

Prison staff wrongdoing: A synthesis of the literature

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In August 2019 the Ministry of Justice announced a government investment of £100 million to reduce crime in prisons.¹ This became known as the Security Investment Programme (SIP). There were four aims of SIP: to reduce the trafficking of illicit items into prisons via visitors, prisoners and prison staff; to stop mobile phones obtained by prisoners from working; to strengthen staff resilience to corruption, and to increase target disruptions against high harm Serious Organised Crime and corrupt staff. In September 2024, three evaluation reports into SIP were published.² This article is not an assessment of whether or not the SIP aims were achieved. Instead, it argues that to some extent HMPPS have 'put the cart before the horse' as it is first necessary to understand the reasons why staff engage in wrongdoing. The article is based on a literature review for the only independent empirical research on this subject in England and Wales. The starting point is to expand on Barrington, Silverman and Hutton's 2021 review of research into prison staff corruption and to consider the wider literature which can assist in understanding the causes and correlates of staff wrongdoing.³

Prison staff wrongdoing

Prison staff exercise significant power over prisoners. They are entrusted with maintaining security

and control but they also have the responsibility of looking after prisoners and supervising them. To a certain extent prison staff, particularly officers, are seen as a role model for prisoners. The influence of prison staff on the prison environment and prisoners is considerable, and, as Liebling has argued, the moral quality of prison life is 'enacted and embodied by the attitudes and conduct of prison officers' (p.485).⁴ Consequently staff wrongdoing can undermine institutional authority as well as the safe and secure operations within a prison.⁵ So what is staff wrongdoing and how is it defined?

Staff wrongdoing is behaviour which violates ethical, moral and formally established rules. It can range from ignoring rules not to accept gifts (however small) from prisoners, to selling confidential information and the trafficking of contraband.⁶ The term 'wrongdoing' therefore encompasses corruption as well as behaviours including inappropriate relationships and assaults on prisoners. Although these are the types of staff behaviours which first come to mind, more minor forms of wrongdoing such as favouritism and the inconsistent application of rules are also types of wrongdoing which have the potential to create chaotic and unstable work environments. Staff wrongdoing can also contribute to a culture of unprofessional behaviour, destroy trust between staff and prisoners and erode public trust in the legitimacy of prisons to hold offenders in a safe and secure place.⁷

1. Ministry of Justice. (2019). £100 million to crackdown on crime in prison. Available at: <https://www.gov.uk/government/news/100-million-crackdown-on-crime-in-prison>
2. Kerr, J., Sharrock, S., Kersting, F., McDonough, T., Roberts, E., Hudson, N., David, M., & Li, J. (2024). *Security investment programme: process evaluation report*. The National Centre for Social Research; Ramzan, A., Harries, H., Taylor, J., & Musimbe, S. (2024). *Security investment programme: overview and outcome study*. Ministry of Justice; Craston, M., Bierman, R., Baker, C., Ceresco, I., & Akhurst, E. (2024). *Process evaluation of the multi-agency response to serious organised crime (MARSOC) early adopter phase: final evaluation report*. Ipos UK
3. Barrington, R., Silverman, J., & Hutton, M. (2021). Corruption in UK prisons: A critical evaluation of the evidence base. *The Prison Service Journal*, 252, 46-57.
4. Liebling, A. (2011). Distinctions and distinctiveness in the work of prison officers: Legitimacy and authority revisited. *European Journal of Criminology*, 8(6), 484-499.
5. Taylor-McCune, K. (2020). *Correctional officers' perspectives on cellphone contraband introduction by fellow officers* [PhD Thesis]. Walden University.
6. Rule 70 of the Prison Rules (1999) prohibits (without authority) the conveying of any article into a prison by any person. Although the term 'contraband' is often used to refer to drugs, alcohol, mobile phones, cigarettes and weapons, it also covers items listed in the Prisons Act 1952 which includes articles such as chewing gum and clothing.
7. Ross, J. (2013). Deconstructing correctional officer deviance: Toward typologies of actions and controls. *Criminal Justice Review*, 38(1), 10-126; Ross, J., Tewksbury, R., & Rolfe, S. (2016). Inmate responses to correctional officer deviance: A model of its dynamic nature. *Corrections*, 1(2), 139-153; Worley, R., & Worley, V. (2013). Games guards play: A self-report study of institutional deviance within the Texas Department of Criminal Justice. *Criminal Justice Studies*, 26(1), 115-132; Worley, R., & Worley, V. (2016). The economics of crossing over: Examining the link between correctional officer pay and guard-inmate boundary violations. *Deviant Behaviour*, 37(1), 16-29; Kelly, D., & Potter, J. (2023). Professional boundary violations in prisons: A scoping review of the literature. *Journal of Criminal Psychology*, 13(3), 190-208.

