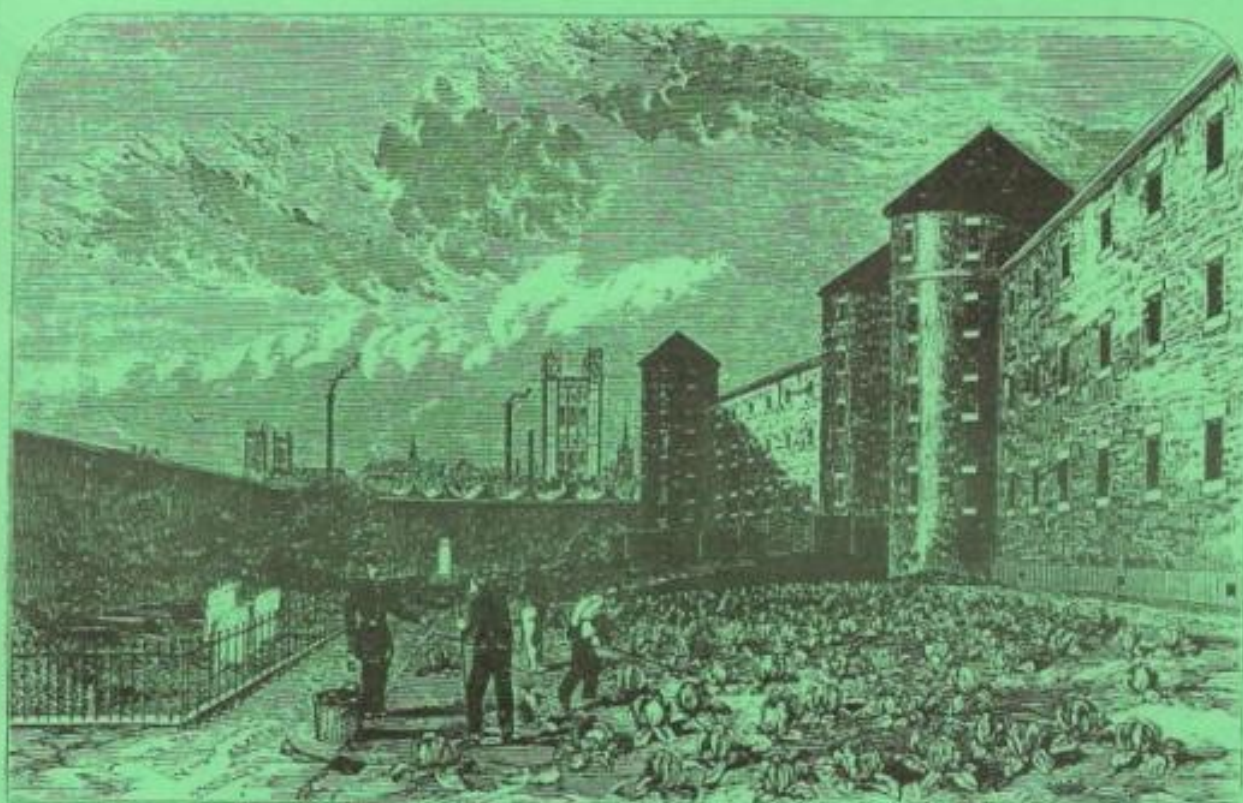


# THE ABOLITIONIST

The magazine of Radical Alternatives to Prison  
Incorporating *Prison Briefing*

Number 13 1983 no. 1



BURIAL-GROUND AT MILLSBANK PRISON.  
(From a Photograph by Herbert Watkins, 110, Regent Street.)

## DEATH BY LACK OF CARE

NINE MORE PRISON DEATHS  
PRISON EDUCATION  
PENAL REFORM IN CRISIS  
DUTCH PENAL POLICY

BARLINNIE SPECIAL UNIT  
MATT LYGATE  
PRISON MEDICINE  
PAROLE

80p



PLEASE NOTE RAP'S NEW ADDRESS:  
BCM Box 4842, London WC1N 3XX.

## Radical Alternatives to Prison

1. RAP is a pressure group working towards the abolition of imprisonment. We do not believe that imprisonment is a rational, humane or effective way of dealing with harmful behaviour or human conflict. We believe that it functions in a repressive and discriminatory manner which serves the interests of the dominant class in an unequal society — whether capitalist or 'socialist'.

Most people in prison are there for crimes which are a response to the frustrations of their social and economic position. Capitalism creates its own 'crime problem', and no amount of tinkering with the penal system will solve it.

We recognise that there will be no possibility of abolition without fundamental changes in the social order. We also recognise, while working towards abolition, that it may never be fully attained. There may always be some people whose behaviour poses such a threat to others that their confinement is justified; we cannot tell. There are some such people in prison now but they are, without doubt, a very small minority of the prison population.

2. A capitalist state cannot do without imprisonment, but it can make do with very much less of it than ours does, as other countries, notably the Netherlands, have shown. RAP supports measures to reduce the prison population by means of:

- an end to prison building;
- legislation to cut maximum sentences;
- decriminalisation of certain offences, such as soliciting and possession of cannabis;
- an end to the imprisonment of minor property offenders, and of fine and maintenance defaulters.

3. The introduction of 'alternatives' like community service orders and intermediate treatment has not stopped the prison population from rising, but has increased the scope for interference by the State in people's lives. We do not deny that some good things have been done in the name of alternatives within the penal system, but we hold no brief for them. What we do support are 'radical alternatives' which are, as far as possible, non-coercive, non-stigmatising and independent of the State.

4. Many prison reforms amount to a sugar coating on a toxic pill. But while prisons remain, some features of our present system can and should be done away with, in particular:

- secrecy and censorship;
- compulsory work;
- the use of drugs to control prisoners;
- solitary confinement (by whatever name);
- the system of security classification.

These demands are largely satisfied by the Special Unit at Barlinnie Prison, which has shown what can be achieved by a less authoritarian and restrictive approach.

5. Many of RAP's medium-term goals are shared by other groups who do not share our political outlook. But RAP's fundamental purpose is, through research and propaganda, to educate the public about the true nature, as we see it, of imprisonment and the criminal law; to challenge the prevailing attitudes to crime and delinquency; and to counter the ideology of law-and-order which helps to legitimise an increasingly powerful State machine.

The middle eight pages of this magazine are given over to PROP's *Prison Briefing*, which was formerly printed as a separate supplement. RAP and PROP each retain independent editorial control over their respective parts of the magazine. Signed articles do not necessarily represent the views of RAP or PROP.

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CONTRIBUTIONS from readers are always welcome. For the next issue we would particularly like articles on alternatives.

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# NEWS FROM NOWHERE

Regular readers of *The Abolitionist* will have noticed that over the last year we have been going down in the world. We have never even aspired to a plush suite of offices in, say, Kennington Park Road; but the King's Cross end of Caledonian Road was at least central, convenient and close to an excellent pub. From there to the remote wilderness of Forest Gate (and a building that is now – and not as a result of strike action – without a water supply or a telephone, and is due to be demolished in the spring), and thence to a mere box number, has been a melancholy decline.

Once again, RAP is in dire financial straits. We have had bad times before, but we are now in the unenviable position of having no money to pay a worker – our previous worker could not be kept on after September 1982 – and our money for publishing *The Abolitionist* is at an all time low.

So we have to begin this issue with an appeal. Could you please consider, if at all possible, making a small contribution to our wages fund – perhaps to the tune of 50p a week? If enough members could do this, say through a banker's order, we hope that RAP could struggle along for some time yet. At the same time, we are continuing to apply for long-term assistance from grant-giving agencies.

If you are not already a member, we hope you will consider becoming one. The present number of subscribers should be just enough for the magazine to break even, but with rising costs and "cash-flow problems" it will be a very close-run thing. Although we expect to be able to publish only three times a year rather than quarterly, the present subscription of £6 (£4 unwaged) will still cover four issues. As an added incentive, we're offering new members a free copy of Mike Nellis and Christopher Hales' *The Prison Film* (normal price £1.50). This attractively-produced, 64-page illustrated booklet should interest not only film buffs, but everyone concerned with the image of imprisonment that is "projected" to the public at large.

Existing members will be aware of a few administrative hiccups recently, for which we apologise. Largely owing to the rather abrupt departure of our last worker, we weren't able to get the last *Abolitionist* out in time to constitute reasonable notice of the projected RAP meeting at Conway Hall, so we felt the best course was to cancel it. We would like to hear from members whether they would wish to attend a one-day conference or general meeting in London, and what they would like it to be about. In the meantime we need to get as many members as possible actively involved in producing *The Abolitionist* and in other projects such as the Young Offenders Group and the publication we are preparing on sex offenders. The memorandum on prison education printed in this issue is a good example of the value of a number of RAP members from different backgrounds pooling their experiences and ideas.

## CHANGE FROM WITHIN

This issue of *Abolitionist* has not been consciously constructed around any single theme, but a number of articles share a concern with the quality of life – of personal life and social relations, rather than purely material conditions – within prisons. Tony Ward's article on prison deaths suggests that the "lack of care" and social isolation experienced by prisoners may explain the horrific prison suicide rate; while both RAP's memorandum on education and Helen Bellamy's review of the creative output of the Barlinnie Special Unit suggest, by contrast, how even in a prison setting people may interact in ways that further personal development and change.

Such concerns have been significantly absent from recent RAP publications, such as Jill Box-Grainger's controversial (especially within RAP) *Sentencing Rapists*. The exclusion of any discussion of "rehabilitative" or educational efforts within prisons from discussion of sentencing is a deliberate reaction against the unacceptable version of rehabilitation – the one that uses it as a "justification" for imprisonment.

However, RAP's views on the use of imprisonment do have certain implications for the nature of prison regimes. For one thing, a drastic reduction in imprisonment is a precondition for offering a civilised environment for more than a privileged minority of prisoners – as our memorandum on education makes clear. For another, our scepticism towards all theories which purport to justify imprisonment forces us to regard incarceration as at best a regrettable expedient; and this suggests that prison regimes, rather than being punitive and degrading, should ideally aim to compensate the prisoner to some degree for the fact of imprisonment, or at least minimise the damage done. Ros Kane (*But what do you do with . . .*, *Abolitionist* no. 6, p.20) has suggested that "Chronically and seriously dangerous offenders" could live in small, secure "villages":

These villages should spare no effort or expense to enable each person to develop in his or her own way. This might go some way at least to compensate for the need to lock them up, and would symbolically acknowledge that violent crimes have something to do with the previous treatment by "society", with various forms of deprivation of which the offender was a victim.

This is what Martin Wright (*Making Good*, Burnett books 1982) refers to as society's "making amends" to the offender.

## UTOPIA?

To suggest any sort of "humanitarian" reform of prisons is to risk being accused of prettifying them. But what RAP is doing is not to put forward some blueprint for a "rehabilitative" prison system – which would be a folly in both sense of the word – but to suggest that prisoners and staff may be able to discover new possibilities in the wake of "negative" reforms. In the case of the Barlinnie Special Unit, the dismantling of much of the standard apparatus of repression enabled prisoners and staff to evolve a way of living together quite differently from the "medical model" of the original "blueprint". Similarly, RAP's memorandum on education suggests that prison teachers might be able to respond more imaginatively to their students' real needs if freed from the stifling constraints imposed by their subordination to prison management.

The movement towards abolition has a qualitative as well as a quantitative aspect. Prisons as we know them are not simply buildings within which a certain number of people are deprived of their liberty: they embody fairly specific forms of control or "technologies of power" – emphasising segregation, surveillance, classification, uniformity, rigid routines – which are a legacy of the first half of the nineteenth century. (Even the precautions against suicide in prison are an application of these techniques, rather than an attempt to make prisoners' lives seem worth living.) The abolitionist project – which may be conceived either as "abolishing prisons as we know them", or as a continuous and perhaps unending struggle in the direction of abolishing forms of confinement – involves not only reducing the number of people in prison, but the progressive abolition of the various forms of restriction within prison – censorship, solitary confinement, the daily timetable etc. The final step in the process would of course be to abolish the restriction on the prisoners' leaving.

The farther this process of "abolition-from-within" proceeds, the farther removed the prison becomes from its 19th century model, and the less destructive it becomes of the prisoners' autonomy and personality. It would indeed be possible to conceive a "prison" – perhaps on some large, remote island – whose occupants enjoy greater liberty, in the "positive" sense of control over their own lives, than most "free citizens" do today. Not, of course, that that would be RAP's idea of Utopia.



# 'Not a happy place'

Tony Ward

*They always used to ask me  
What you gonna do  
They always tried to sell me  
Their own points of view  
You've gotta learn to fit in  
You've gotta know your place  
learn to take it on the chin  
or you'll vanish without trace  
But I ain't gonna take it  
I don't see why I must  
I don't want that conform shit  
Cox then they'll have me sussed  
I'm gonna break free an leave them all behind  
I'm gonna break free, don't care if they mind  
they can catch many but they ain't catching me  
They'll try an hold me down but I'm gonna be free.*

The author of that poem was Jim Heather-Hayes, an 18 year old inmate of Ashford Remand Centre. He was a punk rock fan and an Anarchist; had had a job but been made redundant; and was a well-known and popular figure among the young people of the Twickenham area. He displayed a great zest for life, but at the same time, in his mother's words: "He was very disillusioned with life generally, from what he saw around." It was only when he wrote poetry, one of his friends said, that you knew what he was really thinking.

No-one knows exactly what he was thinking when (possibly under the influence of LSD) he threw two petrol bombs over the counter of Teddington Police Station. He commented on his action in a poem:

*You lot out there  
Don't make the same mistake  
That revolution glory  
It's all a bloody fake  
Know the system before you fight  
Suss out what it's like  
Till then just bide your time  
Wait before you strike.*

No-one was hurt, but Jim was charged with three offences under the Criminal Damage Act, including arson with intent to endanger life, which carries a possible life sentence.

He spent three months on remand at Ashford, and on July 6th 1982 he appeared at the Old Bailey, pleaded guilty to all charges, and was remanded again to Ashford for psychiatric reports. The following day, he hanged himself.

The inquest was held at Chertsey, before the Deputy Coroner, Michael Burgess, and a jury. Jim's family was represented by Gareth Peirce, who gave her services free of charge as there is no legal aid at inquests. She had managed to obtain (via PROP) copies of some of the Prison Department's secret Standing Orders.

## DOCTOR'S ORDERS

Mrs Peirce first referred to the Standing Orders in cross-examining Ashford's Senior Medical Officer, Dr Gooch. One section directs the attention of the Governor, Medical Officer

and other staff to a series of "points relating to suicide". Point (b) is that "a history of aggressive behaviour, alcoholism, drug abuse or recent withdrawal from drugs and complaints of anxiety and despondency are all features of importance."

Dr Gooch agreed with Mrs Peirce and Jim's case provided "the most explicit example of aggressive behaviour that can be found," but did not consider this significant in relation to suicide. He had prepared a report for the magistrates' court indicating that Jim had a history of drinking and taking drugs (LSD and amphetamines). The jury had before them a selection of Jim's prison writings which include many powerful expressions of "anxiety and despondency", and his offences could be considered to indicate an "impulsive" temperament. But despite all these "features of importance" the doctor saw no reason to regard him as a suicide risk.

