents on the inside for work on the outside we would be paid one-hundred times as much’ (# 14). Others echoed his sentiments asking ‘How you gonna pay someone 19 cents an hour for real work’ (# 27)? And another stating it was ‘frustrating to make only 42 cents an hour for jobs that require a lot of work’ (# 18).

In addition to low wages relative to pay rates outside of prison a considerable number of the participants pointed out that their pay rate had not kept pace with dramatically rising commissary costs. The disparity between inmate income and expenses generally added to their stress levels. To illustrate this point one inmate said ‘I only make 19 cents an hour but prices of everything go up, I can’t afford things. Hygiene prices go up and I can’t afford soap. It was like .35 or .40 cents now it’s like a dollar’ (# 32). Even men earning the maximum pay rate felt the financial burden of rising commissary prices. As one participant noted, ‘In 1998 inmates got a ceiling raise from 41 cents to 42 cents. We never got a ceiling raise since but prices in the commissary keep going up. Plus, many of the items sold are jacked up’ (artificially high on the inside) (# 9).

The financial situation created by a low pay rate, a lack of opportunity to generally work more than 30 hours a week, and increase in commissary prices was likely exacerbated by the fact many of those who were incarcerated at the time of our study were poor prior to their incarceration.²⁶ One inmate noted how the convergence of events limits the financial assistance they receive from those on the outside when he asserted ‘Many of the people incarcerated are from poor minority families and with the tough economy they can’t afford even a collect call... Needs are so great in prison but can never get enough money in prison’ (# 28). Similarly,

Even men earning the maximum pay rate felt the financial burden of rising commissary prices.

another participant commented, ‘Guys with no outside help must rely on guys inside to help. Some guys can’t even afford hygiene or other stuff’ (# 31).

Some participants focused on and were concerned with money for immediate needs, others for longer-term continuing matters and some both. Almost universally there was a frustration with low pay coupled with rising costs resulting in most feeling ‘prison poor’ and most did not see a way out of this. Survey participant number 37 summed up the predicament many expressed when he stated ‘I’m poor and have no income so it is tough.’

Discussion

As predicted, for many of the participants in our study, there was incongruence between what was in demand and what is perceived as available. Whether it was related to immediate or prospective needs, there appeared to be incongruence between the inmates’ needs and the resources available in their environment. Inmates suggested they wanted and needed a number of items and services but felt due to low pay rate, rising commissary prices, and erratic financial support from those on the outside their needs were not met. When their needs went unmet, their level of financial stress likely increased.

The financial strain felt by many inmates (likely due to rising costs and low wages), is not surprising given contemporary criminal justice ideologies. Since the fall of rehabilitative ideals, in the past few decades we have seen a philosophical shift toward the use of more punitive measures and retributive justice.²⁷ With the introduction of fees for services, rising costs of goods, and lack of pay raises, inmates might be more openly feeling the pains of punishment. Public officials may fear that increasing inmates’ wages, even if economically feasible, might portray them as coddling criminals or as soft on crime, something they are unwilling to risk.²⁸ If ‘having money makes the bid easier’ as one inmate indicated (# 45), making things tougher aligns with the re-emergence punitive aims and satisfies what some feel are politically popular mandates to treat criminals harshly.

Even though some policymakers and the public in general may want inmates to face financial hardships while incarcerated as an additional form of punishment,

25. The passage of a state law in 1988 authorized state and county jails to deduct 20% from inmate’s income earned and monthly balance as long as their balance exceeds \$10.

26. Slightly over 50% of the participants indicated they were unemployed in the month prior to their arrest (the vast majority of those employed were in low wage service sector jobs), 16% reported they received welfare in the year prior to their incarceration, almost 60 stated they did not have a bank account in their name in the year prior to their incarceration.

27. Garland, D. (2001). *The culture of control: Crime and social order in contemporary society*. Chicago, IL: The University of Chicago Press.

28. Tonry, M. (2006). *Thinking about crime: Sense and sensibility in American penal culture*. New York: Oxford University Press.

there might be some unintended consequence of the stress or strain. Broadly, research has noted that negative experiences during incarceration among other factors helps dictate successful transition from prison to the community.²⁹ Considering according to the Bureau of Justice Statistics there are over 2 million incarcerated in the United States and nearly all of them will one day be released, from public safety perspective there may be benefits to reducing conditions that may negatively affect one's psychological well-being and thus helping to promote successful reintegration and ultimately less re-offending.

More specifically multiple survey participants suggested unmet financial needs can negatively contribute to the overall environment of the prison. For example participant number 15 suspected that 'if there was more pay and more money distributed evenly there would be less stress and less tension and less problems'. Similarly, another participant (# 16) commented that 'Everything costs in prison: paper, type-writer ribbon. This is the gray market. In the end, with more pay there would be less tension that fuels the gray market.'³⁰ It is beyond the scope of the current study to determine whether financial stress contributes to tension and related problems. However, since research has found limited resources are related to intergroup hostility³¹ and in general the detrimental effects of financial stress are well documented, this might be a fertile avenue for future research. In sum, although unlikely in the current political climate the US DOC may want to consider policies that promote a healthier prison environment thus potentially reducing tension in prison and better preparing those who will eventually be return to their communities.

Next, considering it has been over a decade since the pay ceiling was raised in this institution (and likely many others), an important question is whether a pay raise, if economically and politically feasible, would alleviate some of the financial strain in inmates and their families. There is not a clear-cut answer. However, bearing in mind the last pay increase was only one cent, any future pay increases would likely be nominal as well. Potentially small pay raises are unlikely to ease much financial strain; therefore, these hypothetical pay increases are doubtful to have much impact. Arguably

larger gains could be made by focusing on reducing fees inmates must pay for certain services, especially considering some of the fees have been found to generate modest revenue at best. For example, all federal and the majority of state prisons require inmates to pay fees ranging from 2 to 10 dollars for inmate initiated medical visits.³² A small number of survey participants not only mentioned that medical co-payments fees contributed to financial strain but that avoidance of medical care can lead to infectious disease outbreak and higher associated costs in the long-term.³³

It is fair to question if this nonprobability sample method resulting in 45 interviews produces information that can be generalized to this or other populations. It is possible that men who participated in this study might have disproportionately represented those who were experiencing financial stress. Somewhat mitigating this concern, although most of the inmates did indicate they were under a great deal of financial stress, just over 20 per cent reported their financial stress as a four or less (1 = low ... 10 high). This does not remove concerns of bias in the sample might suggest that motivation to participate went beyond only those in dire financial conditions. Further, the interviews were drawn almost equally from four of the five major cellblocks that represent varying risk and privilege levels, thus hopefully drawing a more diverse inmate population. Lastly, despite only 45 inmates participating in the study, it became apparent by the last day of the study that no new themes were emerging from the interviews thus saturation.³⁴

This investigation represents one of the first published studies examining incarcerated men's financial needs and concerns during confinement. Most of the men who participated in this study indicated high levels of financial stress. The stress was related broadly to concerns with the ability to purchase items for immediate needs such as hygiene products, others for prospective matters such as money for reentry, and a general dissatisfaction with the combination of low pay, rising costs for goods and services, and little support from the outside. Based on recent criminal justice policies that call for those who commit crime to get their just deserts, there might be little prospect for change.

29. Visher, C. A., & Travis, J. (2003). Transitions from prison to community: Understanding individual pathways. *Annual Review of Sociology*, 29, 89-113.

30. The gray market was loosely defined by the survey participant as the exchange of legal goods among inmates. For example, one inmate might trade loose tobacco (often referred to as kite) for the use of another inmate's type-writer for one hour.

31. Jackson, J. W. (1993). Realistic group conflict theory: A review and evaluation of the theoretical and empirical literature. *Psychological Record*, 43, 395-413.

32. Awofeso, N. (2005). Prisoner healthcare co-payment policy: A cost-cutting measure that might threaten inmates' health. *Applied Health and Economics & Health Policy*, 4(3), 159-164.

33. Rold, W. J. (1996). Charging inmates for medical care: A legal, practical, and ethical critique. *Journal of Correctional Health Care*, 3(2), 129-143.

34. See Tewksbury and Copes, 2013, Incarcerated sex offenders' expectations for reentry. *The Prison Journal*, 93(1), 102-122 for a brief discussion of qualitative research and saturation.

Older prisoners and the Care Act 2014:

An examination of policy, practice and models of social care delivery

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Introduction

A substantial rise in the number of prisoners aged 60 years and over has significantly altered the demographics of British prisons over the past two decades.¹² With approximately 102 prisoners aged 80 years and over, and five aged over 90 years, this age group now represents the fastest growing population in UK prisons.³ This dramatic rise is a result of a number of factors, including, a general increase in life expectancy, an increase in individuals committing crime later in life and, more recently, the targeted pursuit of the historic sexual offend.^{4,5}

An increase in the number of ageing prisoners has inevitably brought with it an increase in incidences of health conditions such as cancer, heart disease, hypertension, strokes, mental health problems and dementia.⁶ These specific health issues, coupled with an increase in men suffering from 'general frailty' associated with advancing age, have resulted in a complex and costly challenge for the Prison Service. However, despite such high incidences of age related problems, provisions and standards of social care for older people in prison vary and very often fall short of that delivered in the community⁷ despite government policy stating that prisoners should have access to the

same level of care in prison as they would in free society.⁸

Based on the findings of a 12 month research project, funded by the CLAHRC East of England, which examined effective, implementable and sustainable solutions to health and social care delivery within prison, this paper examines the development of existing policy and practice on ageing prisoners and the implications of the Care Act 2014 for the Prison Service. It also investigates the financial cost of prison social care and proposes possible models of delivery.

Existing practice and policy development

In 2001, the Department of Health produced the National Service Framework for older people,⁹ documenting for the first time that good liaison and partnership between prison and healthcare services was vital. This was the first significant recognition of older prisoners' healthcare issues outside of academic and third sector research. In 2006, Prison Healthcare became the responsibility of the NHS through Primary Care Trusts, and although this significantly aided a more consistent delivery of healthcare service, prison officers were still reliant on piecemeal guidance with no minimum standards to help guide their approach to people with potentially complex needs (Prison Service

1. Justice Select Committee (2013) Older Prisoners. Available at <http://www.parliament.uk/documents/commons-committees/Justice/Older-prisoners.pdf>. (Accessed 23rd January 2015).
2. Mann, N. (2012) *Doing harder time? The experiences of an ageing male prison population in England and Wales*, Ashgate Publishing Limited, Aldershot, UK.
3. Ibid, Justice Select Committee (2013).
4. Crawley, E., Sparks, R., (2005a) 'Surviving the prison experience? Imprisonment and elderly men', *Prison Service Journal*, issue 160. Available at <http://www.hmprisonservice.gov.uk/resourcecebtre/prisonservicejournal/index.asp?id=3833,3124,11,3148,0,0> (Accessed 12th April 2006).
5. Ibid, Mann (2012).
6. Ibid, Justice Select Committee (2013).
7. Senior, J., Forsyth, K., Walsh, E., O'Hara, K., Stevenson, C., Hayes, A., Short, V., Webb, R., Challis, D., Fazel, S., Burns, A & Shaw, J., (2013) 'Health and social care services for older male adults in prison: the identification of current service provision and piloting of an assessment and care planning model', *Health Services Delivery Research*, Vol 1 (5).
8. The Care Act, 2014. Available at <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted/data.htm>. (Accessed 3rd November 2015).
9. Department of Health (2001) National Service Framework for Older People. Available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/198033/National_Service_Framework_for_Older_People.pdf. (Accessed 9th June 2015).

Order (PSO) 2855 (prisoners with disabilities); PSO 4800 (working with older women)). Reference to Local Government was also significantly absent at this stage reflecting a considerable lack of recognition of social care needs at the time.

Concerns around the suitability of the prison estate for older offenders was rising amongst both academics and third sector organisations and in 2004 HMP Norwich opened the first purpose built older offender unit which took the form of a care home style facility providing beds for fifteen ageing prisoners who required assistance with daily living. Up to this point, HMP Kingston's E Wing had been the only provision for older offenders; however, its success was heavily thwarted by the unit's layout on three floors, for which it received significant criticism.¹⁰ HMP Norwich's innovative facility was welcomed by those championing the rights of older prisoners but at a cost of 1.5 million, it clearly demonstrated the financial implications of an ageing prison population.

In 2006, the Disability Discrimination Act (DDA) came into full force and brought into focus the lack of appropriate facilities for offenders with mobility issues and disability. During this time the numbers of ageing prisoners continued to rise significantly¹¹ and the National arm of Age UK took the innovative step of investigating provisions for older people in prison in comparison to that available in the community.¹² In response to their research, the Department of Health published a toolkit for working with older offenders.¹³ However, despite the recognition this gave older prisoners as a distinct section of the prison population, the toolkit was only intended to provide guidance on good practice; it was not until the Equality Act 2010 that ageing prisoners' were for the

first time provided legal protection on the basis of age discrimination.

Consequently, prisons had a responsibility to cater for the needs of older prisoners and to make the regime accessible if the prisoner's condition could be defined as a disability.¹⁴ NOMS also obliged that all prisons carry out equality impact assessments on current and planned services¹⁵ to ensure that older prisoners could receive equal access to services and regimes within the prison. However, despite the presence of equality legislation, the promotion of older prisoners' equal access to the prison regime and improvements in their care and support still largely depended on the adequate implementation of, and compliance with, such legislation (the DDA and Equality Act). Unfortunately, financial restraints, pressures on staff and a lack of awareness of disabilities within the prison environment provided a number of obstacles to improving access in practice. It became clear that the improved legal standing for older prisoners still needed to be matched by the ability of the prison estate to provide such equal opportunities. One Prison Officer summarised the predicament:

It became clear that the improved legal standing for older prisoners still needed to be matched by the ability of the prison estate to provide such equal opportunities.

