

Book Review

The Older Prisoner

By Diète Humblet

Publisher: Palgrave Macmillan (2021)

ISBN: 978-3-030-60119-5

Price: £109.99

Reviewer: **Karen Harrison** is a Professor of Law and Penal Justice at Lincoln Law School, University of Lincoln.

The older or elderly offender in prison is an often-neglected research area, with such offenders described as “the forgotten minority” and having “double minority status” (p. 3) in the sense that they are older and also criminals. This has led many to describe this population as “doubly disadvantaged” (p. 3), as in addition to having to cope with the prison environment they must do so with greater morbidity and greater complex health needs. Despite the existence of some academic work,¹ there is still a huge gap in the literature, and so a book which devotes itself to this subject area is both timely and important. Part of the Palgrave Studies in Prisons and Penology Series, *The Older Prisoner*, by Diète Humblet is an exploration of how older prisoners experience prison life with a particular emphasis on two prison units in Belgium.

As with many other countries around the world, Belgium has seen a rise in the number of older prisoners and so the author was interested in charting what the prison experience was like for this specific subset of the prison population. In her ethnographic study, she focused on two prison sites spending eight months in prison 1 and four months in prison 2. Described in more detail

in the book, prison 1 is one of the largest prisons in Belgium and integrates older prisoners on the main prison wings. In prison 2, however, “frail, older and ill or disabled” (p. 7) prisoners live on a gero-medical unit and in this way are segregated from the main prison population. Data was collected through the author engaging with 20 older prisoners (of which the majority were men) and speaking to 30 prison officers, 10 nurses and several younger prisoners, including those who undertook a prisoner-servant role. The book, which presents the findings of this ethnographic study, is divided into 7 chapters. The first, the introduction, looks at some of the academic literature which is currently available and outlines the basis of the research project. Chapter 2 looks at the academic literature on how we understand older prisoners, while chapters 3 and 4 detail how older prisoners experience life in prison. Chapters 5 and 6 then look at how older prisoners have integrated these experiences into their lives and then finally chapter 7 concludes and brings the main points of the research together.

Chapter 2 begins by trying to clearly define who the older prisoner is and for the purposes of this study, classifies the older prisoner as being someone who had reached or were above the age of 65. What is really interesting about this chapter, however, is how it looks at age, not just from a chronological point of view but also from a number of other factors. So, for example it talks about

how we can be aged by our biological or physiological factors, our functional age, our social age and/or our psychological age. In short, while it does use chronological age (because that is how the prison system ages people) this can be problematic because you can have a young 75-year-old and an old 60-year-old. The chapter also talks about the “pain quotient” (p. 24) which describes the hurdles that must be overcome to make life in prison bearable. This, it is argued, is dependent on the time left to be served and the time left to live. The knowledge that time is running out, therefore makes the experience of older prisoners distinctive when compared to their younger counterparts. The chapter ends by looking at prison design and regimes and argues that both of these are designed for younger prisoners. In many cases this leads to what Crawley² calls institutional thoughtlessness, when it comes to accommodating older prisoners. When coupled with institutional ageism, which whilst often unintentional, nevertheless negatively impacts on older prisoners, this again makes their prison experience distinctive.

One of the key questions in this study is whether older prisoners should be segregated from the main prison estate, and it is this question which the remainder of the book largely focuses on. In chapter 3, we are introduced to the two prison sites in much more detail, with the chapter focusing on “the lived space” (p. 108) and how this space is

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1. For example, see: Chu, V. (2016). *Greying behind bars: The Older Male Offender's Experience of Prison Life and Preparations for resettlement*; available at: <https://howardleague.org/wp-content/uploads/2017/02/Greying-Behind-Bars.pdf>; Crawley & Sparks (2005). Hidden Injuries? Researching the Experiences of Older Men in English Prisons. *The Howard Journal*, 44(4), 345-356; Wahidin & Aday (2005). The Needs of Older Men and Women in the Criminal Justice System: An International Perspective. *Prison Service Journal*, 160, 13-22.
 2. Crawley, E. (2005). Institutional Thoughtlessness in Prisons and its Impacts on the Day-to-Day Lives of Elderly Men. *Journal of Contemporary Justice*, 21(4), 350-363.