In England and Wales prison staff wrongdoing is defined by HM Prison and Probation Service's (HMPPS) Counter Corruption (CC) Policy 2022 as:

'Any behaviour that falls short of the professional standards of staff. Wrongdoing is a broad category and can be intentional or unintentional. It can encompass staff behaviours such as inadvertently overstepping professional boundaries with prisoners ... bullying and harassment, and the inappropriate use of force as well as corruption' (p. 6).⁸

One of the problems with this definition is that it includes terms which are not themselves defined in the CC policy. Instead, it is necessary to refer to the Conduct and Discipline Policy (PSI 06/2010), the Professional Standards of Behaviour (PSB) guidance and the Civil Service Code to find out what HMPPS means by 'professional boundaries' and 'professional standards.' The PSI and the PSB set out 'values' which staff are expected to act in accordance with. These include general instructions to carry out duties loyally, conscientiously, honestly and with integrity as well as guidance on how to deal with prisoners. Staff are instructed to exercise care to ensure that their dealing with prisoners should not be open to abuse or exploitation on either side while staff relationships with prisoners should be professional. The PSI states that staff should not:

- ❑ Provoke, use unnecessary or unlawful force or assault a prisoner.
- ❑ Use offensive language to a prisoner.
- ❑ Have any sexual involvement with a prisoner.
- ❑ Give prisoners or ex-prisoners personal or other information about staff, prisoners or their friends and relatives which is held in confidence.
- ❑ Have any contact in or outside work with prisoners or ex-prisoners that is not authorised.

Staff wrongdoing is behaviour which violates ethical, moral and formally established rules.

- ❑ Accept any approaches by prisoners for unauthorised information or favours and must report any such incidents.

There is also a short section informing staff that corruption is not acceptable. The more recent PSB (issued in 2024), instructs staff to report wrongdoing and gives further examples of unprofessional behaviour. These include physical and verbal aggression, gaslighting, bullying, harassment, sexual harassment, discrimination and victimisation.

These additional examples in the PSB are no doubt helpful in identifying types of wrongdoing. However, there is no explanation of what 'boundary violations' means in the PSI, the PSB or in the CC policy. It is therefore necessary to consider how this term has been defined by prison researchers. The definition most

widely adopted in prison literature was formulated in 2001 by Marquart, Barnhill and Balshaw-Biddle as those behaviours which 'blur, minimise, or disrupt the professional distance' between prisoners and staff (p. 878).⁹ However, in practice, professional boundaries are not clear cut and part of the skill of being a good prison staff member is recognising where the boundary should be with prisoners, particularly as professional boundaries can vary according to the prisoner and the member of staff.¹⁰

Evidence base for prison staff wrongdoing

Although there is a paucity of academic research into prison staff wrongdoing in England and Wales, this is not to say it has failed to be formally recognised. In 2005, Penfold, Turnbull and Webster completed the first systematic study into prison drug markets. The presence of drugs in prisons was considered to be a major cause of violence, intimidation and corruption. The six main routes for drug importation into prisons identified through the study were social visits, mail, new prisoners, over the perimeter walls (known as 'throw-overs'), returning prisoners after court visits and prison staff.¹¹ A year later the leaked findings of a Metropolitan Police report on prison staff corruption in

8. His Majesty's Prison and Probation Service. (2022). *Counter Corruption and Reporting Wrongdoing Policy Framework*. HMPPS.

9. Marquart, J., Barnhill, M., & Balshaw-Biddle, K. (2001). Fatal attraction: An analysis of employee boundary violations in a southern prison system 1995–1998. *Justice Quarterly*, 18(4), 877–910.

10. Liebling, A., Arnold, H., & Straub, C. (2011). *An exploration of staff-prisoner relationships at HMP Whitemoor: 12 years on. Revised final report*. Cambridge Institute of Criminology.

11. Penfold, C., Turnbull, P., & Webster, R. (2005). *Tackling prison drug markets: An exploratory qualitative study*. Institute for Criminal Policy Research and Home Office.

England and Wales claimed there were at least 1,000 corrupt prison staff and more than 500 inappropriate relationships between staff and prisoners.¹² In the same year Ben Crewe published his ethnographic study on prison drug dealing.¹³ Crewe identified the same methods of drug importation as Penfold and colleagues before concluding that the route which permitted the smuggling of the largest quantities of drugs was through staff corruption.

In early 2008 David Blakey, a former Inspector of Constabulary, was commissioned by the Ministry of Justice to conduct a review into the strategies used by the Prison Service to prevent drugs from entering prisons. Although Blakey did not focus on staff corruption, he confirmed staff corruption was one of the main ways drugs were conveyed into prisons and reported that staff corruption was an ongoing problem for the Prison Service.¹⁴ Soon after this report was published the government created the Prisons Corruption Prevention Unit (CPU) to work alongside the police. Although under-resourced, the CPU formulated policies for identifying corruptors and began to identify staff vulnerabilities to corruption. Unfortunately, due to financial cutbacks the CPU was disbanded in 2011. In the same year Transparency International reported on corruption in the United Kingdom, noting that 'Previous research has indicated that corruption in prisons is both more widespread and deep-rooted than is officially acknowledged' (p. 26).¹⁵ Transparency International went on to conclude that prison corruption had been consistently overlooked by policy makers at the highest level. Despite these warnings, the Prison Service remained in denial for the next five years about the extent of corruption even though prisons were the perfect environment for corruption to flourish.¹⁶