We still have a lot to do, just to provide the same service for them as we do for the rest of the younger prison population — that's before we begin to provide 'age-

*specific' services!*¹⁶

Two comprehensive reviews by Her Majesty's Chief Inspector of Prisons in 2004 and 2008 accurately summarised the provision for older prisoners. In 2004, it was observed that some dedicated provisions, such as the older lifers unit at HMP Norwich, had been developed and that other prisons offered minor

10. Prison Reform Trust and The Centre for Policy on Ageing (2003) 'Growing Old in Prison: A Scoping Study on Older Prisoners', PRT, Northburgh, London, UK.
11. *Ibid*, Mann (2012).
12. Age UK (2011) Supporting older people in prison: ideas for practice. Available at http://www.ageuk.org.uk/documents/en-gb/for-professionals/government-and-society/older%20prisoners%20guide_pro.pdf?dtrk=true. (Accessed 7th November 2012).
13. Department of Health (2007) A pathway to care for older offenders: A toolkit for good practice. Available at http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_079929.pdf. (Accessed 9th June 2015).
14. The Equality Act, 2010. Available at <http://www.legislation.gov.uk/ukpga/2010/15/contents>. (Accessed 3rd November 2015).
15. Ministry of Justice (2011/2012) NOMS Equalities Annual Report. Available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/294153/noms-equalities-annual-report-11-12.pdf. (Accessed 19th May 2015).
16. Prison Reform Trust (2010) Doing Time: Good practice with older people in prison — the views of prison staff. Available at <http://www.prisonreformtrust.org.uk/uploads/documents/doingtimegoodpractice.pdf>. (Accessed 9th June 2015).

adaptations for older prisoners (e.g. adapted cutlery, installation of stair lifts); however, such provisions were sparse and were largely implemented by forward thinking and dedicated members of prison staff in the absence of any official policy.¹⁷ It was also noted that there was no overall strategy throughout the prison estate to assess or provide for the needs of older prisoners and only HMP Leyhill had made any major attempts to comply with the DDA (2006).¹⁸

Overall the provisions for older prisoners were insufficient and characterised by a paucity of education and employment opportunities.^{19 20 21} A lack of regime differentiation frequently resulted in the effective exclusion of older prisoners from services or activities, and incidences of isolation and deteriorating health amongst older prisoners started to occur.^{22 23} Outside of healthcare provision, which was in itself noted as being problematic and inconsistent, there was little social care on offer. Contact with community based services for older people was rare and access to both assessment and care fell well short of that available in the community.²⁴

Again, in 2008,²⁵ pockets of good practice were noted; the development of forums for older people in prison and the innovative work of voluntary organisations such as NACRO, Age UK and RECOOP, were beginning to raise awareness of the inadequacies of the prison estate in this area and were, for the first time, allowing older prisoners to be recognised as a distinct and rapidly increasing population. However, despite this progress, the picture across the estate remained one of ad hoc and variable provision.^{26 27 28}

Whilst some aspects of older prisoner care became more consistently addressed through the use

of specialised health clinics, elements of health improvement and age focused exercise classes,²⁹ the ad hoc provision of social care for older prisoners continued. In the absence of any guidance on managing non-medical care for older offenders, the responsibility for this has been left with the individual prison (under the HMPS Duty of Care) and the prison healthcare provider, creating inconsistencies across the prison estate. Only a small number of older prisoners are fortunate enough to reside in a prison which has allocated budget to the purchase of mobility aids, such as grab rails, stair lifts and standing frames.

Social Care and the Care Act 2014

In 2010, the Prison Reform Trust reported that Social Service involvement in prisons remained an exception rather than the rule despite HMIP's recommendations to the contrary. However, as the ageing prison population continued to rise, in 2011/12 the impetus for change was demonstrated by NOMS and NHS Offender Health and Justice via the creation of the Social Care Policy and Implementation Group. This group brought together key stakeholders from the Department of Health, ADASS and the voluntary sector, in order to develop and implement a plan for the provision of social care in prisons.³⁰

Later that year, a Parliamentary select committee on older prisoners was convened, publishing a report in 2013 recommending a national strategy for the care and management of older prisoners. It also concluded that older and disabled prisoners should no longer be held in establishments that cannot meet their basic needs, nor should they be released back

17. Ibid, Mann (2012).
18. Her Majesty's Chief Inspector of Prisons (2004) No problems – old and quiet: Older prisoners in England and Wales — a thematic review. Available at <https://www.justiceinspectorates.gov.uk/hmiprisons/inspections/no-problems-old-and-quiet-older-prisoners-in-england-and-wales-a-thematic-review/#.VXVxhMLbL4g>. (Accessed 9th June 2015).
19. Ibid, Her Majesty's Chief Inspector of Prisons (2004).
20. Her Majesty's Chief Inspector of Prisons (2008) Follow up Report on the Thematic Review 'No problems- old and quiet': Older prisoners in England and Wales, London, UK. Available at http://webarchive.nationalarchives.gov.uk/20130128112038/http://www.justice.gov.uk/downloads/publications/inspectorate-reports/hmipris/thematic-reports-and-research-publications/older_prisoners_thematic-rps.pdf. (Accessed 9th June 2015).
21. Ibid, Mann (2012).
22. Crawley, E., Sparks, R., (2005b) 'Hidden Injuries? Researching the Experiences of Older Men in English Prisons', *The Howard Journal of Criminal Justice*, 44(4), 345-356.
23. Wahidin, A., (2004) *Older Women in the Criminal Justice System*, Jessica Kingsley Publishers, London, UK.
24. HMSC (2007) Adult Social Care in Prisons: A Strategic Framework. Health Services Management Centre. Available at <http://www.birmingham.ac.uk/Documents/college-social-sciences/social-policy/HSMC/research/prison-adult-social-care.pdf> (Accessed 9 June 2015).
25. Ibid, Her Majesty's Chief Inspector of Prisons (2008).
26. Ibid, Crawley & Sparks (2005b).
27. Wahidin, A., and Aday, R., (2005) 'The Needs of Older Men and Women in the Criminal Justice System: An International Perspective', *Prison Service Journal*, issue 160. Available at <http://www.hmprisonservice.gov.uk/resourcecentre/prisonerservicejournal/index.asp?id=3835,3124,11,3148,0,0> (Accessed 12th April 2015).
28. Ibid, Mann (2012).
29. Aday, R., (2006) 'Managing the special needs of ageing prisoners in the United States', in A. Wahidin and M. Cain (eds) *Ageing, Crime and Society*, Willan Publishing, Devon, UK.
30. Ibid, Ministry of Justice (2011/12).

into the community without adequate care and support.³¹

The Government White Paper 'Caring for our future: reforming care and support' (2012) made the initial commitment to resolve the issue of social care in prison whilst the Care Act (2014) introduced the statutory framework for its delivery behind bars. As of April 2015, a prison's Local Authority is now responsible for assessment of needs and provisions of social care services if a prisoner meets eligibility criteria. Should needs fall short of the thresholds for services, it falls on the prison service to meet any requirements as per the usual duty of care responsibilities.

Although the Care Act does for the first time clearly define who is responsible for the delivery of social care in prison, its implementation will undoubtedly create further hurdles for the Prison Service to overcome. The Select Committee (2013) initial estimates indicate that approximately 3,500 prisoners will be eligible for care and support services in prison under the criteria of the Care Act 2014. However, apart from a brief and ambiguous statement that 'prisoners must pay full or part of the costs if they are in a position to do so',³² there has been minimal clarification on how local authorities with large prison populations are meant to fund such services.

Unfortunately, however positive the potential impact of the Care Act 2014 on older prisoners, the financial and practical burdens of ongoing needs assessments and difficulties associated with identifying what is medical and what is social care responsibility means that Local Authorities and the Prison Service are now formally responsible for the

costly and heterogeneous needs of their ageing prisoner populations.

The financial implications of social care for older prisoners

The cost of imprisonment in England and Wales currently stands at approximately £36,808 per prisoner per year;³³ yet, for prisoners aged 60 years and over, this figure can be up to three times more due to additional health needs.³⁴ Delivering the additional responsibilities of the Care Act 2014 will likely create financial difficulties for NOMS at a time when more than £700m has had to be cut from their budget over the last 3 years.³⁵

£11.2 million of 'new' money has been set aside to assist Local Authorities in delivering their social care responsibilities to prisoners. Fifty eight Local Authorities will receive this money,³⁶ divided into £3.8 million for assessments (£2.1m on first assessments and £1.7m on reassessments); £6.5m on providing care (£4.6m on care for over 50s and £1.9m on under 50s) and £900,000 on additional assessments for over 50s within the first year.³⁷ However, with an estimated 3,500 eligible prisoners,³⁸ will this additional money will be sufficient?

The average cost (in an example county studied) of undertaking an assessment or a review in 2010/11 was £1,213 with 80 per cent assessed as needing services.³⁹ Unit costs for services in the community, such as home care or day care, averaged between £131 and £187 per person per week.⁴⁰ Based on these figures, if only 10 per cent of the estimated eligible prison population

Should needs fall short of the thresholds for services, it falls on the prison service to meet any requirements as per the usual duty of care responsibilities.

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31. Ibid, Justice Select Committee, 2013.
 32. Department of Health (2014) Statutory guidance to support implementation of part 1 of the Care Act 2014 by local authorities. Available at <https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation>. (Accessed 9th June 2015).
 33. Prison Reform Trust (2014) Prison: The Facts, Bromley Briefings Summer 2014. Available at <http://www.prisonreformtrust.org.uk/Portals/0/Documents/Prison%20the%20facts%20May%202014.pdf>. (Accessed 9th May 2015).
 34. Ibid, Mann (2012).
 35. BBC News (2014) 'Prisons 'struggling' with increase in elderly inmates'. Available at <http://www.bbc.co.uk/news/uk-29788543>. (Accessed 9th May 2015).
 36. Local Government Association (2014) The Care Act and Prisons: Briefing Note. Available at <http://www.local.gov.uk/documents/10180/5756320/Care+Act+and+Prisons+-+Briefing+note/2aaf1e35-b1f8-41a5-999c-d98905dea85f> (Accessed 9th June 2015).
 37. Ibid, Justice Select Committee (2013).
 38. ADASS (2014) Local Authority responsibilities for prisoners: Change in response to the White Paper. Available at <http://www.adass.org.uk/AdassMedia/stories/events/Speeches%20and%20Presentations/WorkshopC.pdf> (Accessed 9 June 2015).
 39. Audit Commission (2012) 'Reducing the cost of assessments and reviews: An adult social care briefing for councils'. Available at <http://www.audit-commission.gov.uk/2012/08/reducing-the-cost-of-assessments-and-reviews/>. (Accessed 9th May, 2015).
 40. Health and Social Care Information Centre (HSCIC) (2013) Personal Social Services: Expenditure and Unit Costs, England. Available at <http://www.hscic.gov.uk/catalogue/PUB16111/pss-exp-eng-13-14-fin-rpt.pdf>. (Accessed 9th May 2015).

required a 'service', this would still cost a total of between £45,850 and £65,450 per week (£2.3m to £3.4m per year in total). It is doubtful, therefore, that the budget for care provision is enough to cover a significant resource for older prisoners, such as a 'day centre' type model for older prisoners, yet it could cover the cost of mobility aids and modifications to the prison environment, which have until now been funded out of prison budgets.

The impact on local authorities will vary depending on the number of prisons in their area, their size and their function. Local or Remand prisons receiving individuals directly from court may be required to carry out a higher number of assessments but are likely to have a relatively small proportion of people who ultimately require care and support. Those establishments housing longer serving prisoners may have relatively few initial assessments, with new prisoner reception less frequent, however, they would have a greater number of prisoners who will be or become eligible for care and support.⁴¹

Possible models of delivering social care in prison

With a relatively small budget and a potentially large number of older prisoners requiring some level of social care service, it will be necessary for NOMS to consider the most effective way in which their responsibility can be delivered. Below we attempt to illustrate what the current options may be and the implications, both financial and environmental.

Accommodation Adaptation

One way in which the prison system could accommodate older prisoners more successfully is to adapt the built environment in order to make it more suitable for those less able. The addition of mobility aids such as handrails, wheelchair 'friendly' areas, mobility scooters and stair lifts, are simple and relatively low cost changes for allowing older prisoners to remain more independent and access the prison without need for

additional support. At the same time, in-cell provisions such as meals and library books help reduce the need to travel to facilities for those with mobility difficulties.

This is a reasonably economical model of delivery, yet the extent to which the prison can be made suitable and accessible is limited by the existing prison infrastructure. Many establishments in England and Wales date from the Victorian 'penal warehouse' era, or are poor quality 60s and 70s builds⁴² which are extremely difficult to adapt. In order to make the prison manageable and allow older prisoners to access education, employment, the gym and library, large areas would need significant redevelopment and a costly process of major adaptation. As such, it is likely that, should this model be adopted, we would see an increase in the use of older prisoners units, whereby the prison regime would be delivered in one dedicated area of the prison. This would ultimately result in the segregation of older prisoners, which could not only be detrimental to wellbeing, encourage dependency and accelerate ageing,⁴³ but may also result in the delivery of an ad hoc regime which tends to remain unchallenged by older prisoners, who tend to be compliant.⁴⁴

Regime Adaptation

Adaptations to the standard prison regime aim to address the specific needs of older prisoners whilst maintaining their positive influence on the wider population. In recent years, a number of prisons in the UK have begun to develop and implement age-related initiatives, facilitating access to the regime and leading the way in the absence of any official policies.⁴⁵

Specialist services for older offenders, such as over 50s health clinics, low impact gym sessions and designated library sessions⁴⁶ can be implemented using existing prison staff, whilst 'day care' support, older prisoner forums and age specific resettlement and release awareness programmes tend to rely on assistance of third sector agencies and charities such as RECOOP, Age UK, NACRO and Restore Network Support. In light of the fact that good practice has already been illustrated by a number of prisons working

The impact on local authorities will vary depending on the number of prisons in their area, their size and their function.

41. Skills for Care (2014) 'Briefing: Care and support for people in prisons and approved premises'. Available at <http://socialwelfare.bl.uk/subject-areas/services-activity/social-work-care-services/skillsforcare/168342care-and-support-for-people-in-prisons-and-approved-premises-briefing.pdf>. (Accessed 9th May 2015).
42. Lockyer, K., & Chambers, M., (2013) 'Future Prisons: A radical plan to reform the prison estate', Policy Exchange. Available at <http://www.policyexchange.org.uk/images/publications/future%20prisons.pdf>. (Accessed 23rd June, 2015).
43. Ibid, Prison Reform Trust (2003).
44. Ibid, Her Majesty's Chief Inspector of Prisons (2008).
45. Ibid, Mann (2012).
46. Ibid, Aday (2006).

closely with non-government agencies,^{47,48} it is possible that regime adaptation will be adopted by an increasing number of prisons as a mechanism for delivering on care needs not eligible for a 'service' as such. However, for establishments housing only a small number of older prisoners, this model is unlikely to be cost-effective.