experienced by the research participants. In prison 1, all had their own cell which offered some privacy and space to which they could withdraw. This was in direct contrast to prison 2, where many of them only had the perimeter of their hospital bed, with them having to pull their blankets up over their heads in order to get some privacy. Prison 1 was not adapted at all for those who had mobility problems or were in wheelchairs and there was very little natural light. Facilities were better in prison 2 but not all of these were accessible to those who had mobility issues and often prison officers did not see it their role to help the prisoners move around the unit. Chapter 4 then moves on to look at how older prisoners are perceived and treated by the prison as an institution, prison staff, and also the other prisoners. On the whole while the participants were critical of the system (citing many examples of institutional thoughtlessness), most saw the prison officers as individuals and on the whole were positive about them. For some the lack of conflict was because they held their tongue and knew that going up against the officers was pointless. This was in direct contrast to how the prison officers in prison 1 viewed older prisoners, with them treating them all the same, regardless of functional differences. While this attitude was slightly better in prison 2, even there the men were treated as a "homogenous bloc" (p.140), with for example, most of the activities designed to help those who had dementia or memory problems. Across both sites the good older prisoner was seen as someone who didn't require much attention with older prisoners on the whole seen as second-class citizens. Relationships with other prisoners could also be strained, with older prisoners in the mixed wings often distancing themselves from other negatively constructed groups such as drug addicts, younger prisoners, and

foreign national prisoners. On both units, many kept themselves to themselves, preferring solitude to companionship. Where the participants did find people that they could pass their time with, these were not classed as friends. Importantly, the study refutes the previous literature which suggests that if older prisoners are segregated, they will form strong amical relationships.

Chapters 5 and 6 then look at how older prisoners cope and thrive in prison. In terms of coping, it is noted how on the whole the participants were calmer and more accepting of their situation. Many had few or small social networks outside of prison, with the majority having already lost their parents and some their spouses. While volunteers helped to fill this gap, many remarked on how time passed quickly for them and how when compared to others they weren't that badly off. For some, drawing on previous life experiences of being at boarding school or in the military helped. Some, however, were able to do more than just survive, with the author exploring the concept of generativity, i.e., what is passed onto the next generation. She notes how for some there was a generative motive for taking part in the research, with them knowing that they would not live to see any potential changes. Some took on generative roles such as advice giver, or the parent/grandparent figure; with such roles much more difficult when older prisoners were segregated from the main prison estate.

The conclusions from this book are many but to include some of the most important ones: older prisoners are heterogenous, chronological age is less important than individual factors, there are additional pains of imprisonment for older prisoners and segregating older prisoners takes away their ability to engage in generative activities. This is a really important book, and I would

recommend to all those who work in prisons and those interested in both gerontology (study of aging) and penology. It is well written, easy to follow and will be of interest to academics, practitioners, and students alike.

Doing Indefinite Time: An Ethnography of Long-Term Imprisonment in Switzerland

By Irene Marti

Publisher: Palgrave Macmillan

ISBN: 978-3-031-12592-8

(Paperback) 978-3-031-12589-8

(Hardback)

Price: £34.99 (Paperback) £44.99

(Hardback)

Reviewer: Lynn Saunders OBE is Professor of Applied Criminology at the University of Derby and a former Governing Governor in England and Wales.

Doing Indefinite Time is a fascinating and powerful exploration of the experiences of people detained in two closed prisons in Switzerland. Prisoners who are considered to be 'dangerous' and of posing an 'undue risk' to society, are likely to be detained for the rest of their lives in secure prisons.

The numerous photographs (some apparently taken by the prisoners themselves) add to the clear and inciteful descriptions of the physical layout of prisoner's cells, their work and recreation areas. The reader can almost envision themselves as a visitor to the prisons.

The author completed this ethnographic study as part of her PhD. It considers the experiences of elderly and ill people serving indefinite sentences and how the uncertainty about their future has an impact on how they manage to survive their existence.