In 2016, the National Offender Management Service (NOMS) launched their CC policy which ran alongside their Reporting Wrongdoing Policy which had been implemented in 2013. The CC policy included a definition of corruption and gave examples of types of corrupt behaviour. A year later NOMS was replaced by

HMPPS which continued to develop the CC Policy based on the 'four Ps' approach drawn from what, at that time, was the Government's Countering Terrorism and the Serious Organised Crime Strategy. This reformulated policy focussed on: protecting against corruption; preventing staff from engaging in corruption; pursuing those involved in corruption and preparing for the consequences of corrupt behaviour. The four Ps approach formed the basis of the Counter Corruption and Reporting Wrongdoing policy Framework issued on 15 April 2019 (reissued 2022). In the same year a specialist task force to tackle staff corruption in prisons was established and funding was released for the Security Investment Programme.

Independent academic research

Research directly addressing prison staff wrongdoing is sparse.

One of the first prison studies which recognised the 'dark side' of prison officers and the challenges of maintaining professional boundaries with prisoners was Sykes's *The Society of Captives* published in 1958. Sykes argued that one of the reasons the authority of prison officers is vulnerable to

corruption is due to their role which necessitated (and still necessitates in most prisons) close contact with prisoners. This can lead to friendship and inappropriate relationships, while the management pressure to achieve a smooth-running prison can lead to reciprocity whereby officers' buy prisoner compliance or obedience at the cost of tolerating disobedience elsewhere. The need to exercise discretion to facilitate the orderly running of the prison cannot, according to Sykes, be avoided. However, such behaviour could be sufficiently serious to render staff vulnerable to blackmail by prisoners.¹⁷

Research directly addressing prison staff wrongdoing is sparse.¹⁸ McCarthy's American research conducted in 1981 remains the only empirical study focussed on prison staff corruption, while McIlwain's Australian research in 2005 is the only study on misconduct between non-custodial prison staff and prisoners.¹⁹ Nevertheless, certain types of wrongdoing

12. BBC News. (2006, 31 July). Many jail staff corrupt – report. *BBC News*.

13. Crewe, B. (2006). Prison drug dealing and the ethnographic lens. *The Howard Journal of Criminal Justice*, 45(4), 347-368.

14. Blakey, D. (2008). *Disrupting the supply of illicit drugs into prisons: A report for the Director General of National Offender Management Service*. Ministry of Justice.

15. Transparency International. (2011). *Corruption in the UK part two: Assessment of key sectors*. Transparency International UK.

16. Podmore, J. (2012). *Out of sight, out of mind: Why Britain's prisons are failing*. Biteback Publishing.

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

18. See footnote 7: Ross, J. (2013); Goldsmith, A., Halsey, M., & Groves, A. (2016). *Tackling Correctional Corruption: An Integrity Promoting Approach*. Palgrave Macmillan.

19. McCarthy, B. (1981). *An exploratory study of corruption in corrections*. PhD Thesis, The Florida State University; McIlwain, G. (2005). *Professional misconduct between non-custodial staff and inmates: A study of Queensland's correctional centres*. PhD Thesis, Griffith University, Queensland.

have attracted some academic interest, in particular the problem of staff boundary violations and inappropriate relationships between staff and prisoners.²⁰ There have also been studies on excessive force and/or violence by prison officers.²¹ Other scholars have explored the links between corruption and contributory factors such as low pay, feeling unsupported or uncared for within the organisation and high levels of work stress.^{22 23 24}

Although this literature provides pieces of a jigsaw to assist in understanding different types of staff behaviour, it is necessary to also consider the specific demands and challenges faced by prison staff which may increase staff propensity to wrongdoing.

Staff-prisoner relationships: The balancing act

Staff behaviour and staff-prisoner relationships have a significant impact on the quality of a prison regime and on prisoners themselves. However, there is a lack of clarity about what the 'right' relationship might be and staff-prisoner relationships can go wrong in different ways as they can be too close, too flexible, too distant and/or too rigid.²⁵ Part of the challenge for prison staff in maintaining the 'right' relationship with prisoners is due to their conflicting roles. Prison staff, particularly officers, have to maintain security and order but also be caring and supportive. In short, they have to be both 'turnkeys'

and 'care bears'.²⁶ Although non-custodial staff do not have the responsibility of 'turnkey', they face the same challenges as custodial staff in setting boundaries with prisoners. Indeed, due to the nature of non-custodial work, McIlwain argues that maintaining professional boundaries can be more challenging for non-custodial staff than it is for officers.²⁷ Consequently all prison staff experience tensions between maintaining good prisoner-staff relationships while also maintaining security, justice and order.²⁸ As Van Dijk, Maesschalck and Daems (2023) concluded:

'[The] everlasting attempt to find a middle ground between being too soft and too harsh ...navigating relationships through the use of discretion, authority and power makes prison work a complex endeavour.' (p. 72).²⁹