Informal and formal 'carers'

The use of peer support within the prison system has increased over the years,⁴⁹ ranging from the well respected and highly successful Listeners Scheme, which is supported by The Samaritans, through to the use of peers as tutors and advocates; it is commonly agreed that:

In the right circumstances peers may be better at engaging offenders, can act as 'identity models', may be more effective at sharing information and knowledge, and can support 'managerial and front-line staff struggling with growing workloads'.⁵⁰

It is for these reasons that the use of peer support, sometimes referred to as 'buddying', could be an efficient and cost effective way of delivering social care within prison.

Within this model offenders could either volunteer as 'carers' or, more likely, take on a job with a specified role such as a 'social care orderly'. This paid role would provide the much needed social care for frailer prisoners, create greater employment opportunities for prisoners, and remove responsibility from overstretched prison staff.⁵¹ There could also be the potential to work towards a nationally recognised qualification, such as an NVQ, in Health and Social care.

Prisoners could fetch meals, assist during mealtimes or help to keep cells clean and tidy. However, NOMS have already stated that it will not be

appropriate for prisoners to provide personal care to other prisoners (PSI 17/2015 and PSI 16/2015). As such, the more intimate aspects of social care delivery, personal hygiene, bathing and so on would still require 'formal' carer input (either through existing healthcare staff or contracted care workers) and depending on the number of prisoners in need, the cost implications could be significant.

Extending the role of healthcare providers

This 'model' reflects one of the current 'safety net' approaches to meeting social care needs in prison. There appears to be a perception among healthcare commissioners that a number of prisoners' (perhaps 'social care') needs, are currently being met by healthcare and the healthcare budget. The implication being that there are a small but significant group of frail older prisoners who are effectively taking up inpatient beds in prison healthcare units, because they need 'looking after' in a broad sense. It is perhaps not surprising then that one delivery approach envisaged for social care is, in the first instance at least, to engage current healthcare providers formally in providing for assessed and eligible social care needs. This is not to say that existing healthcare providers are or are not the best option, but they may certainly be the most straightforward to adopt.

It is for these reasons that the use of peer support, sometimes referred to as 'buddying', could be an efficient and cost effective way of delivering social care within prison.

Summary

Despite the observed effects of ageing on imprisonment, the evidence of frailty and the prevalence of acute and chronic illness amongst older prisoners,⁵² the British government has consistently resisted a dedicated strategy for older prisoners, citing variance and diversity amongst the 'older' offender profile (MoJ, 2014). This position has remained despite disagreement from HMIP⁵³ who have called for a strategy to address the suitability and accessibility of

47. Ibid, Her Majesty's Chief Inspector of Prisons (2008).

48. Ibid, Justice Select Committee (2013).

49. Batty, E., & Fletcher, D.R., (2012) 'Offender Peer Interventions: What do we know?' Available at <http://www.shu.ac.uk/research/cresr/sites/shu.ac.uk/files/offender-peer-interventions.pdf> (Accessed 19th May 2015).

50. Ibid, Batty & Fletcher (2012).

51. Ibid, Age UK (2011).

52. Ibid, Mann (2012).

53. Ibid, Her Majesty's Chief Inspector of Prisons (2004, 2008).

accommodation, better implementation of the Disability Discrimination Act (DDA) and existing PSOs on managing prisoners with disabilities, as well as regime differentiation, age appropriate staff training and an increased use of inter-agency work within prison and on release. The Justice Select Committee reiterated these issues in the 2013 report but the government response remained unchanged:

*A generic 'older prisoner strategy' is not in our view an appropriate way forward... Our view is that prisoners should be managed on the basis of individual needs not on the basis of their age.*⁵⁴

In recent years Prison Officers have been under pressure to become carers as well as custodians, providing social care, palliative care and even mental health care, often without necessary training and support.⁵⁵ Such a broad scope in terms of role and responsibilities of an increasingly stretched prison staff is neither realistic nor reasonable.

The size of older prisoner populations at each establishment, the built environment and the existing regime will all greatly impact on the care and support plans put into place. The applicability of the different

'models' of social care delivery depend, for example, on whether there is a suitable room in the prison to set up 'day care' (e.g. ground floor, wheelchair accessible), whether facilities are available (e.g. access to a DVD player/TV, Library support), and whether there are staff or volunteers available to run and support it. In the region studied, the approach has tended towards managing older people as a cohort, locating older prisoners together and ultimately creating 'older prisoner wings' rather than providing different support or dedicated activities. There is undoubtedly a need for somewhere safe to house the increasing numbers of older people coming into prison, however, the 'default' Vulnerable Prisoners (VP) unit by definition may not always be the most appropriate or accessible location.

However social care is delivered within prisons, there will invariably be a tension between the core principles of imprisonment and those of care, wellbeing and dignity. Nevertheless, what the Care Act provides is both renewed impetus to address social care behind bars, and a statutory duty to ensure a minimum standard of support for prisoners — a change much needed by prison staff and the near 10,000 men aged 55 years and over that we now have in prison in England and Wales.⁵⁶

54. Ministry of Justice (2014) Government Response to the Justice Committee's Fifth Report of Session 2013-14 'Older Prisoners'. Available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/256609/response-older-prisoners.pdf. (Accessed 23rd January 2015).

55. Ibid, Age UK (2011).

56. Ibid, Ministry of Justice (2014).

Improving palliative care for prisoners: The 'Both sides of the fence' study

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Introduction

Since 2013, research has been underway in one prison in North West England with the aim of improving palliative and end of life care for prisoners. This paper draws on early findings from the research to explore some of the emerging issues — both challenges and examples of good practice — inherent in this difficult area. To begin with however, some background will be provided to contextualise the research.

Whilst accurate measures of crime rates are notoriously difficult to obtain, there is a consensus that in the United Kingdom crime rates have fallen or remained flat in recent decades. However, over the same time period the prison population in England and Wales has doubled and now stands at around 86,000,² the highest prison population in Western Europe. There are a number of reasons for this shift, including longer sentences, tougher licence conditions, and a rise in the number of older prisoners convicted of historic sexual offences. In England and Wales there are now 148 prisoners per 100,000 of the population; this compares with 98 in France and 79 in Germany.³ The prison population, like the general population, is ageing; latest available figures indicate that there are approaching 12,000 people aged 50 and over in prison in England and Wales, and that a third of them are aged 60 and over.⁴ This group constitutes the fastest growing section of the prison population, and has risen by 164 per cent between 2002 and 2015.⁵ Many of these 4,000 prisoners have multiple and complex healthcare needs, and live in an environment neither built nor equipped to manage them. There has also been a corresponding increase in what can be described as 'anticipated deaths' in prison — deaths from natural causes that can be foreseen

and prepared for, often through the provision of palliative care. The number of natural cause deaths (anticipated or not) in 2014 was 141, the highest on record.⁶

Contrary to what many assume, compassionate release for prisoners with a life-limiting diagnosis is extremely rare; between 2009 and 2013 in England and Wales only 45 prisoners were granted early release on compassionate grounds,⁷ although no figures are available for the number of applications that were rejected. Some prisoners do not wish to apply for compassionate release; the length of their sentences and the nature of their offences may mean that they have no supportive network outside prison, and consequently their significant relationships are inside prison with other prisoners and to some extent staff. Thus there is a need to understand what is happening with this older prisoner population, and in particular to begin to overcome the practical, ethical and emotional challenges that dying in prison presents.

A wide range of social and health characteristics of the prison population support the contention that prisoners are a disadvantaged group in our society. Around half of male prisoners were excluded from school, and 47 per cent have no formal qualifications (compared with 15 per cent of the general population of working age). Fifteen per cent of newly sentenced prisoners reported being homeless before custody and in 2013-14 only a quarter of newly released prisoners entered employment on release. Around one third of prisoners (36 per cent) are estimated to have a physical or mental disability, and up to 30 per cent have learning disabilities or difficulties that impact on their ability to cope with prison.⁸ Thus prisoners come into prison with considerable disadvantages, and whilst the health of some may improve in prison, for the majority, and particularly older prisoners, this is not the case.

1. The research team consists of Dr Mary Turner (Principal Investigator), Professor Katherine Froggatt, Professor Sheila Payne, Gill Scott, Bob Gibson, Dr Andrew Fletcher, Dr Marian Peacock and Dr Sandra Varey. We are indebted to all the participants who shared their views and experiences in interviews and generously gave their time to the research. In particular we would like to thank the Governor and staff of HMP Wymott for their unstinting support and collaboration throughout the study. We are grateful to Marie Curie for funding this research.
2. Ministry of Justice (2015) Prison Population Figures <https://www.gov.uk/government/statistics/prison-population-figures-2015>. Accessed 28 September 2015.
3. Walmsley R. (2014). World Prison Population List (tenth edition) <http://www.prisonstudies.org>. Accessed 12 November 2014.
4. Prison Reform Trust (2015). *Prison: The Facts. Bromley Briefing Summer 2015*. London: Prison Reform Trust.
5. Ibid.
6. Ibid.
7. Prison Reform Trust (2014) *Bromley Briefings Prison Factfile Autumn 2014*. London: Prison Reform Trust.
8. Prison Reform Trust (2015) see n.4.

Older prisoners and the increasing need for palliative care

It is widely acknowledged that premature ageing is linked to incarceration, with prisoners' health status generally considered to be equivalent to that of people 10 years older in the general population; it is therefore argued that the age at which prisoners should be counted as 'old' is 50 rather than 60.⁹ A significant factor among this population however is that more than 40 per cent are convicted of sexual offences, and the rise in those convicted of 'historic abuse' means that increasing numbers of older people are now going into prison for the first time in their lives. Britain's oldest prisoner was jailed in April 2015 at the age of 96, for offences committed more than 50 years ago, having never been in prison before.¹⁰ This type of prisoner presents a very different set of challenges to the prison service.

Inevitably, as the number of older prisoners increases, the number dying in custody will increase correspondingly, and 2014 saw the highest number of deaths in custody on record.¹¹ As commented above, compassionate release is rarely granted, and even release on temporary licence (ROTL), where a prisoner may be transferred to a hospital or a hospice, raises questions about the balance between dignity and security, with reports from the Prisons and Probation Ombudsman frequently criticising the use of cuffing and restraints on frail and dying prisoners.¹² Some prisons now provide palliative care facilities, but these are unevenly distributed across the prison estate and little is known about the palliative care needs of prisoners and to what extent these are or can be currently met.

Researching end of life care in prisons

A national End of Life Care Programme was initiated across England and Wales in 2004, and the first

national strategy was produced in 2008.¹³ The central purpose of both the Programme and the Strategy was to improve end of life care for everyone who needed it:

The aim of this strategy is to bring about a step change in access to high quality care for all people approaching the end of life. This should be irrespective of age, gender, ethnicity, religious belief, disability, sexual orientation, diagnosis or socioeconomic status. High quality care should be available wherever the person may be: at home, in a care home, in hospital, in a hospice or elsewhere.

In response to this policy imperative, researchers at Lancaster University were asked to undertake an evaluation of end of life care in prisons across Cumbria and Lancashire.¹⁴ Six prisons were included in the evaluation, which consisted of interviews with prison healthcare staff and with palliative care staff from hospices local to the prisons. Prison healthcare staff also completed a questionnaire which was designed to ascertain their levels of knowledge, skills and confidence in relation to palliative and end of life care, and two illustrative case studies of dying prisoners were constructed to capture some of the many challenges in providing palliative care in a custodial setting. The

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study highlighted tensions between the philosophies of care and custody, and revealed low levels of staff confidence in some areas of end of life care such as bereavement support and spiritual support. In particular the study identified that for some prisoners their most salient relationships were with other prisoners, and that this was particularly the case for those whose offences were against their families. In addition to safety and security concerns that might hinder compassionate release or release on temporary licence, this demonstrated a need for care, albeit for a minority, for whom dying in prison was considered to be the most

9. Hayes A.J, Burns A, Turnbull P, Shaw J. (2012). The health and social needs of older male prisoners. *International Journal of Geriatric Psychiatry* 27: 1155 – 1162.

10. The Daily Mail. (2105) <http://www.dailymail.co.uk/news/article-3033494/Britain-s-oldest-paedophile-country-s-senior-prisoner-jailed-age-96-sexually-assaulting-girls-early-1950s.html> Accessed 3 October 2015.

11. Prison Reform Trust (2015) see n.4.

12. Prisons and Probation Ombudsman. (2015). *Annual Report 2014 – 2015*. London: The Stationery Office.

13. Department of Health (2008). *End of Life Care Strategy – Promoting High Quality End of Life Care for Adults at the End of Life*. London: Department of Health p.33.

14. Turner M, Payne S, Barbarachild Z. (2011). Care or custody? An evaluation of palliative care in prisons in North West England. *Palliative Medicine* 25(4), 370-377.

appropriate, humane and decent death. But, as our subsequent work has highlighted, the provision of prison palliative care has an inherent tension and raises ethical questions. There may be a case for high quality palliative care in prisons, but its provision may result in greater reluctance to grant compassionate release if there are appropriate services available. This first evaluation therefore provided the foundation for the current study.

The 'Both sides of the fence' study

The research study, 'Both sides of the fence: using action research to improve end of life care for prisoners' began in June 2013 and will be completed by the end of May 2016. It is taking place in HMP Wymott, a Category C prison with a high number of older prisoners, and is funded by the charity Marie Curie. The overall aim of the study is to develop a model of palliative and end of life care for prisoners that can be shared with other prisons to improve practice. The study uses action research methodology,¹⁵ in which the research participants (in this case, prison staff and prisoners) and the research team work together to make changes to practice. The research is designed in two main phases, with a short third phase for consolidating the findings and sharing them with other prisons.

Phase 1: Situational analysis

In Phase 1, we conducted a series of individual and group interviews with a wide range of people both inside and outside the prison. This enabled us to gain a detailed understanding of palliative and end of life care in the prison. It also helped us to identify good practice and some of the challenges of providing palliative care in the complex environment of prison. A total of 62 people were interviewed in Phase 1, including prison officers, governors, chaplains, probation officers, family liaison officers, nurses and other healthcare staff, and older prisoners, as well as specialist palliative care staff from outside the prison and a coroner. At the start of the research we anticipated that ethical concerns would mean that it would not be possible to work directly with prisoners, so this had not been included in the original study design. The prison, however, already had prisoner

involvement in healthcare and other forums, and were keen that prisoners should be included in the research. We therefore successfully applied for an amendment to our ethical approval, which allowed us to run focus groups with prisoners and specifically with older prisoners from a unit designated for older and disabled prisoners. The prisoner perspective has been therefore been an integral part of the study throughout.