Switzerland, in keeping with many western countries in recent years, has taken steps to detain people convicted of very serious

sexual and violent crimes indefinitely. However, as the author outlines most of the research into long term imprisonment has been confined to North America and the UK and has focussed on how prisoners find ways of coping with their predicament, by making their sentences meaningful by dealing productively with the time they have. She correctly points out that few of these are focused on those people who are sentenced indeterminately.

The author aims to 'move the analytic lens away from the familiar framework of power and resistance towards a phenomenological and pragmatist perspective' (p.10) using 'space time and embodiment' as key concepts. She also comments that her interest is not focussed on 'end of life' as 'living life'.

In order to gain an insight into the lived experience of those serving indeterminate sentences the author explains how she 'worked, played games or music, walked round, had lunch, coffee breaks and waited with prisoners'. She was, she says, 'sensing with' which involved 'feeling with' (p.15). In total she spent 155 days in two prisons, including 4 one-month periods in the prisons. She explains that she was given a telephone and keys and could move freely around the prison, was assigned tasks such as escorting prisoners and administrative work. This access and flexibility meant that she was able to see prisoners as 'people' and to look at prison differently, not as 'bad' or 'dehumanising'.

The book also explores the views of 10 staff members and 5 members of the enforcement authorities. She describes speaking to prisoners during walking tours of 'their' prison, during which she took photographs to illustrate the points they highlighted in their discussions.

In the second chapter the legal basis for indefinite detention in Switzerland is explained, together with the nature of in-patient

therapeutic treatment and mental disorder. The book explains that the Swiss Criminal Code (SCC) distinguishes between a prison sentence and a 'measure' which could be to provide therapy or ensure public security. The types of crime (intentional homicide, serious assault, or those crimes that have caused or are intended to cause serious detriment to the physical, psychological or sexual integrity of another person) and if a high risk of reoffending has been identified due to a) personality traits of the offender or b) a permanent or long-term mental disorder, played a role in the offence and it is not expected that imposing a therapeutic measure will be successful (p.48). The book outlines that in 2018, 144 people out of a total of a 7000-prison population were identified in this way.

The third chapter examines the theoretical framework of the experience of imprisonment using the concepts of space time and embodiment. The author aims to 'build a bridge between the studies in carceral geography and criminology' (p.96). She explores and utilises the three distinct areas in Swiss prison regimes - work time, resting time and leisure time - and uses this as a basis for her analysis. She concludes that it is important to understand that the prison is not a 'static container' that holds people, but is a formally established set of arrangements and (clock) time that is lived. She also comments that previous studies labelling prisoners' engagement with imprisonment as resistance, coping, or adaptation suggests that the prison space is a problem rather than a resource. Her observations take into account both the regime and culture of the prison as well as its everyday routines, rhythms and surroundings and how these factors affect an individual's experience of indefinite detention.

Chapters four to six are devoted to prisoners' lived experience of prison life and their

individual ways of dealing with indefinite time. Chapter 4 explores prisoners' experiences of being in the prison cell, chapter 5 their experiences of work and chapter 6 focuses on leisure time, which includes visits, sport education and outside 'courtyard' activities.

The book highlights the prison cell as the place where people spend most of their time, alone, and she suggests that it is 'the crucial context for the foundation and maintenance of the prisoner's sense of self and personal integrity'. The author suggests that 'prisoners' ways of arranging their cells are shaped by their personal attitudes toward their uncertain future' (P.180). She suggests that those people who try to accept their imprisonment concentrate on the present and turn their cell into a home, and those who continue to hope and fight for their release reflect this by suggesting that the cell is a place where they currently 'have to be' rather than making themselves comfortable. There are also a number of insights into the different regime and security concerns and staff/prisoner relationships, the importance for some people to have a view of the outside world, and for others to block it out.

Chapter five considers the importance of work and relationships with the 'foreman' of the prison work areas and how these relationships are an important reference point for long term prisoners. The author suggests that as a recognised and appreciated worker they may (re) gain 'the feeling of being unique as well as still a member of society'.

