

organized crime in their recruit schools.

4. All police academies should develop advanced in-service organized crime training programs.

5. Colleges and universities offering police-science training should include training in the basics of organized crime.

6. The Commission, in cooperation with the New Mexico District Attorneys Association, should develop an organized crime training seminar for prosecutors.

7. The Commission should develop a statewide seminar on organized crime, with particular emphasis on white-collar crime, for all interested law enforcement and prosecutive personnel.

8. The Commission will encourage and assist in the development of college level courses in the research skills necessary to analyze organized crime, its effects and the effectiveness of counter-measures.

## HEARINGS -

### Commentary:

Early planning indicated that the Commission would hold its first hearing by September 1974. This was not accomplished. The increasing number of leads developed through investigation demanded additional effort in order to fulfill desired objectives of achieving the highest standards possible. Investigation is continuing in preparation for the first hearing. Much has been learned during this preparatory period and these results do provide a foundation for the following guidelines.

### Guidelines:

1. Hearings should be held on a very selective basis. Preparation requires exhaustive investigation and the expense involved can be extremely heavy. Hearings must have clearly established objectives, directly related to the needs of the state.
2. Hearings should be conducted in a proper atmosphere; they should be designed as fact-finding endeavors, not as fishing expeditions.
3. Results of the hearings should be analyzed and reports prepared for dissemination where appropriate and not in conflict with the Organized Crime Act.
4. The conduct of hearings must be in full compliance with the Organized Crime Act.
5. When preparing for hearings, all necessary steps should be taken to ensure that Commission action is not jeopardizing the investigative, prosecutive or regulatory interests of other agencies.
6. There is a need for better orientation of all law enforcement agencies concerning the concept, purpose and procedures relating to hearings.
7. High priority should be given to the continuous refinement of the procedures for the conduct of hearings.

## COORDINATION OF RESOURCES -

### Commentary:

It is generally accepted that no one agency, state or federal, has the powers or the resources to identify and assess organized crime or the developing threats in all areas of criminal activity, or to execute the necessary positive action, including prosecution, where it is necessary. To accomplish such a mission would require a huge organization, equipped with extensive investigative and prosecutive capabilities. Such an approach is incompatible with the resources available and also introduces the potential menace of an all-powerful police force. It is believed that the citizens of New Mexico do not want this.

There already has been reference made to establishment of a "national police" to combat the soaring crime rate in the United States. This is a solution considered only when a nation becomes desperate. The Commission is opposed to the creation of such a body at the national or state level. The Commission does advocate major improvement of existing coordination among all law enforcement agencies and has been deeply involved — not by commanding, but by serving as a catalyst and intermediary — in the development of state-wide strategy designed to share knowledge, establish agreed-to priorities, avoid duplication, and to expand meaningful involvement on the part of all agencies, with more extensive distribution of responsibilities.

Bringing people together for collective or joint action is not a new task, nor is it peculiar to law enforcement or New Mexico. The elements of mistrust, jurisdictional disputes, clashes of personalities, petty jealousies and the desire for 'credit' have been constructive features which have led to the scrapping of some programs. Coordination of people and resources is far from satisfactory. Coordinated action will produce far more significant accomplishments than any number of single approaches. Coordinated action requires relentless effort, realizing that most of the results are not of the composition that invites public acclaim.

Programs to achieve coordination can be impressive on paper, but execution often withers away in a maze of bureaucratic entanglements.

Those programs which have succeeded have done so largely because of the decisiveness of the leadership at various levels, particularly at the top. A most essential ingredient is a strongly-motivated Governor.

Guidelines:

1. It would be desirable that the new Governor, as soon as possible, invite officials of the criminal justice system, including federal representatives, to a meeting, at which time he can submit his desired objectives and guidelines for attacking the problem of organized crime in New Mexico.
2. The Commission can be used by the Governor to ensure the coordinated actions of the appropriate agencies.
3. The Governor should make a strong appeal to the highest levels of the federal government to examine present federal law enforcement input and involvement in the light of the needs of local and state law enforcement, and to improve such input, consistent with constitutional provisions.
4. The Commission will study and promote the use of task-force approaches to major organized crime targets, particularly in such fields as illicit drug trafficking, fencing and white-collar crime. These task forces can consist of personnel from state, local and federal agencies, and they should include prosecutive capability.
5. The Commission will maintain a continuing program to coordinate the efforts of intelligence systems established in local and state agencies.
6. Local and state agencies should develop and participate in regional approaches with neighboring states or with federal agencies.
7. The Commission will increase liaison and communication with already established groups such as the Sheriff and Peace Officers Association, the Fraternal Order of Police, and other professional legal associations.
8. The Commission will expand and improve communication and exchange with law enforcement agencies of neighboring states on organized

crime targets and problems of mutual interest.

9. The Commission will improve the overall capabilities of the Organized Crime Committee so that it can continue as a vehicle to promote increased coordination and input.

10. Communication between law enforcement agencies and prosecutors should be improved. Some formal mechanism, such as periodic meetings, including training seminars, should be established to increase the effectiveness of the system.

11. The Commission's liaison with the District Attorneys' Association will be of a regular and continuing nature.

12. The present loose and fragmentary relationship between the office of the Attorney General and law enforcement is an undesirable situation. Joint action must be taken to effect better, more efficient and appropriate communication.

13. Communication with regulatory agencies has not been adequate. Regulatory agency heads should meet with the Commission on a regular basis to establish guidelines of exchange and to execute agreed-upon actions.

14. The Commission's established liaison with the academic community will be continued and refined so that the Commission receives the maximum input from this important segment of society. The Commission will continue its programs of instruction and internship in the academic community.

15. The concept of 'cross-fertilization' through exchange of personnel should be explored. The metro-squad approach is a step in the right direction. Unrealistic as it may be at the present time, the exchange of personnel from one agency to another, on a very selective basis, for a prescribed period and under appropriate conditions, is a sound goal. This should include exchange between states and the federal government.

16. Because of the size of such departments as the Albuquerque Police and the State Police, there may be a tendency to disregard the

importance of other communities. This is a serious error. The cooperation and input from all sections of the state is essential.

#### EVALUATION OF THE COMMISSION -

##### Commentary:

A state agency with the responsibilities and powers of the Commission must be monitored with regard to its effectiveness and, very importantly, with regard to any signs of political involvement.

The Commission has functioned as an objective fact-finding agency, completely detached from political considerations. There is always the potential for such a body to become a political tool, or to use excessive secrecy to cover inefficiency or ineffectiveness.

To date, the Commission has been examined by the Law Enforcement Assistance Administration and the Legislative Finance Committee; it has had considerable exposure to law enforcement scrutiny, the public and the press. The Commission, itself, oversees the operations of the staff.

##### Guidelines:

1. In addition to its annual report, the Commission will submit intermittent reports when necessary.
2. The Commission will brief appropriate Legislative Committees as requested.
3. The Commission's programs which are financed by the Law Enforcement Assistance Administration will continue to be evaluated by that administration.
4. The Commission will monitor operations of its staff objectively in order to be satisfied that operations are being conducted ethically, legally, and in conformance with fulfillment of its policies and objectives.
5. The staff will continue evaluation of its internal operations.
6. The fiscal system and fiscal records will be made available for examination to appropriate state authorities. The Commission has followed this policy. Those records relating to Law Enforcement Assistance Administration funds will be made available to the Administration, according to its established procedures.



7. The Commission will maintain a straight-forward line of communication with the news media, civic groups and branches of local and state government, including those not necessarily associated with law enforcement or regulatory responsibilities.

#### PROTECTION OF CITIZENS' RIGHTS AND PRIVACY -

##### Commentary:

The constitutional rights of the citizen have been emphasized strongly in recent months. The Commission and its staff are concerned over the misuse of information. Further, the Organized Crime Act imposes a penalty for illegally disclosing information in Commission records. The policies and procedures that have been established are directly related to day-to-day operations of the Commission and its staff. Fortunately, the size of the staff lends itself to a greater facility for controlling data collected. In addition to self-imposed restrictions, the Commission and its staff abide by requirements levied by the Law Enforcement Assistance Administration.

##### Guidelines:

1. The Commission will regularly examine its policies and procedures pertaining to the collection, processing and dissemination of information to ensure that the rights of citizens are fully protected.
2. The program for the expunging of needless raw material will be continuously improved.

SECURITY AND INTEGRITY -

Commentary:

Because of the very nature of its responsibilities, the Commission must have excellent procedures for maintaining high standards of physical and personnel security.

Guidelines:

1. The security guidelines pertaining to Commission personnel, particularly those pertaining to integrity, have been effective. Nevertheless, examination of security standards warrants continuing management examination, and modification as needed.

GOVERNOR'S COUNCIL ON CRIMINAL JUSTICE PLANNING

Commentary:

The Commission has participated assiduously in the operations of the Council, particularly with regard to matters relating to organized crime, directly or indirectly.

Guidelines:

1. The Commission will continue to play a participatory role in Council matters and, above all, will devote maximum attention to assisting the Council in programs relating, directly and indirectly, to organized crime. The Commission anticipates that its Guidelines for a Comprehensive Plan will serve as an integral part of the New Mexico Comprehensive Criminal Justice Plan.