Mrs Peirce turned to Standing Order 61 in the medical section: "The location of a prisoner charged with a homicidal offence will be specially arranged by the Medical Officer who will advise the Governor as to what steps shall be taken for observation or other purposes." The Medical Officer had not arranged a location or advised the Governor, and indeed was "not aware" of this Order "off the top of (his) head". He did not consider that an offence involving "intent to endanger life" was "homicidal".

Mrs Peirce turned to the Standing Order which details the precautions to be taken with "prisoners exhibiting marked depression or emotion, with or without suicidal tendencies". They had not been taken in this case. Dr Gooch interpreted "marked depression or emotion" to mean "clinical depression or depressive illness". ("If you're talking about unhappiness, prison is not a happy place".)

Mrs Peirce put it to the Doctor that he had disregarded his duties. "That is a matter of your opinion", he replied.

## DOUBTFUL CASES

The Governor, Mr Gadd, was called and testified that on the day of Jim's death, he had put him on punishment for 10 days for possessing two "unauthorised articles". The cell where he hanged himself was one where he had been placed temporarily as all the cells in the punishment block were occupied. The unauthorised articles "consisted of a tin broken in half and some instrument - a sort of flail (made) from a sheet and a roll of newspaper". The "flail" was later produced and provoked some laughter in the court, so flimsy was it. Mrs Peirce suggested that it was intended for "keep fit" purposes.

Referring to the broken tin, Mrs Peirce asked: "Is there any interpretation - a person having a sharp object?"

"To cut his wrists", replied Mr Gadd.

Was the sharp object in Jim's possession "any cause for anxiety?"

"If I had any, it was on behalf of my staff who might be subject to an assault."



*Jim Heather-Hayes*

Mrs Peirce read out another Standing Order:

101(3) Any demonstration that suggests the possibility of a suicidal tendency should be reported and submitted to Head Quarters Medical Directorate. *Even doubtful cases should be reported and submitted . . . The inmate should not be placed on a disciplinary report for his action.* (Italics added)

What had the Governor done for James Heather-Hayes?

I placed him in a cell under punishment. In my view Heather-Hayes did not fall under that category which you have read out. That category, I would think, would probably apply to the majority of most of the prisoners I deal with.

Jim's letters to his mother were, of course, read by the prison censor. Was the Governor aware that Jim was sending his mother poems about death? Poems, that is, like this one:

*Hanging from the rafters, your so cold  
Hanging from the rafters, your tale is told  
A casualty of life, the greatest death  
Rejected by the World, A world of death  
Your skin is cold and white, your tongue hangs out  
A silent scream of pain's what your screaming about.  
Your eyes bulge down, staring at your feet  
Your flesh stiffens up, your now just meat.  
Hanging from the rafters, what do you see.  
You might see God but you can't see me  
Corpse don't care if its kicked in the head*

*You could've been alive but your Dead Dead Dead.  
They say it gets you worse when you're on your own  
It's a very special torture when you're alone  
They don't seem to care, they don't want to know  
Your brains in whirl, Your at your all time low  
You say you don't care, when it's eating you through  
Your drifting away, You won't admit its true  
It's a case of saying now what's it all for!  
If this is what it's all about I can't take no more  
You might see God but you can't see me  
Corpse don't care if it's kicked in the head  
Hanging from the rafters on a greasy rope.  
Then they read your note they said he couldn't cope  
Life ain't a game, they reckon, for the weak.  
Corpse on a rope, I was just another freak.  
You might've been a Hitler, or you might've caused a war  
or just another Nobody, Priest or Whore.  
You couldn't take the chance, didn't have no hope  
Your hanging from the rafters and greasy rope.*

No, it had not been brought to his attention, and he would not expect it to be. It would have been brought to the attention of the Assistant Governor. The Assistant Governor was not called as a witness.

The court did hear from the junior doctor who had examined Jim to determine whether he was fit for punishment. He described the procedure:

I go into a cell with one of the officers and I say "Good morning, are you alright?" and I wait for an answer. Most say nothing; Heather-Hayes said nothing. I left the cell. If I saw signs of mental illness or silence or abusive behaviour, I place on the cards "temporarily unfit for adjudication". In Heather-Hayes' case I saw no signs, so I passed him fit for adjudication.

His "examination" of Jim took "one minute".

## THE VERDICT

In his summing-up, the coroner directed the jury that they should consider three verdicts: suicide, Lack of Care, and an open verdict. Lack of Care, he explained

refers to cases where the deceased dies as a result of the failure of someone else who, with parental or similar responsibilities, fails to exercise them. It is not a verdict which necessarily implies civil or criminal liability... If you believe the duty of care was sufficiently lacking to be a real and very decisive cause in this young man's death, then the proper Verdict for you to return is "Lack of Care". You must bear in mind that one of the prison doctors said that prison is not a happy place.

The jury's verdict was Lack of Care.

This appears to be the first time that such a verdict has been returned on a death in custody. It was the High Court action by the family of Richard "Cartoon" Campbell which established that Lack of Care is a proper verdict in such cases, and there is a certain poetic justice in the fact that both the Campbell and Heather-Hayes case involved Ashford Remand Centre.

On 16 December, Michael Meacher MP asked the Home Secretary what action would be taken in the light of the inquest verdict. Patrick Mayhew (Minister of State at the Home Office) replied that he could not comment "until we have looked at all the circumstances."

[REDACTED]

The inquest resulted in a unique verdict but it cannot be called a uniquely bad case. It is only since INQUEST (the research and pressure group concerned with deaths in custody and coroners' courts) has employed a press cuttings agency to monitor all reports of custody deaths that we have realised how many disturbing cases pass virtually unnoticed by the national media.<sup>1</sup>

## DISASTROUS SENTENCE

For example, the case of Christine Scott. Christine was sentenced to six months' imprisonment for breaking a window. She had previously been remanded in custody for medical reports, and one of Holloway's prison doctors had recommended that she should be given hospital treatment. When she came back to Holloway under sentence, the doctor was so disturbed that he rang Norwich Magistrates' Court to ask the reason. He was told that "the magistrates felt that the public should be protected".

As the doctor said at the inquest, she "reacted disastrously to this sentence". According to a prison officer, she was heard shouting, screaming, and kicking and banging the walls of her cell.

She was "found unconscious" and taken to hospital. There was "not a single part of her body without a bruise". She died two days later, on July 12th, 1982. The inquest verdict was death by misadventure.

Christine was known to be very disturbed, and had made an apparent suicide attempt while on remand. If we accept that there was "no evidence of assault", this leaves the question of

1. With the exception of *The News Line*, which now carries a weekly column by INQUEST.

why a woman in such acute and obvious distress was left alone for long enough to inflict such extensive injuries on herself. But the greatest scandal of all, and again by no means a unique one, is the sentence.

The four deaths in Canterbury Prison last year are the subject of a forthcoming booklet, *Murder Near the Cathedral?*, to be published by INQUEST in March.

In one case, that of Mark Cooper, lack of care would seem to have been a verdict that the coroner's jury ought seriously to have considered, but the coroner directed them that there was no other proper verdict than death by natural causes.

Mark was seventeen and an acute asthma sufferer. In remanding him in custody on a charge of taking a motorcycle, the Chatham Magistrates made the extraordinary remark that he would be better cared for in prison than he was at home. In fact he was very well cared for at home, in a special dust-free environment. In prison no special precautions were taken, and Mark regularly had to climb three flights of stairs to his cell on the top landing.

On the morning of 9th September, Mark wanted to go to the toilet. His cellmate rang the bell for him, but nobody came. The reason was that all the staff on the wing had gone to breakfast at the same time.

So Mark had to use the cell chamber-pot. While he was doing so he had a very severe asthma attack. His cellmate rang the bell and hammered on the door.

What happened next is disputed. The cellmate said at the inquest that it seemed like about ten minutes before anybody came. A group of prisoners who smuggled out a letter to the *Sun* said it took 10-15 minutes. The prison officer who did come to Mark's aid was one who did not normally work in that wing, but who happened to be within earshot. He testified that he came within a minute and a half of hearing the bell. He called other prison officers, and a part-time prison medical officer was summoned. While Mark was being taken out of his cell, his inhaler fell over the edge of the landing. He died within a few minutes.

Although the coroner would not countenance any verdict other than natural causes, he did agree to a proposal by the jury that he should recommend to the prison that the staff of a wing should not leave it deserted while they eat breakfast.

Two other cases are more sinister, and it is impossible to dismiss the possibility that the prisoners concerned may have been murdered, or at least driven to suicide.

Douglas Kurn was a tall, shy, 20-year-old who all his life had been a target for bullies. His disturbed behaviour appeared to stem from an "accident" which occurred while he was on a YOP scheme, where (according to one of his supervisors) he was bullied both by fellow trainees and by some of the staff. On three occasions he went out at night and smashed windows at local schools, and then gave himself up to the police. Once he attacked a woman in a park. Again he promptly confessed, and he spent four months in a mental hospital as a result.

In March 1982 he was charged with another, less serious attack on a woman, which he admitted, though not this time immediately afterwards. He was at first allowed out on bail, but in July the Police, who were worried by a local "moral panic" about "dangerously ill" prisoners being released, opposed bail. He had been offered a place at a prestigious psychiatric clinic, but the Crown Court judge remanded him in custody for psychiatric reports. (The Court proceedings were extremely confused.)

After Douglas's death, another prisoner told his mother that it was believed among the prisoners that he was inside for

mugging old ladies, and the prisoners "had it in for him". His cellmates admitted at the inquest that he was "taxed" — he was forced to give up his radio, tobacco and other comforts. The coroner did not regard this as serious — it was the sort of thing that might happen at any school, he said.

According to his two cellmates' evidence at the inquest, on the night of his hanging, Doug wrote a note on a page from an exercise book, and asked one of them to put it under his pillow, which he did. At about 10.30 they went to sleep. When they woke up and found Douglas hanging, they did not attempt to cut him down. One of them (not the one to whom it was given) read the note. It said that Doug was killing himself to escape from the Devil, and asked them to take pity on his soul. They got dressed, and then summoned help.

After all these delays, it is remarkable that Douglas was cut down in time to be revived — although too late to save him from the severe brain damage from which he later died. Even more remarkable is the fact that, according to their log, the prison officers went to the rescue at 10.32pm — just two minutes after the surviving prisoners had gone to sleep. This glaring inconsistency was not explained at the inquest.

Mick Ryan was also persecuted because of his alleged offence. He was awaiting trial for rape. He vehemently maintained that he was innocent, and although the details of the case are irrelevant in this context, there are some strong reasons for believing him. In the immediate aftermath of the Ipswich rape case, the magistrates felt unable to give him bail, and the case received lurid treatment in the popular press.

Shortly before his death, Mick Ryan applied in writing "to be put on security because I have had threats of violence towards me by other prisoners because of the nature of my offence." He was put on rule 43, and shortly afterwards was found hanged. He left a note so bizarre that it is worth quoting in full. (I have corrected the spelling):

Dear Dad,

Just a few lines to let you know I am all right as I hope you are. Well dad I've been in here for five days now and I don't like it at all its so boring. Don't worry about me as I can look after myself even though you think I can't. Will you give Steve a radio (small one) to bring up and some money for a couple of puzzle books please. Well dad I miss you a lot and I'm sorry for what I am putting you through but when I get out I will change (I mean that) I really am sorry for everything I have done dad that is why I am going to kill myself tonight please forgive me dad I really do love you much more than I ever knew. I did not rape that girl as you most probably know.

What caused this abrupt change from a concern with whiling away the time and his intentions what he got out, to a determination to die, remains a complete mystery. The inquest verdict was suicide.

The fourth case, that of Shaun Enright, also remains mysterious. He apparently hanged himself while drunk. How he came by the alcohol has not been explained.

## PETER RALPH

Not far from Canterbury is Standford Hill Open Prison on the Isle of Sheppey. The *Kentish Gazette* (17/12/82) reports an unusual death at the prison — unusual especially in that a Prison Department employee spoke out at the inquest against the prison management.

Peter Ralph, aged 39, was working on the prison farm when he was crushed between the arm of the mechanical digger he had been driving and the body of the vehicle. He died almost instantly.

The accident happened because the digger's ignition switch had been replaced by one from another tractor, preventing

the machine's emergency stop from working.

Mr Simon Hendleman, who works at the prison (in what capacity is not clear) and also acts as Health and Safety Officer for the GMWU, told the coroner's court:

It had been hard to get any health and safety practice here. If we had found something wrong and went to the management we had to find the relevant act and paragraph it came under before anything was done. Sometimes this took up to a year.

He added that safety procedures had been improved since the prisoner's death. The jury returned an open verdict.

## TREVOR HARRISON

When prison doctors are criticised in this magazine it is usually for prescribing excessive quantities of drugs; but there are also cases where prisoners who need particular drugs are not given them. The last issue of *Prison Briefing* dealt with the case of Brian Ramsden, who was dependent on anti-depressant drugs, but despite repeated pleas by himself, a friend and his probation officer, was given no medication. After ten days of his 18-month sentence at Durham, he hanged himself.

Trevor Harrison, who was 35, died at the end of June, a few days after being remanded in custody to Winchester prison. His GP had been treating him with large quantities of tranquilisers, sedatives and anti-depressants. "He used to get very, very anxious," the GP told the inquest, "and he just couldn't cope with life without the tablets" (*Western Gazette*, 1/10/82).

The prison doctor, William Mackie, "knew he was taking tablets and thought he showed signs of drug overdose. The drugs were stopped altogether following prison policy and Mr Harrison was watched carefully."

Five days after he was admitted, Harrison began hallucinating and had a fit. He was placed in a prone position (so that he would not inhale liquid into his lungs) and checked at 10-minute intervals. The third check found him lying on his back. He was not breathing. The prison officer who found him said he tried to revive him, but failed. The cause of death was acute congestion of the lungs, which Dr Mackie said was consistent with his having choked when he rolled onto his back. There were scratches and bruises on his body which could, according to Dr Mackie, have been caused when he flailed about during his fit.

The inquest resulted in a majority verdict of misadventure, with one juror dissenting. The local branch of the Howard League took an interest in the case, and I understand that the branch Chairperson, an ex-prison Governor, wrote a "stiff letter" to the Governor of HMP Winchester.

Prison is not a happy place. The relationship between suicide and a sense of isolation from society is well known, and may help to explain why the suicide rate in prison is nine times higher than in the outside world, and why, as Coggan and Walker have pointed out (*Frightened for my Life*, Fontana, 1982) it is higher still among prisoners held in solitary. The scapegoating and bullying of some prisoners by others, an intelligible reaction to their social position but not one that can be condoned, does not help to make life bearable. Nor do the Prison Department's standing orders — although they do forbid making a possibly suicidal prisoner even more miserable by additional punishment and isolation. They are simply designed to make it harder for prisoners to kill themselves. Violation of those orders has been held by a coroner's jury to constitute "Lack of Care". But all the deaths discussed in this article — and many "straightforward suicides" that have not been discussed — are symptomatic of a lack of care that pervades the whole prison system.

