

# Scrutinising prisons through popular culture: Jimmy McGovern's *Time*

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**In June 2021, prisons were thrust into the living rooms of the British public. This was not because of a high-profile incident or major policy announcement, but rather public interest was piqued by BBC's three-part series *Time*. Created by distinguished writer, Jimmy McGovern and starring well-known actors Sean Bean and Stephen Graham, the series attracted an audience of 12 million viewers,<sup>1</sup> and won British Academy Awards for best mini-series and best actor. *Time* was praised by critics including people who have lived and worked in prisons<sup>2</sup> and the Director of Prison Reform Trust described that the series was 'telling a fundamental truth about our prison system'.<sup>3</sup>**

With such popular and critical acclaim, can it be argued that *Time* is more than entertainment? It may have been a ratings triumph, an artistic success, and produced a brief talking point for viewers, but is there more that can be claimed? Can *Time*, and indeed popular culture more broadly, be understood as a vehicle to scrutinise the contemporary prison system, to shape public attitudes and generate reform? These are not new questions. Prisons have long been a deep source of fascination for the public and the media. In the now distant past (and presently in some corners of the world), punishments were enacted in public, but the creation of prisons has seen a retreat from public view. England and Wales are high users of imprisonment by Western European standards, with the rate of imprisonment 134 people per 100,000 of the population,<sup>4</sup> but even this equates to less than 0.15 per cent of the population being imprisoned at any time.

For most people exposure to imprisonment is not through personal experience but instead the image of imprisonment is a 'social construction' made up of stories and images gleaned from third party sources such as politics, media, and popular culture.<sup>5</sup> The significance of the media in public understandings of imprisonment leads to questions about what is represented, how it is represented and what the consequences are of those representations.

This article will take up these questions, using *Time* as a case study to explore the potential of popular culture to be a form of public accountability that offers an independent and rounded assessment of contemporary prisons.<sup>6</sup> The article will start by describing *Time* and the work of its creator, Jimmy McGovern. The subsequent sections will explore three primary questions. First, to what extent is *Time* an authentic representation of contemporary prisons in England? Second, what is the benchmark or standards against which *Time* is assessing the prison system? Third, what are the effects of popular representation such as *Time*? Underlying these questions is a claim that popular culture deserves to be taken seriously not only as an art form, but from a sociological perspective as a form of scrutiny.

## Jimmy McGovern's *Time*

Jimmy McGovern is a successful and critically acclaimed UK television writer. He came to prominence in the 1980s as a regular writer on the ground-breaking soap opera *Brookside* (1982-2003). He achieved significant success with the series *Cracker* (1993-2006),

1. BBC (2022). *Four of the BBC's biggest dramas The Tourist, The Responder, Vigil and Time to return for a second series on BBC One and BBC iPlayer*. BBC 22 March 2022. Available at <https://www.bbc.com/mediacentre/2022/the-tourist-the-responder-vigil-time-second-series-bbc> (accessed on 16 July 2022).
2. E.g. see Crilly, J. (2021). BBC's drama *Time* took me back to being inside – I hope it showed the public how painful prison is. *inews* 22 June 2022. Available at <https://inews.co.uk/opinion/bbc-drama-time-took-me-back-being-inside-hope-showed-public-painful-prison-1063902> (accessed on 16 July 2022).
3. McGeorge, A. (2021) 'Time tells fundamental truth about our prison system and political neglect': BBC drama praised by Prison Reform Trust director. *Metro* 07 June 2021. Available at <https://metro.co.uk/2021/06/07/bbc-drama-time-praised-for-fundamental-truth-about-prison-system-14730658/> (accessed on 16 July 2022).
4. World Prison Brief (2022). United Kingdom: England & Wales. Available at <https://www.prisonstudies.org/country/united-kingdom-england-wales> (accessed on 17 July 2022)
5. Surette, R. (2014) *Media, Crime, and Criminal Justice* Fifth edition. Belmont: Wadsworth, CA.
6. Raine, J. (2008) *Inspection and the criminal justice agencies*. In Davis, H. and Martin, S. (eds) *Public Services Inspection in the UK*. London: Jessica Kingsley Publishers.

featuring hard-drinking and unconventional criminal psychologist Dr Edward 'Fitz' Fitzgerald, working with Greater Manchester Police in solving serious crimes. Other distinguished works have included *The Lakes* (1997-99) and *The Street* (2006-09), which included stories exploring domestic issues such as personal health, happiness and relationships, but also illuminated contemporary social issues including gambling, sexual violence, migration and the effects of military service. McGovern has been particularly acclaimed for his drama-documentaries re-examining recent history, including *Hillsborough* (1996) about the fatal crush at a football ground, which killed 97 Liverpool supporters; *Dockers* (1999) focussing on the strike by Liverpool dock workers between 1995 and 1998 *Sunday* (2002) examining the shooting of 26 unarmed civilians by British paratroopers in Derry in 1972. McGovern combines a popular sensibility, attracting large television audiences, with an ability to blend social and political critique into his work.