The chapter also explains how much prisoners are paid for their work (the equivalent of approximately £22 per day) and how prisoners are expected to save for their eventual release. The contrast with other penal regimes in other countries is fascinating. Again, photographs of the work areas

provide insight into the inner working of the prison and the actual experiences of prisoners.

Chapter six focuses on prisoners' use of leisure time, such as sports or education. The author describes the mood of the wing as 'relaxed' and 'filled with the sound of music and the smell of food' during leisure periods (p.238). She explains what leisure time consists of in Swiss prisons. This includes a daily walk of one hour, going to the gym, yoga, political education, language, or music classes. Access to the library, computers or games consoles, and access to nature (the courtyard) are also features of leisure time (p.248). Interestingly the author says that she associated time in the courtyard as the opportunity for a sense of freedom for prisoners, but some people suggested that it was a place where they experienced harassment due to other prisoners' views of their offences. Other activities for older people include cooking classes, playing cards and crafting sessions. Prisoners were also allowed visits, although 8 of the 32 people in the research did not receive visits, and the rather liberal view of the prison management to sexual activity between visitors and prisoners in the visits toilets was something of a contrast to contact between visitors and prisoners in prisons in England and Wales.

This enjoyable book provides an important insight into the experiences of people serving indeterminate sentences in Switzerland. It's use of photographs and detail about the intimacy of prison life provides an interesting and enlightening opportunity to those working and studying other penal systems to compare and contrast their knowledge and experience with that of the Swiss system.

The Stains of Imprisonment. Moral communication and men convicted of sex offenses

By Alice levins
Publisher: University of California Press (2023)
ISBN: 9780520383715
Price: £30 but available as open access at:

(<https://luminosoa.org/site/books/m/10.1525/luminos.143/>)

Reviewer: **Karen Harrison** is a Professor of Law and Penal Justice at Lincoln Law School, University of Lincoln.

In the wake of a number of historical sexual abuse scandals, the #MeToo movement and a general increase in the support of and belief in sexual abuse allegations, the number of men who have been convicted of sexual offences has dramatically increased in the last decade or so. This has meant that the proportion of convicted sex offenders in the prison system, in England and Wales, has increased, with this leading to a number of prisons functioning as sex-offender only prisons. HMP Stafford, the subject matter of this book, is one such prison. *The Stains of Imprisonment* is therefore a very timely book looking at the function of sex offender prisons but also importantly how they act as moral communicators.

The first chapter of the book begins by detailing the backdrop of carceral feminism, in terms of explaining why we use prison to punish those who commit serious crimes. In this sense, the book is a rich account "of one of the worlds created by the feminist push for punishment . . . [including] what it communicates to prisoners about their offending and their moral status" (p. 7). In short, the book is looking at what messages prisons send to those it detains, with the study here interested specifically in what messages are sent to men who have been convicted of sexual offences. The book argues that Stafford functioned as a morally communicative institution, in that it said something to prisoners about who they were and what they had done. Being punished at Stafford,

therefore, "imparted an exclusionary and stigmatising message – that you are an inherent sexual offender, a bad person, a dangerous object – with the effect that most prisoners focused their energy on challenging the label rather than engaging with the moral connotations, meaning and effect of the offense" (p. 8).

Chapter 2 then goes on to introduce in more detail the methodology of the study, including HMP Stafford and the concept of moral communication, with the idea of staining being first introduced. In brief, the prisoners knew that their imprisonment was a condemnatory response to their crime and that this was at its highest when the conviction was for a sexual offence. Since the participants had been convicted of sexual offences, they acknowledged that this had stained them and how this affected their whole incarceration experience. While most penologists accept that prison as a sentence communicates that a person has broken the law and therefore needs to be punished, it can also be used to make people feel guilt and shame and it is this which the book argues Stafford was doing. However, rather than the communication focusing on the shamefulness of the act, it focused on the "shamefulness of the wrongdoer" (p. 21). In terms of methodology, the author spent five months in Stafford starting in May 2015. She was there up to four days a week, often at weekends and largely hung out, although interviewed 42 prisoners and 12 prison officers. This section of the book also includes a really interesting section on what it was like being a young, female, white, woman undertaking research in a sex offender prison, with this being very useful for those who are considering similar research.