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## DOCTORS IN DISMAY

*World Medicine* is a fortnightly journal published by IPC and distributed to general practitioners and selected hospital doctors throughout the UK. Though also available on subscription, it is obvious that the paper is, in effect, financed wholly by advertising. Drug advertisements make up rather more than half the total contents.

In October last year *World Medicine* carried a two page article *Doses with their Partridge* in which RAP's analysis of Home Office figures of prison dosage rates was reproduced, together with quotations from PROP'S recent book *Frightened for my Life* (Fontana). The article prompted a powerful editorial in the same issue. It is reproduced here, exactly as it appeared.

The rumblings of discontent within the medical profession at the activities of the prison medical service have been brought a little nearer the surface, though we still await the realisation by the BMA that its loyalty should be to the good name of medicine, not to a section of the profession that is clearly bringing that name into disrepute. Private expressions of "dismay, deep dismay" cannot absolve "senior and respected members of the medical establishment" of complicity in what is happening in the prison medical service. Only robust and identifiable outspokenness can do that.

Although the prisons use, proportionately, vast quantities of drugs, their consumption remains a drop in the ocean compared to usage within the community as a whole. In promoting this huge use of drugs, the drug companies have enough on their plate without the bad publicity which emanates, month by month, from Home Office institutions.

For a paper like *World Medicine* to carry such an editorial is the clearest indication so far of the Home Office's growing isolation in its defence of a system which is increasingly recognised as serving nobody's interests but its own and those on its payroll.

Geoff Cogan

## Editorial

### Perverted medicine

"No editorial that *World Medicine* publishes on the prison medical service could be hard-hitting enough for anyone who knows how bad things really are." With those words, a senior and respected member of the medical establishment has urged us to bare the disturbing and repugnant scandal of what some doctors—not independent practitioners, but doctors in the pay of the State—are doing in the prisons. Worse still is the professional humbug which effectively condones their dubious medical ethics as they cynically dose prisoner-patients to the eyeballs, sheltering their culpability in the tacky embrace of Home Office secrecy.

The facts are not in dispute. Our article on page 28 uses official figures and official statements to show that the practice of medicine in prisons is being perverted for purposes of political expediency with Home Office connivance. It has not needed emotive whipping up of indignation with allegations of torture or other maltreatment: we have simply documented one of the less shocking aspects of prison medicine. And that in itself is deplorable enough, for it is maltreatment that is routine.

The medical profession's elected and appointed representatives do not feel that they can break ranks by any public expression of concern about the methods of some of their colleagues. But, privately, they do admit dismay, deep dismay. They acknowledge that, while there are dedicated prison doctors, the system is one which enables bad doctors, incompetent and maybe worse, to practise without the controls or scrutiny to which ordinary GPs are properly subject. This is almost Gulag territory: there are men and women in our prisons who are receiving what amounts to punitive medicine, something most people identify with Siberia. As the BMA well knows from first-hand evidence, potentially dangerous psychotropic drugs are often prescribed, sometimes on a monstrous scale, without even prisoner-patients being examined.

The BMA's ethical guidance to doctors is that prisoners have the same rights to medical attention as any other members of society, subject only to the restriction that they can seldom, if ever, choose their doctor. But that is disingenuous—sheer hypocrisy. The prisoner without choice of doctor is bound to lose his other medical rights too: the right to refuse treatment, the right, or at least the opportunity, to regulate his own intake, which is always important and, with major tranquillisers, vital.

The BMA is utterly out of touch with reality here. In its higher echelons, that is recognised. But what can it do in the teeth of mendacious Home Office assurances that all is ethically in order? What, in any case, can doctors do for prisoners brought low by the hellish conditions of their confinement other than drug them? There are no opportunities for counselling when warders, with no code of confidentiality, are always present, let alone any facilities for behavioural or occupational therapy.

This cannot be dismissed as just another plea for criminals which forgets their victims. Anyway, the good name of the medical profession is on the line. Doctors should have no more truck with viciousness and ethical corruption. They should press for urgent reform of the prison medical service, with far more NHS involvement, if this ugly scandal is not to blow up in their faces. ■



# Penal Reform in Crisis<sup>9</sup>

Andy Erlam

Like many other progressive movements in Britain at the present time, the penal reform lobby is in deep crisis. It has failed to make any significant progress for years. Many of those (but not all) working in the lobby are painfully aware of the failure but they have not drawn lessons from the experience. The penal reform lobby is confused in mind and therefore hesitant in action. By contrast the Right Wing is neither confused nor hesitant. The law and order brigade has clocked up some significant victories in recent years. Expenditure on the police has reached record levels, the government is pledged to build more and more prisons (so by the way is the Shadow Home Secretary); legislation is bringing more and more issues into the courts (from the Police and Criminal Evidence Bill to the Tebbit Employment plans).

## THE PENAL REFORM LOBBY: CONFUSED AND WEAK

The penal reform lobby will not be relevant in the 1980s unless the radicals distinguish themselves from those who are somehow involved and either treat it as a hobby or to enhance their narrow careers, or who simply cannot sleep at nights.

The term "penal reform" itself points to the limitations. It has a distinctly 19th century feel about it: it is about being nice to bad people. While this ethos no doubt has its origins in christian doctrine, like many other doctrines and social institutions, the original purpose has been corrupted. Christ was not simply a man who was nice to bad people, he was a revolutionary outraged by social injustice. A further point about the penal reform lobby that needs to be made is that it almost does not exist. Full time, there are less than a dozen activists in Britain - less than half a dozen of them radicals. The lobby has a few hundred supporters and a motley crew they are. They include criminologists searching for some new line of enquiry; lawyers seeking to advance their careers. JPs who feel uncomfortable (as indeed they should) on the Bench and a number of genuine people who feel a sense of outrage and do not know what to do. Strange as it might seem, many of the people "supporting" penal reform, do not want major or even minor reforms to take place. When the crunch comes, it is only the radicals in the penal reform lobby who genuinely will demand major reforms.

## IN THE MEANTIME

In the meantime there have been major changes in society that are directly relevant to the way we organise penal institutions. Most recently, the shooting of a suspected escaped remand prisoner, Stephen Waldorf, in West London, has led to a dramatic change in public attitudes towards accountability of the police. The riots of 1981 brought the proper conduct of the police into sharp relief even amongst the comfortable middle classes. Some parts of the penal reform lobby have carried on as if these and many other developments since the 19th century had not taken place.

## THE WAY FORWARD

In order for the penal reform radicals to make any progress in the 1980s they must join forces with the radicals working elsewhere fighting for changes in the accountability of the police and criminal justice system which genuinely serve the

cause of justice, and with those fighting for economic and social justice. It is quite impossible to form a just penal system on the basis of an unjust society. Rather than letting criminologists spend lifetimes trying to track down the real causes of crime some simple observations can be made. Most crimes against property are committed by those with little or no property themselves. How many crimes of property are committed by members of the highest social classes? What proportion by the lowest social/economic class? Much is said about crimes of violence but little progress is made in discovering the causes and means of prevention. Surely crimes of violence are caused by stress? In turn stress is caused by personal and environmental influences, especially the economic and social relations between people. Ruskin recognised that people can kill each other with stress. Do we really need so much more research? There comes a time when additional research not only fails to encourage reform, it actively obstructs it. It is no wonder that an unjust and an acquisitive society stimulates widescale property offences and stress!

Progress can be made if the radicals in the penal reform lobby recognise that they have more in common with radicals elsewhere than with the other activists in the same business. For instance, the Labour Party has produced one of the best sets of policies on crime and the treatment of offenders in its Programme 1982. The trouble is that it is still not very good. It does not deal with the question of whether the next Labour Government should build more and more prisons. (The original sub-committee agreed that the policy to be presented to Labour's Conference should be that Labour would only build replacement prisons on urban sites. This was reversed by the National Executive Committee at the last minute.) The left in the Labour Party have been too preoccupied with other matters to worry about prisons and the radicals in the penal reform lobby simply have not known how to change policy. Whatever the character of the next general election, clearly the Labour Party offers an opportunity to present some radical policies on prisons in the context of general political issues. As things stand, the radicals have missed a good opportunity. There has rightly been more considered attention to the accountability of the police. But the debate now needs to be widened to consider accountability of magistrates, judges and the prisons. The idea of community policing is meaningless unless it includes a high degree of accountability. Likewise any idea that prisons can become more part of the community is equally superficial unless accountability is introduced at the same time.

The radicals within the penal reform lobby must reassemble themselves because the way could be open for them to actually achieve major changes. It is quite wrong to believe that social change on a large scale is impossible - Thatcher has proved that social change (reactionary social change in her case) can be achieved in a short space of time. The radicals could use their experience and skills to see that prisons are not left out when the major transformation of society takes place as inevitably it must.

Andy Erlam was formerly Assistant Director of the Howard League for Penal Reform and is now Prospective Parliamentary Candidate for Bexleyheath Labour Party.

# Dutch Courage

The October 1982 issue of the *British Journal of Criminology* includes a valuable article by David Downes on the "Origins and Consequences of Dutch Penal Policy". Downes asks why it was that the Dutch were able to drastically reduce their use of imprisonment between the early 1950s and the late 1970s, while British penal policy moved almost as dramatically in the opposite direction; and what the results of this policy have been.

He suggests that what made a relatively humane penal policy possible was partly the Dutch "culture of tolerance", which in turn is a product of the central role of the Christian churches in Dutch society, and the tradition of "pragmatic tolerance" between different brands of Christianity. The churches also provide an important bond between people of different classes, and Downes argues that this may explain both why the Netherlands is comparatively free from racism and why it has never engaged to any great extent in "the war on crime", against which all can unite; it has not needed to invoke such grounds for a solidarity which it already possesses by other means."

The "culture of tolerance", coupled with the emphasis in Dutch politics on negotiation and compromise between elite groups, has led penal radicals to take, for better or worse, a less marginal role in policy-making than they do here: "even advocates of extreme positions, such as abolitionism, take the business of participation seriously, avoiding the polarisation so evident in Britain." They are also taken seriously, and "operate perhaps to shift the axis of debate to more radical positions of compromise than would otherwise occur."

These "positions of compromise" are far removed from any conception of "popular justice":

Freedom of the professional judges and prosecutors from the need to work with lay colleagues or juries was quoted to me many times in explanation of the direction sentencing policy had taken since the war. It tends to be assumed as a matter of course that any involvement of the public is bound to introduce a degree of unwarranted emotionalism... The Dutch criminal justice system approximates to the Fabian ideal of small, highly trained elites, getting on with their jobs without undue public interference... (p.343)

## TRAINING

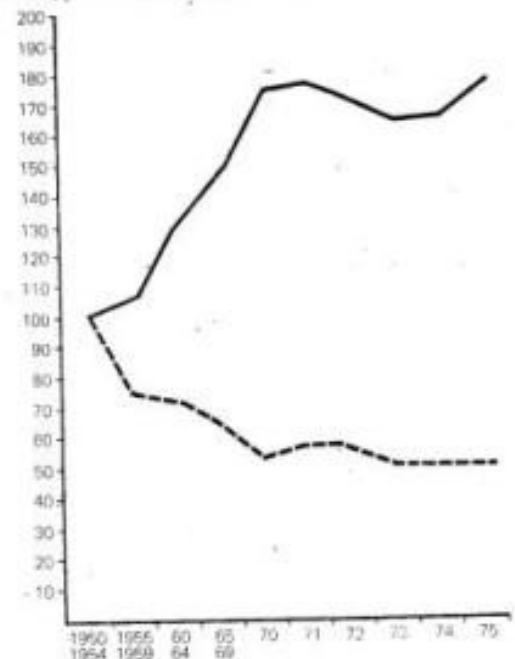
As Downes points out, however, these factors may explain why the legal elites were able to pursue the policies they favoured, but not why they favoured the particular policies that they did. Here, he tentatively concludes, "the manner of judicial training and socialisation, and the character and timing of the brief ascendancy of rehabilitative policies, seem to be crucial, in ways which have yet to be analysed at all adequately."

Obviously it would not be possible, nor would most RAP supporters think it desirable, to create in Britain the particular political conditions that made progressive policies possible in the Netherlands; but Downes's analysis does tend to confirm that our own repressive policies are largely the product of the importance of "law and order" in British politics, combined with the often reactionary and ignorant attitudes of our judiciary.

When it comes to the consequences of Dutch policies, Downes's article holds few surprises. He finds "implausible" suggestions (such as those voiced by our own Police Federation) that reductions in imprisonment have significantly increased the crime rate, although they do seem to have reduced the clear-up rate, perhaps because the police no longer consider some minor crimes to be worth clearing up. Dutch prisons seem on the whole to be more civilised than ours (cell-sharing is banned,

APPENDIX IV. AVERAGE POPULATION IN PRISON (1950-54 = 100) IN ENGLAND AND WALES (—) AND THE NETHERLANDS (---)

From Hans Tulken, *Some Developments in Penal Policy and Practice in Holland*, Barry Rose, 1979



and offenders remain at liberty until space is available) and less secretive. Not everything in the prison garden is lovely, however: prison officers are armed, and discretionary powers are increasingly used to transfer "difficult" long-term prisoners to psychiatric clinics.

## RAPE

One feature of the Dutch system which some people may find disturbing is the very lenient treatment of rape. In 1979, 53% of rape prosecutions were waived, 20% of cases resulted in an unsuspended prison sentence (average length 15 months) and another 23% in suspended or partly suspended sentences. In relative terms this means that Dutch rapists in 1979 were on average treated very slightly less severely than robbers, whereas in Britain the reverse was the case (although there seems to be a trend towards less severe sentences for rape).

The statistics make the sentencing levels proposed by Jill Box-Grainger and the RAP Sex Offences Group seem positively draconian by comparison<sup>1</sup>. It should be borne in mind, however, that these are short-term policies and are justified largely by the ideological significance of sentencing. On the basis of Downes's account of Dutch politics, it is reasonable to conjecture that the "denunciatory" function of punishment is less important there than it is here. It could be argued, therefore, that if the ideological power of sentencing could be reduced to the point where it was no more important than it is in Holland, the phase when the "short-term" policy advocated in *Sentencing Rapists* is appropriate would have passed.

# PRISON BRIEFING No.4

**PROP** the national prisoners' movement

## FULL SUTTON & FRANKLAND What are the new prisons really for?

The projected new prison at Full Sutton, near York, on which construction work could begin at any time has been usefully brought into the news by the Prison Reform Trust in its published report "The bogus numbers game" (available from Prison Reform Trust, Nuffield Lodge, Regents Park, London NW1 4RS). It quotes from an internal Prison Department paper to demonstrate that even within the Department, there are considerable misgivings on the reliability of the data upon which capital investment needs are assessed.