The criminal justice system has been a recurring backdrop in McGovern's work. *Accused* (2010-12) was an anthology series in which each episode focussed on a character awaiting a verdict in court, while the mini-series *Banished* (2015) depicted a penal colony being established in 18th century Australia. A notable single drama was *Common* (2014), which tells the story of 17 year old, Johnjo O'Shea, who is present when one of his friends stabs and kills another man at a fast food takeaway. Although not directly involved, O'Shea is convicted of murder under the principle of joint enterprise, or common purpose. The film presents the principle as unjust but also offers some hope, concluding with a reconciliation between O'Shea's mother and the mother of the victim.

*Time* is McGovern's most sustained examination of the prison system. The main protagonists are Mark Cobden, a teacher who kills a man after a drunk driving incident and is sentenced to four years in prison, and Eric McNally, a respected veteran prison officer whose son is serving a sentence in another establishment. Cobden is out of his depth when he arrives in prison. He is bullied by a prisoner who steals his food and pushes in front of him to use the communal telephone. Cobden shares a cell with Bernard, who is mentally unwell and harms himself, ultimately taking his own life through an overdose of medication. His second cell

mate, Daniel, succumbs to drug addiction after struggling to come to terms with his crime and his sentence. Cobden struggles with the difficult realities of prison life and is tormented with guilt for his offence. Over time, nevertheless, Cobden establishes himself and starts to forge a life inside. He fights back against the bully, savagely biting his ear, and in doing so wards off potential predators. A Catholic chaplain, Marie-Louise, offers help and involves Cobden in a group where prisoners meet with young people to divert them from crime. Cobden reaches out to the wife of the man he killed, initially writing to her, recognising the harm he has caused and seeking some atonement for his wrongdoing. He uses his teaching skills to help another prisoner, Kavanagh, to learn to read and write. Towards

the end of his sentence, Cobden is allowed out on day release to attend a conference where he speaks about his crime. He is pressured by organised criminal, Jackson Jones, to smuggle a parcel of drugs into the prison, but he ultimately decides to refuse, instead accepting a retributive beating. Prison officer, McNally is also targeted by Jones, who threatens that unless McNally brings drugs and phones into the prison, his son will be attacked. McNally initially refuses and arranges for his son to be moved to another prison. This, however, only offers temporary respite and after his son is seriously assaulted, McNally starts to bring contraband into the prison. Once in the grip of the

gang, McNally carries on trafficking until he is caught when searched on his way into the prison. Continuing to protect his son, McNally refuses to name any of those involved in orchestrating the operation, and he is sentenced to four years in prison. In the prison reception area, awaiting his sentencing hearing, McNally crosses paths with Mark Cobden, who has reached the end of his sentence and is being released. Outside, Cobden reaches out to the wife of the man he killed and they have an initial, tentative meeting in which she agrees to further contact, saying: 'I want to forgive you, you see. I need to forgive you. But I can't...I'll keep trying'.

*Time* is successful as popular drama, attracting a sizeable audience and generating media debate about contemporary prisons, including raising challenging issues about mental health, corruption, drug policies, and the causes of crime. It is an example of McGovern's crafting of popular culture and political discourse.

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## Truth claims in popular culture

*Time* has been lauded by many for its authenticity. A primary attraction of films and television is that they offer access to the hidden world of prisons. Many popular films claim to be based upon real events, such as *Escape from Alcatraz* (dir Don Siegel, US, 1979) or *Midnight Express* (dir Alan Parker, US, 1978). Others are based upon the lives of real people, such as *Birdman of Alcatraz* (dir John Frankenheimer, US, 1962), *Sense of Freedom* (dir John Mackenzie, UK, 1981) and *Bronson* (dir Nicolas Winding Refn, UK, 2008). Some films have been written by people who have lived and worked in prisons, including *Animal Factory* (dir Steve Buscemi, US, 2000), *Screwed* (dir Reg Traviss, UK, 2011) and *Starred up* (dir David Mackenzie, UK, 2013). Real locations or even prisoners feature in productions, such as *Riot in Cell Block 11* (dir Don Siegel, US, 1954), *The Jericho Mile* (dir Michael Mann, US, 1979) and *Caesar Must Die* (dir Paolo Taviani and Vittorio Taviani, It, 2012). Of course, not all prison films make claims to authenticity, for example the most popular prison film of all time, *The Shawshank Redemption* (dir Frank Darabont, US, 1994), although filmed in a real prison, is set in the past, has an aesthetic that draws heavily on genre conventions, and has themes of friendship, work and freedom that strive for greater universality rather than specifically commenting on imprisonment. Popular television programmes often have a similar pedigree to films, for example, *Orange is the New Black* (US 2013-19) takes its inspiration from Piper Kerman's memoir of her time in prison; *Oz* (US 2002-6) featured two actors who had previously spent time in prison; *Prison Break* (2006-17) was partly filmed in a decommissioned prison, and; *Escape at Dannemora* (US 2018) is based on real life events. While in the UK, the writers of popular series *Porridge* (UK 1974-7) and *Bad*

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*Girls* (UK 1999-2006) drew inspiration from the writings of former prisoners, visits to prisons, discussions with prisoners, prison staff and reform groups.