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In trying to conceptualise the need to balance the conflicting roles of care and control, Hamilton formulated the Boundary Seesaw Model.³⁰ This model visualises the dynamic nature of boundary management as a seesaw with the care and control roles straddling the pivot. Moving too far away from the pivot 'tips' the seesaw into boundary crossings. At the ends of the seesaw are the extreme roles of excessive control or excessive care which represent boundary violations. In Hamilton's model,

20. Calhoun, A., & Coleman, H. (2002). Female inmates' perspectives on sexual abuse by correctional personnel: an exploratory study. *Women & Criminal Justice*, 13(2-3), 101-124; Worley, R., Marquart, J., & Mullings, J. (2003). Prison guard predators: An analysis of inmates who established inappropriate relationships with prison staff, 1995-1998. *Deviant Behaviour: An Interdisciplinary Journal*, 24(2), 174-194; Cheeseman Dial, K., & Worley R. (2008). Crossing the line: a quantitative analysis of inmate boundary violators in a southern prison system. *American Journal of Criminal Justice*, 33(1), 69-84; Worley, R., & Worley, V. (2011). Guards gone wild: a self-report study of correctional officer misconduct and the effect of institutional deviance on 'care' within the Texas prison system. *Deviant Behaviour*, 32, 293-319; Blackburn, A., Fowler, S., Mullings, J., & Marquart, J. (2011). When boundaries are broken: Inmate perception of correctional staff boundary violations. *Deviant Behaviour*, 32(4), 351-378; see footnote 7: Worley, R., & Worley, V. (2013); Jones, S. (2013). *A portrait of boundary violations: former female employees of corrections who have established a relationship with an inmate* [PhD Thesis]. University of Colorado.
21. Marquart, J. (1986). Prison guards and the use of physical coercion as a mechanism of prisoner control. *Criminology*, 24(2), 347-366; Hemmens, C., & Stohr, M. (2001). Correctional staff attitudes regarding the use of force in corrections. *Corrections Management Quarterly*, 5(2), 27-40.
22. See footnote 7: Worley, R., & Worley, V. (2013).
23. Souryal, S. (2009.) Deterring corruption by prison personnel: A principle-based perspective. *The Prison Journal*, 89(1), 21-45; See footnote 7: Worley, R., & Worley, V. (2016).
24. Mahfood, V., Pollock, W., & Longmire, D. (2013). Leave it at the gate: job stress and satisfaction in correctional staff. *Criminal Justice Studies*, 26(3), 308-325; See footnote 7: Worley, R., & Worley, V. (2013); See footnote 7: Worley, R., & Worley, V. (2016); Worley, R., Worley, V., & Hsu, H. (2018). Can I trust my co-worker? Examining correction officers' perceptions of staff-inmate inappropriate relationships within a southern penitentiary system. *Deviant Behaviour*, 39(3), 332-346.
25. Liebling, A., Price, D., & Shefer, G. (2012). *The Prison Officer* (2nd ed). Routledge.
26. Tait, S. (2008). Care and the prison officer: Beyond 'turnkeys' and 'care bears'. *Prison Service Journal*, 180, 30-11.
27. See footnote 19: McIlwain, G. (2005).
28. Liebling, A., & Arnold, H. (2004). *Prisons and Their Moral Performance*. Oxford University Press.
29. Van Dijk, M., Maesschalck, J., & Daems, T. (2023). Beyond custody versus care: understanding the ethical dilemmas of prison officers in Belgium. *European Journal on Criminal Policy and Research*, 29, 71-89.
30. Hamilton, L. (2010). The boundary seesaw model: good fences make for good neighbours. In A. Tennant, & K. Howells (Eds.), *Using time, not doing time*. Wiley-Blackwell.

there are boundary shifts such as treating a prisoner differently by relaxing the rules for them, using nicknames or familiar terms. There are also boundary crossings whereby a prisoner is singled out for special attention (punishment or care) and boundary violations which involve inappropriate relationships, trafficking, breaching physical and procedural security, exploiting and/or abusing the prisoner. In the context of a prison, maintaining a position on the seesaw pivot of care and control can be challenging, not only are there no clearly defined boundaries but even a minor boundary violation has the potential to lead to more serious wrongdoing.³¹

Managing the contradiction between 'turnkey and care bear' tests the skill of prison staff to maintain their position on the seesaw pivot while the consequences of boundary shifts can be significant. For example, sharing food with a colleague would not generally violate any normal work rules but sharing food with a prisoner can have serious repercussions.³² Not only can the sharing of food cause jealousy between different prisoner groups because of perceived favouritism, it can also compromise the staff member's position if sharing food with a prisoner is against prison policy.³³ Consequently this simple act which could be motivated by 'good' reasons, might lead to a friendship which can have the effect of blurring the professional boundaries and be a gateway to boundary violations or be a way in which a prisoner is able to blackmail a staff member by threatening to report the rule breaking.³⁴

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Boundary violations and inappropriate relationships

Boundary violations require special attention in prisons due to the power imbalances in the relationship between prisoners and staff.³⁵ One key problem for prison staff is that not only are there no clearly defined boundaries in prisons, but static boundaries do not exist, and this ambiguity may lead to boundary blurring.³⁶

There has been no research in England and Wales focussed on prisoner/staff boundary violations but there have been studies in the United States examining the factors which facilitate boundary violations and how they can lead to serious wrongdoing.³⁷ Many of these studies were based on the same data set obtained from

Texan prisons and either authored or co-authored by Robert Worley, so their findings might not be generalisable but they are, nevertheless, still relevant.