It is clear that the Home Office has been busily engaged in empire building by inflating, to even more obscene levels than already exist, its forecasts on the size of the future prison population. Thus, at the 1972 Public Inquiry by the Department of the Environment into the proposed new prison at Full Sutton, the Home Office's submission estimated a prison population of 50,000 by 1975 and 62,000 by 1980. Such alarming forecasts must have been a major factor, and perhaps the deciding one, in the Department's subsequent consent to the proposals.

### THE DISPERSAL SYSTEM

Full Sutton, like the already completed prison at Frankland, Co. Durham, is classed as a "Dispersal" prison for 447 male prisoners, the two prisons thus providing nearly 900 top-security places to add to the consistently underused stock at Parkhurst, Albany, Gartree, Long Lartin, Hull, Wakefield and Wormwood Scrubs (D wing). The Prison Reform Trust draws attention to the anomaly of the Home Office building additional top-security prisons which it clearly doesn't need "when the old, urban jails are crying out for re-investment."

The current prison population of around 43,000 (the figure fluctuates seasonally within the range 41,000 to 45,000) is, as mentioned elsewhere, already the highest in Europe and the latest Home Office forecasts are for a rise to 50,000 by 1990. The top security Category A prisoners number about 300 and make up about 13% of the population of the seven dispersal prisons where they are scattered amongst predominantly B category prisoners. The prison system as a whole, though not the long term top security prisons, is grossly overcrowded.

Even at existing population levels there is a shortfall of available places, however the figures are juggled or the categories moved around. That is why we feel that an attack on the existing levels must be maintained because it is these levels, if accepted, which validate the Home Office's argument for new prison building. There is an obvious danger in aiming the condemnation too single-mindedly at Home Office forecasts for even higher levels which, when they are not realised, make the

actual figures seem more reasonable.

The Home Office cannot be straightforward in anything that it does and PROP's understanding of the manoeuvring taking place within the Prison Department is that the new top security prisons are not really intended to add to the dispersal availability at all. The new prisons will provide the Department with two options: firstly to scrap the dispersal system altogether and to switch to the Mountbatten plan for a single "fortress" prison with a second in reserve (it could meanwhile be put to alternative use).

The second option would be to bring each new prison in turn into the dispersal system. The two prisons, together with Long Lartin and Wakefield, could between them meet the requirements of the present dispersal system without Parkhurst, Albany, Gartree, Hull or Wormwood Scrubs. An alternative permutation which has been discussed within the Home Office would retain the island prisons in the dispersal system and make Wakefield disposable.

Whatever option is adopted, four or five (or in the first case, seven) large jails will be returned to other use. Some of the dispositions have already been made - Gartree to become a lifers' centre and Hull and Wormwood Scrubs D wing to revert to local/training prison use. This is why the Home Office could argue, and in due course undoubtedly will, that the new prisons while appearing to be unnecessary for top-security use, will enable a major reorganisation to take place down the line.

### HOW THE HOME OFFICE SHOULD BE CHALLENGED

In order to pre-empt a debate which is clearly being set up for the future - hence the long propaganda exercise which has used the media to highlight overcrowding and squalor - the prison reform movement as a whole should be stressing, using the European comparisons detailed elsewhere in this issue, that we already have far too many prisons.

A sensible minimum policy would take in the following:

1. Legislation to curb the sentencing zeal of judges and magistrates and to bring the average length of sentences down to the levels which other European countries find adequate (surely a very, very moderate proposal).
2. All existing prison sentences to be subject to half remission, as has existed in northern Ireland for many years. To have half remission in one part of



the UK and only a third elsewhere is both an absurdity and a constant provocation.

3. Such other measures as are necessary to produce an immediate reduction of the prison population to 30,000 (still huge by European standards).
4. Phasing out of all prisons situated away from communities, i.e. all the new ones plus Parkhurst, Dartmoor etc. (The Prison Reform Trust criticises Full Sutton very strongly on this count.)
5. Concentration of resources on locally situated pri-

sons, rebuilding as replacements and not as additions.

6. The introduction of positive 'Barlinnie' type regimes.

PROP would not be satisfied with such measures. They are put forward here as recommendations for the timid-minded who are nevertheless not so timid that they dare not slightly close the gap which exists between this country's repressive sentencing and that of the rest of Europe and much of the rest of the world. A tiny step for humanity and common sense: a huge step, we are sorry to say, for most of our prison "reformers".

## ISOLATION ON THE ISLAND 'SOLITARY CONFINEMENT FOR SPEAKING'

by DOUG WAKEFIELD

The above heading may read like something straight out of a Siberian Prison Camp or a wartime concentration camp but it is something that happened in an English prison in 1983, and to me. A prisoner friend of mine on the landing above mine hands me each day the Guardian newspaper. After reading it I pass it on as the boys here like to read this paper.

Today my friend called down to ask if I could pass him back yesterday's issue. I thus had to try and trace it. On going to the door of the prisoner I had given it to I was told that he had passed it on to Peter Sutcliffe. As I had this brief talk, none of the staff present said anything to me. Yet when I asked Sutcliffe for the paper I was locked up in solitary.

All I did was to go to Sutcliffe's door and spoke to him through a small flap that opens outwards in the door. The following conversation took place: Me "Excuse me but do you still have the Guardian?" Sutcliffe "No, I'm sorry but I placed it outside the door when I was last opened up for slop-out." Me "Oh... OK, it doesn't matter. Thanks anyway."

I was then locked up. When time for exercise came around and I wasn't unlocked, I asked why and if I was being refused exercise because I had spoken to Sutcliffe. The only word in reply was "Yes." When Dr Stewart came round on his daily calls shortly afterwards I asked why I was refused exercise and was being held in solitary confinement conditions. He replied that the Hospital Wing is subject to a harsh regime and that I was expected to respect it. I said that I only asked Sutcliffe for the newspaper and that I honestly was not aware that people were not allowed to speak to Sutcliffe, even just for a newspaper. He just shrugged his shoulders and said "Well, there you are", and left.

Now I am being held in solitary without even being allowed to take my one hour's exercise which is something I find particularly unnecessary and hurtful. I am being kept in my cell 24 hours a day without knowing just when this will end. Please try and help me. This is England in 1983. Surely, what they are doing cannot be right.

Doug Wakefield, Parkhurst 1983

### ISOLATED PRISONERS

Doug Wakefield is of course the prisoner whose story "A thousand days of solitary" was published by PROP in 1980 - an outstandingly eloquent account of the effects of solitary confinement. By May of that year Doug Wakefield had spent, in fact, 1,200 days in solitary. Well before the end of 1982 the figure had passed 2,000.

Since his recent transfer to Parkhurst, there has been some relaxation in Doug's conditions - though the word "relaxation" is not really appropriate to the inhumanity of a place like Parkhurst. Nevertheless he was getting a limited amount of association with other prisoners. To be put back, even temporarily, to square one for such a meaningless reason as Doug describes is precisely the sort of institutional behaviour that drives people over the top. How many prisoners, segregated because of violent behaviour, have had their anger and violence precipitated by just such actions?

Doug Wakefield's message raises many urgent questions. Firstly, for how much longer are the authorities going to play this cat and mouse game with Doug Wakefield, and whose will be the responsibility if he cracks under the

strain? Secondly, and the question is emphasised by the hostage incident which caused headline news in January this year, when will it be recognised that the Isle of Wight is not a suitable location for any prison, and least of all for the two long term jails which are sited there?

Many of the newspapers dealing with the hostage affair dwelt at length on Parkhurst's age. Yet Parkhurst's Victorian vintage (actually in part pre-Victorian) is utterly irrelevant: Albany, next door, is less than 20 years old but its record for hostage taking, unrest and general misery is even worse.

### ISOLATED PRISONS

There should be no mystery as to why the Island's prisons are so trouble-prone. The geographical position of the prisons and the extra feeling of isolation which that adds to the isolation inherent in all long term imprisonment is cause enough. The journey for visiting wives and families, particularly if small children are involved, is an inhuman imposition on people who are not, themselves, guilty of anything.

Parkhurst, like the other isolated Victorian prison, Dartmoor, is quite untypical of Victorian penal policy - both prisons having their origins in the Napoleonic wars as prisoner-of-war settlements. A much more accurate picture of Victorian prison building is provided by the big city jails which, after Pentonville, were constructed up and down the country. The fact that it is these prisons - Strangeways, Wandsworth, Wormwood Scrubs, Arnsley, Walton and the rest - which are now notorious for their squalor has very little to do with their Victorian ancestry and a great deal to do with our present over-use of them, involving the acceptance of sanitary conditions which would have shocked their builders. At least the big city prisons are accessible for families - or would be if the Home Office didn't pursue the perverse policy of allocating prisoners to jails remote from their families instead of to those nearer at hand.

At the moment there is considerable campaigning on behalf of the welfare of prisoners abroad. Many governments are moving towards agreement on the mutual transfer of prisoners to the family surroundings of their own countries. The British government is significantly dragging its feet in these matters. It can scarcely do otherwise without first setting its own house in order by permitting Irish prisoners whose families are in Ireland to serve their sentences in Ireland, and by treating the families of all its prisoners with some respect for their

feelings.

Parkhurst and Albany, like all the other prisons sited far from the communities they supposedly serve, are the most glaringly obvious examples of a penal policy which, in this case literally, goes out of its way to be destructive.

#### PETER SUTCLIFFE

A third, and for PROP the most difficult, question raised by Doug Wakefield's message concerns the treatment accorded to Peter Sutcliffe who had been attacked and injured by a fellow prisoner only a few weeks earlier. Doubtless the prison authorities, if challenged over their action against Doug Wakefield, would claim that their ruling that nobody should even speak to Peter Sutcliffe was intended to prevent a further incident. We don't like to see the prison authorities placed in this 'Holier than thou' position when what is at issue is a fundamental matter of prisoners' rights - Peter Sutcliffe's as well as Doug Wakefield's.

We realise that PROP is out of step with many prisoners on such matters but we cannot accept that further punishment, and particularly violent ones, should be heaped by prisoners upon other prisoners. If prisoners reserve for themselves the right to do this, then it is very difficult to condemn prison officers for doing the same.

## BRITAIN'S HARSH SENTENCES NEW EVIDENCE SUPPORTS PROP'S / RAP'S CLAIM

### EUROPEAN COMPARISONS

The key to an understanding of the British penal system and its place in the 'Law and Order' debate lies in the comparative statistics of imprisonment for the various EEC countries. The excuse offered by successive Home Secretaries - Callaghan, Jenkins, Mervyn Rees, Whitelaw - for their inability to move towards more sane, sensible and humane standards of imprisonment has always been their need to take heed of public opinion. If such pleas were genuine, then these Home Secretaries would have made it their priority to inform the public that our use of imprisonment is already, and by far, the most repressive throughout Europe.

PROP undertakes a heavy programme of public speaking, usually by invitation from universities, schools, community groups, political parties, church groups, etc. We know that the public is genuinely ignorant on these matters, and believe that this country is soft on law and order is so widespread that a recital of the fundamental facts always surprises. It is difficult to sustain an argument for more prisons when it can be shown that we already have many more than anybody else amongst our continental neighbours, or that sentences should be longer when it can be demonstrated how much longer they already are than elsewhere.

Because of the manner in which the Home Office publishes its own statistics on the basis of average daily population - and separately for England & Wales, Scotland and northern Ireland - the figure which regularly surfaces in the newspapers is the 45,000 or so average daily population of the prisons, borstals and detention centres of England & Wales. Those of us who attempt

to place this figure in some sort of perspective therefore make direct comparisons with the average daily population of other countries.

PROP has tried to make the comparison more meaningful by demonstrating how far our prison population would have to fall to draw level, proportionately of course, with the imprisonment rates elsewhere. Thus, a PROP article in the Winter 1981 issue of THE ABOLITIONIST, stated the following:

#### ISN'T THERE ONE MP WHO WILL SAY IT?

We have got to start thinking in sensible figures. We have got to ask the MPs who are still holding back (all of them) what they think is so odd about our country that makes it reasonable for us to have, proportionately, more people behind bars than France, Luxembourg, Italy, Belgium, Eire or the Netherlands?

To emulate the Dutch we would have to cut our numbers from 45,000 to 11,500. If that is too much for our MPs' imagination to grasp, what about a Belgian equivalent of 23,500, an Italian 27,000 or even a French 36,000? These are all proportionately adjusted 1980 comparisons. We would have to go further to catch up with the French today because of the amnesty which socialist President Mitterand has since given to 5,000 prisoners. But any of these comparisons demonstrate the scope that exists for really drastic reductions.

Elsewhere in the same article we state:

We imprison, proportionately, more people than any other country in Europe. Only West Germany is in

the same league. We have on average the longest sentences in Europe, which of course is the reason for the size of the prison population. We have the most life sentence prisoners, we imprison more of our young people and, most disturbing of all, the annual rate of increase in the numbers of young people imprisoned is higher, by over 20%, than in any other European country.

Our awareness that it is the length of sentences which is the reason for the size of the prison population is, we think, perfectly obvious from this quotation.

Now Ken Pease and Catherine Fitzmaurice, writing in JUSTICE OF THE PEACE, September 18, 1982, have produced some invaluable research which shows, for the first time, just how far harsh sentencing is the cause of this country's appalling rates of imprisonment. Their analysis is based on the published statistics of eight European countries: England & Wales, Northern Ireland, Scotland, Belgium, France, the Netherlands, Sweden and Switzerland.

The comparisons show that this country actually sends many fewer people to prison than most other countries - for fewer even than Holland! Roughly speaking, Britain imprisons (i.e. sends to prison), proportionately, only half as many of its citizens as Holland but for sentences which are more than five times longer. In other words, the answer to this country's prison population crisis lies in drastically reducing sentence length, rather than the timid reforms to remove, say, vagrants, alcoholics or prostitutes from the threat of penal sanctions. The latter are important measures to undertake and are long overdue for their own sake, but they are really irrelevant to the scale of imprisonment. This has been PROP's message for many years and we are delighted to find it underpinned by such thoroughgoing arguments.

We would like to have reprinted this article but its length prevents us and it cannot, in fairness to the authors, be sensibly edited. But anyone concerned with these matters is strongly recommended to refer to the original. Perhaps the Howard League, of which Ken Pease is a leading member, will reprint it in full.

## TELEVISION AND THE JAILS

### What are a prisoner's rights to privacy?

#### MORE UNPUBLISHED PRISON REGULATIONS REVEALED

Another side to the admission of television teams to prisons is demonstrated by the concern currently shown by Maidstone prisoners at the BBC filming of Rule 43 prisoners in the special Thanet wing.

The filming is for a documentary which BBC television is preparing for autumn showing, on the subject of prison life and conditions for those prisoners who are segregated because of antagonism from other prisoners - prisoners convicted of offences against children or prisoners who, by their behaviour as prisoners, have run foul of the general prison population. To this end the BBC is sending, or has already sent, camera teams into Maidstone, Gloucester and Wakefield, all of which have special wings which permit such Rule 43 prisoners to associate with each other in something approaching normal prison conditions.