It has been argued that by striving for authenticity, television and films: 'tell us a great deal about the nature of our society, our prisons, and our theorization about prisons at any point in time...'<sup>7</sup> and can: '...act as a kind of social barometer, registering the concerns of their era and may have played a role in disseminating ideas and understandings about the state of penal institutions and where they might be heading'.<sup>8</sup> The reception of *Time* suggests that it has been broadly understood as an attempt to act as this kind of social barometer, reflecting the reality of contemporary English prisons.

In McGovern's distinguished drama-documentaries, he has carefully researched and constructed credible representations that are often at odds with official accounts.<sup>9</sup> For *Hillsborough*, McGovern worked with the families of those killed; *Dockers* was produced from writers' workshops with workers involved in the protracted strike and; *Sunday*, was filmed in the location where the events took place using narrative based on testimonies of those present and the families of the victims. While *Time* is not a drama-documentary, McGovern deployed similar approaches in his production. He had periodically held writers' workshops in prisons and had worked with criminal justice organisations.<sup>10</sup> In writing the screenplay, he corresponded with people inside prisons to ensure authenticity.<sup>11</sup> Similarly, the actors, including Stephen Graham who plays the prison officer, Eric McNally, undertook research including shadowing experienced prison staff.<sup>12</sup> The interior prison scenes were filmed in Shrewsbury prison, which was decommissioned in 2013.<sup>13</sup> Seen in the context of McGovern's work, the series is an attempt to use research, personal

7. Cheatwood, D. (1998) *Films About Adult, Male, Civilian Prisons: 1929-1995*. In Bailey, F. and Hale, D. (eds) *Popular Culture, Crime, and Justice* Belmont: West/Wadsworth: 209-31. p.227
8. Wilson, D. and O'Sullivan, S. (2004) *Images of Incarceration: Representations of Prison in Film and Television Drama*. Winchester: Waterside Press. p.55
9. Blandford, S. (2013) *Jimmy McGovern*. Manchester: Manchester University Press
10. Dougary, G. (2021) *Jimmy McGovern on new BBC prison drama Time: "I didn't want to write an easy villain"*. Radio Times 06 June 2021. Available at <https://www.radiotimes.com/tv/drama/jimmy-mcgovern-time-bbc-prison-big-rt-interview/> (accessed on 16 July 2022)
11. Jailhousemoose (2021) *Time*. 04 June 2021. Available at <https://jailhousemoose.wordpress.com/2021/06/04/time/> (accessed on 16 July 2022).
12. Martin, L. (2021) *Stephen Graham and Jimmy McGovern on 'Time', and How the Prison-Industrial Complex Fails Us*. Esquire 03 June 2021. Available at <https://www.esquire.com/uk/culture/tv/a36616044/time-stephen-graham-and-jimmy-mcgovern-interview/> (accessed on 16 July 2022).
13. Martin (2021) see n.12

experiences and location to create an authentic account of contemporary English prisons.

The aesthetics of *Time* generate a sense of realism. In particular, the set designer created a 'greying tone' to wash out the actors, heightening the sense of stress and deprivation and making the environment 'look miserable and oppressive'.<sup>14</sup> This was not necessarily an attempt to recreate a realistic image but acted to heighten the emotional texture. In other aspects of the aesthetics, *Time* draws upon media representations. As part of the research, McGovern watched recent prison documentaries, including the Channel 4 series *Prison* (dir Paddy Wivell, 2018), filmed at HMP Durham. There are scenes that deploy a documentary aesthetic, such as de-centered action, where the action comes not from the subject of the image but instead from the background or off-frame. This is used when a fight breaks out in the prison reception area as Mark Cobden first arrives. This technique provides a sense of unpredictability and spontaneity. There is a scene when McNally first smuggles drugs into the prison, which recreates images shot on illicit mobile phones of prisoners suffering the effects of psychoactive substances. Such images circulate on social media and sometimes break into mainstream news. These images can provide unmediated access to hidden aspects of imprisonment.<sup>15</sup> The deliberate recreation of such images offers a semblance of immediacy and illicit access. The aesthetics of *Time* deploy creative devices to generate a sense of emotional realism and authenticity.

Analysis of the narrative highlights the relationship between reality and representation in popular culture. With any narrative, there is a question of selection — what does the artist choose to focus on? In *Time*, the central character, Mark Cobden, is a previously law-abiding 'everyman' who can act as a guide to prison life. This is a well-worn trope used in *Porridge*, *The*

*Shawshank Redemption* and *Orange is the New Black*. This device enables empathy with the central character who is often an atypical or less morally tainted prisoner, and it enables the viewer to be inducted along with the character into the social rules of prison life. The setting of the film is a Victorian prison with its long galleried landings. This setting does not necessarily accord with the reality of prison life, around 25 per cent of prisoners are in Victorian prisons, but it does chime with the public image of what a prison looks like.<sup>16</sup> As well as selection, film making is a creative process that involves embellishment, such as emphasis on action, violence and conflict. While prisons are violent places, they are also domestic spaces in which people conduct their everyday lives. A recent study of prisoners' responses to

prison films noted that while the events in films did occur in real life, they were often exceptional rather than being the norm, with most prisoners seeing themselves marginalised in films, being the: 'other guys in shot just playing pool, just going about their daily business'.<sup>17</sup> In his response to *Time*, author and former prisoner Carl Cattermole echoed these observations, suggesting that popular culture could not represent the relentless tedium of prison life, in which 'boredom is more likely to kill you than any psycho'.<sup>18</sup>