2. The Governor's Council should seek the views of the Commission in connection with proposed grants for programs which pertain to organized crime areas, such as drugs, white-collar crime, and other subjects, directly or indirectly related.

POLITICAL GROUPS AND ORGANIZED CRIME -

Commentary:

The Commission has not become involved in the investigation of any organizations that have been described as being extremists in the pursuit of political objectives. This includes groups commonly labeled as 'radicals, militants or subversives'. The Organized Crime Act does not include any mandate to cover such a responsibility; furthermore, the Commission is restricted from expending Law Enforcement Assistance Administration funds for such purposes.

Situations could arise in the future where organizations professing to be involved only in political activity do become engaged in organized criminal activity, for example, illicit drug traffic. There have been such situations develop in other parts of the country. One example is the activity of the Symbionese Liberation Army. States, such as California, have been plagued with violence-prone organizations existing in the state prisons. Such groups maintain links with outside members who are engaged in criminal activity. The Commission has not received evidence of such developments in New Mexico, but it would be naive to exclude the possibility.

Guidelines:

1. The Commission will adhere to existing policy, not becoming involved in the investigation of any political groups or organizations.
2. In the event a situation arises that indicates a political group is involved in organized criminal activity, the Commission will initiate investigative action only if authorized by the Governor.

LEGISLATIVE PROPOSALS BY LAW ENFORCEMENT AGENCIES -

Commentary:

The Organized Crime Act requires that the Commission recommend programs to combat organized crime. As a part of this effort, the Commission has met with law enforcement agencies and prosecutors to develop needed legislation.

During 1974, the Commission, working through its Organized Crime Committee, helped to develop a set of proposals to be introduced to the 32nd State Legislature. (see Appendix 'B', page 122.)

Guidelines:

1. The Commission will continue to use the Organized Crime Committee as a mechanism for developing legislative proposals.

ILLICIT DRUG USE AND TRAFFIC -

Commentary:

Illicit drug use and traffic continues to be a serious problem to society and the criminal justice system although there are some indications that illicit drug abuse in the United States has decreased and the flow of heroin from the Middle East has been drastically reduced. Much of the decrease in drug abuse is attributed to changing social customs and mores and the reductions of Middle East heroin due to diplomatic efforts which resulted in the elimination of opium production in Turkey. Unfortunately, the same situation does not seem to prevail in the southwestern states including New Mexico, mainly due to the greater availability of Mexican heroin which has replaced the Middle East heroin. Highly organized rings dominate the smuggling and distribution of the Mexican heroin in New Mexico and the other southwestern states.

Efforts to assess the extent and types of drug abuse and the effectiveness of drug enforcement in New Mexico are seriously hampered by the lack of adequate reporting and statistics. However, based on available data, it appears that the extent of heroin addiction has remained fairly constant, the use of marijuana has also remained fairly constant, if not increased somewhat, and the use of dangerous drugs and hallucinogens has decreased. It also appears that in spite of the great efforts put forth by drug officers and officials, that the smuggling and distribution of heroin continues with very few major traffickers apprehended and with minor amounts of heroin seized, certainly not enough to affect availability. Marijuana smuggling has become big business, well organized and sophisticated, and unfortunately seems to be commanding a disproportionate and unwarranted share of enforcement efforts.

Many of the problems causing the relative ineffectiveness of drug enforcement are beyond the control of the law enforcement officers. Some of these factors are: excessive emphasis on statistics by the public, public officials and the Law Enforcement Assistance Administration; the lack of statewide leadership and establishment of priorities; the lack of expendable 'buy' money to help reach higher echelons in drug

traffic; lack of adequate intelligence and intelligence systems; the misallocation of resources to areas of the state without priority problems; ineffective coordination and cooperation; and the absence of special units to concentrate solely on the major traffickers. The vast majority of law enforcement officers and officials are well-intentioned and dedicated, and have accomplished much in the face of many obstacles. There is, however, a critical need for leadership and assistance which can only come from the highest levels of government.

Guidelines:

1. The Governor should establish by executive order a New Mexico Drug Abuse Strategy Council. The Commission should be a member of that Council and should also provide staff support. Membership should include representatives of the Governor, the Legislature, the criminal justice system, the professions and business community, and the public. This Council should:
  - (a) establish a State Strategy and Comprehensive Plan for Illicit Drug Enforcement. This strategy will establish priorities as to types of drugs, such as heroin, and as to problem areas of the state; include provisions for adequate funding and legislative support; and include consideration of the diminution of enforcement against certain drugs;
  - (b) periodically update the strategy and monitor compliance with that Strategy and Comprehensive Plan;
  - (c) study and comment on all applications for Law Enforcement Assistance Administration funding of drug enforcement programs to ensure that need exists, and that there is compliance with state strategy and coordination with other activities; and
  - (d) evaluate the effectiveness of all segments of the criminal justice system in the enforcement of the drug laws and adherence to the State Strategy.
2. The Commission should continue the collection and analysis of intelligence relating to illicit drug traffic, with a view to identifying and investigating the major organized groups, particularly those

dealing in heroin.

3. The Commission will continue its coordinative and cooperative function with all other drug enforcement agencies with the objective of targeting, apprehending and convicting major traffickers.

4. The concern with quantity of arrests should be de-emphasized and quality should be the measure of success. This will involve an educational process for public officials and the news media.

5. The Legislature should provide a special fund to be used for large drug purchases. This will permit investigations to continue to higher levels of the drug traffic.

6. Funds should be provided to permit undercover operations by officers for periods of one to two years.

7. Study should be initiated to develop procedures for moving officers from one jurisdiction in the state to another in an undercover role while still providing all legal and compensation protections for the officer.

8. Law enforcement agency heads should establish priorities and procedures for their drug squads and adhere to those priorities in spite of public demands which can divert and fragment resources.

9. Mandatory state requirements should be established for the care, custody and control of seized drugs and for their destruction.

10. Procedures should be adopted to require qualitative laboratory analysis of all heroin seizures.

11. Every police agency should provide some orientation in drug enforcement during recruit training. This orientation should include departmental policies to avoid action by patrol officers which diverts specialized drug investigators to minor cases.

12. The Commission, in cooperation with the Drug Enforcement Administration, should develop a specialized training seminar for investigators and attorneys in the development and investigation of major drug cases with emphasis on the use of the conspiracy statutes.

13. Each law enforcement agency with drug squads of five or more officers should designate one or more officers to concentrate solely on major heroin traffickers.

14. Where possible, a strike force of investigators and prosecutive personnel from each jurisdiction in a metropolitan area should be formed. This strike force will concentrate solely on the major, organized heroin rings and not the addict or street-level dealer.

15. Every law enforcement agency should establish a procedure for periodically evaluating the effectiveness of their drug enforcement efforts.

16. Legislation should be enacted to require uniform drug arrest and seizure records and the reporting of adequate and accurate statistics to the New Mexico State Police. This should be incorporated into the present Uniform Crime Reporting system.



## INFILTRATION OF BUSINESS BY ORGANIZED CRIME -

### Commentary:

The earlier resume of this subject illustrates the nature of the threat. New Mexico is extremely vulnerable to criminal infiltration of business, industry and its professions, primarily due to inadequate countermeasure resources, significant indication of corruption, and an apathetic public. The illegal acts which can take place range from consumer fraud to large frauds perpetrated on lending and banking institutions and other businesses. Included among the New Mexico targets are sale and development of land and natural resources.

The complete elimination of the infiltration of swindlers, the use of New Mexico institutions for the laundering of illegally-gained money, and the existence of corrupt practices is an unattainable goal. But if they cannot be eliminated, New Mexico does have the opportunity to establish a counterforce that can greatly minimize its chances of becoming a sitting duck for those whose illegally-acquired profits severely punish the taxpayers and often irreparably damage segments of the economic community.

There is a tendency to isolate New Mexico as an island which has been relatively untouched by the perpetration of white-collar crime in the United States. To assume that New Mexico is not being victimized, or not included in the national estimate of losses, which approximate \$40 billion a year, is sheer naivete. We do not enjoy any special immunity.

The Commission immediately established this area of criminal activity as one of high priority. It has been deeply involved in a concentrated effort to measure the threat and to allocate its available resources in operations against targets that were maneuvering with all of the characteristics fitting organized crime. The Commission wishes to emphasize that the present operational resources of the state are not sufficient to adequately cope with the expertise and power of those elements engaged in the sophisticated white-collar rip-offs.

The federal law enforcement agencies have proclaimed the high priority of attacking white-collar crime and New Mexico has been included as an area for their concern. Federal agencies alone cannot maintain

an adequate control of the threat.

### Guidelines:

1. It is strongly recommended that the new Governor express his views in the form of a mandate to law enforcement and regulatory agencies and prosecutors to vigorously pursue investigations relating to white-collar crime with the objective of developing successful prosecutions.

2. There is a definite need to establish a coordinated approach in planning and establishing priorities in order to avoid duplication.