In January we were approached by an official Prison Visitor on behalf of a Thanet wing prisoner who alleged that he and several others on the wing were being filmed against their wishes and that no opportunity had been given to them to move away from the cameras.

We were able to quote from a recent Home Office Circular Instruction on PRESS RELATIONS AND PUBLICITY (No. 24/1980)

Para 10, subheaded "Safeguards for prisoners": Prisoners are entitled to full privacy from the media if this is their wish.....

Para 11: It should be assumed by all concerned that where television or other filming is being arranged, any prisoners, except those held on remand whose privacy should be strictly safeguarded, may be recorded in such a way that they may be recognisable by the public audience to which the film record is subsequently shown.

Para 12: Where groups of prisoners are likely to be filmed in this way, eg in chapel, workshop, educa-

tion class or exercise, the prisoners concerned should be given a collective warning of the media representatives' intentions, and assent to participation assumed on the part of those who do not ask to move out of range.

Para 13: Where, however, the intention is to film selected prisoners at closer quarters, any prisoner willing to be interviewed for radio (national or local) or for a television programme shall be invited to give his individual consent in writing.

Annexe A, section 8: Prisoners may not be photographed without their consent. If they wish, they must be given the opportunity to withdraw from range.

Annexe B, section 6: Provided the governor/warden has satisfied himself that the individuals concerned are willing, sentenced adult prisoners may be filmed for a television programme in such a way that members of the public audience seeing the programme may recognise any one of them.

As a result of our intervention we understand that the prisoner concerned has been advised of his rights, and the governor simultaneously reminded of his duties.

#### THE HOME OFFICE ARE THE REAL PRODUCERS OF PROGRAMMES

These are matters which affect all prisoners in all prisons, particularly now that the Home Office is so busily engaged on the propaganda exercise of inviting selected journalists into selected prisons to speak to selected prisoners about selected topics. The journalists concerned will no doubt protest that they were permitted to approach any prisoner they saw. Precisely - and every prisoner knows how that is stage-managed by the removal from the scene of those prisoners who could say the wrong (ie the right) things.

The much quoted and in many ways excellent Strange-



ways programme does not contradict this. Disgusting prison conditions are no longer subjects for the Home Office to hide: they want them shouted from the housetops so as to reinforce the demand for more and more prisons. We are not knocking the Strangeways programme. It has many positive aspects and at least corrected the public impression, much fostered by newspapers like the SUN, that prison life is a round of rubber inflatable dolls and colour television. But it was part of a carefully thought out and extremely subtle public relations exercise set in motion by the most devious and secretive of our government departments.

Our concern at this moment is to make sure that prison-

ers understand their right to privacy. They can then make their own decisions as to the usefulness of participating. PROP has to make the same decisions almost daily, though without the same risk of unpleasant consequences. Dealing with the commercial media, even without direct manipulation of the Home Office, is a bit like riding a tiger. We don't knowingly place our head inside the jaws, which is why we give papers like the SUN and the NEWS OF THE WORLD a miss, but the media as a whole remains our window to the public and we have to do our best to avoid the most obvious risks of distortion. Sometimes it works, sometimes it backfires, and we hope we get a little wiser every day.

## MORE ON PERVERTED MEDICINE

The editorial 'Perverted Medicine' in a recent issue of 'World Medicine' (reproduced on another page of THE ABOLITIONIST) has drawn some interesting correspondence. A Mr K Norcross FRCS, Consultant Orthopaedic Surgeon, writes from Birmingham to say that "It seems clear that much, if not all, of such practice (the drugging of prisoners) follows from the extremely difficult situations with gross overcrowding within our prisons." ('World Medicine' 8 January 1983).

Mr Norcross should try and find out a few of the facts before rushing to put pen to paper in defence of his professional colleagues in the Prison Medical Service. The tensions produced by overcrowding are certainly the excuse, but how shallow is that excuse is demonstrated by the wide variance of levels of drugging throughout British prisons. Some of the most overcrowded of all, Leeds for example, are very light users of drugs. Indeed, there is no correlation between levels of overcrowding and levels of drugging.

Whether or not drugs are heavily used seems to be dependent much more on the whims of the senior medical officer of the prison concerned - a factor which reinforces PROP's and RAP's case for disbanding the service and making prisoners' health the responsibility of outside

NHS doctors chosen by the patients themselves. The medical profession is divided on this issue and it should be no part of a prison sentence to condemn a man or woman to a particular medical viewpoint.

In the case of women patients the medical profession is clearly less divided - hence the heavy reliance of GPs on Valium and other tranquillizers. This general attitude towards women is reflected in the women's prisons and explains why twice as many drugs are used in Holloway, Cookham Wood and Moor Court as in the worst of the male prisons.

Mr Norcross believes that the answer to our overcrowded prisons, and therefore, in his opinion, the answer to wide scale drugging, lies in the reintroduction of corporal punishment! "It is imperative that we revert to the use of corporal punishment of a reasonable degree for very many offenders." This advocate of "a severe thrashing" does not say whether or not he includes women prisoners in his recommendation. Logically he should, as they are the worst sufferers from drugging.

With such attitudes toward the infliction of physical pain we can only wonder at the thoughts that pass through this surgeon's mind when he wields the scalpel.

## A STATISTICAL MUDDLE

### CAN'T WE ALL TALK THE SAME LANGUAGE?

In the presentation of its annual statistics the Home Office often seems to have gone out of its way to alter the numbering of its tables and often the content of the tables themselves. Elsewhere, as in its statistics for the dispensation of drugs by the Prison Medical Service, which it now reluctantly reproduces each year, the different types of drugs are arranged in arbitrary groupings which conceal as much as they reveal.

Academics can no doubt find their way through the thickets, though not many try to, but this is of very little help to the member of the general public who is trying to make sense of what he or she reads in the newspapers. The press, even those sections of it which make some attempt at analysis, is utterly befogged.

No doubt this suits the Home Office very well but it really is not good enough for academic researchers to confuse the issues even further by never quite relating to the available statistics in such a way that the general public, who are after all the people who really matter,

can put two and two together. Two is never related to two!

Ken Pease and Catherine Fitzmaurice make this same point in the article referred to on a previous page, and we support very strongly their plea for some consensus on the publication of prison statistics so that useful comparisons can more easily be made. At first sight they seem to be guilty of the very practice which they condemn by restricting their analysis to prisoners over 21, thus preventing any simple relationship to be made to the one basic fact which has penetrated the press - the average daily prison population of England and Wales. But they were forced away from the obvious analysis by the different criteria used throughout Europe for the classification of adulthood for penal purposes.

Now, as we go to press, Roy Hattersley, the Labour Shadow Home Secretary, writing in The Howard League Journal, makes the sort of European comparisons which we have been urging on politicians for years. He uses only the figures for convicted prisoners, ignoring those on remand, to show that in Britain eight out of every

10,000 of the population are convicted prisoners serving custodial sentences. In Holland the figure is 1.3 and in Italy it is 2.2. In France it was 3.9 even before President Mitterand announced his amnesty for 5,000 prisoners. In Denmark it is 4.5, in Luxembourg 5.9 and in Germany 6.7.

Because most European countries remand more prisoners in custody to await trial than we do, these comparisons show up Britain in an even worse light, but they do throw yet one more set of figures into the arena when the

public has yet to digest what is already on hand. Nevertheless this is the sort of argument that has to be put over to the public and not just to Howard League members who presumably already know it. Hattersley, with his regular weekly column in the Guardian, has more to say in the press than any other British politician of any party. One recent article was devoted to his reminiscences of black puddings. Perhaps, now that he has enlightened the Howard League on these more important matters he will treat his wider audience to the same information.

## LATEST NOTICES OF PROP'S NEW BOOK

WHAT THEY'VE BEEN SAYING ABOUT THE NEW BOOK "FRIGHTENED FOR MY LIFE", written in association with PROP and published as a Fontana paperback.

"The authors have done a powerful job. The book is notably free from rhetoric and they are very alive to the complex social relationships of prison life"  
New Society.

"Raises questions of public concern that have never been answered"  
Birmingham Post.

"The authors accuse the prison system of terrifying indifference, indiscipline, medical inadequacy, and a liking for surrounding prison matters with a veil of ominous secrecy....."

"A book which should keep Home Secretary William Whitelaw awake at nights, for there is clearly a great deal wrong with the system which he overlord"  
Wolverhampton Express & Star.

"A damning indictment of the prison medical service"  
Economist.

"Told with a clarity and perceptiveness that graphically illustrates the pain, violence and final destruction suffered at the hands of those who run and manage the British prison system."

"Central to the book's concern is the role the prison medical service plays in the prison system."

"The authors illustrate the part prison staff, doctors and hospital nurses play in maintaining order and control inside....."

"It deserves to be read by the widest possible audience as a powerful, dignified and compassionate account of individual suffering inside a British state institution"  
Labour Herald.

"Points a frightening picture of life in prison"  
West Indian World.

"This book will raise hackles, and may even make those in authority question their own motives. A compelling social document"  
Northern Echo.

"The authors have not only performed a valuable public service in pulling aside this curtain of secrecy but have drawn attention in a constructive way to other factors which prevent even the most elementary protection against ill-treatment and abuse of power"  
The Democrat.

"Hard evidence drawn from interviews, inquest transcripts and unpublished prison documents"  
Scotsman.

Geoff Coggan & Martin Walker

**FRIGHTENED**

**FOR  
MY LIFE**

**An account of  
deaths in  
British prisons**

A FONTANA ORIGINAL



"If anything shakes the Home Office up, this book should, but changes under the present regime are unlikely"  
Tribune.

"We have suffered unreasonably for years from allegations and suggestions made by PROP. Our lawyers are now investigating the book - you can take it from us that we are not happy about the book"  
Prison Officers' Association.

"No comment"  
Home Office.

FRIGHTENED FOR MY LIFE is published by Fontana at £1.95 and is widely available in bookshops throughout the country. Or it can be obtained by post from PROP (the National Prisoners Movement), BM-PROP, London WC1N 3XX, at £1.95, post free.

## MAILBAG: PRISONER/STAFF MEDIATION

In the following letter from Martin Wright, which we have his permission to publish, we are taken to task for the scathing comments we made in the last issue of PRISON BRIEFING about an internal Prison Department discussion document which promoted the idea of prisoners serving with staff members on conciliation committees. Readers are referred to that article.

I haven't seen the paper you refer to by Adrian Arnold, but I wonder if you've been too quick to dismiss it. The scheme for mediation which he proposes is evidently based on American schemes which appear to work quite well: the Americans, unlike the Home Office, has sufficient confidence to ask the prisoners what they think of the schemes, and get more favourable responses to this type than to, for example, prison ombudsmen.

You object to the selection process, but bear in mind that it works both ways: prisoners would be wary of staff representatives elected solely by staff, and vice versa. So it may be the best feasible compromise for the staff to elect half-a-dozen people they would be happy with, from whom the prisoners would choose the two most acceptable ones, and the process to be reversed in choosing the inmate representatives.

As to 'prosocial' and 'antisocial' inmates, we all know that some prisoners who stand up for their (or others') rights are called 'troublemakers', but we know also that some prisoners exploit other prisoners - don't you agree?

And I don't think it helps the discussion to dismiss Adrian Arnold simply because of the Prison Department's ineptitude in handling the Wormwood Scrubs affair. I know Adrian Arnold, and am convinced that he is sincerely trying to reform the prison department from within. That doesn't mean accepting everything he says unquestioningly, but PROP is making a mistake if it treats him as a hostile witness.

Best wishes,  
MARTIN WRIGHT.

Martin Wright was of course for many years Director of the Howard League of Penal Reform and is the author of the recently published "MAKING GOOD (Prisons, punishment and beyond)", Burnett Books, £5.95. The book was reviewed for RAP in the last issue of THE ABOLITIONIST and joins the select list of books on PROP's recommended reading list - which doesn't mean that we have to agree with it all!

PROP is not opposed to staff/prisoner cooperation: our attitude towards the Barlinnie Special Unit is sufficient proof of that. But the very fact that Barlinnie remains a tiny, isolated experiment in a corner of a Scottish prison is the clearest indication that the prison authorities are not really interested in mediation - except as a label for something else. If the Home Office and the Scottish Home and Health Department were genuinely concerned with such developments they would not have acted in so negative a fashion about Barlinnie - the one success story in the British penal system, but one which has been forced to fight for its existence against a background of official hostility, and later indifference.

The American prison population is proportionately twice as high even as ours, its prisons are more violent, and it is currently reintroducing capital punishment - so our lack of enthusiasm for some of its cosmetics is perhaps understandable. The Australian experience is more relevant to our own. There, in the wake of the Royal Commission on the Penal System, there was considerable interest by the Prisoners Action Group (PAG) and by prisoners generally in the setting up of prisoners' committees. There was certainly no lack of goodwill on the part of prisoners towards making them work. Now, after the event, there is bitterness at the manner in which they have been conned. (We will discuss the Australian experience in the next issue of PRISON BRIEFING).

As for Mr Arnold, we are quite prepared to accept Martin Wright's evaluation that he represents the more progressive voice within the Home Office. We don't make the mistake of seeing the Home Office as a monolithic edifice without differences of opinion within its ranks, but it is monolithic in the face which it presents to the public. The attempted cover-up of the MUFTI squad's assault on Wormwood Scrubs prisoners in 1979 cannot be simply brushed aside as "Home Office ineptitude" which somehow leaves individuals within the Home Office unscathed - least of all an individual so closely involved as Mr Arnold was with the regional department concerned.

We reiterate that when an internal Prison Department discussion document speaks of prisoners "electing" (in quotes) their committee representatives, we cannot be expected to take the proposals seriously. If, in expressing our suspicions, we have maligned an individual, we are sorry. But we are sure that anyone working in the Home Office and "trying to reform the department from within" would not expect us to act otherwise.

## MAILBAG: ARMAGH JAIL OUTRAGE

### Forcible body-searching of women prisoners

PROP has been asked by the CONCERNED WOMEN OF AMERICA to publish the following letter, received by them from Armagh Prison:

Parochial House  
Armagh, N. Ireland  
14 December 1982

Since 9 November 1982 a serious decline in standards of behaviour has taken place on the side of the authorities in the N. Ireland Office prison affairs management. Girls entering or leaving the women's

prison, Armagh, for whatever reason, admission to prison, going to and on return from remand court or for trial, visiting hospital, inter jail visits, have to undergo a completely naked visual examination of all parts of their body front and back while the prisoner stands totally naked before prison female wardens. (Although the courthouse is less than 400 yards from the jail, and the women are locked in the prison van inside the grounds of the jail and remain there until inside the perimeter of the courthouse, they are stripped both going to and returning from the court: PROP). This type of degrading inhumane treatment



has not been used during the fifteen years of my chaplaincy there nor in the seventeen years of my predecessor, Very Reverend James Clarke P.P. This new procedure has been a traumatic experience for young Catholic girls and older women, married and single, all of whom were reared and educated in Catholic houses and schools where the strictest standards of modesty were impressed upon them as a matter of conscience. This has now gone on for six weeks.