Boundary violations include behaviours such as physical or sexual abuse of prisoners and bringing contraband into the prison, but they can also include ignoring minor inmate violations or ignoring prisoners altogether.³⁸

They range from letting prisoners break rules, to contacting prisoners' families on their behalf, to trafficking contraband and entering into sexual relationships.^{39 40 41 42} Researchers have suggested that poor supervision, low hiring standards, lack of training and the stressful nature of prison work contribute to an increased prevalence of boundary violations.⁴³

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31. See footnote 9: Marquart, J., Barnhill, M., & Balshaw-Biddle, K. (2001); Cheeseman, K., & Worley, R. (2006). Women on the wing: inmate perceptions about female correction officer job competency in a Southern prison system. *Southwest Journal of Criminal Justice*, 3(2), 86-106; See footnote 7: Worley, R., & Worley, V. (2013).
32. See footnote 20: Jones, S. (2013).
33. In the Category B local prisons in which the author's research was conducted, sharing food with a prisoner was against policy. However, this policy may differ across the prison estate.
34. See footnote 20: Blackburn, A., Fowler, S., Mullings, J., & Marquart, J. (2011).
35. Cooke, B., Ryan, M., Hall, W., Hatters Friedman, S., Abhishek, J., & Wagoner, R. (2019). Professional boundaries in corrections. *American Academy of Psychiatry and the Law*, 47(1), 1-8.
36. See footnote 20: Blackburn, A., Fowler, S., Mullings, J., & Marquart, J. (2011).
37. For example: see footnote 9: Marquart, J., Barnhill, M., & Balshaw-Biddle, K. (2001); See footnote 20: Calhoun, A., & Coleman, H. (2002); See footnote 20: Worley, R., Marquart, J., & Mullings, J. (2003); Worley, R., & Cheeseman, K. (2006) Guards as embezzlers: the consequences of 'nonshareable problems; in prison settings. *Deviant Behaviour*, 27, 203-222; See footnote 20: Jones, S. (2013); See footnote 7: Worley, R., & Worley, V. (2013); See footnote 7: Worley, R., & Worley, V. (2016).
38. See footnote 20: Blackburn, A., Fowler, S., Mullings, J., & Marquart, J. (2011).
39. See footnote 20: Blackburn, A., Fowler, S., Mullings, J., & Marquart, J. (2011).
40. See footnote 9: Marquart, J., Barnhill, M., & Balshaw-Biddle, K. (2001); See footnote 20: Cheeseman Dial, K., & Worley R. (2008).
41. Peterson, B., Deuk Kim, K., & Shukla, R. (2024). The sociology of contraband: examining the correlates of illicit drugs, cellphones and weapons in U.S. prisons. *The Prison Journal*, 104(3), 365-389; Peterson, B., & Kim, K. (2024). Staff as a conduit for contraband: developing and testing key assumptions of professional boundary violations in prison. *Deviant Behaviour*, (online).
42. See footnote 20: Worley, R., Marquart, J., & Mullings, J. (2003); See footnote 18: Jones, S. (2013); See footnote 24: Worley, R., Worley, V., & Hsu, H. (2018).
43. See footnote 7: Marquart, J., Barnhill, M., & Balshaw-Biddle, K. (2001); Lambert, E., Hogan N., & Tucker, K. (2009). Problems at work: Exploring the correlates of role stress among correctional staff. *The Prison Journal*, 89(4), 460-481; See footnote 7: Worley, R., & Worley, V. (2013); See footnote 22: Mahfood, V., Pollock, W., & Longmire, D. (2013).

One type of boundary violation which has been researched more widely than others are inappropriate relationships.⁴⁴ Inappropriate relationships have been defined as:

‘Personal relationships between employees and inmates/clients or with family members of inmates/clients. This behaviour is usually sexual or economic in nature and has the potential to jeopardize the security of a prison institution or compromise the integrity of a correctional employee.’ (p.179).⁴⁵

The risk of inappropriate relationships between staff and prisoners, particularly female prison officers with male prisoners has also been the subject of media interest.⁴⁶ Although some research suggests female officers may have a calming effect on male prisoners and be more successful than men in diffusing confrontational situations, others have argued that the presence of female officers in male prisons and male officers in female prisons increases opportunities for inappropriate behaviours.^{47 48} Researchers who analysed demographic factors in studies on prison staff wrongdoing found the staff most at risk were female, single, younger, less educated and inexperienced.⁴⁹

Replies from the Ministry of Justice to Freedom of Information requests made by the writer reveal that the number of prison officers (including Officer Support Grades) investigated for inappropriate relationships with prisoners has increased from 43 in 2019/20 to 49 in 2023/24. It is a reasonable assumption that these

figures are just the ‘tip of the iceberg’ and do not truly represent the extent of inappropriate relationships between prison staff and prisoners in England and Wales. Whether inappropriate prisoner relationships are with custodial or non-custodial staff, they blur professional boundaries and can often be the starting point for various forms of prison staff corruption.⁵⁰ Additional research on this aspect of staff wrongdoing is sorely needed.