(a) The Governor's Council on Criminal Justice Planning is in a position to be of invaluable assistance in the allocation of grants; and

(b) The Commission will use the Organized Crime Committee as a vehicle to assist in establishing Commission priorities and will use all available channels to make certain its priorities are compatible with the objectives of other interested agencies.

3. The Commission will maintain close liaison with other agencies including regulatory bodies and prosecutors.

4. The Commission will endeavor to establish an effective working relationship with the office of the Attorney General.

5. There should be an organized effort to improve the financial investigative capabilities of law enforcement. Special attention should be given to this need in funding by the Governor's Council on Criminal Justice Planning. The Commission already has initiated additional training of its own personnel, but it must also acquire an experienced financial investigator.

6. The Commission will continue its collection and processing of intelligence to establish targets warranting potential prosecution.

7. The Commission, in concert with regulatory agencies, should establish a mechanism in the form of a committee for periodic review of mutual problems, for developing useful exchange and forming agreed-to objectives.

8. Cases may arise that invite the attention of several state

agencies or departments. It is essential that, in the very early stages of the case, responsibilities be clearly delineated.

9. The Commission will continue to expand development of intelligence emanating from out-of-state agencies with emphasis on major figures or firms who are known to be or suspected of having been engaged in white-collar crimes.

10. Courses should be included in all law enforcement training centers for development of awareness and basic investigative techniques in the white-collar crime field.

11. Academic institutions should be encouraged to establish courses in their criminal justice programs specifically relating to white-collar crime.

12. Law enforcement agencies having intelligence units should include the specific task of collecting, correlating and analyzing data pertaining to white-collar crime.

#### FENCING (DISTRIBUTION OF STOLEN GOODS) -

##### Commentary:

The assessment of fencing operations, predicated on extensive investigation, research and analysis, and as covered in a separate section of this report, clearly demands high priority attention. The counterforces of law enforcement have provided a reasonable containment of a menace which has not advanced to a power structure of a syndicate or of 'mob' control, but the organizational features identified with existing fences are significant enough to warrant definitive courses of action.

##### Guidelines:

1. The Commission will continue its collection, systematic processing and analysis of intelligence relating to fencing operations, working toward identifying major fencing operations as specifically as possible. Data collected should be of a quality to materially assist in establishing priorities and providing a foundation for the pursuit of prosecution.

2. Each department, particularly the Albuquerque Police Department and the New Mexico State Police, through its intelligence unit, should collect and process intelligence concerning fencing operations so that the products can be evaluated jointly with results of the Commission's efforts. The Organized Crime Committee should be used as a vehicle to achieve this objective.

3. A task force or team approach should be developed for use against major targets. Such a group should include both investigative and prosecutive talent. It is to be understood that this will be costly in manpower and time.

4. Training academies should develop specialized courses on fencing.

5. There must be a continuing effort to produce legislation that will provide a more realistic approach leading to convictions of receivers of stolen property.

6. The Commission should use its hearing powers wherever it is logical and practical that hearings will substantially contribute to eliminating or reducing fencing operations.

7. The Commission will look at each selected target as a potential subject for prosecution and will maintain communication with appropriate prosecutive officials.

8. The Commission will maintain continuing liaison with federal agencies.

9. The Commission will maintain communication with individuals or organizations engaged in crime prevention.

10. The Commission will increase its developed lines of communication with out-of-state agencies on those aspects of fencing which have interstate ramifications.

11. All departments, including the Commission, should develop sources equipped to provide high quality intelligence.

12. The Commission should participate in all constructive efforts to increase public concern for the subjects of thefts and fencing.

13. The Commission will regularly evaluate its operations and programs relating to fencing operations.

14. The Commission will develop more effective communication with those elements of the business community which can provide assistance in the area of fencing.

15. The Commission will encourage insurance companies to collectively provide acquired knowledge in conformance with the law and recognized ethical practices.

16. The Commission will encourage and support the news media in efforts to curb property crimes.

17. The Commission, in cooperation with other agencies, will give special attention to the development of intelligence relating to Indian-jewelry thefts and fencing, with the objective of identifying major targets. In coordination with appropriate agencies, the Commission will develop operational activity concentrating on major targets and leading to prosecution.

## GAMBLING -

### Commentary:

Gambling, in this report, is not assessed as having reached a point of structured organization dominated by any particular group or individual. The activity does maintain a level which warrants more penetrative observation and monitoring. Although intelligence indicates pressure to legalize forms of gambling has been stalemated, the Commission has a positive responsibility to follow and assess the machinations of those individuals who push for legalized gambling and who are also linked with known or suspect criminals. To de-emphasize concern, to disregard improvement of planning and implementation of investigative coverage would be a serious error.

### Guidelines:

The Commission will:

1. continue to promote a collective approach within law enforcement for the acquisition of intelligence on gambling activities;
2. continue to develop its sources of intelligence with the view of sharing data with appropriate law enforcement agencies;
3. encourage and participate in training programs and continue training of its own personnel;
4. assist local and state agencies in developing cases for prosecution;
5. continue exchange with out-of-state agencies with the view of improving coordination on targets of mutual interest;
6. give special emphasis to leads relating to alleged corruption;
7. conduct necessary research and promote needed legislation; and
8. follow developments and assess status of activity designed to promote legalized gambling.

HORSERACING -

Commentary:

The history of racetracks in New Mexico is replete with controversies centered around financial ownership and control, concession contracts, and the functioning of the Racing Commission. The vulnerabilities to organized crime infiltration are real and will require highly-motivated monitoring and investigation wherever feasible by the Crime Commission. The following guidelines are goals that are not directly related to responsibilities of the Crime Commission but, if they can be achieved, would greatly enhance the state's abilities to counter organized crime's encroachment into a highly important industry.

Guidelines:

The Organized Crime Prevention Commission will:

1. continue to collect and analyze intelligence that relates to organized crime infiltration of the horseracing industry;
2. process the intelligence with the objective of developing products useful to authorized individuals and agencies;
3. maintain its existing lines of communication with sources and agencies outside of the state in order to be alerted to developments of interest to New Mexico, and will selectively expand the number of such contacts;
4. maintain liaison with appropriate law enforcement agencies within the state on racetrack matters of mutual interest;
5. communicate with and assist the Racing Commission, within the restrictions imposed by the Organized Crime Act. There is need for developing a working agreement between the two commissions regarding exchange of information and to include agreed-to policy on this Commission's involvement in Racing Commission hearings; and
6. strive for the following objectives which, if achieved, would greatly strengthen the capabilities to counter organized crime:

(a) adopt a policy of appointing reliable individuals to the Racing Commission who have sound, thorough knowledge of horseracing and who are of unquestioned integrity and standing in the state;

(b) as introduced in this Commission's 1973 report, give serious consideration to the hiring of one individual, professionally competent, whose reliability is unquestionable, to serve as the single Commissioner, in place of the present board of commissioners. In such structure, under his authority, should be an investigative staff and a full-time attorney;

(c) conduct a thorough examination of the financial status of Sunland Park and Ruidoso Downs in order to evaluate the risks of damage to the interests of New Mexico; and

(d) conduct a thorough examination of potential damage to New Mexico interests as a result of the Jacobs family involvement in the operation of the concession at Ruidoso Downs.

UNAUTHORIZED RECORDINGS - BOOTLEGGING OF TAPES -

Commentary:

It is well recognized that the state statute is controversial and the general attitude toward enforcement has been apathetic. However, since this activity continues to present a highly profitable source of income for the criminal element, including organized groups, the Commission will adhere to the following guidelines.

Guidelines:

The Commission will:

1. continue to collect and process intelligence with the objective of providing the most accurate appraisal of the problem with particular emphasis on indications of organized crime;
2. communicate with law enforcement and prosecutors inside and outside of the state in order to better evaluate the problem and to grade its priority for New Mexico;
3. monitor developments which reflect connections between bootlegging and other forms of criminal activity; and
4. communicate with responsible and concerned legislators regarding appraisal of the statute's effectiveness.

PROSTITUTION AND PORNOGRAPHY -

Commentary:

The Commission, so far, has not given a high priority to these two areas.

Guidelines:

The Commission will:

1. collect and process intelligence relating to prostitution and pornography for the purpose of detecting signs of organized crime; and
2. coordinate with responsible law enforcement agencies to identify priority targets and to formulate operational plans leading to prosecution.



LABOR RACKETEERING -

Commentary:

Nationally known organized crime figures do not appear to have moved into the labor field in New Mexico. Yet the indication of corruption associated with election campaigns warrants increased state vigilance.

Guidelines:

The Commission will:

1. communicate with responsible labor union officials for the purpose of countering the infiltration by, or the internal development of, organized crime and for the initiation of action to suppress corruption; and
2. continue liaison with responsible agencies on all matters of mutual interest in this field.

ARSON -

Commentary:

Arson and bombing as weapons of organized crime appear to be increasing nationally and in New Mexico. The number of suspected arson cases expected in Albuquerque in 1974 is 1,500. The Commission will continue to monitor these activities, collect intelligence regarding arsonists, and support the development of increased investigative capability in the Albuquerque Fire Department, the State Fire Marshal's Office and other appropriate agencies.