I give you an example - Geraldine Crawford, a young Catholic woman from the diocese of Down and Connor was visually examined in this degrading way 13 times between the dates 20 and 30 November. The girls are made to turn around to be examined totally naked front and back.

I and my fellow priests consider this inhumane and degrading treatment contrary to Article 3 of the European Convention on Human Rights. As a priest, I consider it to be contrary to the Sixth and Ninth commandments, a serious invasion of a woman's privacy and treating of the person as an object.

No valid reason for this continuing disgraceful procedure has been brought forward by the Secretary of State, Mr. James Prior, or the Minister responsible for prisons in the North of Ireland, Lord Gowrie.

I want you to use your valuable influence to have this inhumane practice discontinued immediately.

Signed s/s Raymond Murray  
FR RAYMOND MURRAY  
Catholic Chaplain, Armagh Prison.

The strip-searches were introduced supposedly for security reasons, and initially the women refused to comply.

They were told, however, that 'any prisoner who does not voluntarily remove her clothing will be acting in breach of prison regulations and will therefore be forcibly strip-searched.' They then agreed to go along with the searches after the governor had given a solemn undertaking to review the need for such searches and had agreed to look into the whole question of the punishments which were being enforced in the jail. He reneged on this agreement, however, and the women started to refuse to comply.

The resultant forcible strip-searches have been brutal and degrading to say the least. They have involved individual women being set upon by as many as eleven prison officers, being thrown to the ground and their clothes being torn from them. Prison officers have sat astride women prisoners whilst other officers have removed clothing. At all times the prisoners are humiliated and watched by a number of prison officers (who sometimes include men), whilst they are subjected to vaginal and anal examination.

During a particularly bad incident on January 4th, three women (Philomena Lyttle, Catherine Moore and Lorraine Nichol) received severe bruising; one who was menstruating had her sanitary towel removed and one woman was blindfolded throughout the whole exercise. All were subsequently charged with 'disobeying an order to strip' and two each received seven days loss of remission. On January 25th a similar incident happened with three other women, all of whom received cuts and bruises to their backs and other parts of their bodies, and one of whom has since been charged with 'assault of five prison officers'.

## HOLLOWAY

PROP has consistently stressed the political nature of imprisonment. The definition of certain actions as crimes, the relative seriousness with which different crimes are regarded, the treatment accorded to different classes of prisoners - by the police, by the courts and in the prisons - all of these are political decisions.

The lack of interest in prison matters by those who consider themselves to be on the political Left has always angered us. With a couple of honorable exceptions the Left press only comes to life when a "political prisoner" is involved. Quite apart from the considerations that we have mentioned, the notion that any prisoner, regardless of the offence which he or she has committed, is capable of political action as a prisoner never seems to occur to them. Yet the actions of some of the finest people in our prisons, struggling not only for their own rights but on behalf of other prisoners but neither attracting nor claiming any political label, are ignored.

Having said that, we don't deny the special concern which we should all feel when people are imprisoned for overtly political acts. That is why we salute the Greenham Common women, currently in Holloway and other of Her Majesty's prisons. The issue on which they have taken, and are taking, a stand is the most crucial political issue facing humanity today - the outcome of which will decide whether we are still around to take issue over anything else.

### DIVIDE AND RULE

Other prisoners in Holloway have already been subjected to the 'Divide and rule' tactics of the prison authorities

who have made clumsy attempts to drive a wedge between them and the newcomers: they won't succeed. Of course, to have such an influx of politically motivated prisoners, especially when they include many who wouldn't normally see the inside of a prison, is the last thing that the prison authorities want.

They - the authorities - are stuck in a Catch 22 situation. On the one hand they would like to treat the newcomers with kidgloves so that they will come out of prison with the tale of how well all prisoners are treated. On the other hand they are scared stiff that the prison population will be "infected" with new seeds of protest if the Greenham women's movements are not restricted.

### A WOMEN PRISONERS' MOVEMENT?

What we are likely to see as a result is a heightened public awareness of conditions within this country's women's prisons. That in turn might even lead to the development of a women prisoners' movement. None of the traditional prison reform organisations has dealt adequately with the question of women in prison. PROP, as a prisoners' group, does its best to work on behalf of all prisoners and can claim to have done as much as any to highlight the grotesque use of drugs by prison doctors on women prisoners or the treatment accorded to young Rasta women. But we would be the first to say that our best has not been anything like good enough AND THAT A WOMEN PRISONERS' GROUP IS URGENTLY NEEDED IF THE VERY SPECIAL PROBLEMS IN THE WOMEN'S PRISONS ARE TO RECEIVE PROPER ATTENTION.

If the jailing of the Greenham Common women should prove to be the catalyst for such a development, it would present the courts with a very appropriate consequence of their judicial action.

# Matt Lygate

From our Scottish Correspondent

As though to convict your correspondent of inaccuracy (cp. *Abolitionist* no. 11, p.18), Scottish prison authorities have now begun to accord the Jimmy Boyle treatment to one of their political prisoners. Bill Macpherson has at last graduated – via the infamous cages of Porterfield – to the Special Unit at Barlinnie. This welcome (if belated) development encourages hope that it may not be too long before Bill is set at liberty.

No such hope is held out to Bill's comrade, Matt Lygate. Scotland's senior rebel is just completing his eleventh year behind bars. Matt was sentenced on 20th March 1972 to 24 years for armed robbery – a crime he has consistently denied. He has twice been refused parole and the European Court of Human Rights has declined to intervene.

Why such a savage sentence? "Far for the course" would normally have been eight or nine years. We are reminded by the *Evening Times* (26/11/82) that the "Godfather", Walter Norval, drew only 14 years for organising a series of bank raids. Jimmy Boyle himself served 15 years for murder.

Why, too, do they keep a "model" prisoner, who has, incidentally, developed while inside into a fine artist, so long without hope of release?

## POLITICS

His mother, Doris, believes she has the answer to both questions. "It was politics", maintains Mrs Lygate, "that put him in prison and it is the same politics that are keeping him in."

This is a grave charge to lay at the door of a society which affirms that it keeps no political prisoners. That the affirmation is a sick joke (ask the Welsh Republicans locked up in Cardiff gaol for over a year without trial) does not lessen the gravity of the charge. An early opportunity to disprove it, by letting Matt Lygate go, will arise when his case comes before the Parole Board.

No-one, least of all Matt Lygate's mother, believes that the Board is at all likely to do such a thing. "I believe that it will be turned down again", she says. "He has done nothing wrong in prison. He is a good prisoner. He feels they have locked him up and thrown away the key."

## A MATTER OF TIME

One man who believes that they were right to do so is Detective Superintendent Valentine (retired). The former head of Govan CID has no doubts. "I feel his actions merited every day of the sentence. I would say justice was done."

Well, one might think, a retired police chief is entitled to his opinions. But Mr Valentine cannot leave ill enough alone. "I believe", he opines, "that it would have been just a matter of time before they killed."



Strange, but we always thought preventive detention had been abolished in the UK. We thought that people were only to be locked up on account of things they had actually done – not incarcerated because of a hypothetical possibility. Matt Lygate is a gentle as well as a sincere person. He has killed nobody.

Matt is in prison, however, not for what he did nor for what he might do. He is in prison because of his beliefs, which is to say, what he is.

Comparisons are odious. Yet one can surely understand the feelings of a mother who, when Mr Boyle, at last, walked free, expressed a certain bitterness. "It was nothing really to do with Jimmy Boyle. Good luck to him. It is the system. People are out and walking the streets for crimes that have no comparison with the crime Matt was charged with. They commit terrible crimes against children and get six to seven years. They call Matt a revolutionary and that's why he got 24 years."

Yes – and that's why they're keeping him. That Alasdair Tennant, the able young candidate of the Scottish Republican Socialist Party, collected only a handful of votes in the recent Queen's Park by-election is beside the point. The Scottish people; after all, voted for an Assembly, and the Government contrived to ignore that, too. If there are political criminals on the British mainland, one might be forgiven for thinking that it's the wrong ones who get locked up.

# Prison Education

## Submission on 'Prison Education' to the House of Commons Select Committee on Education, Science and Arts.

RAP believes that the success of any educational programme depends as much on its content as on the social situation in which it is offered. Thus, as background for our recommendations to the Select Committee we shall analyse the role of education services within the prison regime as well as the actual educational practices and programmes in such institutions – an analysis which draws on first-hand knowledge and experience of both those who are involved in providing education services in prison and those who have received these same services.

### The Role of Educational Provision within the Prison Regime

1.1 In society as a whole education can clearly be seen as a 'privilege'. Not only does access to education in many situations depend upon financial privilege but also our educational reliance on achievement in status-graded examinations forces education into the role of arbiter of individual and social "success" or "failure".

1.2 In many ways the role of education services in prison reproduce the severe short-comings of the education system in general. But when these short-comings are transposed onto a penal regime, the outcome is devastating. For the significant control and managerial emphasis in prisons manipulates education into its service – and access to education in prison itself becomes an institutional privilege.

1.3 It is widely accepted by those involved with the prison service that withdrawal of association or education time or educational equipment constitutes an effective punishment. Alternatively, the promise of education time and resources is a useful "reward" to goad prisoners into conformity. In this way prison education becomes a system of "double privilege"; eg. because it relies on traditional definition of education in general; and because it uses education as a weapon of control, management and conformity.

### Current Education Provision in Penal Institutions

All the evidence of current prison education provision supports the contention that these services create a system of "double privilege".

2.1 A large proportion of the prison education departments budget and resources is spent on "prestige projects", projects which are also used as "shop windows" for the prison service in general and their education services in particular.

2.2 This huge resource expenditure on prestige projects is wrong because a) these projects frequently emphasise examination achievement at the expense of broader educational goals, and thus few prisoners can benefit from them; b) money spent on prestige projects limits the amount of money available for educational facilities which benefit a range and greater number of prisoners; c) prestige projects present a false picture of life in prison and hence exacerbate antagonisms between inmates, staff and the community. This tacit policy of restricted and restrictive prison education facilities seems to RAP to be in contravention of the spirit, if not the letter, of Rule 29 of the Prison Rules, 1964;

Every prisoner able to profit from the educational facilities provided at a prison shall be encouraged to do so.

2.3 The content of educational provision in prisons is poor. Our first hand knowledge and evidence suggests that very few education services tackle the life experience, problems and release aspirations of prisoners, or provide a useful bridge between institution and community. This failure can often leave even the most highly qualified and examinable prisoner without the personal resources to deal with daily life on release. The need for a broad interpretation of education provision and need in prisons was emphasised by the May Committee (p.70, para 4.39) and yet still remains undeveloped. Furthermore, the traditional definition of education implicit in education services offered in prisons, as well as the enforced separation of prisoners and their education from the community, may well increase a prisoner's reliance on the institution and encourage "learnt helplessness".

2.4 The content of prison education also reinforces racial and sexual stereotypes in a self-defeating manner. For instance, education facilities for women prisoners frequently emphasise an assumed "natural" domestic role, offering women inmates little opportunity to develop practical skills in terms of future economic and emotional independence and use education to force women back into social positions of subservience and drudgery; which may well have contributed to their offending in the first place.

2.5 Racial stereotypes also implicitly or explicitly affect the access and content of education for black prisoners. Stereotypical low expectations of the learning ability of ethnic minorities, as well as an educational emphasis on formal "standards" which may be irrelevant to a prisoner's life on release (ie. strong emphasis on a particular form of literacy and mode of communication) are just two of the ways in which education is misused. In this way education becomes the arbiter and seal of individual and social failure for many black prisoners, as well as a denial of the potential of education as an instrument of personal development and change.

2.6 All these misuses of education in prisons are, in RAP's view, a direct result of the very poor organisation of prison education departments and the role education is forced to play in prisoner management. In general, prison education departments lack educational policy, misuse their limited resources, interpret "education" in the narrowest sense and



operate without accountability to either individual and social needs. Where some success is achieved in a constructive educational programme it is most typically the result of the efforts of a particular individual working against the mainstream.

2.7 The Local Education Authorities are theoretically entrusted with the responsibility for prison education. They have the breadth of experience and available channels of communication with community interests which make them potentially well-suited to this task. In their role, LEAs have no in-built necessity to use education as a "double privilege" and a weapon of prison management. They must implicitly understand that a prisoner's education is to equip him or her for community life – and not the needs of an institution. However, in current practice LEAs do not assume total responsibility for education policy, programmes and staffing in prisons. This must be to the detriment of prisoners and the community.

### RECOMMENDATIONS

1. Prison Education Departments must become entirely accountable to the community. LEAs must assume full responsibility for prison education and must be primarily responsible for education policy, education programmes and deployment of educational resources within prisons.
2. All education staff working in prisons should be part of the LEAs general workforce, and their educational experience should span both community and institutional life.
3. Education programmes for prisoners should be developed which incorporate community needs (ie. for future responsible and independent community members), since it is, after all, theoretically for the protection and interest of the community that people are imprisoned in the first place.\*
4. LEAs must thus provide an education programme which does not reinforce institutional values and institutionalisation. Instead education programmes should be "student centred" and responsive to the needs of prisoners on release.
5. LEA education programmes should be made available to as many prisoners as possible. RAP recognises that for these facilities to be widely available a drastic reduction in the prison population is required. However, in all situations the wide provision of broad education services should always be favoured at the expense of prestige and costly exam provision.

Submitted by RAP and PROP (The National Prisoners Movement) December 1982.

\* see Barlinnie Special Unit, Scotland as an example of "student centred" education programme in prison which emphasises individual and social responsibility and which encourages active links with the community.



# BOOKS

## Change through art

*The Special Unit – Barlinnie Prison  
Its Evolution Through Its Art.*  
Eds: Christopher Carrell, Joyce Laing.  
Third Eye Centre, Glasgow, 1982. £6.95.



Above: *Work space within my cell.* Pen and ink drawing, 1981. Hugh Collins.

The essence of imprisonment is the deprivation of freedom and this in itself must constitute the most severe punishment. Prison does not deter because, it is claimed, it does not punish. If this is so, it is reasonable to suggest that freedom outside may no longer exceed that inside to any significant degree for a large number of people. Tougher measures are called for to be used inside prison in the drive to deter, despite the fact that such measures have been seen only to breed crime and build up aggression.

It is not popularly believed that if people are treated humanely in prison there is more chance of them acting humanely outside again.

This was the risk taken by the Scottish Home and Health Department in 1973 when it opened the Barlinnie Special Unit. The risk was the wrath of public opinion, the gamble

was that if it succeeded, previously dangerous and destructive men would eventually be released back into the community with more responsible and social attitudes. If it failed, the violence, in and out of prison, would continue to escalate.

What happened and is happening in this unit goes far beyond those first tentative aspirations. The success of the Unit is the S.H.H.D.'s embarrassment. By the absence of its contribution to this book the S.H.H.D. again demonstrates its unease at its own success against the weight of public disapproval of what is seen as "pampering" criminals. Those who are willing to look beyond the pages of the popular press may find themselves agreeing with a strong body of people who, knowing not only the Barlinnie Special Unit but the reality of the general prison system also, would endorse the words of one of the prisoners when he says "Whatever the critics think of the place, it works and you can't argue with that".