The interviews both inside and outside the prison encompassed a broad range of people who were involved in providing end of life care in HMP Wymott. They included two chaplains who had established and run a day centre for older prisoners. This was universally viewed as an invaluable resource, and it figured highly in the prisoners' world; it was seen as setting a tone or ethos which many in the prison valued highly, and which shaped the ways in which older prisoners were perceived throughout the prison.

In addition to the interviews and focus groups, we also undertook a case study in which we interviewed a prisoner who was approaching the end of his life. We asked him to nominate up to five people involved in providing care and support for him, whom we also interviewed. This enabled us to capture different perspectives on the same case.

The study site, HMP Wymott, has a high number of older prisoners and had already experienced the challenges of managing anticipated deaths with decency; there were already a number of staff who were interested and engaged with work in these areas. However, like the pattern across most of the country, this work was very dependent on the good will and interest of individuals, rather than being embedded within prison practice. There had been considerable work invested in trying to develop a palliative care facility within the prison that would allow both prisoner families (external) and friends from within the prison to visit and provide support for any prisoner using the service. However, despite the best attempts of staff, they had never been able to progress beyond the planning stage due to the lack of access to funds or the withdrawal of monies anticipated.

There were numerous examples of good practice but within a physical environment that was manifestly unsuitable for a significant proportion of prisoners. There were also negative examples and procedures which made it close to impossible for the prison to

It also helped us to identify good practice and some of the challenges of providing palliative care in the complex environment of prison.

15. Waterman H, Tillen D, Dickson R & de Koning K. (2001) Action research: a systematic review and guidance for assessment. *Health Technology Assessment* 5(23).

adequately meet needs. But from early on in the study there was a very good engagement between research and prison staff and with prisoners and this has formed a key part of how the study has unfolded. Around 18 months into the study, a lead governor for end of life care and older prisoners more broadly was appointed; this individual and other staff who moved into this area of work have been crucial in taking the work forwards.

Having undertaken many interviews and focus groups, all the data were then analysed using an approach called 'thematic networks'.¹⁶ The main themes identified through this analysis, which are outlined below, were the environment; healthcare provision; equipment; the implications for staff; and the impact on other prisoners.

The prison environment was not suitable for many of the older, disabled and chronically ill men. In parts of the prison, considerable attempts had been made by staff to try to overcome environmental challenges but physical and procedural constraints made it impossible to address them all. One nurse gave a graphic account of how environmental constraints impacted on one prisoner:

Mr X [was] doubly incontinent in the middle of the night. There was no provision to give him a shower. 'You can't. Everybody's asleep. It's not happening.' So we had to, you know, wash him down, three of us trying to hold him up in a cell like that wide... to wash him, change him. Nobody had clean kit: we were borrowing off the rest of the landing at three o'clock in the morning. (Nurse)

The complex nature of many older prisoners' health meant that they required greater healthcare provision, both in the prison and in external hospital appointments. This increasing demand was problematic at a time of cuts and reductions. Many older prisoners were taking many types of medication, and wing staff were often managing prisoners with dementia and other challenging conditions.

As with the prison environment more broadly, cells and fittings were not designed with old or disabled prisoners in mind. Beds could not take a hospital mattress and most cells were not wheelchair accessible.

Caring for frail and dying prisoners is challenging work, and whilst there were staff who felt suited to it, others were much less comfortable. Even for those who did want to work with this population, there was a need for further training and recognition of the demands inherent in the job:

I think people probably do come into the Prison Service and don't expect to face end of life situations... particularly with older people. I don't think they've got any idea that we have such an elderly community in prison. (Governor)

For all staff, such work has an emotional cost attached to it. Many prison staff were familiar with 'bed watching', where ill or dying prisoners are

Caring for frail and dying prisoners is challenging work, and whilst there were staff who felt suited to it, others were much less comfortable.

hospital inpatients but accompanied at all times by operational staff. This is usually two officers in the case of the likely risk presented by prisoners at our study site, but may be more, and prisoners may be cuffed to officers. Whilst officers described situations where they had struggled with aspects of bed watching, such as appraising risk and interactions with medical staff, they described the challenges of being around terminally ill prisoners day to day on the wings as being of a

different order. Being faced daily and often for weeks or months by prisoners with chronic or terminal illnesses demanded skills and raised issues that officers did not feel that they were trained to meet. Simply being around those who were facing the end of life raised issues about mortality for staff, in a climate where the emphasis was almost always on being tough and where talking about feelings could be experienced as weakness.

Similarly for prisoners there are practical and emotional challenges. It is hard to be around others who are dying, and many identified fears about what the future might hold. Despite aspiring to provide the equivalent of mainstream NHS care, prison healthcare cannot always meet these standards, and this raised further anxieties amongst prisoners who feared becoming sicker. As one older prisoner reflected:

I don't think that the staff don't care because, to be honest with you, I think the staff do care, a lot of them do care about

16. Attride-Sterling J. (2001) Thematic networks: an analytic tool for qualitative research. *Qualitative Research* 1(3): 385-405.

you, but I think it's just there's no... there's no system in place for anybody who is in real bad pain. (Prisoner)

Phase 2: Cycles of action

Phase 2 consisted of 'cycles of action' which were identified following analysis of Phase 1 data. This is the central component of action research, in which participants are guided and supported by the researchers to identify, discuss and plan improvements, with researchers facilitating this process. A key element of action research is engagement with the research participants,¹⁷ and the willingness of staff at HMP Wymott to collaborate with the research team has been critical to the success of the project.

At the start of Phase 2, discussions with staff led to the identification of three main strands of work around prisoners, prison staff and palliative care practices. Work in all three strands is still ongoing, but perhaps the most successful to date has been the work with and for older prisoners. A key first step was the establishment of an older prisoners group, which meets every two months with prison staff and members of the research team. This group has generated numerous ideas for improving end of life care, and a number of changes have already been implemented. For example, one suggestion was for written information specifically for older prisoners approaching the end of life. The researchers and prison staff have worked closely with a group of older prisoners and a leaflet is now in the final stages of development.

Prison staff also asked the research team to undertake a survey of older prisoners, and together a survey questionnaire was developed and distributed to more than 200 prisoners over the age of 55. Detailed analysis of the results is still underway, but preliminary findings show high levels of frailty and poor health amongst this population, as well as many concerns and anxieties around safety, medication, healthcare, social care, and the future. Staff were surprised and concerned by the number of older prisoners who described not feeling safe, and began to rapidly address this key issue. A major part of responding to these concerns was to establish an older prisoners' unit, a cloistered environment within a main wing for men

aged 50 and over. Relatively small changes, such as the installation of medication lockers in each room, have made a significant difference to the lives of older prisoners, as the following feedback from prisoners on this wing demonstrates: *'I feel much safer knowing I'm not going to be hassled by other prisoners'*, and *'This unit encourages respect both ways'*. The involvement of older prisoners in this work is particularly highly valued, as this comment from a member of the older prisoners' group shows: *'One of the most important aspects of the work being done here is that prisoners are very much involved. The fact that our views are actively encouraged and taken seriously is invaluable to our sense of self-esteem. It means such a lot.'*

Phase 3: Stakeholder deliberation

Involvement of key stakeholders in deliberating the project's findings is a valuable way of ensuring that appropriate and meaningful recommendations are developed at the end of the study. In Phase 3 therefore, the research team engaged with as many stakeholders as possible, through a series of workshops and a 'deliberative panel' meeting.

Three workshops took place in HMP Wymott (two with prison staff and a third with older prisoners), where key findings were discussed and debated in small groups facilitated by members of the research team. At the end of each workshop, participants were asked to identify the single most important element that needs to change in order to provide high quality palliative care in prisons. Several issues were identified by both staff and prisoners, including the need for a national strategy for older prisoners; better communication at all levels (between and within organisations); improved (and purpose-built) environments for older prisoners; an integrated, individualised approach to care; and the need for a national debate about the sentencing of older prisoners. Participants were then asked to identify the one element of palliative care at HMP Wymott of which they are most proud and would most like to share with other prisons. The groups identified supportive and dedicated staff; a willingness to talk about end of life care; the importance of having genuine interest and support from the Governor; co-operation and a sense of community between older prisoners themselves; and

Staff were surprised and concerned by the number of older prisoners who described not feeling safe, and began to rapidly address this key issue.

17. Reason P & Rowan J. (1981) *Human Inquiry: A Sourcebook for New Paradigm Research*. John Wiley, Chichester.

exemplary support provided in HMP Wymott by the 'Cameo' day care centre for older prisoners.

These and other issues arising from the research were considered at the final deliberative panel meeting. Participants at this meeting included representatives from the prison service, prison advocacy organisations, health services, palliative care organisations and academia. Again, facilitated group work was undertaken to discuss the findings and start to develop recommendations for policy and practice. The recommendations are currently being developed further through a consensus exercise, and will be finalised before the end of the study.

Conclusions

Analysis of data is ongoing and the final results will be published at the end of the study. However, it is already clear that the number of prisoners requiring palliative and end of life care is likely to continue to increase in the foreseeable future. This is in part because the prison population, like the wider population, is ageing, and with increasing age comes increasing ill-health and frailty. This change in the prison population presents significant practical, ethical and emotional challenges for prison staff and prisoners, but the prison service needs to respond to these challenges in order to ensure high quality palliative care for the growing numbers of prisoners who need it.

The study also highlights the need for a national, public debate about the rising numbers of older

prisoners. The increase in those dying in prison is largely unplanned, and is the result of changes in sentence length, licence conditions and other factors. This has turned sentences that were not meant to be life sentences effectively into sentences from which the person will never be released. There needs to be a more open debate around these complex issues to determine if this is indeed what is intended, and a frank acknowledgement of the consequences. Compared to the debates and legal challenges to 'whole life tariffs', there has been little public or political discussion of what it means in practice to sentence someone in their eighties to a sentence that will almost inevitably mean that they will die in prison, compared to the same sentence imposed on a person in their forties.

There are also questions about whether prison is an appropriate place for a person with multiple, complex health conditions which may include illnesses such as dementia. There is limited but accepted provision for diversion schemes to keep those with complex mental health problems away from prison and into more appropriate facilities, but nothing comparable for those with physical health problems and no suitable alternative provision to divert to. There is also a need to determine what types of palliative or end of life care provision are needed and where, and to begin to grapple with the ethical and practical dilemmas raised in providing facilities that will then be used and which could arguably increase the numbers of older, chronically ill and dying prisoners.

A Brief History of Prison Closures 1777-2015

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In April 2015 English Heritage was divided into two bodies and a new heritage organisation, Historic England, has been established. The English Heritage Trust is now a charity that will continue to care for the more than 400 historic properties and their collections enjoyed by its members. Other functions previously carried out by English Heritage have passed to Historic England, a government service championing England's heritage and giving expert, constructive advice. It is responsible for providing advice about planning matters as well as the listing and scheduling of buildings and ancient monuments. It is also responsible for leading a research programme into England's heritage. This paper describes the prison work carried out by English Heritage in 2013-4, research and recording work that is being continued by Historic England.

In 2002 English Heritage published *English Prisons: An Architectural History*, which tells the story of the architecture of prisons from the Middle Ages to the present day. This book is now available as a free download.² As a work of architectural history, it inevitably focussed on the novel, the improved and the most impressive examples of penal architecture, but it is also clear that a key part of the history of prisons is about the closure of institutions that are no longer deemed fit for purpose. While a house, church or mill may be easily converted to other uses or updated as changing practices apply, prisons inevitably have a rigid structure that would prove difficult to upgrade or convert to other functions. Dozens of small prisons closed during the 18th and 19th centuries as the provision of imprisonment became more centralised and most were demolished when another function could not be found.

Today the Government is again closing some of the smallest and most expensive prisons and there is a challenge to find a way to reuse these structures. Almost a dozen have closed since 2010 and as part of the process to decide on their future English Heritage brought two of the authors of 'English Prisons' out of penal-architecture retirement to revise and update English Heritage's record of the sites. They have been

working with colleagues from the Designation Department who are responsible for the listing of historic buildings. Members of the National Planning and Conservation Department have also been involved: they are tasked with representing English Heritage's thoughts about sites and helping owners and organisations to manage change on historically sensitive sites. Historic England will continue to provide the Ministry of Justice and any subsequent owners of the sites with clarity about the nature of each site's historic character and the level of protection enjoyed by buildings. This will allow future development that can build on the historic character of sites and enhance the character of the townscape while ensuring economic viability for any development schemes.

In this paper the story of prisons will be told in terms of the prison closures that resulted from the implementation of new ideas about imprisonment. This will stretch from the impact of John Howard's work in the late 18th century to the reforming ideas of the first half of the 20th century, which had a central aim of transforming the prison estate from the despised Victorian blocks to a new regime and architecture founded on ideas of treatment and rehabilitation.

The Impact of John Howard's Reforms

The first round of prison closures was the largest. It was a result of John's Howard's reforming survey of England's prisons that transformed the way that people were detained in prison. In 1773 John Howard became High Sheriff of Bedfordshire and began a series of journeys around England to gather evidence about the conditions in prisons. His findings were first published in 1777 in *The State of the Prisons*, a book that documented the existence of insecure, badly maintained buildings overseen by staff who relied on levying fees from prisoners for their livelihood.³ Inmates might be held in pits or cellars, chained unless they paid to be released from their fetters. Vermin was rife and dung heaps and open sewers graced the yards of some prisons. Disease, especially gaol fever (typhus), was inevitable and deaths were commonplace. The wellbeing of inmates was dependent on their ability to

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2. The book can be downloaded from the Archaeology Data Service. <http://tinyurl.com/nync8jx>

3. Howard, John (1777) *The State of the Prisons in England and Wales* ... Warrington.

pay, including for meals. Fees were also levied on their arrival and before they were released on completing their sentence. Gaolers could make money by charging an admission fee for the public to see a famous prisoner, giving prisons an air of the carnival, an atmosphere exacerbated by the ready availability of alcohol, tobacco, gambling and sex. As well as documenting the conditions that he witnessed, and making the case for penal reform, Howard's book contained a section entitled 'Proposed Improvements in the Structure and Management of Prisons', providing a blueprint for a new type of prison based on inmates having individual cells. Howard's work effectively rendered almost every prison in England and Wales unsuitable and over the next 20-40 years counties undertook, more or less enthusiastically, building programmes to renew their prisons and improve conditions.