Guidelines:

1. The State Fire Marshal's Office and the Albuquerque Fire department should increase their arson investigative capabilities and resources and should make the personnel available to other requesting agencies.
2. The Commission will continue to gather intelligence regarding arson and bombing gangs and the use of these techniques by organized criminal groups.

## CORRUPTION -

Commentary:

The intelligence developed by the Commission conclusively indicates the existence of corruption at levels and degrees warranting constructive use of Commission resources.

Guidelines:

1. The Commission should increase its expertise in the financial investigative field.
2. The Commission should develop a plan, working within its resources, to act on targets according to priority.
3. The Commission should continue to serve as a catalyst by alerting appropriate officials of federal, local and state government to situations that suggest the existence of corruption.
4. The hearing powers of the Commission should be exercised as a means of exposing and supplying data necessary for corrective action.
5. The Commission should continue its efforts to stimulate law enforcement to be on the alert for indications of corruption, and to disseminate evidence of such activity through the proper channels.
6. The Commission will continue to collect evidence for possible prosecution and will cooperate with appropriate prosecutive elements, local, state or federal.
7. The policy of developing increased public awareness and response on this subject will continue.
8. Existing programs to train staff personnel in effective investigative techniques must be expanded.
9. Liaison and communication on the subject of corruption with regulatory agencies and with agencies outside of the state has not reached a desirable level, and must be improved.
10. Although corruption within law enforcement agencies has not appeared as a major problem, the alarming examples of extensive corruption in some major cities in the United States invites every law enforcement agency, including the Commission, to maintain an effective capability for detection of such signs of corruption.

## ARREST PROJECTIONS FOR 1970, 1975, 1980 AND 1985 -

The Commission does not pretend to be prophetic, nor does it wish to be alarmist in presenting the following projection. If the actual figures are lower for the coming years, the state and its criminal justice system may count themselves fortunate; if the actual figures are higher, they must be dealt with nonetheless.

Planning involves the estimation of future events, and this is usually a matter of projecting the patterns and trends of the past some reasonable distance into the future. Because New Mexico, as well as many other states, has not had a unified system for keeping track of the flow of criminals, from their arrest through the ultimate disposition of their case, we are at a loss for a firm past which can be projected. It is, nevertheless, of vital interest that we have some reasonable estimate of crime problems in future years.

The following method for a projection is only one of dozens which might be used, and the results could vary from one method to the next. This method is based upon the proportion of 15-through-24 year olds in the total population and may, at first, seem strange to anyone who has not ventured into criminal statistics.

There is a curious constant that threads through criminal statistics.\* First, from the President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society, February 1967, pp. 5 and 6: [emphasis added. Ed.]

"Three-quarters of the 1965 arrests for Index Crimes,\*\* plus petty larceny and negligent manslaughter, were of people less than 25 years old.

"For as long as crime statistics of any kind have been compiled, they have shown that males between the ages of 15 and 24 are the most crime-prone group in the population. For the last 5 years,

\* Recidivist rates for the various types of crimes are equally disturbing constants.

\*\* Index crimes are murder and non-negligent manslaughter, forcible rape, aggravated assault, robbery, burglary, larceny and auto theft.

APPENDIX 'A'

as the result of the 'baby boom' that took place after the Second World War, the 15-24 age group has been the fastest growing group in the population.

"The fact that young people make up a larger part of the population than they did 10 years ago accounts for some of the recent increase in crime. This group will continue to grow disproportionately for at least 15 years more. [1967 + 15 = 1982. Ed.] And so it is probable that crime will continue to increase during this period, unless there are drastic changes in general social and economic conditions and in the effectiveness of the criminal justice system."

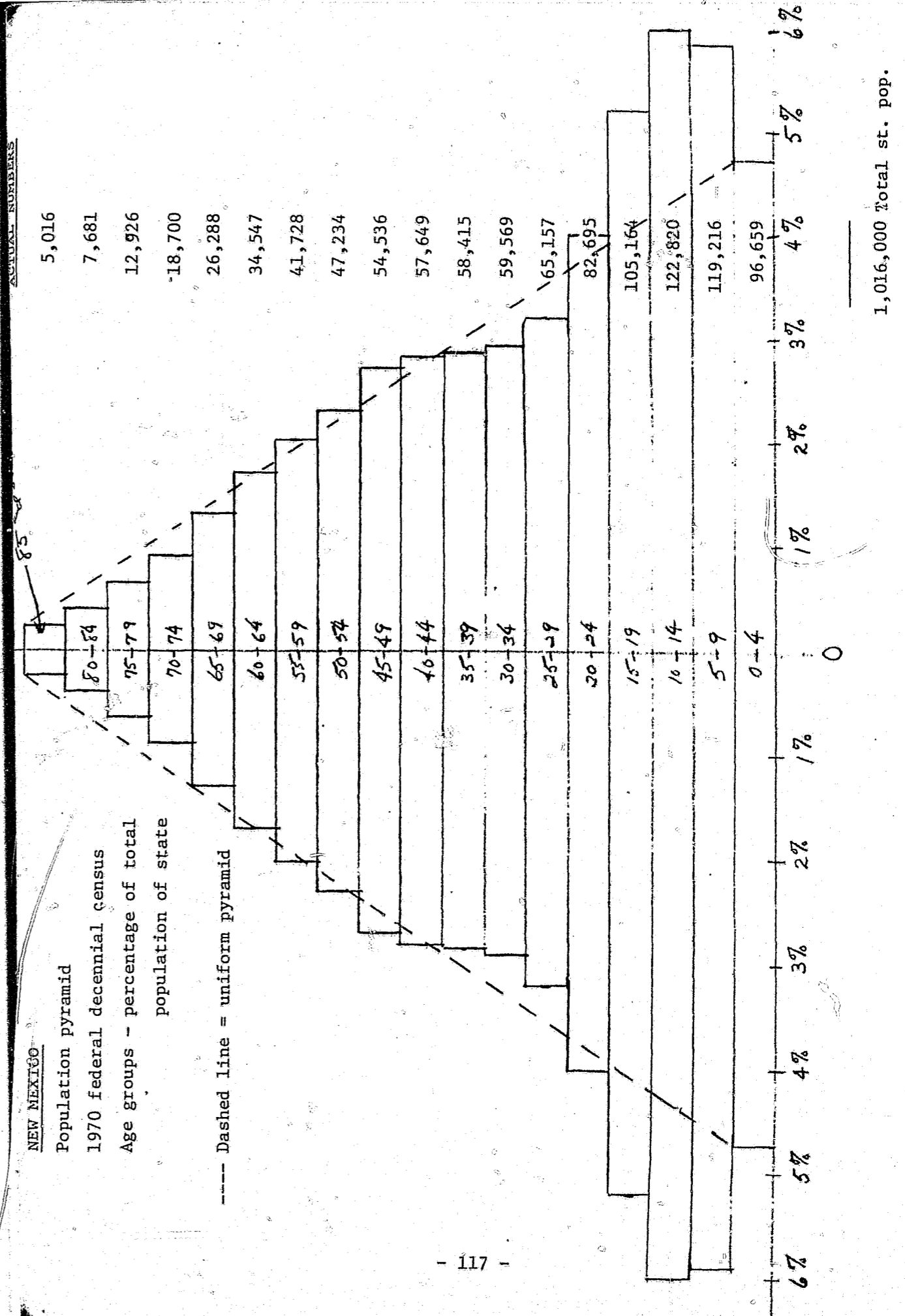
Next, quoting from an address by William B. Saxbe, Attorney General of the United States, August 27, 1974:

"In 1972, about 44% of arrests for those crimes [Index Crimes. Ed.] were of persons 18 and under. When you enlarge the age group to those persons 21 and under, you find they accounted for 61% of the arrests. But when you look at the 25 and under category, the cold statistic reveals that three out of every four persons arrested for committing a serious crime fell into that age grouping."

Finally, it can be seen in the 1973 Uniform Crime Reports, issued by Clarence M. Kelley, Director, FBI, September 1974, in Table #30,\* that for 1973, three of every four of those arrested for Index Crimes were under 25 years of age.

On the following page is the population profile of New Mexico at the last federal census in 1970. The bulge appears in this state almost exactly the way it does in the nation. In 1970, the bulge was in the 5 through 19 year group. One of every three New Mexicans was of public-school age, and this represents the statistical peak-year for the cost of 'baby-boom' education.\*\*

Every five years the bulge will move one notch toward the top of the pyramid. We can see the way the bulge passed through the public-school ages in the following:



\* See pages 118-119 of this report.

\*\* In actual fact, the 1971-72 educational year registered the highest public school attendance, and the decline became apparent in the 1972-73 school year.

Table 30.—Total Arrests by Age, 1973

(6,004 agencies; 1973 estimated population 164,998,000)

Table with 13 columns: Offense charged, Grand total all ages, Ages under 15, Ages under 18, Ages 18 and over, 10 and under, 11-12, 13-14, 15, 16, 17, 18, 19, 20. Rows include categories like Criminal homicide, Other assaults, Prostitution, etc.

Table 30.—Total Arrests by Age, 1973—Continued

Table with 19 columns: Offense charged, and 17 age groups (21 to 65 and over) plus a Not known column. Rows continue from the previous table, including categories like Arson, Forgery, Fraud, etc.