One grey area: The use of discretion

As Sykes and Liebling, Price and Shefer note it would be impossible for all prison rules to be enforced all of the time.^{51 52} Prison staff therefore have the power to use discretion to judge situations and to allow for flexibility around rule enforcement. Consequently the rigidity of professional boundaries and rules are often bent in an effort to be more efficient and to make life easier for the staff.⁵³ This can lead to uncertainty around professional boundaries particularly in the implementation of prison policies and procedures.⁵⁴

This discretion means that prison staff can, on a daily basis, ignore minor rule infractions, give some prisoners more favourable treatment than others, determine privilege levels and contribute to reports on prisoners. Crewe describes this ‘soft power’ (p. 455) as working through psychological as well as physical means and gripping as tightly as coercive or authoritarian power.⁵⁵ However, whilst the under-enforcement of rules can facilitate the smooth running of the prison, it can also result in a lack of clear

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44. See footnote 9: Marquart, J., Barnhill, M., & Balshaw-Biddle, K. (2001); See footnote 20: Calhoun, A., & Coleman, H. (2002); See footnote 20: Worley, R., Marquart, J., & Mullings, J. (2003); See footnote 20: Cheeseman Dial, K., & Worley R. (2008); See footnote 7: Worley, R., & Worley, V. (2013).
45. See footnote 20: Worley, R., Marquart, J., & Mullings, J. (2003).
46. For example, see: Bazararaa, D. (2020, 7 September). Female prison guard arrested after being ‘caught having sex with rapist inmate’. *The Mirror*; Lavery, M. (2021, 16 January). Prison officer who sent sexual images of herself to teenage inmates and smuggled in parcels is jailed. *Yorkshire Evening Post*; Gibson, S. (2022, 20 May). Woman prison officer caught in relationship with killer inmate – who stabbed his wife 58 times. *Leicester Mercury*; Rogers, J. (2023 3 January). Forbidden romance. *The Sun*.
47. See footnote 31: Cheeseman, K., & Worley, R. (2006).
48. See footnote 7: Worley, R., & Worley, V. (2016).
49. See footnote 9: Marquart, J., Barnhill, M., & Balshaw-Biddle, K. (2001); Worley, R., Lambert, E., & Worley, V. (2019). I can’t get no satisfaction! An examination of correctional officers’ perceptions of staff-inmate boundary violations and willingness to follow institutional rules within the Texas Department of Criminal Justice. *Deviant Behaviour*, 40(8), 1007-1019; Boateng, F., & Hsie, M. L. (2019). Misconduct within the ‘four walls’: does organisational justice matter in explaining prison officers’ misconduct and job stress? *International Journal of Offender Therapy and Comparative Criminology*, 63(2), 289-308; Worley, R., Worley, V., & Lambert, E. (2021). Deepening the guard-inmate divide: an exploratory analysis of the relationship between staff-inmate boundary violations and officer attitudes regarding the mistreatment of prisoners. *Deviant Behaviour*, 42(4), 503-517.
50. See footnote 9: Marquart, J., Barnhill, M., & Balshaw-Biddle, K. (2001); See footnote 20: Worley, R., Marquart, J., & Mullings, J. (2003); See footnote 31: Cheeseman, K., & Worley, R. (2006); See footnote 7: Worley, R., & Worley, V. (2013); Goldsmith, A., & Halsey, M. (2018). *Literature review: correctional corruption*. Flinders University: Centre for Crime and Policy Research.
51. See footnote 17: Sykes, G. (1958).
52. See footnote 25: Liebling, A., Price, D., & Shefer, G. (2012).
53. Crawley, E. (2000). *The social world of the English prison officer: a study in occupational culture* [PhD Thesis]. Keele University.
54. McCarthy, B. (1984). Keeping an eye on the keeper: Prison corruption and its control. *The Prison Journal*, 64, 113-125; McCarthy, B. (1984). Patterns of prison corruption. *Corrections Today*, 46, 88-108; See footnote 53: Crawley, E. (2000.); Liebling, A. (2000). Prison officers, policing and the use of discretion. *Theoretical Criminology*, 4(3), 333-357; Stohr, M., Hemmens, C., Marsh, R., Barrier, G., & Palhegyi, D. (2000). Can’t scale this? The ethical parameters of correctional work. *The Prison Journal*, 80(1), 56-79; See footnote 25: Liebling, A., Price, D., & Shefer, G. (2012); Liebling, A., & Kant, D. (2016). The two cultures: Correctional officers and key differences in institutional climate. In: J. Wooldredge & P. Smith (Eds.), *The Oxford Handbook of Prison and Imprisonment*.
55. Crewe, B., Liebling, A., & Hulley, S. (2011). Staff culture, use of authority and prisoner quality of life in public and private sector prisons. *Australian and New Zealand Journal of Criminology*, 44(1), 94-115.