The most comprehensive reform scheme was undertaken in Gloucestershire, where Sir George Onesiphorus Paul was responsible for transforming his county's prisons in the second half of the 1780s.⁴ In 1777 Howard had published a description of the county's prisons.⁵ He began by documenting the inmate numbers and the fees of the County Gaol, which was housed in Gloucester Castle along with the County Bridewell and the Debtor's Prison. The buildings were in a poor state of repair and deaths and illness were commonplace, the dung heap undoubtedly contributing to the unhealthy atmosphere. Elsewhere in Gloucestershire there were county bridewells at Lawford's Gate in Bristol, Berkeley, Cirencester and Winchcombe, and there was a small debtor's prison at St Briavels in the Forest of Dean. There was also the Gloucester City and County Gaol in the north gate of the city. All these were small, in a poor state of repair and contained at most a handful of rooms. There was little or no work and at some sites the inmates were imprisoned all the time in the room they slept in.

In 1783 Paul also described the ruinous state of the county gaol at Gloucester, including a nightroom that was so insecure that inmates had to be chained to the

wall.⁶ Prisoners who had been charged with minor offences might be held for a year until the next Assizes, and there was widespread illness, as well as the mixing of hardened criminals with juveniles and men with women. Paul blamed 'the magistrates' inattention' for this 'most licentious intercourse', which he believed was hindering efforts to reform prisoners.⁷ Therefore, he embarked on a major programme to transform his county's prisons by implementing Howard's ideas. Paul proposed the construction of five new bridewells and a county gaol in which each felon would have a separate night cell and each of the new gaols would also have a chapel, baths, an infirmary and workplaces. A working party was formed to secure a private Act of Parliament, which received its Royal Assent in April 1785. As early

as January 1784 the committee had seen the initial plans and estimates drawn up by William Blackburn, the country's leading prison architect, and at a meeting on 19 April 1785 he again presented his plans to the Justices. His schemes were accepted and work began within two years.

The main prison at Gloucester, the largest of the projects, finally opened in July 1791. It had been built on the site of the Castle, while four new bridewells prisons were built at at Dursley, Bristol, Littledean, and Northleach.⁸ Therefore, in Gloucestershire there were almost as many prisons as had

existed before reforms were introduced, but now the facilities were in tune with Howard's ideas. A similar pattern can be seen nationally. In 1777 Howard recorded conditions in 244 prisons, a number that may be an under-estimate, as in James Neild's survey in 1812 he recorded 317. A Parliamentary survey of 1819 placed the total at 335, suggesting that although many, if not, most prisons had been reformed and rebuilt, there was still an emphasis on large numbers of small prisons.

However, by the early 19th century some of the new prisons were increasing in size as they had to accommodate a growing number of categories of prisoners because the old divisions of felons, debtors and juveniles were being further subdivided into classes

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4. Oxford Dictionary of National Biography <http://www.oxforddnb.com/> [accessed 12 February 2015].
 5. Howard, John (1777) *The State of the Prisons in England and Wales ...* Warrington, pp. 343-52.
 6. Moir, E. (1969) *Local Government in Gloucestershire 1775-1800*. Bristol and Gloucestershire Archaeological Society, p. 113.
 7. Moir, E. (1957) 'Sir George Onesiphorus Paul' in Finberg, H. P. R. (ed) *Gloucestershire Studies*. Leicester: University Press, pp. 195-224, p. 204.
 8. Whiting, J. R. S. (1979) *A House of Correction*. Gloucester: Alan Sutton, p. 11; 25 Geo III, c. 10.

to reflect the range of apparent 'hardness' of criminals. At Stafford the prison was subdivided to provide yards for thirteen classes of offender, while Daniel Asher Alexander's design of Maidstone Prison, which was built between 1810 and 1822, provided day rooms on the ground floor with 452 night cells on the first and second floors, which were arranged to accommodate twenty-seven classes of inmates separately.⁹

By the early 19th century the reforming principles of Howard had been implemented and therefore older, smaller and wholly inappropriate gaols had been replaced or sold for other uses. A few of these survive as houses, often their name being the only suggestion of their former function. At Devizes in Wiltshire the reformed prison of the 1810s was demolished in 1927, but its predecessor the Bridewell has survived as a house in the heart of the town.¹⁰ Some of the old prisons have become local or prison museums, such as the medieval prison at Hexham, the mid-18th century Old Gaol at Buckingham and the museum at Ely. However, most are gone today and are only known through scant documentary sources.

The Separate System and Prison Closures 1837-77

John Howard's reforms helped to transform the country's prisons. Several hundred closed and were replaced by more modern structures, though the pattern of locations remained broadly the same, with the vast majority being small, local prisons, with counties having perhaps one larger county gaol. Some prisons contained convicts as well as local prisoners, and transportation remained a key part of the penal landscape.

However, by the 1830s a revolution in imprisonment was beginning to take place, which would see a shift to fewer larger prisons capable of enforcing the separate system of imprisonment, a regime based on ideas imported from America. Each prisoner should sleep and work alone in a large cell, which contained all the necessary facilities for prison

life including lighting, heating, ventilation, a toilet and basin, and the means to call an officer. The cells were to be constructed to prevent communication between inmates and separation would be extended to the chapel and exercise yards. The solitude experienced in the cell was designed to induce reflection and would only be broken by religious worship, daily exercise and frequent visits from officers, particularly the chaplain.

The implementation of the separate system required a purpose-built structure, again rendering most existing prisons unsatisfactory. Some prisons proved to be adaptable, though often at considerable cost, but the construction of the large radial prison at Pentonville established a model for new prisons and

wings that would be followed across the country. Building work began in April 1840 and the first inmates arrived in December 1842. Between 1842 and 1877 nineteen radial prisons were built ranging in size from 150 cells to 1,050 cells and this changed the shape of England's prison system.

In 1837 the reports of the Prisons Inspectors recorded that 256 prisons were in use, but by 1877 more than half of the county, borough and liberty prisons had been closed, leaving 113 local prisons in England and Wales. The majority of the closures were small gaols under corporate or peculiar jurisdiction, though some older county prisons that were too difficult, or too expensive, to adapt to the

separate system also closed. An Act of 1858 closed a number of franchise prisons and in 1863 Lord Carnarvon reported that since 1856 six borough prisons had also ceased operation.¹¹ However, Carnarvon's Committee also concluded that most small borough gaols remained insecure, inefficient, uneconomic and unable to impose proper separation or supervision.¹² In 1862 of the 193 prisons still open in England and Wales, 63 held fewer than 25 prisoners and of these 27 had fewer than 6 inmates. The 1865 Prison Act abolished a further thirteen borough prisons and one liberty prison, and a number of other municipal gaols closed between then and 1877, including those at

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9. Chalkin, C. W. (ed) (1984) *New Maidstone Gaol Order Book, 1805-1823*. Maidstone: Kent Records Kent Archaeological Society, p. 2.
10. Evans, R. (1982) *The Fabrication of Virtue*. Cambridge: Cambridge University Press, p. 269 lists the categories.
11. Historic England Archive, Buildings File 93720 and 90989.
12. 21 & 22 Vict., c. 22; Carnarvon, Earl of (1863) *Report from the Select Committee of the House of Lords on the Present State of Discipline in Gaols and Houses of Correction*. PP 1863 (499), IX, p. iii.
12. Carnarvon, Earl of (1863) *Report from the Select Committee of the House of Lords on the Present State of Discipline in Gaols and Houses of Correction*. PP 1863 (499), IX, pp. xv-xvi.

York, Chester and Great Yarmouth.¹³ While many local borough prisons closed, some new ones were built, for instance at Bath, Ely, Hereford, Northampton, Peterborough, Tiverton and Wisbech.¹⁴ Perhaps the most unfortunate example is the Borough Gaol at Kingston in Portsmouth. It was built in 1874-77 at considerable cost to the local ratepayer, only to be immediately nationalised, leaving the town with a long-term debt to service despite receiving some central government compensation.

The Prison Act 1877 and Prison Closures

The process of centralising and rationalising county and borough prisons continued with the passing of the 1877 Prison Act. Local prisons were brought under national control through the newly established Prison Commission, which would advocate new designs and approaches to imprisonment. The first action of the new body was to take over any county and borough prisons that it deemed suitable and in the case of others undertake wholesale reconstruction. To do this required information about England's prisons and so a number of senior figures embarked on surveys. One of these was the former military officer and Prison Inspector Alexander Burness McHardy.¹⁵ The manuscript of his travels around the north and east of the country was compiled between September and November 1877 and provides a snapshot of fifty-one county and borough prisons on the eve of nationalisation. Later annotations dated January and February 1878 list the numbers of cells that would be received by the Prison Commissioners. This was a key figure as it would determine the level of compensation to be received by the counties and boroughs as a result of nationalisation.

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Of the 113 English and Welsh prisons in operation on 1 April 1878, 45 had closed by the end of August, including the old borough prison at Portsmouth.¹⁶ The new, rate-payer-funded Borough Gaol opened on 22 August at Kingston, Portsmouth, giving a total of 69 prisons with accommodation for 24,812 prisoners, 4,000 cells in excess of the actual requirement in 1878. Again it was the smaller borough and town prisons that closed, although eleven county prisons also ceased operation, while at Ipswich and Leicester the county and borough gaols were amalgamated.

Prison closures continued after 1878 due to a drop in the prison population, a further fourteen prisons closing between 1879 and 1894.¹⁷ The most celebrated losses of this period were Millbank (discontinued in 1890 and now the site of Tate Britain) and Newgate, which closed in 1882, except for detaining prisoners being tried at the Central Criminal Court.¹⁸ In 1895, there were only 50 local prisons in England and a further seven in Wales.¹⁹ The daily average population of local prisons had fallen from 20,833 in 1878 to 13,604 in 1895. Declining prison population would continue into the early 20th century and would usher in another set of closures

During the second half of the 19th century and the early 20th century there was a separate set of convict prisons, initially created to deal with people being transported to Australia, but after 1856 they were increasingly used to hold inmates who would have previously been sent down under. By the 1890s there had been a substantial decrease in the convict prison population, similar in extent to the decline in the local prison population.²⁰ Between 1878 and 1888, the daily average total of convicts fell from 11,357 to 6,680, and by 1898 it stood at 2,826. Therefore, between 1882 and 1906, twelve convict prisons closed.

13. *Reports of the Inspectors of Prisons: 34th Report of the Northern District*, PP, 1871 (C.259), XXIX, p.6; *37th Report of the Northern District*, PP, 1873 (C.811), XXXII, p. vi; *39th Report of the Southern District*, PP, 1875 (C.1261), XXXVII, p. vii.
 14. Colvin, H. M. (1995) *A Biographical Dictionary of British Architects*. New Haven and London: Yale, p. 639; *Reports of the Inspectors of Prisons: 10th Report of the Southern and Western District*, PP, 1845 (676), XXIV, p. iii; *11th Report of the Southern and Western District*, PP, 1846 (755), XXI, p. v; *14th Report of the Midland and Eastern District*, PP, 1849 (1033), XXVI, p. iv.
 15. McHardy, A. B. (1877) *Notes on a few Borough & County Prisons, England & Wales, Oct & Nov 1877, 23 Nov [18]77*, (manuscript with later annotations in red ink). This was formerly in the Prison Service Library in Abell House in the mid-1990s and was due to be transferred to the National Archives. As it contained some hand drawn plans, it was supposed to be kept sealed for 130 years.
 16. *Report of the work of the Prison Commission*. 1878, pp. 6, 7, 20-6, 33-5.
 17. *Report of the work of the Prison Commission*. 1880, pp. 70, 89; 1880, app.11; 1882, pp. 3, 71; 1884, p. 2; 1885, p. 3; 1886, p. 4; 1888, p. 3; 1892, p. 2; 1895, p. 11.
 18. *Report of the work of the Prison Commission*. 1890-1, pp. 8-9, 1881-2, p. 3.
 19. *Report of the work of the Prison Commission*. 1894-5, app.17, p. 56.
 20. *Reports of the Directors of Convict Prisons*. 1890-1, pp. v-vi.

Brixton became a military prison in 1882 and Pentonville, Millbank and Wormwood Scrubs were converted into local prisons.²¹ There were insufficient numbers of invalid and female convicts to justify separate establishments and so Woking invalid prison and Fulham prison closed in 1888 and Woking female prison closed in 1895.²² In 1895-6, the five remaining convict prisons of Aylesbury, Borstal, Dartmoor, Parkhurst and Portland could accommodate 3,954 men and 258 women, which comprised 16 per cent of all prison accommodation in England and Wales.²³ The declining convict population continued into the 20th century: in 1922 the four remaining convict prisons of Dartmoor, Liverpool, Maidstone and Parkhurst held 2,392 cells or 11 per cent of a total prison accommodation of 21,201 cells.²⁴

Prison Closures 1895-1931

The number of local prisons in England and Wales remained more or less constant between 1895 and 1913. Of the 57 prisons open in 1895, Newgate and York closed but Brixton re-opened, so that by 1913 56 local prisons were open. The closure of further local prisons would be a direct consequence of the continuing, declining prison population. The daily average number of local prisoners fell from 14,352 in 1913 to 7,938 in 1929. Therefore, between 1914 and 1922 twenty-four English and Welsh local prisons closed, of which nine subsequently re-opened.

A further round of closures was made in 1922 for reasons of national economy.²⁵ Five local prisons closed, Carlisle, Northampton and Worcester permanently, but Canterbury and Northallerton reopened in 1946. Both these prisons finally closed in 2013. Between 1925 and

1931 a further seven prisons closed.²⁶ Nottingham and Portsmouth shut briefly, and Preston and Shepton Mallet were closed until 1948 and 1966 respectively, but Ipswich, Newcastle and Plymouth were permanently discontinued.²⁷ By the end of 1931 there were only twenty-four local prisons in England and two in Wales.²⁸ This would be the low-water mark for prison numbers in the 20th century.