See footnotes at end of table.

1 Because of rounding, the percentages may not add to total.

2 Violent crime is offenses of murder, forcible rape, robbery and aggravated assault.

3 Property crime is offenses of burglary, larceny and auto theft.

## APPENDIX 'A'

Ages 5 through 19: in 1965 - 310,679  
 in 1970 - 347,200  
 in 1975 - 338,695

But the educational aspect of the bulge is the brighter aspect, and the peak load on the state's educational facilities is successfully past. There is a somber aspect — the crime-prone age group of 15 through 24 — and it has a different timetable. The way the bulge will pass through the crime-prone age group is as follows:

Ages 15 through 24: in 1970 - 187,859  
 in 1975 - 227,984  
 in 1980 - 242,036  
 in 1985 - 215,875

In 1980, almost 1-in-every-4 New Mexicans will be in this age group. In 1985, this will have dropped sufficiently that only 1-in-every-5 will be in this group. In 1985, we will be on the other side of the statistical peak and be headed down, but that will put us just about where we are now, in 1974 — about 1-in-every-5.

We will return to Table #30 of the Uniform Crime Reports for 1973 for some proportions, and we'll apply these to the New Mexico population figures to get a 'ballpark' estimate of the number of arrests we might expect in the sample years of 1970, 1975, 1980 and 1985.

In Table #30, we note that the 15-24 age group accounted for 45.7% of all arrests for all crimes [traffic offenses are excluded]. This Table is based upon the reports of 6,004 agencies, representing an estimated population of 154,995,000, or approximately 74% of our total population. This is the largest sampling of the nation available.

In 1973, there were an estimated 38.9 million persons in the 15-24 age group in America. Let us make the assumption that Table #30, which represented 74% of our total population, also represents 74% of the number of persons in the 15-24 age group, or 28.8 million. The number of arrests in this age group is then 10.3% of the number of persons in that age group.

We will apply the following to our New Mexico population figures:

## APPENDIX 'A'

- the number of arrests of persons who are 15-24\* is 10.3% of the total number of persons in the state who are 15-24; and
- this number will represent 45.7% of the number of all arrests for all crimes [excluding traffic] for that year.

The New Mexico arrest figures might then be:

1970 - 42,340  
 1975 - 51,384  
 1980 - 54,551  
 1985 - 48,655

This would represent:

1970 to 1975 - an increase of 21.4%  
 1975 to 1980 - a further increase of 5.8%  
 1980 to 1985 - a decrease of 10.8%

These percentages are the 'ballpark' guidelines we were looking for. For all of their disturbing portent, they at least hold some promise of a beginning decline within the decade.

\* N.B. There are second and even third-arrests of the same person within the same year; we are not speaking of the number of individuals who will be arrested, but the number of arrests.



## LEGISLATIVE PROPOSALS BY LAW ENFORCEMENT AGENCIES

The following is a brief description of legislation proposed by various New Mexico law enforcement agencies for consideration by the 32nd State Legislature. Instrumental in the development of these legislative proposals were the Albuquerque Police Department, the State Police Department, the District Attorney's office of the 2nd Judicial District, the New Mexico District Attorney's Association, the New Mexico Sheriffs and Police Association, and the Commission's Organized Crime Committee.

Confiscation of vehicles under the Uniform Controlled Substance Act:

New Mexico's present law provides for confiscation of vehicles used in drug violations, with the State Police eventually becoming the owner. This would be changed to allow the seizing agency ownership of the vehicles confiscated under the act. This should provide local agencies with an opportunity to acquire needed automotive equipment.

Licensing of convicted felons prohibited under Horse Racing Act:

At present, the Horse Racing Act provides that a person shall not hold a license if he has been convicted of an offense which would be a felony in the state of New Mexico. This prohibition should be enlarged to include not only crimes which would be felonies in New Mexico, but crimes which are felonies under the laws of any other jurisdiction. This would help the overall intent of the Horse Racing Act by ensuring that a license would be issued only to persons whose licensure is in the best interests of the people of New Mexico.

Amendment of the statute on receiving stolen property:

Because of the difficulty in obtaining convictions in this area, and because the fence is an important figure in property crimes, the present statute on receiving stolen property should be amended to allow the prosecution to introduce evidence that the accused was found in possession or control of property stolen from another person or persons on other occasions; that the accused acquired the property at a consideration far below the fair market value; and that the accused has a reputation in the

community in which he resides for being a person who will buy, receive or acquire stolen property.

Prohibition of the possession of firearms by convicted felons:

The number of crimes involving firearms, such as murder and robbery, is on the increase, and many serious crimes are committed by persons who have previously been convicted of felonies.

Allow wiretap for additional crimes in Abuse of Privacy Act:

While the wiretap statute at present authorizes wiretaps for a number of street crimes, many of the more important crimes which can involve organized crime figures should be added. In addition to the crimes already enumerated, crimes such as gambling, loansharking, labor racketeering, receiving stolen property, bribery of public officials and employees, theft, perjury, and the conspiracy to commit any of these crimes, should be included.

Hospital and medical personnel to report injuries inflicted by deadly weapons or criminal acts:

New Mexico, at present, has no laws requiring hospitals or persons connected with the medical profession to report cases where injuries were the result of weapons or criminal acts. This is a serious omission. Such a reporting requirement would help the police apprehend perpetrators of crime and also help protect innocent victims, such as in child abuse cases.

Amendment of Recording Act:

The new law prohibiting tape piracy should be amended to allow for confiscation of equipment used in the unlawful pirating of recorded material. This would be an additional deterrent to persons who might engage in this type of activity. This would be a substantial penalty because of the amount and value of the equipment necessary.

Alcoholic Beverage Control Act amendment:

Under the Alcoholic Beverage Control Act a license is not to be issued to a person who has previously been convicted of any felony. The

APPENDIX 'B'

director is empowered to investigate to determine if the applicant is qualified under the provisions of the statute. Since the New Mexico statute has no authorization for exchanging information with the Department of Justice, the director is unable to obtain information from the department concerning a person's prior criminal record, because the FBI will not service fingerprint-check requests unless there is a state statute meeting FBI criteria. It is recommended that the statute be amended to meet federal standards.

False information on articles of incorporation:

It is recommended that in order to help trace white-collar criminals through the maze of corporations they habitually erect, the corporation act be amended to prohibit the giving of false information on the articles of incorporation. This would help prevent the white-collar criminal from covering his activities through the use of corporate shells or from using shell corporations to perpetrate swindles.

Compensation for victims of violent crime:

There is a bill before Congress which would provide compensation for victims of violent crime, and for their dependants. The bill has unanimously passed the Senate. This bill provides that if states will enact similar legislation, the federal government will pay a large percentage of the cost of administration and compensation.

END

Home Office

Presented to Parliament by the  
Secretary of State for the Home Department  
by Command of Her Majesty

November 1969



# PEOPLE IN PRISON

## ENGLAND AND WALES

16416



HOME OFFICE

# PEOPLE IN PRISON

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(England and Wales)

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*Presented to Parliament by the Secretary of State for the Home Department  
by Command of Her Majesty  
November 1969*

LONDON  
HER MAJESTY'S STATIONERY OFFICE  
*Reprinted 1973*

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This reprint incorporates the following amendment :-

Page 14, Table 2

The following figures should be substituted for the year 1964

	<i>Prisons</i>	<i>Borstals</i>	<i>Detention Centres</i>	<i>Total</i>
1964	23,701	4,604	1,295	29,600

## PEOPLE IN PRISON (England and Wales)

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PEOPLE IN PRISON  
(England and Wales)

I

INTRODUCTION

SCOPE AND PURPOSE

1. The purpose of the White Paper is to increase public understanding and knowledge of the prison service of England and Wales. It is clearly right that both Parliament and the public should be fully informed about the aims, achievements and problems of any public service and be in a position to form their own judgment of what is being done in their name. To this end, the Government is providing this portrait of our prisons in a form which, though it cannot claim to give the full picture, is more authoritative than a descriptive pamphlet and more wide-ranging than an annual report.

2. It records many substantial changes in our prisons in the post war years, and comes at a time when the Government is embarked on an expanding programme of expenditure and has undertaken a complete overhaul of the structure of the Prison Department. Recent developments in the modernisation, rationalisation and expansion of prison industries, the improved relationship between prisoners and staff, and other developments here described have brought the prison service to a position from which it can hopefully look forward to a period of innovation and constructive advance. Accordingly, in the pages which follow, the aim will be not only to take stock of what has been achieved but also to try to point the way ahead.

THE PLAN OF THE WHITE PAPER

3. This White Paper cannot give a full description of the work of the prison service in all its aspects; it aims merely to present a balanced and not uncritical picture. Part II outlines the tasks of the service and briefly summarises the background to its work. Part III examines in more detail what is involved in the treatment of offenders in custody, and includes a condensed report of what has been done in the last few years to improve the quality of medical and psychiatric treatment, remedial and higher education, vocational training and group counselling in prisons and borstals, together with present achievements and future plans for prison industries. Some of the most important of the recent developments concern a new emphasis on the help and supervision available to offenders after release. Part IV of the Paper therefore describes the links between the offender and the community, outlines the work of the probation and after-care service in helping offenders and their families during and after a period in

custody, and summarises the promising results from the first year of the new parole scheme, introduced by the Criminal Justice Act 1967. Part V includes information about the records of different groups of offenders after release and discusses the present and future contribution of research to our knowledge of the effectiveness of the work of the prison service.