The deprivation of freedom is there by the very fact of the unit being behind prison walls. What happens during this period of imprisonment is, of course, the crucial factor. The Special Unit is in every sense of the word a learning centre based on collective responsibility and bears no comparison with a normal prison - in which it is easier to serve a sentence in that there is no pressure to endure the mental turmoil of examining the attitudes and behaviour that have brought one into prison.

This book will be, like the phenomenon it describes, an embarrassment to all those who have a vested interest in an enduring concept of the criminal. To those who want to find out about the Unit it will be a rewarding experience. It is an honest and frank appraisal of the Unit and its history. The voices of all involved in it are heard - the men themselves (those who wanted to participate), members of the families, the founding members, social workers, governors, artists, psychologist - with one notable and sad exception. The unease of the S.H.H.D. extended to forbidding one of the two central groups of protagonists in this experience from having their say: those prison officers still employed in the service who with the prisoners shared the key to this success and without whose integrity and dedication things would certainly have taken a different course. Ken Murray must be mentioned here. His ability to engender trust forged the first links between prisoner and staff. The valuable contribution

of the now retired Walter Davidson must speak for those who served and are still serving in the Unit and who have weathered the storms not without cost to themselves.

The Unit is a place of challenge and this collection of views, statements, creative writings and visual art clearly describes the struggles, frustrations and trauma involved in self examination and the difficulties of communal living. The value and meaning of art in the Unit is examined. Any claim that art has become a superficial bandwagon is given no credence whatever by Cordelia Oliver's critical assessment of the work produced.

Change and development are what the Unit is about and that these things in themselves are painful and disturbing is amply demonstrated in this book. The courage of those who work towards this change speaks for itself, and those who would be cynical after reading it may be those whose own personal insecurity makes the concept of change their own problem.

This book is characteristic of the Unit itself in its liveliness and variation. It is fitting here to acknowledge Joyce Laing, one of the editors, and the art therapist of the Unit, whose own sensitivity enabled her to cross seemingly insurmountable barriers in enabling the "hard men" to find that self esteem can grow through creativity.

Helen Bellamy



Above: *Communication between staff and inmates in a four-group (detail)*. Pen and ink drawing, 1981. Hugh Collins

*Freedom on Licence: The development of parole and proposals for reform*  
Howard League for Penal Reform  
Quartermain House, 1981

When the Home Office published its *Review of Parole in England and Wales*, proposing that release on parole should be automatic for short-term prisoners, RAP argued that the scheme (a) was wrong in principle, as the parole system with all its iniquities would be retained for long-term prisoners; and (b) wouldn't work, as the judges could easily sabotage it by passing longer sentences. RAP therefore stuck to its 'politically unrealistic' view that parole should be abolished and sentences drastically reduced. The judges themselves confirmed that if the scheme was introduced they would put up sentences, and the proposals were abandoned.

Now a Howard League working party (chaired by Lord McGregor of Dumis) has come up with a scheme which it believes can meet the objections of principle to the existing parole scheme but is also politically 'realistic' since, as Louis Blom-Cooper says in his foreword, it is "proffered in the spirit that the arguments by the then Conservative opposite in 1967 are even more relevant today."

The report's detailed proposals are designed to achieve three objectives:

1. the removal of the majority of cases from a process of selection altogether;
2. the concentration of the Parole Board's activities on those cases in which there is a question of public interest;
3. the establishment of an appeals procedure. (para. 184).

The proposals have indeed been well designed to meet the purely procedural objections to the existing system, but they do not in any way meet the more fundamental questions raised in the report about the rationale of what is, as the working party says, clearly a resentencing process."

... such criteria as have been shown to predict future behaviour with even partial accuracy are all derived from facts (such as the offender's previous record) which were known at the time when the original sentence was passed. Other factors such as the home circumstances to which the offender will return, are largely out of his control: the Board takes them into account, but has never satisfactorily explained how it preserves fairness as between, say, a man whose wife has remained faithful and one who, not being so fortunate, may be regarded as a 'worse risk'. (para. 124)

In view of questions like this, setting up a "parole Division of the Court of Appeal" is a reform of very doubtful value, as it is difficult to see how the court could devise any rational criteria of substantive fairness. Certainly such a feat is not to be expected of the judges who recently ruled that "no constraints or pressures should be put upon the Parole Board in coming to what in the end must be a decision in which expediency is an important influence" (*Payne v Lord Harris of Greenwich* quoted in *Abolitionist* no. 9 p.28).

# HARD LABOUR

Earlier this year the Labour Party published *Prisons* — a party discussion document in the series *Socialism in the 80s*. It is impossible to read it without having in the back of one's mind the struggle in which Labour Party members are now engaged in trying to close the gap between decisions made democratically by Conference and the actual performance of a Labour Government in office. Unless and until that struggle is won it would be unwise to expect even agreed and stated policies to be actually carried through.

In the context of party political attitudes towards this country's prisons many of the recommendations are first class, though the more realisable of them would be regarded as unexceptionable in many other European countries, regardless of the politics of their governments. The fact that nothing like them appears in the equivalent Tory Party discussion document 'The proper use of prisons' demonstrates just how far right that party has moved under Thatcher. However, a Labour Party discussion document deserves scrutiny to a more exacting standard than a comparison with Thatcher.

## FIGURES

The document opens with a table of comparative rates of imprisonment within the countries of the EEC — an essential starting point for any serious discussion of this country's penal policy. A minor error places the UK just second to West Germany whereas the UK (not England and Wales which are the figures actually quoted) is in fact in the lead and has been for a number of years because of the even higher imprisonment rates in Scotland and northern Ireland. The mistake is not an important one and does not alter the overall picture of two countries — the UK and West Germany — whose levels of imprisonment are a disgrace to the rest of Europe, and much of the rest of the world.

Unfortunately such a bald recital of percentage figures is not really adequate for an educational document. The same statistics could have been much more imaginatively used, for example by stating how far our prisons population, currently 45,000 (England and Wales), would have to drop to draw level, proportionately, with other countries. Even to bring our prison population down to the level of the next country in line to ourselves, France, we would have to reduce our number to below 35,000. An Italian equivalent would be 27,000, a Belgian one 23,500, and so on right down to the 11,500 that would represent a Dutch level of imprisonment expressed in terms of this country's size. That is the scale of this country's over-use of imprisonment, contradicting a widespread public impression that we are soft on law and order and soft on prisoners. It is by making it clear that this country is the odd man out in Europe, and odd in the direction of harshness, that such notions can best be countered.

The failure to hammer home these facts in a meaningful way is compounded by an unwillingness to get to grips with the urgent need for a drastic reduction in prison numbers. It is clearly not just an oversight that the document's call for cutting the prison population never mentions numbers. But why? The Labour Party ought not to be lagging behind prison governors and even prison officers in this respect. Even a timid call for a reduction by 10,000, to bring us proportionately to the level of the next country in line to ourselves, would have been better than nothing. As it is, the undefined call becomes little more than a platitude which plays straight into the hands of those who are peddling cosmetic reforms which would leave all the crucial elements of crisis untouched.

The omission is a serious one and grossly misleading to the general reader, who, if she or he is a socialist, or a good liberal or indeed a humane and sensible person of any political persuasion, is not going to disagree with the recommendation that new minimum and legally enforceable standards be incorporated in prison rules. The danger is that these new standards will be seen as reforms which can be introduced piecemeal whereas in fact the really meaningful ones are dependant upon a drastic reduction in prison numbers which in turn requires not only firm measures to release many prisoners already inside but equally firm legislation to curb the sentencing appetite of the judiciary. These are the two crucial issues which should have been confronted. Instead, by the failure to identify even a cautious minimum target for reduction, they have been fudged.

The idea behind the proposals for minimum standards is presumably that a statutory obligation, for example to prohibit compulsory cell sharing, would give prison reformers a legal weapon with which to attack prison conditions. But, without an immediate reduction in the prison population, such legislation, inevitably amended with clauses enabling it be phased in over a period of years, would be the spur for a massive programme of prison building. Such a consequence would in fact be in the tradition of prison reform which, over the years, has ushered in the very things that become abuses in the hands of prison management.

## FINE WORDS

Subject to this crippling qualification many of the detailed recommendations which follow are excellent. They include the handing over of all specialist services in prisons to the normal community agencies, and the extension of the fire, health and safety regulation, through their respective inspectorates, to cover responsibility for the prisons in their areas. Such changes would mean an end to the Home Office employment of a whole army of yes men — chaplains, doctors, chief education officers, chief probation officers — and the removal of all their responsibilities to the people who provide these services to the community as a whole.

This integration of specialist services has long been PROP policy and was a central feature of the recommendations which we submitted to the 1979 Committee of Inquiry into the United Kingdom Prison Service, under Mr Justice May. Their importance, not spelt out in the Labour Party discussion document, lies in the opening up of prison regimes to the scrutiny of people who do not depend for their jobs on Home Office pay and patronage. Without this necessary fresh air blowing through the system, no other recommendations, however legally enforceable, would stand a chance against the closing of the ranks of prison department employees such as happened after the Wormwood Scrubs MUFTI assault.

There are many other proposals for change in the pamphlet which, it will be noted even from this brief survey, bears no relation to the attitudes of successive Labour administrations. Can this really be the same Labour Party that prisoners knew so recently, the Labour Party of Home Secretary Merlyn Rees and his two junior ministers, Dr Shirley Summerskill and Lord Harris of Greenwich? Perhaps the answer to that question is the important one which will decide whether anything at all will come from all these fine words in the future.

Geoff Cogan



**Labour's Programme 1982**  
**Labour Party, £1.95.**

Two pages of this 279 page document are devoted to the penal system. Their content is mainly a compressed version of the Discussion Document on Prisons — so compressed that the vital European comparisons are squeezed out altogether — but there are a number of changes.

There is one big change for the worse. The discussion document says that "The prison building programme should immediately be frozen". *Labour's Programme 1982* promises to "end the building of new prisons away from the main centres of population". This makes it more likely that Geoff Coggan's fears will be realised, and the promised improvements in prison conditions will be used to justify more prison building.

There are many other differences of wording, but they are harder to interpret because of the vague phraseology involved.

Not too much significance should be attached to the precise wording of a document that says at one point: "Prisons should be seen as the last resort to contain those who commit violent crimes such as murder and rape and are a real danger to society" (the second "and" has pretty radical implications for domestic murderers, if you think about it); and then, in the next paragraph: "Considerable scope exists for reduction, since roughly a third of the sentenced prison population are inside for non-violent offences".

The estimate of a third could only have been arrived at by excluding all offences of burglary, which account for almost another third of the sentenced population. Most burglaries are not, of course, violent, and bear little resemblance to murder or rape. This shoddy use of concepts and figures shows how far the Labour Party is from defining clearly what it wants to achieve.

The wooliness of both these documents on the issue of population (despite their many excellent recommendations on other points) has in my view a lot to do with the almost complete absence from them of any serious political critique of the penal system. It is remarkable that an avowedly socialist party should see the imprisonment of large numbers of working-class people for petty property offences as a matter of concern on purely humanitarian grounds — the contrasting treatment of "crimes of the powerful" is not even mentioned. Fine-sounding principles are enunciated, but they are not carried through to any sort of logical conclusion because they are not seen as related to broader political objectives.

And yet the 1982 Programme does outline a sensible alternative approach to crime. Reparation and aid to victims are rightly stressed; and there is a section on "Crime Reduction and Prevention" which refers back to the chapter on Housing. Which is exactly what it should do: classify vandalism or burglary under "law and order" and they look like "Tory issues": change the heading to "Housing" and suddenly you're on your own ground. But the other side of the strategy should be a determined campaign to educate the public about the futility of "law and order" solutions.

These proposals are official party policy, and they do represent a real advance. If they are implemented, RAP's two major campaigns of the last five years — against prison secrecy, and the prison medical service — will be crowned with almost total victory. But there will still be a long way to go.

**Tony Ward**

# Revolving door

*Background paper four: Drunkenness and the Depression in Scotland*

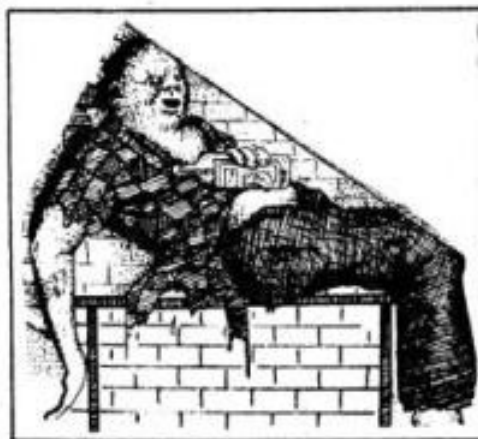
Jason Ditton and Catherine Phillips  
 Obtainable from: PRESSGANG, Department of Sociology, 61 Southpark Avenue, University of Glasgow, Glasgow G12 8LF.  
 Price £1.85 including postage.

"One of the few areas in which there have been little or no division of opinion for the past hundred years or more", according to one of the numerous studies cited in this paper, "is the futility of sending men and women to prison for petty offences, including drunkenness." Which makes it difficult to say anything new about the subject, but important to go on repeating the obvious in the hope that eventually someone will listen. This background paper is, as the title implies, a compilation of existing research evidence as a background to the debate on the control of public drunkenness in Scotland. If, that is, there can be a debate in the absence of a division of opinion. The real question of course is one of money and political priorities: "a lack of Government conviction and commitment, and ultimately a cynical disregard for the less able members of society." The paper also provides the background for the authors' own research on drunkenness offenders in the Scottish penal system, which the Scottish Home and Health Department (who better to deal with homeless alcoholics in 1984?) won't let them publish.

The authors do not just repeat the truism that imprisonment is no solution to Scotland's "drink problem": they argue that it is the problem. Scotland's alcohol consumption, they show, is not as high as stereotypes would have us believe. The penal "revolving door" is not merely futile: it traps people in a pattern of dependence on institutions and drink from which they have an ever diminishing chance of escape.

My only criticism is the lack of discussion of the role of the police. People arrested for drunkenness (including some whose "drunken" bearing is caused by serious injury or illness) frequently die in police cells: not, in most cases, as a result of brutality, but because the police lack the time and the skill, and perhaps the compassion, to take proper care of them. Another important reason to tear up those archaic laws and find the money for some decent, caring facilities.

TW



# SCUM's little sister

PRISON FILM REVIEW: *SCRUBBERS*

Mike Nellis



I once took a young and quite dishonest friend of mine to see *Scum*, at a private showing of the version banned by the BBC. A few weeks afterwards he told me how he and some of his mates had been disturbed trying to steal a car and how, as they legged it into the night, "all I could think of was that film you took me to". A couple of years and a lot of burglaries later he did wind up in an open borstal in the North of England and one of the first things he remembered when we met again was the film: "I was dead scared it was going to be like *Scum*," he said, "but it's just like a children's home, really". He'd grown up in care so he knew what he was talking about. Rude awakenings may yet await him if he ever goes to a closed borstal or to a prison, but regardless of *Scum*'s fidelity to the spirit of institutional life, I imagine that he will still find a great discrepancy between the screen image and the day-to-day routine.