Truth claims or authenticity are a significant part of the appeal of prisons in popular culture, including *Time*, with fictional representations sometimes being considered a

social barometer of prison practices at a particular time.<sup>19</sup> The nature of these claims, however, is complex. *Time* for example draws upon real experiences, events, practices and places, but this factual base is crafted into a creative form in which choices are made about what to focus on and what emotions and senses to engage. Rather than telling an objective truth, *Time* is a creative representation of reality in which there is a negotiation between the real institution and its representation.

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14. Martin (2021). See n.12

15. Schlosser, J. A. and Feldman, L. R. (2022) 'Doing time online: Prison TikTok as social reclamation', *Incarceration*. doi: 10.1177/26326663221095400.

16. Moran, D, Jewkes, Y, March, E & Houlbrook, M (2021) 'The long shadow of the Victorian prison', *Prison Service Journal*, no. 256, pp. 10-14

17. Bennett, J and Knight, V (2021) *Prisoners on prison films* London: Palgrave MacMillan. p.45

18. Maloney, A. (2021). Hell in a cell: BBC's *Time* is a frighteningly real prison drama that's the ultimate prison deterrent. *The Sun* 11 June 2021. Available at <https://www.thesun.co.uk/tv/15247172/bbc-time-real-prison-drama-deterrent/> (accessed on 16 July 2022).

19. Cheatwood, D. (1998) *Films About Adult, Male, Civilian Prisons: 1929-1995* in Bailey, F. and Hale, D. (eds) *Popular Culture, Crime, and Justice* Belmont: West/Wadsworth p. 209-31; Wilson, D. and O'Sullivan, S. (2004) see n.8

## Contesting penal values in popular culture

McGovern's writing has a consciously political edge. He has outlined three rules when writing drama-documentary:<sup>20</sup> write them because the victims or their families have asked you to write them; the process of writing must empower the powerless; and the camera must go to places where those in power do not want it to go. While it is not always common for writers to be so consciously political, sociologist Stuart Hall<sup>21</sup> has observed the ubiquity of encoded political values in media.

Media representation of prison plays a role in explaining crime, framing the problems and guiding emotional responses.<sup>22</sup> It has been argued that media representations can be understood as a 'power resource'<sup>23</sup> offering idealized visions of social order. People hold different ideas about what prison is or should be, and this is played out in media representation. It is widely argued that the dominant media discourse, including news, documentary and fiction, represents prisoners as dangerous and violent and prisons being inadequate to meaningfully reform people.<sup>24</sup> These depictions are concerned with maintaining the status quo and legitimizing the use of imprisonment for containment. In contrast, it has been argued that there is an 'alternative tradition' in prison films<sup>25</sup> and that the media may promote penal reform by: providing an insight into a world that the general public know little about and have little direct experience of; providing a benchmark for acceptable treatment; translating academic and political concerns into digestible narratives; exposing perspectives that are often at odds with media and official descriptions; creating empathy with offenders, victims and staff.<sup>26</sup> It has even been argued that some

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representations promote a radical critique drawing upon critical criminology that reveals the nature of the harms caused by punishment and the underpinning power interests that are served.<sup>27</sup> In the different media visions of the prison, debates about criminal justice are being played out.

In *Time*, McGovern uses the narrative to present criticisms of the contemporary penal system and to suggest alternative approaches. The experience of prison is depicted as harmful, with pervasive violence, mental health problems, and drugs. The violence depicted includes bullying, retribution, and enforcement activity by organised criminal gangs. Violence is a common feature in fictional representations, but does reflect a material reality in contemporary prisons. Violence in English and Welsh prisons accelerated after 2015, reaching a peak in 2019,<sup>28</sup> with the independent inspectorate of prisons expressing concern about deteriorating safety.<sup>29</sup> Self-harm also increased during the same period.<sup>30</sup> The film shows the wider problem of mental health in prisons when Cobden shares a cell with Bernard, who is unstable, unpredictable, and violent towards himself and others. When he takes his own life, his mother protests in the prison car park, confronting McNally, who empathises with her but attempts to explain the context:

*'You say he should have been in the hospital and I agree with you Mrs. Hughes. But that goes for half the men in this place. They should be in mental hospitals not in the nick. But there's no room, so they stay here, and we do the best we can for them'*

People in prison are more likely to have mental health conditions than the general population and the