4. Part VI describes the strategy of the prison system: it describes, that is to say, the different types of institutions dealing with different groups of offenders and summarises the Government's plans for each group. It refers to the changes being made in the branch of the system that deals with women and girls; and it explains why the Government is initiating a full inquiry into the form of custody now appropriate for young offenders under 21. It describes the role of the local prison and the very difficult problem of the containment of maximum security prisoners. The strategy of the prison system is shaped by its buildings, many of which are grossly overcrowded, and most of which are obsolescent. Part VI sets out the Government's plans for an expanding building programme and for giving a fresh impetus to the modernisation and redevelopment of outdated and unsuitable buildings.

5. There are 15,000 men and women in the prison service. Part VII of the White Paper gives as comprehensive an account as is possible within a brief compass of the different groups of staff working together in the service, and emphasises in particular the changing role of the prison officer. It also describes the current re-organisation of the central and regional administration of the Prison Department.

6. Finally, Part VIII aims to bring all the threads together. It indicates what the Government considers to have been the most significant of the recent developments in the work of the service, what are the major problems now facing it and what are the Government's plans for the development of the service in the next few years.

## GLOSSARY

Those not familiar with the details of our prison system may find it useful to have the following brief explanations of terms used in the White Paper. They are not intended as comprehensive legal definitions: those who need such definitions will normally have access to books in which they may be found.

### Adult Offender

A person over the age of 21 when convicted.

### After-Care

The support and supervision given to an offender after release from custody.

All young offenders and some adult offenders (see paragraph 104) are subject to *compulsory after-care*. This is after-care given to an offender by a probation officer during the period after release when he is liable to be recalled to custody if in breach of the conditions on which he was released.

*Voluntary after-care* is the support available to other offenders after release if they choose to accept it.

### Borstal Training

A court may sentence a young offender to borstal training if he is convicted of an offence for which an adult offender may be sent to prison and if the court considers that he should receive training for at least six months. The period in custody depends on the response to training but cannot exceed two years.

### Closed

A closed borstal or closed prison is one surrounded by a wall and/or fence as a barrier to escape.

### Detention Centre

An institution to which young offenders may be sent after conviction of an offence for which an adult may be sent to prison. The sentence is normally three months but can go up to six months. (See paragraphs 149-150).

### Halfway House

Another term for an after-care hostel (see below).

### Hostel

The term is used in different contexts in the White Paper.

*The Hostel Scheme* is a term often used to describe the arrangements outlined in paragraph 98 under which certain adult offenders may live in part of a prison set aside as a hostel but go out to work for an outside employer during the last six months of a sentence.

*After-Care Hostels* (see paragraph 111) are those provided by voluntary organisations for homeless offenders who require some degree of social support, often immediately after release from custody.

**Indictable Offences**

These include all serious criminal offences against the person or property. An indictable offence is one for which the accused may be (and has a right to be) committed to a higher court (assize or quarter sessions) for trial before a jury. Some of the most serious indictable offences must be tried at a higher court. The great majority of indictable offences can be, and are, dealt with in magistrates' courts.

**Inmate**

Any person of any age held in custody in an institution for which the Prison Department is responsible, whether in a prison, borstal, remand centre or detention centre.

**Parole Scheme**

A term used to describe the arrangements outlined in paragraph 114 under which the Parole Board may recommend to the Home Secretary the release of a prisoner after he has served part of his sentence. A prisoner released in this way is subject to compulsory after-care while on licence.

**Open**

An open borstal or open prison is one with no physical barrier designed to prevent absconding.

**Prisons**

Descriptions of the role of various types of prisons are given in Part VI of the White Paper.

A *Local Prison* is one to which adults and some people under 21 are sent direct from the courts either when remanded in custody before trial, or after conviction or sentence. All local prisons are closed and the great majority of prisoners in them sleep in cells.

A *Training Prison* is one to which sentenced prisoners are transferred after initial assessment in a local prison. Such a prison may be either open or closed.

**Prisoner**

The term normally used for adults in custody. A *young prisoner* is a person under 21 who serves a sentence in a prison and not in a borstal or detention centre.

**Remand Centre**

A special institution (see paragraph 147) designed to hold people, especially those under 21, awaiting trial or in the period immediately after conviction or sentence.

**Visiting Committee and Board of Visitors**

A *Visiting Committee* is a body of magistrates appointed for each local prison (and remand centre) by courts which commit people to that prison. A *Board of Visitors* is a body of men and women, some of whom must be magistrates,

appointed by the Home Secretary at each training prison, borstal or detention centre. These Committees or Boards have a general responsibility to satisfy themselves about the state of the buildings, the administration of the establishment and the treatment of inmates. They report annually to the Home Secretary. They have certain disciplinary powers in relation to serious breaches of discipline, hear applications or complaints from offenders and provide a valuable contact between the local community and the institution.

**Visitors**

*Prison visitors* are private citizens appointed to a prison by the Home Office on the recommendation of the governor to visit and befriend prisoners. (See paragraph 94).

**Young Offender**

An offender under 21 at the time of conviction. Most of the young offenders with whom the prison service has to deal are 17 or over and this White Paper does not deal with the general treatment of those under 17. But some young people aged 15 or 16 may be sent to remand centres or sentenced to borstal training, and there are junior detention centres (see footnote to paragraph 149) for offenders aged 14-17.

## II

# THE TASK OF THE PRISON SERVICE

## AIMS AND PURPOSES

### PRISONS AND THE PENAL SYSTEM

7. We start from the point at which people enter prison, omitting such earlier stages as the detection of crime and the place of the courts or the criminal law in our society. We shall consider what happens to the fifteen hundred or more people committed to custody every week, and the staffing and organisation of the prisons, borstals, detention and remand centres in England and Wales to which they are sent. Every week another fifteen hundred people are released from custody. Society expects these to knit together once more the scattered strands of their life in the community. The White Paper therefore deals with parole and after-care, which are now regarded as an integral part of the whole penal system.

8. Despite this concentration on the penal system and what happens to those offenders who are convicted and committed to custody, it is important to emphasize that the prison system is only part of a whole process of social rehabilitation. Its work has to be seen as contributing to one overriding purpose; and that purpose is the protection of society.

9. The part played by the prison service in the treatment of offenders must follow the part played by the courts. It is true that members of the service make reports to the courts, and that these may properly influence what happens to an offender, but no member of the service has any authority to decide whether a citizen should or should not be sentenced to imprisonment. Nor, with some exceptions in the case of detention centres, has the service any control over the total number of people committed to its custody. The service cannot put up a "house full" notice, tempted though some governors of local prisons may have been to do so in recent years.

### PRISONS AND SOCIETY

10. Penal institutions, on the other hand, do not exist in isolation. They form part of our society. So do all members of the prison service and all people in custody. A great deal follows from these principles. Everyone in custody expects to return sooner or later to the community, the average stay in custody after conviction being less than twelve months. It follows that what happens to people in custody must always be planned with conditions after release in mind. It also follows that the probation and after-care service, which helps in a person's preparation for release and provides continued support and guidance when he returns to society, sometimes for years, sometimes for life, should be closely

associated with such plans. It is because of the close and growing association of the two services that the part played by the probation and after-care service will be a constantly recurring theme in this Paper.

11. Members of the prison service expect and must be given working conditions in prison which compare with those to be obtained in other occupations in society: conditions that were normal and acceptable fifty years ago will not be acceptable now. The same is true of the living and working conditions of prisoners. Standards thought adequate fifty years ago would be thought indefensible today—and not only material standards. Men and women do not cease to be human beings when they are convicted or when they are sent to prison. The moral standards by which society lives apply to the treatment of offenders in custody. The prison service is a part of the community, and must reflect the community's own moral concepts. It should therefore receive its due share of the resources of the community in carrying out its work.

### THE AIMS OF THE SERVICE

12. The prison service cannot make the best use of the resources available to it unless it is clear about its aims. The service is both large and complex, employing 15,000 men and women in 111 different establishments, and responsible for 35,000 people in custody. Few large organisations have only one aim, and it often obscures the real situation to try to bring all the activities of any one of them within one simple formula or slogan. Some of the confusion felt about the aims of the prison service arises from attempts to do so.

13. Those aims can best be summarised as follows. First, it is the task of the service, under the law, to hold those committed to custody and to provide conditions for their detention which are currently acceptable to society. Second, in dealing with convicted offenders, there is an obligation on the service to do all that may be possible within the currency of the sentence "to encourage and assist them to lead a good and useful life".\*

14. One possible source of confusion should be cleared up. The general aims defined in the previous paragraph govern the treatment of *all* convicted offenders and do not vary according to the reasons for which the courts send any one person to custody. A court may properly pass a custodial sentence on one offender to act as a general deterrent to the commission of crime, and on another because the court believes he is in need of training that can be given to him in custody. The duty of the prison service in respect of each of them remains unaffected.