professional boundaries. There is also the risk that where staff underuse their power to maintain good relationships, they can be perceived as too friendly, and this can come at the expense of safety and control.⁵⁶ So 'the underuse of power can be as treacherous in its outcomes as the overuse of power' (p. 25).⁵⁷

This discretionary power means there are ample incentives and opportunities for wrongdoing. As a result, discretion can function for or against legitimacy, where 'legitimacy' is a perception that the arrangements, procedures and processes a person is subject to are appropriate and fair.^{58 59} Where discretion is unfettered or the prevailing culture of a prison is punitive or indifferent, staff may misuse their discretion.⁶⁰ The question therefore arises as to what are the 'right reasons' for prison staff to exercise their discretion and to 'bend' the rules? Liebling and colleagues conclude that decisions are informed by individual interpretation, knowledge, values, experience and relationships.⁶¹ In the absence of clear guidance, discretion should not be exercised in an arbitrary way and it is for senior managers to provide guidance as to the values and principles on which the exercise of discretion should be based.⁶²

Staff stress

Prison staff work in environments which are challenging, stressful and dangerous with a high risk of physical assault and verbal abuse from prisoners.⁶³ A growing body of literature over the past forty years has

Poor supervision,
low hiring
standards, lack of
training and the
stressful nature of
prison work
contribute to an
increased
prevalence of
boundary violations.

found that various factors such as role overload, poor supervision, a lack of organisational support and a lack of input into decision making are related to job stress and low job satisfaction among prison staff.⁶⁴ The need to comply with numerous policies and procedures, (which, if not followed could result in serious repercussions), and a feeling of being undervalued by the prison management and colleagues all contribute to high stress levels in a prison workforce.⁶⁵ It is therefore unsurprising that prison officers have lower rates of physical and mental health compared to their counterparts working elsewhere in criminal justice and security occupations.⁶⁶ These factors have an impact on levels of staff wrongdoing. There have been a number of studies which have established that high levels of job

stress are associated with inappropriate relationships with prisoners, high turnover of staff, high absenteeism, low staff morale and lower organisational commitment.⁶⁷ Furthermore, if poor management permits organisational wrongdoing to exist within a prison, it can become normalised to the point that prison staff are more likely to engage in wrongdoing.⁶⁸

Within institutions, the concepts of justice, fairness and equity are essential components of organisational justice and are the basis of institutional effectiveness.⁶⁹ If staff perceive that salary, promotion,

recognition and evaluation reflects the work input and that work processes are transparent and fair, they are less likely to experience work stress and be more rule compliant.⁷⁰ In their empirical study, Boateng and Hsieh

56. Crewe, B., Liebling, A., & Hulley, S. (2015). Staff-prisoner relationships, staff professionalism and the use of authority in public and private sector prisons. *Law and Social Inquiry*, 40(2), 309-344.
57. See footnote 54: Liebling, A., & Kant, D. (2016).
58. Liebling, A. (2000). Prison officers, policing and the use of discretion. *Theoretical Criminology*, 4(3), 333-357.
59. Franke, D., Bierie, D., & Mackenzie, D. (2010.) Legitimacy in corrections. *Criminology & Public Policy*, 9(1), 89-117.
60. Crewe, B. (2008). Concluding comments on the social world of prison staff. In J. Bennett, B. Crewe, & A. Wahidin (Eds.), *Understanding prison staff*. Willan Publishing.
61. See footnote 25: Liebling, A., Price, D., & Shefer, G. (2012).
62. See footnote 25: Liebling, A., Price, D., & Shefer, G. (2012).
63. Armstrong, G. & Griffin, M. (2004). Does doing the job matter? Comparing correlates of stress among treatment and correctional staff in prisons. *Journal of Criminal Justice*, 32(6), 577-592; See footnote 43: Lambert, E., Hogan N., & Tucker, K. (2009); Garland, B., Hogan N., & Lambert, E. (2012). Antecedents of role stress among correctional staff: A replication and expansion. *Criminal Justice Policy Review*, 24(5), 527-550; Kinman, G., Clements, A., & Hart, J. (2016). Work-related wellbeing in UK prison officers: A benchmarking approach. *International Journal of Workplace Health Management*, 9(3), 290-307; Clements, A., & Kinman, G. (2021). Job demands, organisational justice and emotional exhaustion in prison officers. *Criminal Justice Studies*, 34(4), 441-458.
64. See footnote 63: Armstrong, G., & Griffin, M. (2004); See footnote 43: Lambert, E., Hogan N., & Tucker, K. (2009).
65. See footnote 63: Armstrong, G., & Griffin, M. (2004); Lambert, E. (2004). The impact of job characteristics on correctional staff members. *The Prison Journal*, 84, 208-227; See footnote 43: Lambert, E., Hogan N., & Tucker, K. (2009); See footnote 63: Clements, A., & Kinman, G. (2021).
66. Clements, A., & Kinman, G. (2023). Wellbeing in UK prison officers: Key factors. *Prison Service Journal*, 268, 17-22.
67. See footnote 63: Armstrong, G., & Griffin, M. (2004); See footnote 43: Lambert, E., Hogan N., & Tucker, K. (2009); See footnote 24: Mahfood, V., Pollock, W., & Longmire, D. (2013); See footnote 7: Worley, R., & Worley, V. (2013); Worley, R., & Worley, V. (2016); See footnote 24: Worley, R., Worley, V., & Hsu, H. (2018).
68. See footnote 7: Worley, R., & Worley, V. (2013).
69. See footnote 49: Boateng, F., & Hsie, M. L. (2019).