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20. McGovern, J. (2004) *The power of truth*. The Guardian 10 June 2004. Available at <https://www.theguardian.com/film/2004/jun/10/features.features11> (accessed on 16 July 2022)
  21. Hall, S. (2013) The work of representation in Hall, S., Evans, J. And Nixon, S. (Eds) *Representation* Second edition London: Sage p.1-59
  22. Rafter, N. (2000) *Shots in the mirror: Crime films and society* Oxford: Oxford University Press
  23. Ericson, R., Baranek, P., and Chan, J. (1991) *Representing order: Crime, law and justice in the news media* Milton Keynes: Open University Press. p.11
  24. Surette (2014). See n.5; Brown, M. (2009) *The culture of punishment: prison, society, and spectacle* New York: New York University Press
  25. Rafter (2000). See n.22
  26. Wilson and O'Sullivan (2004). See n.8
  27. Bennett, J. (2014) *Repression and revolution: Representations of criminal justice and prisons in recent documentaries* in *Prison service journal* No.214 p.33-8
  28. See <https://data.justice.gov.uk/prisons/safety-and-order#assaults-rate-prisoner>. Accessed on 11 August 2022.
  29. HM Chief Inspector of Prisons for England and Wales (2019). *Annual Report 2018–19*. Available at [https://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2019/07/6.5563\\_HMI-Prisons-AR\\_2018-19\\_WEB\\_FINAL\\_040719.pdf](https://www.justiceinspectorates.gov.uk/hmiprisoners/wp-content/uploads/sites/4/2019/07/6.5563_HMI-Prisons-AR_2018-19_WEB_FINAL_040719.pdf). Accessed on 11 August 2022.
  30. See <https://data.justice.gov.uk/prisons/safety-and-order#assaults-rate-prisoner>. Accessed on 11 August 2022.

prison environment can be detrimental to mental health.<sup>31</sup> The House of Commons Justice Select Committee has recently concluded that there are longstanding problems regarding mental health in prisons, including significant unmet needs and mentally ill people being sent to or kept in prison due to a shortage of mental health services in the community.<sup>32</sup> With regard to drugs, *Time*, shows how Cobden's second cell mate, Daniel, turns to drugs to dull the emotional pain as he struggles to come to terms with his crime and sentence. Many people in prisons have drug problems and although rates of positive drug tests vary from prison to prison, the national rate was around 15 per cent prior to the coronavirus pandemic in 2020.<sup>33</sup> One survey in 2017/18 found that 8 per cent of women and 13 per cent men did not have a prior drug problem but developed one in prison.<sup>34</sup> *Time* examines and exposes the impact of organised crime in prisons. It has been argued that a lucrative market opened in prisons in the mid-2010s due to the emergence of psychoactive substances, which were initially undetectable and easier to smuggle into prisons, and attempts to prevent and control smuggling were impacted by reductions in staff resources.<sup>35</sup> The drugs market in prison brought violence, including exploitation of vulnerable people, enforcement of debts, and competition between rival groups.<sup>36</sup> In *Time*, Jackson Jones is the head of a criminal organisation that spans inside and outside of the prison. He threatens prisoners, including in a different prison, and can intimidate and compromise a member of staff. The depiction of organised crime reflects a changing prisoner society in which the illicit economy produces new forms of prison victimization

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and generates greater economic power and status for suppliers.<sup>37</sup> The depiction of violence, drug misuse mental health, and organised crime is grounded in material concerns about the prison system, concerns that have been identified in academic and official accounts.

Although bleak, *Time* is not without hope and indeed promotes more progressive practices. As Cobden endures his prison sentence, he is not alone. Even as his marriage dissolves, he receives unstinting support from his elderly parents, who regularly visit him. The scenes in the visits room show men nervously waiting, seated at tables before the visits start, the music then swells as the doors open, with excitable children, smiling partners and relatives entering the hall,

embracing their loved ones. The visits hall is shown as a place in which people in prison can drop their prison mask and once again be fathers, husbands and family members. Although family relationships can be strained, or even broken by the prison experience, those relationships can help people to survive in prison and rebuild their lives after.<sup>38</sup> Relationships with staff are shown to be important, with Eric McNally depicted as an even-handed and conscientious officer, who is not soft, idealistic or naïve but has clear and consistent boundaries. McNally displays many of the characteristics of a role model prison officer.<sup>39</sup> It is

only the threat to his son that leads him to become corrupted. A more idealistic and impassioned member of staff is the chaplain, Marie-Louise, who offers support to Cobden. In a particularly moving sequence, after Cobden is prevented from attending his father's funeral, Marie-Louise, holds a parallel service for him in the prison chapel. McGovern's Catholic faith has often

31. Bradley, K. (2009) *The Bradley Report: Lord Bradley's review of people with mental health problems or learning disabilities in the criminal justice system*. Available at <https://lx.iriss.org.uk/sites/default/files/resources/The%20Bradley%20report.pdf>. Accessed on 11 August 2022.
32. House of Commons Justice Committee (2021) *Mental health in prison*. Available at <https://committees.parliament.uk/publications/7455/documents/78054/default/>. Accessed on 11 August 2022.
33. See <https://data.justice.gov.uk/prisons>. Accessed on 11 August 2022.
34. Cited in Black, C. (2020). *Review of Drugs: Executive Summary*. Available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/897786/2SummaryPhaseOne+foreword200219.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/897786/2SummaryPhaseOne+foreword200219.pdf). Accessed on 11 August 2022.
35. Gooch, K. and Treadwell, J. (2020). *Prisoner Society in an Era of Psychoactive Substances, Organised Crime, New Drug Markets and Austerity*. In *British Journal of Criminology* 60(5): 1260-1281.
36. Gooch, K. and Treadwell, J. (2021). *'It doesn't stop at the Prison Gate': Understanding Organised Crime in Prison*. In *Prison Service Journal* No.252 p.15-30
37. Gooch, K. and Treadwell, J. (2020). See n.36.
38. Farmer, M. (2017) *The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime*. Available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/642244/farmer-review-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642244/farmer-review-report.pdf). Accessed on 12 August 2022.
39. Liebling, A., Price, D. and Shefer, G. (2011) *The Prison Officer* Second edition Abingdon: Willan