After a prison was closed, it remained in the hands of the Prison Commissioners until its future was decided. Many of the prisons that were discontinued between 1914 and 1931 were among the smallest prisons; Brecon, Carnarvon, Carmarthen, Ruthin and Plymouth all had fewer than 100 cells. Most had been erected before 1840 and had been subsequently altered in a piecemeal fashion, although some purpose-

built radial prisons, including Plymouth, Warwick and St Albans were also closed. The buildings of discontinued prisons were usually offered to local councils, but if they were not purchased, they were then put up for sale by auction. Of the fourteen English prisons that were closed permanently between 1914 and 1931, eight were conveyed to a local council and six were sold privately.²⁹ Eight of the fourteen prisons had been demolished by 1957, while the remaining six survived, at least in part.³⁰ Derbyshire County Council declined to buy the former

county gaol and it was sold in 1929. Its site was used as a greyhound stadium and later redeveloped for housing. Parts of York prison, which was discontinued in 1932, are now part of the Castle Museum.³¹ St Albans prison enjoyed a period of great celebrity after its closure, its gate being used as the entrance to HMP Slade in the TV series *Porridge*.³²

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21. Alford, R. G. (1909-10) *Notes on the Buildings of English Prisons*. 6 volumes, HMP Maidstone, I, p. 38; *Reports of the Directors of Convict Prisons*. 1885-6, p. viii; 1886-7, p. vii; 1890-1, p. vi.
 22. *Reports of the Directors of Convict Prisons*. 1887-8, p. vii; 1888-9, p. vii; 1894-5, p. viii.
 23. *Report of the work of the Prison Commission*. 1895-6, p. 123-4.
 24. *Report of the work of the Prison Commission*. 1922-3, p. 75-7.
 25. *Report of the work of the Prison Commission*. 1922, p. 21; 1929, p. 50.
 26. *Report of the work of the Prison Commission*. 1925, p. 17; 1926, p. 19; 1930, p. 60.
 27. *Record of Settlements with County & Borough Prison Authorities in 1878* (manuscript formerly in Prison Service Headquarters Library, Abell House), nos. 26, 37, 42, 49, later annotations in red ink; *Report of the work of the Prison Commission*. 1931, p. 21; 1932, p. 24.
 28. *Report of the work of the Prison Commission*. 1930, p. 60; 1931, app.4.
 29. *Record of Settlements with County & Borough Prison Authorities in 1878* (manuscript formerly in Prison Service Headquarters Library, Abell House), nos. 7, 10, 11, 12, 14, 21, 22, 26, 37, 39, 42, 49, 52, 54, 55, later annotations in red ink & typescript with manuscript notes.
 30. *Prisons Relinquished by Prison Commissioners. Information gleaned 4th/5th November 1957 regarding present user of disused prisons*. (Formerly in the Prison Service Library, Abell House).
 31. *Record of Settlements with County & Borough Prison Authorities in 1878* (manuscript formerly in Prison Service Headquarters Library, Abell House), no.56, later annotation in red ink.
 32. [http://en.wikipedia.org/wiki/Porridge_\(TV_series\)](http://en.wikipedia.org/wiki/Porridge_(TV_series)) [accessed 9 February 2015].

Closures in the Later 20th Century

Low, apparently stable prisoner numbers during the inter-war years allowed the Prison Commission to employ innovative thinking about treating and reforming criminals. Foremost among these was the introduction of the earliest open prisons, aimed at reforming young people and appropriate adult inmates, but consideration was also given to the plight of female offenders. In 1938 Lillian Barker, the first female Assistant Commissioner, advocated the construction of a new female prison at Stanwell (Middlesex), which would allow Holloway to house male prisoners and in turn allow Pentonville to be demolished.³³ At Stanwell prisoners were to be housed in a series of semi-detached houses each holding twenty-five women who were to be supervised by a matron. On the campus there would be a chapel, library and workrooms. No prison was built on this model, but coincidentally the late-Victorian children's home at Styal, which became a female prison in 1962, employed this type of layout. The Prison Commission purchased Stanhope Farm at Stanwell on 3 August 1939, but the impending war delayed the project and the site is now part of Heathrow Airport.

Between the wars the prison population remained at around 10,000 per year, but since 1940 it has risen almost continually reaching 20,000 by 1950 and 30,000 by 1962. Today it stands at over 85,000. By 1945 the Prison Commission had recognised the need to provide new purpose-built prisons in addition to adapting former military sites, children's homes and country houses. It wanted to construct two borstals, one or two female prisons, a male training prison and an experimental psychopathic prison hospital. It was hoped that the opening of these new institutions would allow the closure of Dartmoor Prison when the lease of the site from the Duchy of Cornwall expired in 1949.³⁴ However, the fragile post-war economy did not allow any new prisons to be erected until 1956 and Dartmoor has remained opened, though it is now likely to close in the mid-2020s. In addition a number of the prisons that had closed before the war were reopened. Canterbury, Northallerton and Reading reopened in 1946, followed

in 1948 by Portsmouth and Preston.³⁵ Interestingly all of these prisons except Preston closed in 2013-14.

By the early 1960s a concerted programme of prison building was underway, providing seventeen New Wave prisons designed to realise a new vision of training and treatment for inmates. This programme was intended to replace Victorian local prisons, but 1960s optimism would be defeated by the inexorable rise of the prison population.

In the late 20th century the prison population was outpacing the ability of the Prison Service to provide suitable accommodation, but to overcome this problem it introduced standardised, prefabricated cell blocks and standard designs of facility buildings. The crisis also meant that any thought of a comprehensive closure programme could not be realised, but in 1996 HMP Oxford closed. This 18th and 19th century prison shared its site with the remains of the medieval castle, including the Norman undercroft of the chapel. By the mid-1990s it was used as a hostel for inmates working in the city. After a brief period when it was used as a film set, it became a Malmaison Hotel.

In recent years the building programme has increased capacity faster than the population growth and this has allowed the closure of more than a dozen prisons.

The Current Closure Programme

In recent years much of the expansion of the prison system has come through the creation of new, large, private sector prisons on brownfield or rural sites. In recent years the building programme has increased capacity faster than the population growth and this has allowed the closure of more than a dozen prisons. They have all been small, predominantly urban prisons ranging in date from the medieval castle of Lancaster to Blundeston and Brockhill of the 1960s. Former county gaols that were closed include the Georgian and Victorian prisons at Canterbury, Dorchester, Northallerton and Shrewsbury. HMP Kingston, Portsmouth's new prison of the mid-1870s, was eventually paid for by the town's rate payers, but was closed in 2013 and today stands empty.

So what will be the fate of former prisons? What can be done with them if the buildings are to retain some of their essential character and yet be economically viable to guarantee their future? Reuse as a museum is an obvious option, the one likely to see the highest rate of survival of buildings and their features,

33. Rock, P. (1996) *Reconstructing a Women's Prison*. Oxford: Clarendon Press, p. 90; Public Record Office, PCOM 9/2268; Thomas, J. E. (1972) *The English Prison Officer since 1850*. London and Boston: Routledge and Kegan Paul, 1972, p. 178.

34. Public Record Office, PCOM9/2268.

35. *Report of the work of the Prison Commission*. 1945, p. 85; 1948, p. 66.

but there is a limit to the number of museums required and the size and location of prisons being currently closed means that a museum might only form one part of a larger scheme of redevelopment. The former HMP Oxford has been successfully converted into a hotel and some reuse of other prisons as hotel or hostel accommodation might be possible if the town is a destination for tourists. Another potential use is as halls of residence; HMP Canterbury's location beside Canterbury Christ Church University led to them purchasing the site in April 2014. The adjacent Sessions House has already been converted into facilities for the University and Georgian and Victorian cell blocks will hopefully prove suitable for students. On 24 December 2014 it was announced that the closed prisons at Dorchester, Gloucester, Kingston at Portsmouth and Shepton Mallet had been sold to City and Country, a firm that

has adapted historic sites to create new homes and commercial properties:

*At this stage City and Country has no fixed plans for the redevelopment of the sites because we always engage first with local people and key stakeholders to understand their aspirations, before drawing up firm proposals; as we recognise the importance of these buildings at the heart of their local community.*³⁶

Their website reassuringly recognises that the path to a successful development will be with the participation and support of the local community and these monumental structures that once provided work for the local populace may now again provide work and homes for vibrant communities.

36. <http://www.cityandcountry.co.uk/> [accessed 9 February 2015].

Reviews

Book Review

Organizational Change through Individual Empowerment: Applying social psychology in prisons and policing

By Hans Toch

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I buy quite a lot of books that I never read, and many that I just dip into on occasion. I read this book from start to finish over a weekend and I will read it again and again. I am writing this review because I would like lots of other people to read it too, especially those who have never read anything by Hans Toch before.

Dr Hans Toch is distinguished Emeritus Professor at the University of Albany, New York, in the School of Criminal Justice. His book *Legal and Criminological Psychology*, published in 1961, probably invented the whole discipline of forensic psychology. But *Organizational Change through Individual Empowerment* is emphatically not just for psychologists, and Professor Toch is no detached, comfortable, armchair academic who merely observes and describes things. He has, as the foreword to the book puts it, 'Not just talked the talk but also time and again walked the walk' (p.ix). He is also tremendously, inspiringly, humanitarian.

A friend of mine¹ describes the contributions of major intellectual figures such as Toch as 'kicks at the can'. Each successful kick at a can represents a major change to practice, not just theory or knowledge. In this book, Toch has selected a few of his kicks at a can,

and for each provides a retrospective and reflective account of the project, how he conceived it, who shaped his thinking and worked with him, what they did, and how it turned out. Some of the projects were hugely successful for many years, others were relatively shorter-lived, but all of them represent excellent examples of turning theory and research into practice and in doing so, improving the state of the criminal justice system. The golden thread running through the book is the principle of empowering individuals within the criminal justice system (both staff and those who have committed crime) to correct the many shortcomings of the system. One of the things that struck me forcibly on reading this book was that every project Toch describes is something that we would regard as relevant and fresh today. We continually seek new ideas to address today's problems in prisons, but we might do better to re-examine the old ideas. As Toch says, it seems that 'some wheels just have to be reinvented every 30 years' (p73).

One example is peer mentoring between prisoners, something that NOMS has recently formally launched as an 'innovations project'. In 1967, Doug Grant, one of Toch's closest collaborators, wrote that:

There is considerable evidence that shifting the offender's role from that of recipient of rehabilitative services to one of active participation in the rehabilitation of others helps in the process of breaking away from a given set of delinquent identifications. There is

also evidence that getting the offender to commit himself to a cause or movement can directly affect his attitudes and behaviour. (p41).

This could have been written yesterday.

Another example is the chapter about the importance of using reward rather than punishment to shape behaviour. Again, this is something we are currently looking into across our organisation, as we have realised how poor we are at using rewards, both formal and informal. Toch writes scathingly about familiar-sounding 'incentive systems' where 'de-escalated deprivations are often deployed as the starting point for a schedule of 'rewards'.... Such exercises of ingenuity have reached impressive heights (or lows) in the creation of progression or 'level' systems'. I was appalled and ashamed to be a psychologist when reading about some of these systems, designed by psychologists, removing every last scrap of dignity from the prisoners forced to participate in them, all in the name of behaviour change. Toch describes both the theory and the practice of these schemes and leaves us in no doubt that punishment, even when it is dressed up as incentive or deterrent, is not just ineffective but is actively harmful.

Toch is certainly not effusive about those who practise forensic psychology and some of his other admonishments rang uncomfortable truths for me. For example, he describes his very early research where he began to discover that violent men had a higher incidence of violence

1. Karl Hanson, to give him the credit he deserves, not just for the phrase but also for the cans he has kicked himself.

perception using an instrument called a stereogram. Toch's intention with research such as this was always to understand a problem as the first step in learning how to change it. However, the project quickly got diverted into an effort to improve the prediction of future violent behaviour. Toch reflects that this:

...impressed me in retrospect as uninviting. For one, any measure that one can invoke to predict misbehaviour inevitably gets used to badly overpredict misbehaviour. More serious, average offenders have any number of incapacitating impediments facing them as they embark on life in the community and the last thing they need under those circumstances is for some over-eager psychologist to have uncovered an additional stigmatizing attribute (p31-32).

I could go on much longer giving examples of all the things this wonderful book has made me think about, but I would rather people bought it and found their own shame and inspiration in it. It is also beautifully written and Professor Toch's own personality (which he describes as 'conventional and overwhelmingly pedestrian', p.xvii) is exposed as gently self-effacing and unrelentingly humanitarian. The combination of his humour with his care for the vulnerable leaves a forceful and long-lasting impression. I had an injection of reforming vigour from reading it and I hope you do too, because

there are a lot more cans out there that need kicking.

Dr Ruth Mann is Head of *Evidence at the National Offender Management Service*.

Book Reviews

Power and crime: The Routledge international handbook of the crimes of the powerful

Edited by Gregg Barak
Publisher: Routledge (2015)
ISBN: 978-0-415-74126-2
(hardback)
Price: £130.00 (hardback)

Crime, inequality, and power

By Eileen Leonard
Publisher: Routledge (2015)
ISBN: 978-1-138-82055-5
(hardback) 978-1-138-82056-2
(paperback)
Price: £90.00 (hardback) £36.99
(paperback)

Power and crime

By Vincenzo Ruggiero
Publisher: Routledge (2015)
ISBN: 978-1-138-79237-1
(hardback) 978-1-138-79238-8
(paperback)
Price: £85.00 (hardback) £26.99
(paperback)

The financial crisis of 2007 and 2008, and the subsequent period of economic recession have not exactly led to the Marxist crisis of capitalism, indeed there has been a significant rearguard action in order to protect and preserve the dominant neoliberal order. Austerity strategies have garnered wide international governmental and institutional support and general public acquiescence. It has been

argued, however, that these strategies are controversial and ideological.¹ From this perspective, a crisis emanating from the commercial and financial sectors has come to be the responsibility of the state. In other words, the crisis has been transformed from a private sector problem to a public sector one; has shifted from a financial crisis to a fiscal one; and has altered from an economic problem to a political one.² The reduced state envisaged through austerity also offers opportunities for an expanded private sector, while representing welfare recipients as undeserving and profligate enables attention to be diverted from the elite that precipitated the crisis.³ The response to the crisis demonstrates the hold that dominant ideas about capitalism have upon the political imagination and the social system, as well as their resilience.

This reassertion of neoliberalism has not, however, gone entirely uncontested. The challenge has in most cases not come through mainstream politics, where a broad consensus has largely been sustained, but instead through grassroots movements such as Occupy protests, and through influential public intellectuals. For example, serious economists such as Joseph Stiglitz⁴ and Thomas Piketty⁵ have given significant credibility to the argument for an alternative to austerity, as well as the case for resisting and even reversing growing inequality.

Within criminology there is a long and distinguished history of critical thought which has sought to critique and challenge the dominant political ideas and social order. Critical criminology has for many years highlighted how

1. Blyth, M (2013) *Austerity: The history of a dangerous idea* Oxford: Oxford University Press.
2. Clarke, J. and Newman, J. (2012) *The alchemy of austerity in Critical Social Policy* Vol.32 No.3 p.299-319.
3. Hall S (2011) *The Neo-liberal Revolution in Cultural Studies* Vol.25 No.6 p.705-728.
4. Stiglitz, J. (2013) *The price of inequality* London: Penguin.
5. Piketty, T. (2014) *Capital in the twenty-first century* Harvard: Harvard University Press.

criminal justice is constructed and operated in a way that serves the interests of the powerful whilst reinforcing the marginalisation of the poor, women and those from minority ethnic communities. Critical criminologists have sought not only to reflect this perspective in their research and writing, but have attempted to put it into action through activism. This approach is therefore one in which 'public criminology' is enacted, where there is a recognition that criminology is about more than crime alone, but is about broader social questions and concerned with realising 'a better politics'.⁶ The three books reviewed here, whilst they vary in their precise scope and length, all reflect the critical criminology approach illustrating how it has been reinvigorated by and responded to the age of austerity.