(2019) observed the significant impact which organisational justice, job satisfaction and organisational commitment had on prison officers' wrongdoing. They found that perceptions of low organisational justice, low job satisfaction and low job commitment were all predictive of a greater potential to engage in wrongdoing.⁷¹

There are also individual factors which have been identified as increasing vulnerability to wrongdoing. Studies have found that a lack of support from peers, and/or family as well as managers is positively correlated with higher levels of wrongdoing and a perception that other colleagues are engaged in wrongdoing.^{72 73} Individual problems such as financial difficulties and relationship breakdowns also increase the risk of staff wrongdoing.⁷⁴ However, these factors do not affect everyone equally; some individuals will respond to them by engaging in wrongdoing and others will resist. Prior life experience and perception of how likely the wrongdoing will be discovered will also influence decision making. The difference for prison staff is that, due to the closed environment of a prison, those staff experiencing stress, financial and/or personal difficulties are more likely to be noticed by prisoners who have ample time to observe staff behaviour, thereby enabling them to target vulnerable staff. This can, in turn, lead to manipulation by prisoners and staff corruption.⁷⁵

Conclusions

Any attempt to reduce prison staff wrongdoing, particularly serious wrongdoing, should not be based on the assumption that removing or deterring the 'rotten apples' will solve the problem. This review has drawn together some of the wider literature which can assist in understanding why some staff engage in wrongdoing. Although it can be argued that prison staff are individuals who decide whether or not to engage in wrongdoing, it cannot be assumed they are 'rational offenders' who make decisions solely on a cost:benefit analysis or that individuals make decisions solely due to their personal circumstances. Instead, it is essential to also take into consideration organisational and societal factors which may increase staff vulnerability to engage in wrongdoing.

The literature reviewed in this paper underpinned research which explored the reasons why prison staff engage in wrongdoing, identified the factors which the staff themselves thought increased vulnerability,

developed a typology of wrongdoing and highlighted the barriers to reporting wrongdoing. Apart from highlighting the need for additional research, the following policy recommendations were made to HMPPS:

1. Improve recruitment and vetting to ensure suitable people are appointed and increase the minimum age of prison staff to 21, so more staff have the life skills, personal confidence and maturity required to deal with the adverse conditions and challenging prisoners they will encounter.
2. Improve training. Staff need to know what the rules are and understand why they are important. They also need to have a greater understanding of the risks and potential harm of wrongdoing, and how even minor infractions can undermine legitimacy.
3. Increase staff support. Prison staff need to feel valued, appreciated and understood — by their managers and society. They need to be supported through having a sufficient number of colleagues and managers so they feel safe in their work, to have greater staffing experience on the wings to offer guidance and they need to be suitably reimbursed.
4. Increase manager support. Strong ethical leadership is essential in any organisation. Leaders need to display integrity, communicate and emphasise ethical standards and be trusted. However, prison managers (including uniformed managers) are the 'squeezed middle' so they too need to be given additional support.
5. Focus on reducing all types of wrongdoing. Situational crime prevention methods for both prison staff and visitors give a clear message that trafficking of contraband is being 'dealt with' and may increase accountability but it can also send the message that prison staff cannot be trusted and create further divisions. Instead, a more strategic approach should focus on reducing all types of wrongdoing so that early indicators of wrongdoing can be addressed to reduce the risk of minor wrongdoing progressing to more serious wrongdoing.

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70. See footnote 43: Lambert, E., Hogan N., & Tucker, K. (2009).

71. See footnote 49: Boateng, F., & Hsie, M. L. (2019).

72. See footnote 7: Worley, R., & Worley, V. (2013); Worley, R., & Worley, V. (2016).

73. See footnote 49: Worley, R., Worley, V., & Lambert, E. (2021).

74. See footnote 37: Worley, R., & Cheeseman, K. (2006).

75. Allen, B., & Bosta, D. (1981). *Games criminals play: How you can profit by knowing them*. Rae John Publishers; Elliott, W. (2006). Power and control tactics employed by prison inmates: A case study. *Federal Probation*, 70(1), 45–48; See footnote 37: Worley, R., & Cheeseman, K. (2006); Cornelius, G. (2009). *The art of the con: avoiding offender manipulation* (2nd ed). American Correctional Association.