permeated his work, including the film *Priest* (dir Antonia Bird, UK, 1994). Cobden's experiences of guilt and attempts at atonement are rooted in faith, and in Marie-Louise, McGovern depicts prison chaplains fostering hope and light in the darkness of the prison.<sup>40</sup> As well as receiving support from others, Cobden uses his skills as a teacher to help a fellow prisoner, Kavanagh, to learn to read. Peer support literacy programmes have been nurtured by the charity Shannon Trust as a way of helping those who have difficulties with reading and writing.<sup>41</sup> Through this relationship, the series shows the power of peer support in prisons.<sup>42</sup> Together, peer support, family support and staff-prisoner relationships present the potential for prisons to be places where communities are forged and 'rehabilitative cultures'<sup>43</sup> emerge that enable people to experience personal growth and positive change.

McGovern uses *Time* to promote alternative approaches to criminal justice, including prevention and restorative justice. Prevention is the focus of the sessions held in the chapel in which prisoners meet with children at risk of committing serious crime. The prisoners discuss their life experiences and experiences in prison: Daniel talks about killing a man in a fight; Paul explains how his gambling addiction led to him neglecting his family, and; Baz describes how he was disfigured after being attacked by other prisoners, who threw boiling water mixed with sugar into his face. In the first two episodes, the children sit silently listening to these stories, but in the third the children give testimony of how the group has encouraged them to avoid crime and focus on education. The groups play a dual function of both allowing life stories of people in prison to be presented to the viewing audience, as well as suggesting that people in prison can play a role in generativity, that is adults helping to educate and divert younger people from crime. The Oscar winning documentary, *Scared Straight!* (dir Arnold Shapiro, US,

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1978) popularised the idea that prisoners could undertake this work, albeit in that documentary, the diversionary programme relied upon intimidating and humiliating the children as a form of deterrence. The idea that exposing children to prisons as a diversionary approach has persisted, despite research showing that not only is it ineffective, but can be harmful, making future offending more likely.<sup>44</sup> Although the group depicted in *Time* is based on education rather than intimidation, it nevertheless continues to perpetuate the myth that exposing children to prisons is a beneficial preventative activity. More successfully, *Time*, shows the limitations and potential of restorative justice — an approach that brings those harmed by crime and those responsible for the harm into communication,

enabling them to repair harm and find a positive way forward.<sup>45</sup>

Restorative Justice can be a complex and difficult journey. Cobden is rebuffed in his initial attempts to contact the wife of the man he has killed, and while Daniel meets the parents of the man he has killed, the meeting ends in acrimony and he reacts by turning to drug misuse. Only at the end of the series, when Cobden has his first tentative meeting with the wife of his victim, is it suggested that restorative justice can be a productive approach for all people affected. McGovern had touched upon the potential of restorative practices, in *Common*,

which ends with a meeting between the mother of a young man who has been murdered and the mother of another young man who has been convicted under joint enterprise rules.

*Time* can be placed in the alternative tradition of film and television. McGovern depicts some of the problems of prisons including violence, organised crime, drug misuse, mental health and suicide. By doing so, McGovern translates academic, practitioner and policy concerns into a digestible form, and sets a benchmark of what is acceptable or unacceptable. The series is also a vehicle for presenting the progressive

40. Kirk Beedon, D. (2022) *Pastoral care for the incarcerated : hope deferred, humanity diminished?* London: Palgrave MacMillan.

41. See <https://www.shannontrust.org.uk/in-prisons>.

42. Bagnall, A., South, J., Hulme, C. et al. (2015) *A systematic review of the effectiveness and cost-effectiveness of peer education and peer support in prisons*. In *BMC Public Health* 15:1 p1-30.

43. Mann, R., Fitzalan Howard, F., and Tew, J. (2018) *What is a rehabilitative prison culture?* In *Prison Service Journal* No.235 p.3-9

44. Petrosino, A., Turpin-Petrosino, C. and Buehler, J. (2003) *Scared Straight and Other Juvenile Awareness Programs for Preventing Juvenile Delinquency: A Systematic Review of the Randomized Experimental Evidence*. In *The ANNALS of the American Academy of Political and Social Science*. 589(1) p.41-62.