Professor Gregg Barak's 38-chapter, edited collection, *The Routledge international handbook of the crimes of the powerful*, is an impressive, wide ranging and accessible examination of its subject matter. It has a broad scope, considering not only violations of criminal law by powerful people, such as white collar and corporate fraud, but also those other harms perpetuated by the powerful that do not formally come within the ambit of criminal law, including environmental damage, defective products including pharmaceuticals, war and international conflict, and even intensive animal farming. The essays expose the problems of regulation, culture, social power and the very structures of capitalist production and exchange that create and sustain these harms. The collection attempts to expose these 'suite' crimes, committed by faceless, suited executives in offices and boardrooms, that are often invisible to the public, media and

criminal justice system, in contrast to the 'street' crimes of interpersonal harms that dominate the notion of 'crime'. This book offers up to date research and scholarship that will be essential for any academic with an interest in the subject area.

Crime, inequality, and power by Professor Eileen Leonard provides an excellent overview of the topics, which will be particularly valuable to students. As with Barak, she introduces the idea that 'crime' is a social construction. The way that it has been constructed has been to encompass the harms more likely to be caused by those at the margins of society, whilst the harms caused by the powerful are often hidden and unregulated. She describes how there are far more deaths and injuries caused by faulty products, unsafe working practices and environmental damage, let alone war and conflict, than those caused by the street crimes that dominate criminal justice. Leonard illustrates how such harms are also invisible, as systematic government data is not collected. As well as exposing the 'crimes of the powerful', Leonard also reiterates some of the core concerns of critical criminologists regarding the disproportionate impact of criminal justice on the poor and members of minority ethnic communities, as well as the way that it marginalises the harms committed upon women. The book therefore takes a broad approach to unpicking the ways in which crime and punishment are an expression of, and a means of maintaining, power and inequality.

In his short book, Professor Vincenzo Ruggiero of Middlesex University, offers a deep theoretical analysis of power and crime. It is part of a series entitled 'New directions in critical criminology', which is not intended to provide an

overview of literature but instead to offer strong positions on significant subjects. Its focus is upon the crimes of the powerful, which is situated in a grey area between licit and illicit behaviours. Ruggiero draws upon a wide range of different disciplines to understand this subject, including economic, social, legal and political theory. He also offers a closing chapter that illustrates how power and crime have been reflected and explored in culture, drawing upon the literature of Honor de Balzac. Despite being short, this is a complex and challenging book, full of erudite dissection and interpretation of some of the most prominent thinkers of recent centuries. It reveals how the issues of power and crime are not new but have a long history and are fundamental to understanding the society in which we live.

These books offer a variety of ways in which crime, power and inequality can be approached. It is significant that three such books should be published at this time and indicates a critical intellectual questioning of the dominant capitalist order. This is the manifestation, within the field of criminology, of a broader resistance that can also be seen in politics, economics and the media. The precise nature of the questioning is also relevant as it reveals an evolution of critical criminology. This approach gained traction in the post-War welfare era and was particularly concerned with the perceived iniquities and unfairness of the time, focussing on the effects upon the most marginalised. In contrast, the emerging critical criminology seems to be shaped by a new terrain and a new age. Rather than simply drawing attention to the harmful effects on the powerless, aim is instead being increasingly taken at the powerful in an attempt to

6. Loader, I. and Sparks, R. (2011) *Public criminology?* Abingdon: Routledge p.124.

undermine their legitimacy and foster discontent. This is critical criminology for the age of austerity.

Dr Jamie Bennett is Governor of Grendon and Springhill.

Book Review

An Eye for an Eye: A Global History of Crime and Punishment

By Mitchel P. Roth

Publisher: Reaktin Books (2014)

ISBN: 9-781780-233598

Price: £20

This refreshingly affordable text is designed for a broad audience of students, academics and general readers. Hence its remit is ambitious both in terms of accessibility and breadth of historical coverage. The book meets these multiple challenges well and gives the reader a real feel for historical change in this subject area: how various societies have defined and prioritised different kinds of crime, how they have legitimated punishment of those crimes, the forms punishments have taken and what philosophies have underpinned that punishment. This is a text which can be used as a resource to dip into as required or can be read in its entirety.

Broadly, this book is structured chronologically (from the pre-historic era to the twenty-first century) and with regard to geography, there is extensive consideration of non-western philosophies, practices and patterns. The structure begins as the first chapter title notes 'In the Beginning' and covers the period from prehistory to the ancient world, exploring the earliest written codes in, for example, Egypt, India and China. Chapter two examines the range of legal traditions that have existed and the extent to which they have survived into

modern times. Chapter three considers crime in feudal societies, when the pillory was a widely used punishment across regions we now know as Germany, France, Austria and Britain, prior to the rise of centralised, bureaucratic states. The next chapter discusses the use of penal colonies and the rise of incarceration as punishment. Chapter five explores the development of 'more organized forms of criminality prior to the globalization of crime' (p.14), that is the period when crime was primarily a local and very diverse concern seen, for example in the bands of outlaws existing virtually everywhere. Concentration is upon the emergence of international criminality and the crime of murder in chapters six and seven. Contrary to the idea that serial killing is a modern phenomenon, Roth claims that from 'Africa to western Europe, shape-shifting stories of leopard men, wolfmen and the like were probably inspired by actual mutilation murders in a time of superstition before the birth of modern policing and forensic investigation' (p.15). The final two chapters concentrate on colonialism, the post-colonial relationship and the hybrid penal practices that developed. Examination of the twenty-first century (chapter nine) enables the author to emphasise the level of continuity and change over time. Roth asserts that his book demonstrates ultimately that 'the history of crime and punishment remains an inconsistent chronicle of experimentation — borrowing, adapting and finding new alternatives — often finding penal officials going back to history books to retool ancient sanctions for a new world' (p.16) which he identifies in the return of 'shaming, chain gangs and exhibitionary punishment' (p.16).

The breadth of this text enables the author to demonstrate the degree of inter-connectedness

between developments across countries, in particular as a consequence of the colonial expansion of the British Empire. Given the expansive coverage of this text it perhaps inevitably tends towards being quite descriptive at times, although that description often displays an impressive command of historical detail and is no less interesting for that. The author draws upon an equally impressive range of, amongst others, anthropological, historical, literary and criminological evidence. Indeed the breadth and quality of the scholarship embedded in this text is undoubted and the ability of the author Professor Mitchel P Roth, Professor of Criminal Justice and Criminology at Sam Houston State University, to successfully produce work of this nature has already been proven. For academic tastes this may be a little under-referenced but the selected bibliography is well-chosen and will be extremely useful for undergraduate readers especially. Inevitably, the author has had to make decisions about which specific areas of crime and punishment to concentrate on and may have been influenced by current concerns and even fascination with serial killing and organised crime. This is a readable and fascinating book.

Alyson Brown is a History Professor at Edge Hill University.

Book Review

Carceral Geography: Spaces and practices of incarceration

By Dominique Moran

Publisher Ashgate, Farnham (2015)

ISBN: 9781409452348 (hardback)

Price: £54 (hardback)

Human geography has long been considered a cognate discipline to criminology. Geographical conceptions of space

have, for instance, been instrumental in the development of theories on urban crime and community safety since the pioneering work of Henry Mayhew in the mid 19th Century. In the past few decades, the connections between criminology and human geography have grown further, as criminologists have turned their attention to issues of crime and justice associated with globalisation, technological advances, and the move away from welfare-orientated approaches to crime control towards risk management technologies aimed at managing everyday activities, and securitising public and private spaces, national and regional borders. As Dominique Moran notes in the introductory section to *Carceral Geography*, this 'spatial turn' (p.7) in criminology has more recently extended to analysis of prisons, and the increasingly symbiotic relationship between prisons and poor, urban areas. In the past few years, Moran continues, human geography has likewise turned its attention to prisons. Inspired, among others, by Michel Foucault and Irvine Goffman's classic work on panopticism¹ and total institutions,² Giorgio Agamben's account of the contemporary phenomenon of spaces of exception,³ and Loïc Wacquant's writings on hyperincarceration,⁴ Moran describes carceral geography as a new field of academic research that explores the synergies of criminology/prison sociology with 'human geographical understandings of space and spaciality as multiplicitous and heterogeneous, lived and experienced' (ibid.).

Moran describes the book as an introduction to 'the ideas, practices and engagements that

have shaped the development of [carceral geography] and scopes out future research possibilities' (p.1). She divides the text into three sections, relating to what she observes to be the three most important themes to have emerged in geographical analysis of prisons: *Carceral Space* (which centres, in contrast to Foucault and Agamben, on the lived experience of prison, in particular the means by which prisoners are able to resist power and authority, occupy and 'personalise' prison space); the *Geographies of Carceral Systems* (that explores the links, this time contra Goffman, between prisons and communities); and the *Carceral and a Punitive State* (covering macro-level analysis of the use of prison as an instrument of punitive and exclusionary social control). Following overviews of the breadth of research falling within these three major themes, the remaining chapters expand on particular areas of research that Moran expects will be important in shaping 'the development of this new and vibrant sub-discipline' (p.1). These include prisoners' experience of the connection between space and time, prisoners' emotional responses to the experience of incarceration, prison design, media representations, and (projects that Moran has played an instrumental part in developing) the movement of prisoners to, between and within prisons, and the effect of the physical manifestations of imprisonment on life post-prison.

Carceral Geography is a rich text that covers a wealth of perspectives on spaces of incarceration. It should prove to be a valuable resource for prison researchers working within the disciplines of criminology and sociology as well as human geography. The breadth of research

explored in the book is both its greatest weakness but more importantly its greatest strength. Experienced researchers will find certain gaps in the subject matter, and some may question whether the book might have taken a different shape and focused on different areas of research had Moran waited longer to write it. And while academics and students will find individual chapters informative and absorbing, the latter may also find the overlaps between them difficult to untangle. However, any such criticism is minor and does not detract from the quality and ambition of the book, nor its stated purpose. From the outset, Moran makes it clear that the text is not intended to serve as a definitive description of the parameters of carceral geography, but to explore the state of the field, and to stimulate future research and debate.

Dr Sacha Darke is a Senior Lecturer in Criminology at the University of Westminster.

Book Review

Inmates': Narratives and Discursive Discipline in Prison

By Jennifer A. Schlosser

Publisher: Routledge

ISBN: 978-1-138-81423-3

Price: £85.00 (Hardback)

Jennifer A Schlosser's book starts with a routine sociology project that aimed to understand how Mid-western United States prisoners cope with custody through their own self-identity and what impact this had on release. This project quickly developed into a critique of a flawed cognitive behavioural intervention. It concludes with a macro-level

1. Foucault, M. (1979) *Discipline and Punish: The Birth of the Prison*, New York: Vintage.

2. Goffman, I. (1961) *Asylums: Essays on the Social Situation of Mental Patients and other Inmates*, Garden City, NY: Anchor Books.

3. Agamben, G. (2005) *State of Exception*, Chicago: University of Chicago Press.

4. E.g. Wacquant, L. (2010) 'Class, race and hyperincarceration in revanchist America', *Daedalus*, 140: 74-90.

analysis of the state's role in rewriting individual histories to attribute responsibility to those individuals, for life choices that lead to incarceration. Schlosser is an Assistant Professor of Sociology at Tennessee Tech University in the USA and the book already boasts favourable reviews by criminology heavyweights such as Shadd Maruna.

Although the research and analysis is based on a USA perspective, the book has at its core the key role of Cognitive Behavioural Therapy or Cognitive Behaviour Programmes in reducing reoffending and recidivism. This approach is a constant in most developed nation's justice systems and ensures applicability of this book outside of the USA. It is also the subject of much debate as to the effectiveness of these programmes in addition to varying approaches to 'accreditation' of those programmes that appear to 'work'.

The issue that Schlosser develops is that of the premise of most programmes in the justice field; namely that individual bad choices have led to the committal of crime and subsequent imprisonment. Schlosser argues that through her own empirical research there is a key role for the individual's circumstances to partly account for the resulting criminality. Schlosser cites examples of prisoners voluntarily describing their view that they had little opportunity but to take the choices that they did which led to their imprisonment. They cover a wealth of situational factors that restricted their choices, for example restrictive probationary supervision that prevented them from maintaining employment and left them seeking money through crime. However, those prisoners that engaged in the flawed cognitive behavioural programme seemed to have the histories they readily described re-written. They would

readily describe and believe that the reason they were in custody was solely due to the poor life choices they had made, with no focus on the circumstances of that choice.

Schlosser builds on this phenomenon to suggest that this re-writing of the narrative of personal histories to a shared narrative of bad choices (what she describes as Discursive Discipline) is endemic not only of this programme but the entire Mid-Western justice system. She analyses the programme in the prison she studied to describe coercive patterns that misuse the tenets of Cognitive Behavioural Therapy to oppress prisoners. This is brought to the macro level through a variety of analyses including the use of the term 'offenders' to describe those in the prison. Schlosser suggests this term forms part of the macro-narrative that suggests everyone called an offender has done something 'wrong'. In this case 'wrong' is defined by those in power, and it may be the case that some have offended through necessity due to circumstance. However, Schlosser argues, the key part in the discursive discipline is the point when the prisoners themselves refer to each other as 'offenders' and thus become agents in their own oppression.¹

Schlosser's aims for the book are made explicit. They are to examine the cognitive behaviour programme and compare her own interviews of prisoners regarding their narrative of their personal histories against the content of the programme manual. From this Schlosser aims to examine the tensions in the prisoner-institution relationship and finally suggest practical improvements to policy. The improvements are 'practical' because Schlosser believes that they don't involve significant additional cost or increased risk to improve results.