While the idea of staining is introduced in chapter 2, chapter 3 looks at this in more detail and explores the stigma of being a sex offender, including how the social

identity of a sex offender is a stain. In this sense a stain, "is something which seeps into your whole being, which sets you apart, and which pollutes you" (p 43). The author also notes how prisons reinforce these stains, which can also spread to family and others who visit. Interestingly, while many of the research participants were aware of the stain "it rarely sank beneath the skin", with there being three reasons for this: 1) the sex offender label was due to a complex legal process which had sometimes unreliably convicted them and therefore was something which did not truly represent them, 2) many saw themselves as not as bad as others (child sex offenders) or it not really applying to them because they did not act or behave like a sex offender, and 3) the scale of the punishment and consequences of the stain were disproportionate to their behaviour, turning them into "victims of the state" (p. 50).

The book then moves onto detailing the main research findings of the project, with chapters 4 and 5 talking about how sex offenders did their time at Stafford. In this regard, the author divided her participants into seven different typologies. In brief these were:

1. The repentant: those who felt extreme guilt and shame and saw their sentence as deserved and an opportunity to redeem. They used their time to change, "conscious of their stained identities, but believed that their authentic, reformed selves, were still visible through the murk" (p. 67).
2. The redeemed: a subsection of the repentants, they accepted guilt but now saw the prison as blocking their progress in terms of release.
3. Fatalists: most admitted guilt but were not morally troubled

about their offences, rather being concerned about the consequences of their convictions. Prison, for them, was to be endured.

4. Negotiators: most had admitted 'technical' wrongs but didn't feel morally blameworthy and didn't think their sentences were fair. They contested their convictions, the sex offender label and thought Stafford was inappropriate for them.
5. Mainstream prisoners: those detained at Stafford because they were vulnerable and therefore rejected the sex offender label.
6. Activists: these claimed they were innocent and victims of false allegations and an unjust system. They took pride in refusing to submit to the power of the prison and rejected not just their conviction but also the legitimacy of the prison.
7. The resigned: also maintained their innocence but tried to come to terms with their situation. The resigned found ways to cope with prison life, while the activists found ways to challenge the legitimacy of it.

Chapter 6 then describes the two faces of the prison officers working at Stafford, with these falling into backstage (critical and dismissive of sex offenders) and front stage (professional courtesy) personas. While many officers believed that they always displayed "frontstage impartiality" (p.105), prisoners nevertheless knew "what they think of us really" (p.105). For many of the prison officers, those in their charge were stained, with this stain also affecting them in terms of them having to work at Stafford. In

short, the chapter explains how despite wanting to be "impartial automatons, they had become morally expressive agents, and what they expressed was condemnation" (p. 105). Despite prisoners being aware of how they were viewed by both society and prison officers, chapter 7 discusses how there was still a moral community at Stafford, with this displayed when one prisoner said that he would like to rape the author. Despite a fear that people who are stigmatised/shamed create their own subcultures, which in this situation would normalise deviant behaviour, this didn't happen at Stafford, with evidence of the same moral code as witnessed in mainstream society. What was apparent, however, was a "distinct moral microclimate" (p. 128), with the chapter used to explain what this was. Finally, chapter 8 summarises the main findings of the book, but also looks at ways in which we can communicate better. While I can't do justice to this section here, there is an interesting discussion on the use of transformative and restorative justice and also the creation of spaces where honest conversations can be held about a person's offending.

Overall, I really enjoyed reading this book. The contents are fascinating, it is written in a really engaging way and I have already encouraged my students to pick it up and read – particularly because of the open access option. I would recommend the book to all those working with men convicted of sexual offences, all those who are thinking of this as a career option and also those who have an academic interest in the subject. I write this in April, but definitely my top read of the year so far!