45. See <https://restorativejustice.org.uk/what-restorative-justice>.

potential of communities including family, peer support and staff-prisoner relationships. *Time* suggests that a reformed prison system may have a wider role in preventing and responding to crime. Generative prevention through adults in prison educating and attempting to deter young people is, albeit misguided, offered as a way of breaking cycles of crime, while restorative justice is depicted as a complex but potentially more constructive response to crime. While the precise approaches included in the series may be questioned, the wider significance is that McGovern is deploying the narrative to present education and atonement as progressive alternatives to punitiveness.

### The effects of popular representation

There has been a perennial debate about the effects of media representations — often centred around whether media representation promotes violence. Some prison films have been swept up in controversies around their perceived effects. For example, *A Clockwork Orange* (dir Stanley Kubrick, US/UK, 1971) was removed from distribution in the UK following the media and political furore around allegations of copycat incidents<sup>46</sup>, while *Natural Born Killers* (dir Oliver Stone, US, 1994) generated a media and political panic as well as prompting litigation based on allegations that it inspired real life violence.<sup>47</sup>

While both films contain violent scenes, they are technically accomplished and intellectually astute, challenging media and political exploitation of violent crime. On television, *Scum* (dir Alan Clarke, 1977) became a cause celebre when its searing critique of the borstal system, including violence, racism and suicide, proved too hot to handle for the BBC and it was banned from broadcast.<sup>48</sup> The makers remade it with largely the same cast two years later and released it in cinemas. It remains an iconic British prison film, although the original TV film is less

While both films contain violent scenes, they are technically accomplished and intellectually astute, challenging media and political exploitation of violent crime.

well known and was only aired on television in 1991. *Time*, has in contrast had a warm reception from audiences and critics, but can this translate into political action of the type intended by the series creators?

Jimmy McGovern has previously used drama documentary as a vehicle for promoting social justice, particularly, *Sunday* and *Hillsborough*. These films were made and broadcast while the issues they depicted were controversial and the subject of political and legal scrutiny. It was only in 2010 that the Bloody Sunday Inquiry<sup>49</sup> revealed the full extent of the actions of the British Army in Derry, described by the then Prime Minister, David Cameron as 'unjustified and unjustifiable'.<sup>50</sup> The definitive account provided by the Hillsborough Independent Panel was published in

2012<sup>51</sup> and in 2016 a coroner's court determined that the victims of the tragedy had been 'unlawfully killed' due to failures of the police, ambulance service, the owners of the football stadium and safety inspectors.<sup>52</sup> McGovern's films cannot be seen in isolation but are often part of a wider campaign for justice including grassroots activism by families, legal action, political advocacy, investigative journalism and academic research. McGovern's work was part of the media branch of the campaigns, raising awareness, amplifying the voices of the victims and agitating for action. One of the exemplars of prison reform through media is the case of Robert Burns, a First World War

veteran who was imprisoned in the brutal Georgia chain gang. After escaping he established himself as a successful publisher. He later agreed to return to Georgia on the understanding he would receive leniency but when the state reneged, he escaped again. His memoir *I Am a Fugitive from a Georgia Chain Gang!* was published in 1931 and made into a successful film in 1932. This generated pressure for Georgia to pardon Burns and reform their penal system. This eventually came to fruition, albeit more than a

46. Kramer, P. (2011). *A Clockwork Orange*. Basingstoke: Palgrave MacMillan.

47. Courtwright, D. (2000). *Way Cooler Than Manson: Natural Born Killers*. In Toplin, R. (Ed) *Oliver Stone's USA: Film, history and controversy*. Kansas: University of Kansas Press p. 228-48.

48. Kelly, R. (1998). *Alan Clarke*. London: Faber

49. See <https://www.gov.uk/government/publications/report-of-the-bloody-sunday-inquiry>

50. Cameron, D. (2010) PM: *Statement on Saville Inquiry*. Available at <https://www.gov.uk/government/news/pm-statement-on-saville-inquiry#:~:text=I%20never%20want%20to%20believe,ask%20our%20soldiers%20to%20serve> (accessed on 22 August 2022).

51. Available at <https://www.gov.uk/government/publications/the-report-of-the-hillsborough-independent-panel> (accessed on 22 August 2022).

52. See <https://www.bbc.co.uk/news/uk-england-36138337> (accessed on 22 August 2022)



decade later.<sup>53</sup> Of course, *Time* is not based upon a real-life individual case of injustice but is concerned with the general state of the prison system and is a clarion call for reform. *Time* is best seen as being situated within a broader discourse about prison reform, along with other activity such as advocacy by grassroots organisations and penal reform groups; the research and commentary of academics and scrutiny bodies; the contributions of professional representatives; litigation by prisoners, families and other interested parties. Advocacy and agitation through the various mediums can have a cumulative effect of promoting reform.

It should be remembered, however, that audiences do not necessarily receive representations of prisons in the ways intended by the creators. The examples of *A Clockwork Orange*, *Natural Born Killers* and *Scum* attest to this. The responses to *Time* suggest that different viewers or interested parties read the series differently or choose to emphasise different aspects. While one former prisoner, John Crilly, described *Time* as 'a real, no holds barred, depiction of the harsh, brutal and torturous life that is imprisonment' that could 'awaken the public to what prison is really like',<sup>54</sup> another former prisoner, Chris Atkins described aspects of the series, particularly the depiction of prison officers, as 'a bit of a fantasy really'<sup>55</sup> that gave a misleadingly positive image.