Borstal is a long, numb shock, but *Scum* is one long act of violence. Such *unwinking* brutality does not occur with the frequency that is depicted in the film and in that sense it gives a false and misleading impression. Somewhat mischievously Alan Clarke, *Scum*'s director, justifies this level of violence not in terms of experience and accuracy but in terms of deterrence, hoping, he says, that a double bill of *Scum* and *Quadrophenia* will "make youngsters think twice about getting into trouble".<sup>1</sup>

*Scrubbers* is *Scum*'s little sister and has been dressed in the same scarecrow's clothes. Don Boyd produced both films, and Roy Minton, who wrote *Scum*, was also co-writer on *Scrubbers*, along with Jeremy Wait and the film's director, Mai Zetterling. *Scrubbers* arrived with a lot of advance publicity, including TV adverts which emphasised its "behind-closed-doors" approach, and gained further prestige when it was chosen to open the London Film Festival in November 1982. Ms. Zetterling had researched her story, as Minton had done for *Scum*, by contacting various groups and agencies

concerned with prison reform and by interviewing a number of ex-borstal inmates, eventually using some of them in minor roles (as staff?) in the film. She had not actively sought official co-operation, and filming took place at an old sanatorium in Virginia Water. It is no great consolation to read in the *Sunday Times* (7/11/82) that *Scrubbers* "is not wholly the film she wanted to make", because it is not clear, apart from her understandable dislike of the "cheap and inaccurate" title, what sort of alternative she had in mind. *Scrubbers* is all too similar to the film version of *Scum*, if not to the original TV play, in which the violence was slightly muted. It is glossy, gory and utterly unconvincing as a serious study of borstal life, and even as an old-fashioned melodramatic expose, for which there would still have been room in the moribund British film industry.

One doesn't — or shouldn't — doubt that the incidents and events really occurred at sometime and to someone, somewhere in the borstal system. One knows that there are people with personalities and problems like Carol, Annetta, Glennis and Mac and, as most reviewers have pointed out, the young, inexperienced actresses who play them do bring them vividly to life. But that isn't the point. *Scrubbers* missed a tremendous opportunity to focus concern upon the kind of people who are sent to borstal, and upon the wastefulness of serving time there, doubly so because *Scum* missed it too and had already signposted the pitfalls of compressing events in this kind of film. The concentration of violent incidents into one place and into a shorter period of time, *always*, no matter how true or realistic the incidents are in themselves, stretches credibility to the limits. Excessive and relentless aggression in any prison film is guaranteed to reduce its impact as a social document. That there are people who are entertained by cinema violence is not in doubt, and *Scum* and *Scrubbers* attracted at least their fair share of those. But if one is aiming to make audiences think about imprisonment, even about its violent aspects, one does not have to pulverise them from the

1. I got the phrase "long, numb shock" from an anonymous article in *New Society*, (1979) and the Alan Clarke quote from Jane Root, *Abolitionist* no. 10, p.14. Thanks.

screen. When graphic violence is necessary in prison films, its negative effects can be offset in a variety of ways, not least by suggesting the passage of time between incidents, the long dreary hours which are at least as integral to prison experience as the beatings and the intimidations. The concerned, intelligent couple in the queue at the Clapham Odeon, who are as unlikely as anyone else to be well-informed about the prison system, know from what little they have read and seen on TV that *Scrubbers* is something less than the whole truth about borstal. It's a caricature in the same vein, if not the same mood, as *Porridge: Two Way Stretch* as Roger Corman might have directed it.

## SOAP

British penal institutions are dark corners into which we cannot peer without permission. Professional film critics and reviewers are no better placed than the average film-goer, or even the impressionable young offender, to identify prison films which are both good and authentic. To this day Joseph Losey's film *The Criminal*, which contains two excellent prison sequences, and some violence, is underrated even by those who admire the rest of his work. Scottish Television's magnificent production of *A Sense of Freedom* was briefly famous, but has received no special praise or lasting influence. Almost all prison films claim to expose some sort of truth about prison, and a combination of ignorance and indifference ensures that the claim always deceives up to a point. But no reviewer was fooled by *Scrubbers*. *The Times* critic was impressed by the deft way in which it paralleled the monotonous assembly-line work which the girls do in borstal, where they are prisoners, with the awfully similar work they had done on the outside, when they were free, but he still concluded that "the film tarts up their predicaments so much . . . that they finally seem victims of the film-maker's overweening urge to dramatise rather than the borstal system". (12/2/82) Alexander Walker, the *New Standard* critic, who wrote surprisingly well of *Scum* and still approves of it, described *Scrubbers* as "pure soap opera . . . a series of comic and vicious turns and only rarely, very rarely, a serious study of a system," adding that "I wish I could have believed even half of it". (11/11/82)

There are regrettably few women's prison films of any quality on which *Scrubbers* could have modelled itself, but for all its faults it is still marginally superior to the girls' reform school flicks which the American studios have periodically turned out, and a major improvement on the voyeuristic *Big Doll House* trilogy which Roger Corman's Company produced in the mid-seventies. But it seems excessive to attribute this commendable absence of voyeurism purely to Mai Zetterling's direction: given her feminist inclinations one expected a far more probing analysis of the girls' lives and the institution's weaknesses than *Scrubbers* actually offers. A man could have done it at least as well, and has: Anatole Litvak ably directed *The Snake Pit* in 1948, and in both America and Britain this film contributed to a serious reappraisal of the institutional treatment of mentally ill people. John Cromwell's *Caged*, released two years later, was made with similar good intentions, but although it satisfactorily conveyed its point about the corruption of a relatively innocent inmate - the equivalent of *Scrubbers*' Carol - it pricked no-one's conscience. *I Want to Live* (1959), about the execution of Barbara Graham in California, and *Yield to the Night* (1956), based on the case of Ruth Ellis in Britain, were also made by men and cast powerful votes against capital punishment. As well as trading on curiosity about real events they had the added advantage of one strong central performance and, more importantly, a focus on a recognisable moral issue.

## EXCREMENT

The failure of *Caged* - and, if one wishes to be charitable, of *Scrubbers* too - may simply be due to the lack of widespread concern about the issue they deal with, the imprisonment of people who are not a public danger. Mervyn LeRoy's classic *I Am A Fugitive From A Chain Gang* (1932) became a cinema legend because it crystallised arguments that were already

in circulation, not because it created hostility to the chain gangs by itself. But, unlike *Scrubbers*, it was also a good film in its own right, well directed and superbly acted, and capable of engaging an audience on its own artistic merits. It was not, as a matter of fact, a particularly realistic film; it just seemed that way, the result of artifice by its makers within a framework set by the censor. The Hayes Production Code, as well as ensuring that any violence was suggested rather than shown, also forbade the use of foul language and any reference to crapping and peeing. This put severe limits on the realism of any low-life drama, in prison or not. If the characters in *Fugitive* sometimes seem too noble, and sentimentalised, or simply one-dimensional, it is because the censor denied them the earthiness and vulgarity needed to complete their roles. And yet, even without it, this film made people angry in a way that *Scrubbers*, with its obscene and abusive tirades, savage beatings and scenes of girls hurling excrement, could never hope to achieve. The view that it takes an extreme statement to gain a moderate response does not apply to prison films. Uncompromising understatement is preferable.

There is still need as well as scope for an honest film about the imprisonment of women in Britain, which, in the depth of its characterisations and in its ability to use metaphor and symbol, could go beyond the dry and frankly boring account of a documentary like *Living in Stryal*. *Scrubbers* failed to engage every conceivable section of its potential audience, even those who merely wanted entertainment, and on the London circuit, at least, it sank like a stone. The effects of its misrepresentation will be short-lived and other film-makers, hopefully with a lighter touch than Minton and Zetterling, may yet be able to fill the breach. Alternatively, should Ms. Zetterling gain more control over the final appearance of her next film, she could do worse than return to the characters of Annetta and Carol. They are worth keeping, what they did before going to borstal, and certainly what they did afterwards, would make a more interesting film than the one in which they actually appeared. There are precedents. After making *Caged*, John Cromwell went on to make *The Company She Keeps* (1951), about women on parole, and its long-forgotten British equivalent, *Turn the Key Softly* (1953) is overdue for a good remake.

More innovative still would be a film set in an open prison, perhaps an open borstal for girls. One could still deal with the destructive fertility and politically repressive aspects of imprisonment, but it would require far greater subtlety than films set in closed institutions allow. 'Hothouse' settings almost always lead to dramatic excess. On a recent visit to just such a place, a large country estate that didn't even have "H.M. Borstal" on the front gate and which one could drive past without recognising it as a prison, I was told by one of the girls that very little fighting occurred there, either between inmates or with staff. I believe her. She didn't like it very much, didn't feel she had too much in common with the other girls and had made no friends. She could easily have run away, but had never tried, having only one traceable place to go. Even after five months the smell of the pigs on the borstal farm upset her, and she still found gardening quite dull. She fancifully imagined that her depression, for which a doctor was treating her, would lift the moment she left. Occasionally, at night, men tried to break into the borstal buildings, and this frightened her far more than anything else. Entertainment was provided by outings - to a local theatre or to a church service in a nearby prison - and sometimes by film shows in the hall, she thought it as amusing as I did that *Escape from Alcatraz* had been shown there the previous month. A very different picture to the one which *Scrubbers* presents but it is more authentic, and more promising cinematically. A quiet girl whose one offence of criminal damage, committed with others, while drunk on her sixteenth birthday, in no way warranted a borstal sentence. A girl who had been in care and who resolved never to get into trouble again the moment the police arrested her, who was terrified even at the thought of going to court. A girl who wanted to clean up and pay for the damage she'd done - but who was sent to borstal instead. The BBC would probably do it rather well, but could they be trusted not to ban it?



# PUBLICATIONS

- All prices include postage charge.

**Prison Secrets** (1978, postscript 1979), Stan Cohen & Laurie Taylor. This important study of the way our prisons are shielded from outside scrutiny will soon be out of print - buy one while you can! £1.80.

**The Prison Film** (1982), Mike Nellis & Christopher Hale. Illustrated study of a neglected genre and its political and cultural significance. £1.75.

**Outside Chance: The story of the Newham Alternatives Project** (1980), Liz Dronfield. Preface by Stan Cohen. Report on a unique alternative to prison in East London, founded by RAP in 1974. £2.30.

**Parole Reviewed: A Response to the Home Office 'Review of Parole in England and Wales'** (1981). Critique of the parole system and of proposals for 'automatic parole' for short-term prisoners. 65p.

**"Don't Mark His Face"** (1977), PROP. The real story of the 1977-Hull Prison Riot, as told by the prisoners themselves. 80p.

**A Thousand Days of Solitary** (1980), Doug Wakefield. Foreword by PROP. This eloquent account of life on 'Rule 43' had to be smuggled out of Long Lartin prison on toilet paper. PROP's Introduction and Appendices analyse the growing use of segregation in prisons, and the alternatives. £1.20.

**Control Units and the Shape of Things to Come** (1974), Mike Fitzgerald. Segregation, control and secrecy in prisons. 40p.

**Sentencing Rapists** (1982). Jill Box-Granger examines popular stereotypes of rape and the way they are reinforced by current sentencing practice, and suggests how sentencing could play a more useful role while reducing the overall use of imprisonment. £1.00.

**A Silent World** (1982) The case for accountability in the prison system. 25p.

**The Abolitionist no. 1** (1979). French prisons; the Liquid Cosh; RAP and the Howard League; Children and Young Persons Act; law 'n order and party politics. 45p.

**The Abolitionist no. 2/3** (1979). Includes RAP's evidence to the May Committee and part one of a guide to drugs used in psychiatry. 75p.

**The Abolitionist no. 4** (1980). Experiences of a juror; Brigit Brophy on 'Burying People Alive'; Wormwood Scrubs - the 'MUTTI incident'; Irish prisoners in Hull; drugs used in psychiatry part 2; RAP and the 'penal lobby'. 50p.

**The Abolitionist no. 8** (1981). Sex offenders in prison; victims of sex offences; women in prison; prostitution laws; drunkenness offences; prison drugs in 1980; Barry Prosser; parole. 65p.

**The Abolitionist no. 9** (1981). Special feature on Radical Probation Work. Plus: medical treatment of sex offenders; 'What About the Victim?'; excerpt from 'In the Belly of the Beast'. 65p.

**The Abolitionist no. 10** (1982). Dangerous people; rape; caged cells; restraints; psychiatric secure units; Boards of Visitors; Politicians, Judges, the the Prisons; partially suspended sentences; reviews of Taylor, 'Law and Order: Arguments for Socialism' and Walker & Beaumont, 'Probation Work'. PLUS first issue of *Prison Briefing*. 80p.

**The Abolitionist no. 11**. Wormwood Scrubs - a Home Office whitewash; The other side of the Scrubs - the Annexe; prison medicine; 'Life'; mental patients' rights; Scottish political prisoners; magistrates' sentencing; alternatives - Walnut Cottage; community justice; South Africa; films. PLUS *Prison Briefing* no. 2; special issue on *Deaths in Prison*. 80p.

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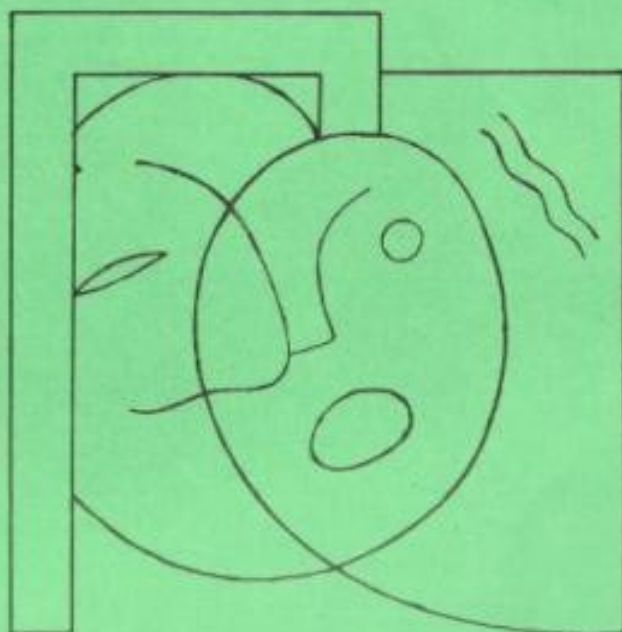
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# SENTENCING RAPISTS

BY JILL BOX-GRAINGER



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*This paper is an attempt to critically assess the opportunity for rape in our society, the frequency of its occurrence and the response to it by the law and the criminal justice process.*

*The first section of the paper is concerned with the 'scenario' of rape. How often does it happen? Who rapes whom, and why? The second section looks at the demands made by feminists of the sentencing policy for rape.*

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