### LIVING CONDITIONS

15. The first task of the service, "humane containment", may appear a prosaic and limited one. With the large and constantly changing population of our overcrowded Victorian prisons it is not an easy one. This said, it must be admitted that in some respects the conditions of a prisoner's daily life fall short of what

\*See Rule 1 of the Prison Rules 1964.

society would currently approve. Later Parts of this White Paper describe some of the measures being taken to raise standards to a more acceptable level. There are critics of present policies who argue that the provision of better living conditions for prisoners is wrong. They feel that imprisonment should deliberately be made a harsh and disagreeable experience, and that such harshness is a necessary deterrent to the commission of crime by others or to further crime by the man being punished. This criticism is mistaken. Imprisonment is by its nature unpleasant. One of John Heywood's "Proverbs" runs: "No man loveth his fetters, be they made of gold". The deterrent effect of imprisonment lies in the loss of liberty it involves, and in the restrictions inherent in any prison regime. There is no reason to suppose that it would be made more effective by reverting to such barbarities as the treadmill. On the contrary, measures designed to preserve and enhance a man's dignity and self-respect are most likely to assist in his rehabilitation.

### SECURITY

16. Another very different criticism of present policies is also heard. It is that emphasis on security—on the prevention of crime during sentence by preventing escapes from custody—must hamper the longer term prevention of crime by making more difficult the task of rehabilitation. Security is, of course, one of the important factors to be weighed in making some decisions about an offender—in deciding, for example, if he should be sent to an open prison or horstal. If an institution holds offenders who need to be contained within secure conditions there are inevitable restrictions that have to be placed on the activities that can take place inside it. But the simple antithesis of security versus rehabilitation is false. One does not vary in inverse proportion to the other. In every modern penal system yet conceived some offenders must be kept in secure conditions. There is no reason in logic or experience to suggest that a "secure" institution from which an escape can in fact be made is better, whether in terms of its daily regime or in terms of the training of the offender, than an institution from which no one escapes. Indeed, there is some reason, including the experience of other countries, to suggest that an institution in which the staff have full confidence in the security arrangements can develop a more relaxed atmosphere and can therefore provide a better regime than one in which the staff are continually worried about possible escapes.

17. For many years before 1966 insufficient resources had been devoted to the maintenance of the security of our closed prisons, and in the last three years it has channelled time and money away from other matters. Security had to take precedence, and the number of escapes from closed prisons was reduced to about a quarter of what it was in the years before 1966. Many of the deficiencies set out in Lord Mountbatten's Report\* on prison security have now been remedied. The Government believes that the further development of the security measures described in Part VI of this Paper, together with the better classification of offenders according to the degree of security they need, will enable the purely custodial aspect of the prevention of crime to be seen in its proper relationship as one element, but only one, in the tasks of the prison service.

\*Report of the Inquiry into Prison Escapes and Security, Cmnd. 3175. (1966)

### REHABILITATION

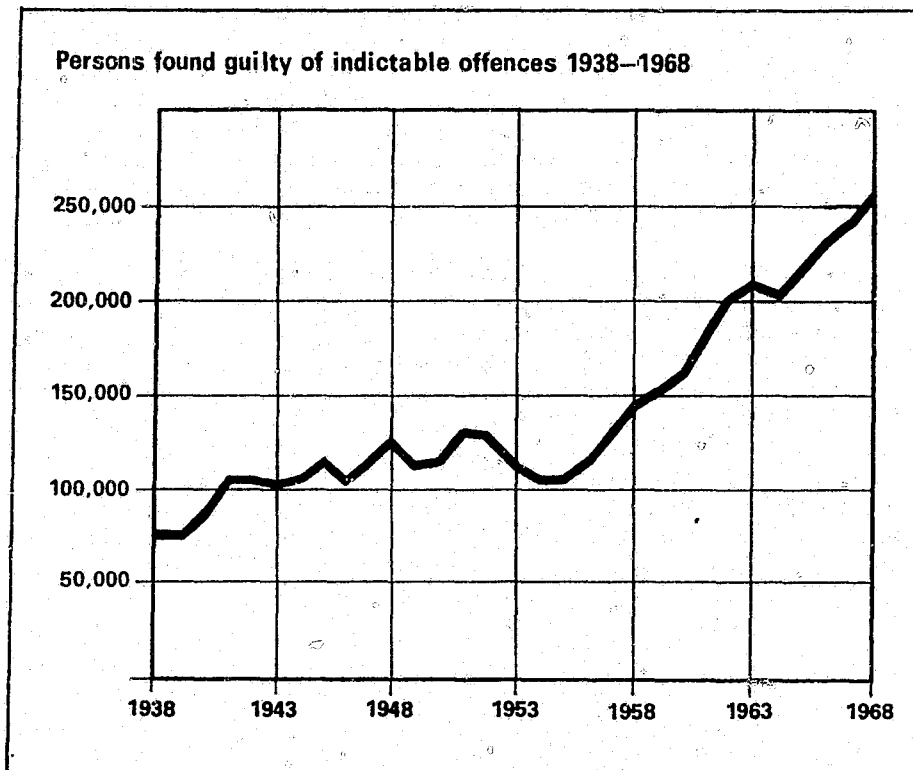
18. The "humane containment" of offenders cannot be the sole task of the prison service. If, as the late Sir Alexander Paterson put it, prison is seen only as a cloakroom in which the enemy of society is duly deposited till called for after a fixed period, the protection afforded to society is temporary and the offender may return to the community more embittered and anti-social than before. It has been the aim of the service, since the turn of the century, to attempt the more constructive and more difficult task of releasing offenders who, in the well known words of the Gladstone Committee\*, might be "better men and women, physically and morally, than when they came in". A variety of terms, reflecting the complexity and uncertainty of the task, have been used to describe this attempt: reformation, re-education, treatment, training, rehabilitation. Later Parts of this White Paper describe some of the ways in which it is now being tackled, showing how the treatment of an offender in custody must be viewed as a whole, and how all aspects of the work of the prison service must contribute to a common aim.

19. Nor can the prison service tackle the task of rehabilitation unaided. It needs the help of members of the community who can assist the offender both while he is in custody and after release; and this must involve a wide range of voluntary and statutory services. It needs, for example, the help of various local authority departments, of the Department of Health and Social Security and of the Department of Employment and Productivity. Above all it needs to work in close partnership with the probation and after-care service. Later Parts of this White Paper indicate how that partnership has begun to develop in the last few years, through the appointment of members of the probation and after-care service to serve as prison welfare officers, through the better exchange of ideas and information, and through the release of a greater number of offenders into the community for supervision by members of that service.

\*Report from the Departmental Committee on Prisons, 1895.

## THE SOMBRE BACKGROUND

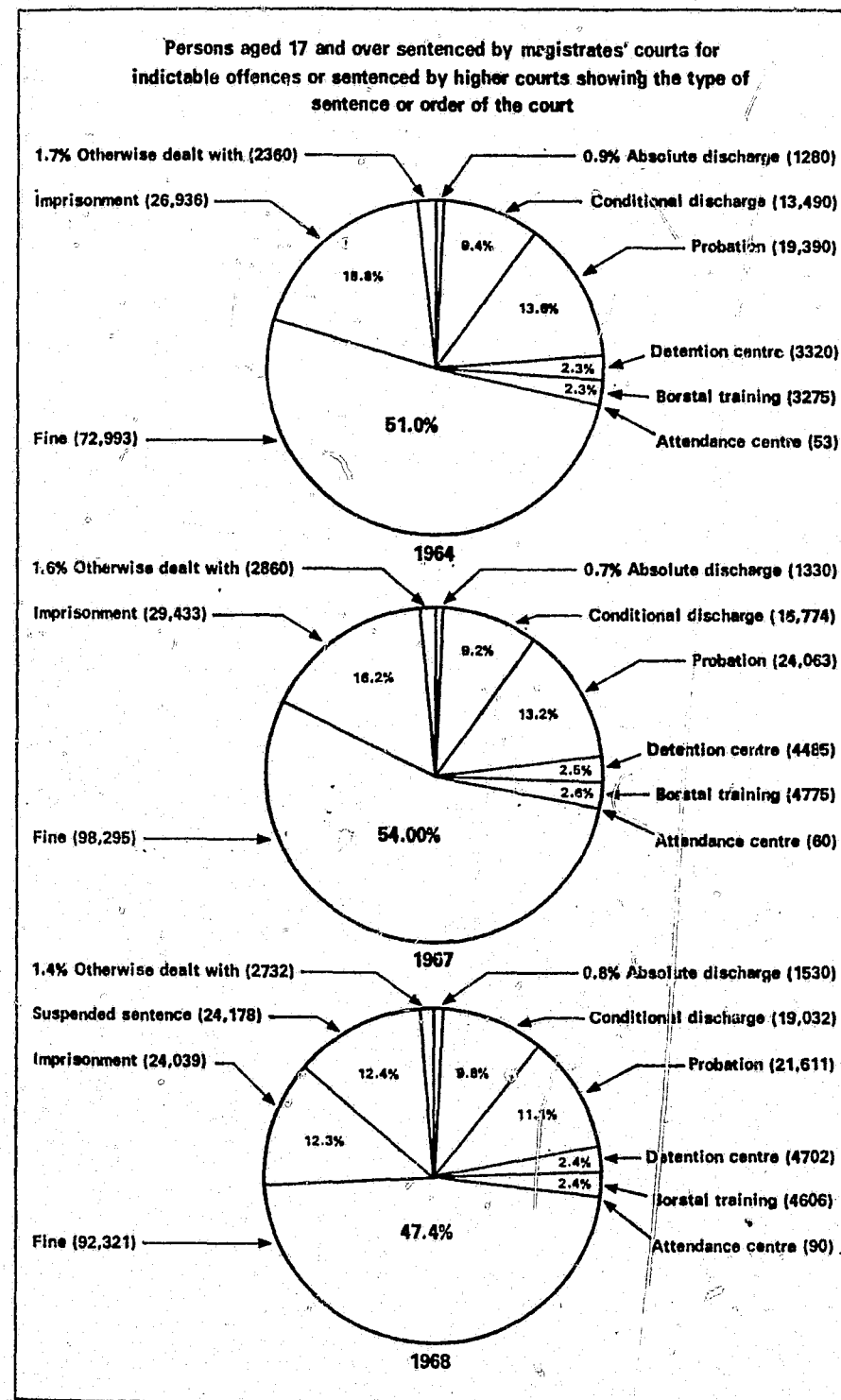
20. The work of the prison service has greatly increased in both size and complexity in the last twenty-five years; and the recorded rise in crime has provided a sombre background throughout. There is no one measure that can be taken of the rise in crime but the following diagram shows, as one example of it, the increase in the number of people found guilty of indictable offences.