There were also disagreements about the political messages being conveyed. The Director of Prison Reform Trust saw the series as a condemnation of 'years of political neglect' and a challenge to the current government's policies,<sup>56</sup> while the Ministry of Justice described the series as illustrating why they were making changes including reducing and more closely supervising time out of cell for prisoners.<sup>57</sup> A further argument made in the popular press was that the bleak depiction of prisons: 'should prove the ultimate deterrent to would-be criminals'.<sup>58</sup> These different readings are often drawing upon pre-existing values

and perspectives, rather than solely reflecting the content and intentions of *Time* and its makers.

Media representation is an important way in which the public understand what happens in prisons. Attempts to use television drama to advocate for social justice and reform have uncertain prospects. While there are cases where drama has contributed towards broader campaigns, including some supported by McGovern, audiences are not comprised of automatons who uncritically consume what is presented to them. Audiences draw upon their own pre-existing values and interests. It is for this reason that controversies over films have emerged, and there are conflicting and contradictory readings of *Time*. Rather than being a one-way communication channel in which audiences can be directed by film makers, popular culture is best seen as a medium in which social institutions, including prisons, are contested — a space where ideas are presented and debated.

### Conclusion

The critical and popular success of *Time* generated public discussion about prisons and led to some hope that public mood was being altered in favour of progressive change. This article has attempted to offer a more considered analysis of *Time* as a case study of the ways in which popular culture can act as a form of public scrutiny by offering an

authentic insight into contemporary prisons in England; assessing the system against a benchmark; influencing reform and improvement.

The discussion in this article has elucidated three ways in which popular culture and public scrutiny intersect. First, as an authentic examination of the practices and lived experiences within a specific institution at a specific time. *Time* drew upon research, real experiences, and locations and is an exemplar of how some media producers exercise care in creating representation grounded in reality. But even a series as good as this is not an unvarnished truth but is instead a

A further argument made in the popular press was that the bleak depiction of prisons: 'should prove the ultimate deterrent to would-be criminals'.

53. Bennett, J. (2006). *I am a fugitive from a chain gang*. In *Prison Service Journal* No. 164 p. 53-56

54. Crilly (2021) see n.2

55. Barr, S. (2021). Ex-prisoner finds Stephen Graham's police officer in BBC drama *Time* 'unrealistic': 'It's a bit of a fantasy'. *Metro* 09 June 2021. Available at <https://metro.co.uk/2021/06/09/ex-convict-finds-stephen-grahams-police-officer-in-time-unrealistic-14742126/> (accessed on 16 July 2022).

56. McGeorge (2021) see n.3

57. Ryan, J. (2021). How BBC prison drama *Time* starring Sean Bean 'helped make the Government's case for a planned crackdown in jails'. *Mailonline* 19 June 2021. Available at <https://www.dailymail.co.uk/news/article-9704689/How-BBC-prison-drama-Time-helped-make-Governments-case-planned-crackdown-jails.html> (accessed on 16 July 2022).

58. Maloney (2021) see n.18.

creative production using narrative and aesthetic devices. Media representation of prisons offer a negotiation between reality and fiction and as such are a partial and incomplete insight into the conditions of contemporary imprisonment. Second, scrutiny involves the application of a set of defined standards, such as human rights laws and conventions, to structure evaluation. *Time* does not apply a set of legalistic standards, but does adopt a critical, evaluative approach. The narrative reflects a set of contemporary concerns about prisons including those expressed through popular, official, and academic accounts — such as violence, self-harm, mental health, and organised crime. The series translates these concerns into a digestible narrative that offers a benchmark of acceptable or unacceptable treatment. The series also develops characters that the audience can empathise with, so offering a humanistic portrait that asserts that people in prison are not 'others' but are worthy of human dignity and protection of rights. Although *Time* takes a less formal or legalistic approach compared to inspection or monitoring, it nevertheless does have embedded assumptions and evaluative judgements about aspects of contemporary penal practices in England. The series goes further by presenting an

alternative approach to imprisonment based upon family, community building, and restorative justice. The narrative nurtures a hopeful vision of a better approach to imprisonment. In many ways, *Time* epitomises how popular culture can be deployed for the purposes of penal reform or advocating a particular perspective, set of expectations or values in penal practice. Third, scrutiny attempts to promote wider public understanding and action. McGovern shows great craftsmanship in his screenwriting to engage a popular audience but does so with a political purpose. The reception of *Time* shows that film and television is not received in a vacuum but instead audiences draw upon pre-existing values, beliefs, experiences and knowledge in making meaning of what they watch. The readings of *Time* vary, just as the purpose of prisons is contested in society.

Popular culture deserves to be taken seriously as a form of scrutiny as it is the only means through which most people encounter prisons. Media representation is, however, imperfect in terms of accuracy and reliability; it provides an inconsistent benchmark of standards; its impact is uncertain. *Time* is an illustration of the potential and limitations of popular culture as form of scrutiny.