Schlosser recommends a number of areas for improvements. These include making use of prisoners as 'experts' in their individual narratives of their paths to reduce re-offending. Also articulating joint responsibility for their current circumstances helps prisoners to understand their place in society and social institutions. Importantly, recognising that choices presented to prisoners in society are not always a good or bad choice, but sometimes choosing between two bad options or multiple options with unclear outcomes is relevant. Schlosser suggests the focus should be on the process of making choices rather than on the outcome. Prison staff should not be 'instructors' on cognitive behavioural interventions but rather 'facilitators' of shared experiences among prisoners. Building on this Schlosser also recommends a collaborative approach to the design of prison interventions and narrative, making use of current and former prisoners' ideas.

Overall, this book presents a convincing argument that is applicable across most Western justice systems. It identifies how a pragmatic and systematic approach that appears to show benefits can slip into causing harm and failing to identify effective methods to reduce reoffending. The book is aimed at academics and students and therefore can be quite a difficult read for most practitioners. However, the convincing argument, patiently crafted from empirical research, is worth pursuing for an enlightening analysis of the critique of the Cognitive Behavioural approach to recidivism interventions.

Paul Crossey is Head of Corporate Services at HMYOI Feltham.

1. Foucault, M (1979) *Discipline and punish: The birth of the prison*. New York: Second Vintage books.

Interview: Martin Narey

Martin Narey is a former Chief Executive of NOMS and recipient of the 2015 Perrie Award. He is interviewed by Paul Addicott, Head of Residence and Safety at HMP High Down.

After starting his working life in the NHS Martin Narey began his Prison Governor training in 1982. He worked at Lincoln Prison, Deerbolt Borstal and Frankland High Security Prison before moving to a succession of Whitehall posts. This period included work on delays in the Criminal Justice System and led to the introduction of the so called 'Narey Courts' which succeeded in significantly reducing court delays.

He returned to the Prison Service in 1996 as Head of Security Policy before joining the Prisons Board as Director of Resettlement in 1997. In 1998 he was appointed Director General of Prisons and became CEO of the National Offender Management Service following the merger of Prisons and Probation in 2003.

He resigned in 2005 to become Chief Executive of Barnardo's, leaving in 2011 after a successful 5 years. He is now a non-executive member of the Ministry of Justice Board.

Sir Martin was awarded a knighthood in the 2013 New Year's Honours list for services to vulnerable people. The theme of the Perrie Lectures 2015 was 'Older Prisoners' and Sir Martin Narey attended and was honoured with the Perrie Award.

PA: Older prisoners were the focus of the Perrie Lectures, what are your views on this increasing population?

MN: First of all I was struck by the extent of the problem since the ten years that I have been away, some things have been constant in the world of prisons and some things have changed. I was aware of the issues of older prisoners when I left in 2005, but it was something that was largely in the future at that time. It was not then a priority issue.

One of the things I considered while I listened to the presentations at Newbold however was whether, in recognition of the greater life expectancy of the UK population, the prison service has to look at the definitional terms *older prisoner*. There are about 10 million people in the UK over the age of 65 at the moment and in 20 years there will be 20 million. People are no longer old at the age of 50, or even 60 or 70 and the service might need to recognise this and think of defining older prisoners in a different way which takes account of health and disability.

PA: It is true that many people do not consider themselves as older or want help when we classify them as older, but it is important to support those who do need assistance. There were interesting

viewpoints this year at the lectures and examples of some good practice that are present within prisons. Can you think of anything more that we could be doing?

MN: To be honest it was an educating experience listening to the lectures this year, if I were to come back into this area again I would have to learn more, and I would have to go and visit some prisons to understand the issues better. It would be arrogant of me to suggest where the Prison Service is getting it wrong when I'm not remotely up to date with developments.

PA: If we look more generally about your past within the service, you received a knighthood in 2013 for your services with vulnerable people. What would you consider to be your key personal achievements in this area?

MN: It was not just prisons that led to me receiving this; I suspect that the sponsor organisation for my knighthood was the Department of Education rather than the Home Office or the Ministry of Justice. But I would like to think that the knighthood recognises some of the things I tried to do with offenders; along with the work I did at Barnardo's and most recently in the world of social work to combat child neglect. If there is one bit of symmetry within my career it is the way in which I see child neglect as being so significant to the nature of the prison population. There is a much greater likelihood that deeply neglected children will grow up to find themselves in custody.

To answer your specific question, I think my greatest achievement is nothing to do with prisons. When I worked with Barnardo's. I went to visit a support unit for families affected by AIDS which Barnardo's ran jointly with an AIDS charity in Manchester. I met a woman there called Sophie who was an asylum seeker. She and her son, who were both HIV positive, were about to be deported to Malawi where they would quickly die without access to retroviral drugs. I was shocked by this and I was particularly moved by this mother, who was not particularly concerned about herself, but was terrified by the reality that she would die first and her 8 year old son would then be left on his own. I looked into this and I identified 70 or so children, all whom were HIV positive and were to be deported to Malawi or other African countries. Although they were well in England and, in the case of the children with no reduction in their life expectancy, deportation meant that they would die quickly. I was able to get access to Tony Blair who was then still Prime Minister and, with the Prime Minister's help, stop that. As a consequence all those families, perhaps 200 people, who would all be dead, remain in the UK. I also know one

or two of the children have done rather well academically and will now be on their way to University. So that was certainly the most important single thing I've done in my working life.

PA: Can you go into more detail about how you achieved change as significant as this?

MN: If I look back, the day I was at Manchester was the day of the Labour Party Conference. I was due to speak at a New Statesmen event about child poverty. I was so affected by this visit and meeting Sophie, that I changed my speech, and I spoke about how the Government had lost their moral compass. The Editor of The New Statesman, who heard my speech, asked me to write about the issue for them. It caused a bit of a flurry in the Labour party and I got some sympathetic and supportive calls from individuals, such as Ed Balls, but I had a very disappointing response from the then Home Office. I was fortunate in all sorts of ways when I was a Director General in that I got to know Tony Blair quite well, he had an interest in penal policy, and he agreed to meet me. It took a while to persuade the Home Office which was, even after the Prime Minister's support, resistant. But eventually we got an agreement. I agreed that Barnardo's would not publicise the fact that the children and families were relieved. So the story has never been told.

PA: This really puts your accomplishments into perspective, looking back at your time within NOMS, what is your most memorable time?

MN: Possibly when I was an assistant Governor in a dispersal prison. I loved that job, it was in the 80's and dispersal prisons were very challenging, we had a lot of Irish political prisoners and managed 120 prisoners on B wing. At that time junior governors had no management responsibilities and the job was confined to working closely with prisoners and trying to distinguish between those that were or were not dangerous. The most memorable period however would have to be when I was Director General of course. And there was a period, when Phil Wheatley and I were working together, and we thought we were close to changing things very significantly. We did deliver the first statistically significant reductions in reoffending and I think we would have done much more if we were not overtaken by overcrowding and other pressures.

When I became Director General there were only 4 prisons which delivered drug treatment programmes, and when I left there were only 4 prisons which didn't. I could only do that because I received massive amounts of money to pour into drug treatment as well as into education, and

we significantly increased (by 10 per cent) the proportion of prisoners going into jobs on release.

PA: What would you consider to be some of the greatest challenges currently faced by the service?

MN: I think there are two things: money and population. My greatest regret is that we did not complete the changes I discussed earlier. I did not get on terribly well with David Blunkett who was my second Secretary of State when I was DG. But I knew we needed to get some control on the once again soaring population. I wanted to give the Service some certainty about the number of people we locked up for a given budget and stop the ludicrous practice — that no other service ever has to face — with having to take everyone that is sent to them, no matter how overcrowded they might be. Unless we could get a handle on that I knew I could not deliver some of the things that I wanted to deliver in terms of rehabilitation. So I helped David to agree changes with the then Lord Chief Justice, Harry Woolf, and introduce a Bill into the House of Commons which would, in 2003, have capped the prison population at 80,000.

David Blunkett was then forced to resign over getting a visa for his nanny — despite having one of the highest approval ratings of any Secretary of State since the War — and his successor was not interested in capping the population. That is one of the prime reasons I resigned. If we had been

able to control numbers the Prison Service would be in a much better place now and we would not be struggling with numbers as high as 86,000. We have an insatiable appetite for imprisonment in the UK and we need to find a way to change that.

PA: Do you think there will be an appetite for this type of legislation moving forward?

MN: Douglas Hurd, Margaret Thatcher's Justice Secretary was able to say that prison was a good way of making bad people worse. But it is now very difficult for a Justice Secretary to say that. I don't think the Prison Service can flourish in the way I know it can, if we don't do something about the inevitable conflict between shrinking budgets and a rising population. You can get the Service to work more effectively and efficiently, but there will be a point when those improvements will be cancelled by the financial burden of accommodating more and more prisoners.

PA: Do you think we can do more with offenders who would usually attract shorter sentences rather than sentencing them to prison?

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MN: I've just looked afresh at sentencing statistics in part because of discussions I've had with the new Secretary of State. I was struck by the extent in which you could slow down or stop the rise in the prison population just by trimming sentence lengths; I think I am right in saying that about 70 per cent of the rise in prison population in recent years can be explained by longer sentences. I'm not suggesting it is something simple to reverse, but there is nothing to suggest a 15 year sentence is any more beneficial in terms of reducing offending than a 12 year sentence. And there's little difference in terms of retribution. So I think there are things that might be achieved with addressing sentence length inflation.

PA: Would you suggest part of this reform has already begun with the abolition of Imprisonment for Public Protection (IPP)?

MN: This was implemented after I left and I'm not sure it was well implemented. I think the concept of *'there are some people that are too dangerous to be released'* is a sound one, but the implementation of the legislation was poor and it affected many more prisoners than was originally intended. Certainly far more than I anticipated.

PA: You have made reference to talking to the new Secretary of State, and there has been a lot of media interest surrounding prisons lately, and the proposed reforms that will take place such as the increased emphasis on education and earned release, can you suggest what the future holds for prisons following your discussions?

MN: I was at Michael Gove's first prisons speech on Friday and I thought it was the most encouraging Ministerial speech I have heard on prisons since Jack Straws' maiden prison speech in 1998. I was thrilled to hear about the reemphasis on education and elated to hear the principle of prisoners earning their release. I must sound like a dinosaur, but as I explained to Michael Gove, my first job in the prison service after initial officer training was working in a borstal in the last year of borstals' existence. The autonomy given to prison governors under the borstal regime was quite remarkable. If we had a boy or a young man (we took 15-21 year olds in those days) he could serve a minimum of 6 months or a maximum of 2 years and the point at which he was released was determined entirely by the Governor and entirely on the basis on how the borstal trainee behaved and worked. So — this being a borstal in the North-east, if we had a young man who got himself a City and Guilds in building and made himself employable as a builder on release to Sunderland, he might be released after 26 weeks.

Someone who didn't, and missed out on the opportunities, could stay in borstal for up to 2 years. What destroyed borstals, what led to their abolition, was, inevitably, overcrowding. Borstals were routinely directed to release all their offenders on or near the 26 week mark to make spaces and the philosophy of the regime was destroyed. But I think there are two things to learn from that history: first that the principle of earned release is a good one, and secondly that we might think once again about gubernatorial autonomy. While spending quite a bit of my time in the Department of Education in the last few years, I've watched with some interest as autonomy has been restored to head teachers. I know Michael Gove wants to see whether there's a similar restoration of autonomy from which prison governors might benefit.

PA: It will be interesting to see how this will come to fruition within the current climate with the numbers we have, and all the outsourcing and partnership working within establishments. As with the borstals, if we were to offer an incentive, to maintain legitimacy we would need to be able to honour that.

MN: I am not suggesting any of this is easy, and I don't think Michael Gove thinks any of this is easy. He is spending a lot of time visiting places, and I have taken him on one visit to a prison already. He has clearly got an immediately good relationship with Michael Spurr. I told Michael Gove on the day he

was appointed that Michael was a fine man and an excellent person to lead the service.

PA: Looking at some of your accolades within the Prison Service including: changing the number one priority in the Prison Service from preventing escapes to preventing deaths; setting up safer custody and reception peer orderlies to help reduce the risk and famously stating: 'a death is worse than an escape' and that 'it was shameful that we were more concerned about an escape rather than a death.' With that in mind, what are your views of the current statistics surrounding self harm and suicide within prisons?

MN: Well first of all, before accepting any plaudits, I should volunteer that, I think, the peak number of self inflicted deaths in custody happened on my watch, not on Phil Wheatley's and not on Michael Spurr's. But it's right that reducing deaths was a very real priority for me and why I wanted the same concentration on reducing deaths as my predecessor had on reducing escapes. I thought that our concentration on escapes, important as it was, meant that

I'm not suggesting it is something simple to reverse, but there is nothing to suggest a 15 year sentence is any more beneficial in terms of reducing offending than a 12 year sentence.

we were not addressing other things. I remember during my first speech as Director General in 1998 I talked about suicide, as I thought we were in danger of, perhaps not being dismissive about it, but accepting that a large number of self inflicted deaths were simply inevitable.

I understood the reasons for that, the morbidity of the population had become more acute as more and more people with mental disorders were being admitted. I know that the time I was DG a fifth of all males and two-fifths of all females who came into prison had previously tried to take their own lives. Nevertheless, I felt we were in the position where there was a belief that we just could not do anything about those deaths. We could and we did. But again, that was in large part because I got access to new money and in a magnitude of which Michael Spurr could only dream. I went personally to the Treasury and talked to the lead officials in charge of public spending about suicides, I obtained the investment for what became known as the Safer Cells Programme. But, it was a long time before the tide was turned and the numbers of deaths began to drop.

PA: Thank you for all your interesting views. Obviously you have a long list of achievements, and you have been recognised with a Knighthood and now the Perrie Award, how does it feel?

MN: I was enormously touched by the Perrie Award. For ten years I've avoided involving myself in prison issues in the same way as I don't get drawn into issues about Barnardo's. That may change now, and I suspect I will be doing some part time work advising Michael Gove.

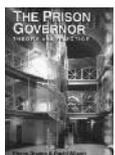
So against that, ten years after I have left the service, to be told the Perrie Lectures wanted to give me an award, was very touching. The gift I was given is hanging on my study wall, and I love it.

I never wanted to leave. I did not want to resign. But, at the time, I felt I had come to the end of the road, I had helped to devise a thing called NOMS, but the NOMS I had helped to devise required, three things: It required a cap on the prison population which I have talked about; it required greater competition in delivering both prison and probation services, and it required a transfer of authority from prison staff to probation staff in the managing offenders. Charles Clarke was never committed to those reforms he inherited from David Blunkett, was dismissive of population control and unwilling to take on the trades unions on competition. I knew it was time for me to go. But there has never been a week in the ten years that I have not missed prisons and offenders.



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