The figures it shows should be compared (and never confused) with the much larger figure of indictable offences known to the police to have been committed. In 1968 that figure was 1,289,090\*.

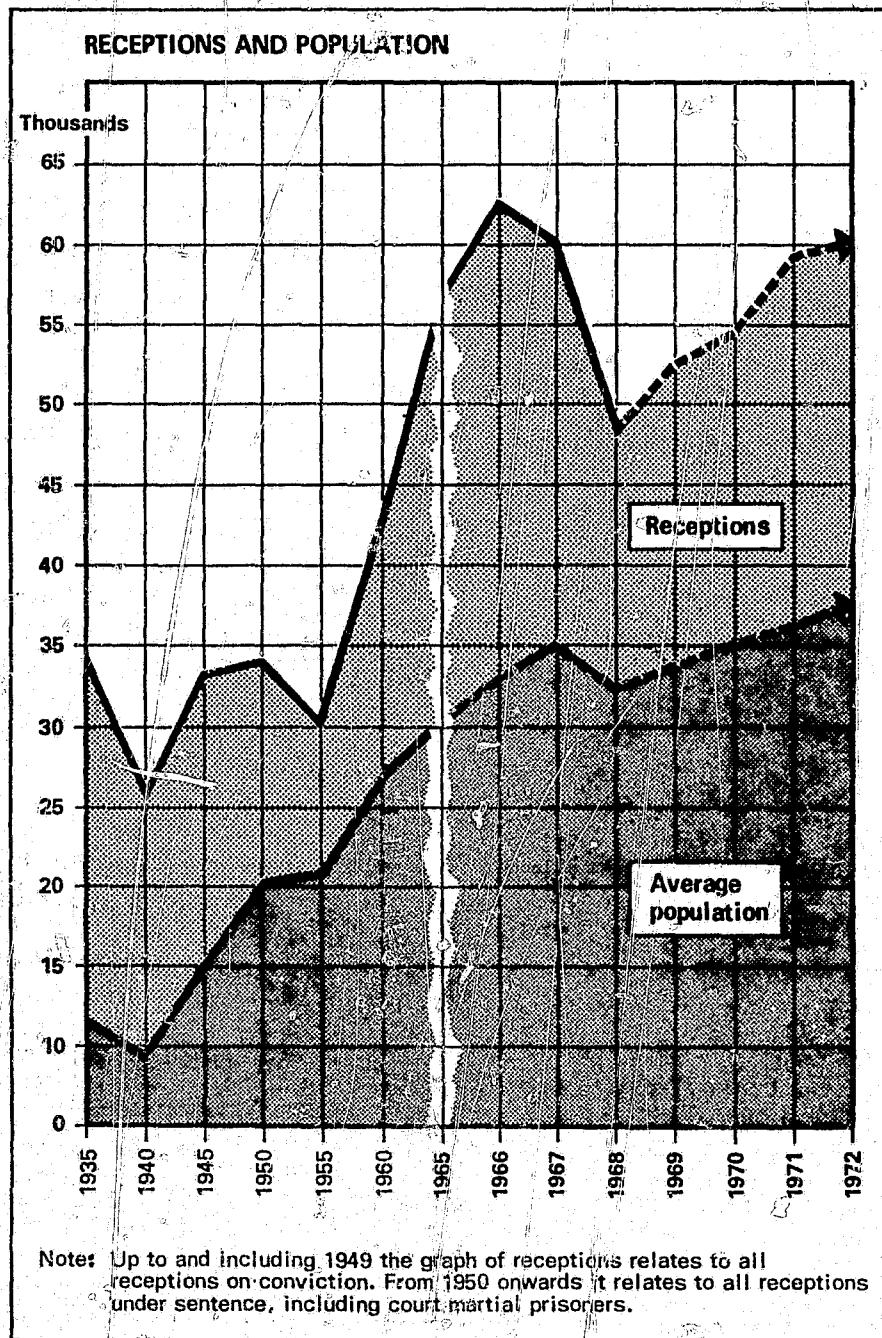
21. Most offenders are not sent to custody by the courts after conviction. Nearly half the 195,000 offenders of 17 or over convicted of indictable offences in 1968 were fined. Less than one in five received a custodial sentence although another 12 per cent. received suspended sentences of imprisonment. The following diagram gives the detailed figures and shows the effect of the Criminal Justice Act 1967 in reducing the proportion of offenders sent to prison, especially for short periods. (There are further details in the note on page 14).

\*This figure, like all others quoted in the White Paper, refers to England and Wales only. It excludes Scotland and Northern Ireland





22. Nevertheless for every one offender in custody before the war there are now three. For every two offenders in custody in 1950 there are now three. The following diagram shows how great the increase has been.



The diagram shows both "receptions" and "population". The line for "receptions" shows the total number of people committed to custody after sentence during the year. The line for "population" shows the total number of people in custody at any one time (the figure used being the average for the year). This average population obviously varies not only with the number of "receptions" but also with the average length of sentence, or period in custody on remand. The relationship between these factors is discussed in the note on page 14. It shows that the increases which have taken place in the average length of prison sentence are largely accounted for by the fact that a smaller number of people are now sent to prison for very short periods.

#### THE SIZE OF THE SERVICE

23. There are now about 35,000 people in custody compared with about 20,000 in 1950. About 9,000 of them are sleeping two or three in a cell compared with 2,000 in 1950. During the same period the total number of staff employed in the prison service has increased from 5,500 to 15,000 and the total annual expenditure, capital as well as current, from under £6 million to about £50 million a year. The Prison Department is now responsible for 111 institutions compared with 57 in 1950.

#### THE COMPLEXITY OF THE TASK

24. The work of the prison service is inherently complex because a prison must be, in most respects, a micro-copy of the world outside. People live, eat, work and sleep in prison. There must be hospitals, chapels, classrooms and workshops within the perimeter of the prison, as within the confines of other "total" institutions. There is the further responsibility for security. "Rehabilitation" itself is complex. There is no such person as the average offender. How should there be when all human beings are different? All generalisations about the characteristics of people in custody are therefore suspect. (There are exceptions even to the generalisation that people in custody are there unwillingly). The prison service has to deal with offenders, some of whom are dangerous and many of whom are afflicted by emotional and personality disturbance and social inadequacies. It is also true that the prison service has to cope with many with whom other social agencies have in some way failed.

25. These inherent complexities are not new, although we are becoming increasingly conscious of the task of rehabilitation in relation to them. There is now a wide variety of penal institutions: remand centres, detention centres, borstals and prisons for those under 21 and both open and closed prisons for those over 21. Increasingly, moreover, the service aims to provide a range of regimes even within one type of institution and has to assess the suitability of offenders for transfer from one to another. Obviously it is simpler to organise a prison in which the inmates are held in solitary confinement than one in which they can associate with each other. It is also easier in such a prison to provide security against escapes. It is simpler to organise and control the hand-sewing of mailbags than the modern types of industrial work now being introduced. As the diversity of skills and experience to be found among the staff of a prison becomes greater and more staff of all grades are involved in the treatment of offenders, so it becomes more difficult to ensure that their work serves a set of consistent aims.



**NOTE TO PART II  
CHANGES IN PRISON POPULATION  
AND LENGTH OF SENTENCE**

i. The number of offenders in custody at any one time depends on several factors: the number convicted by the courts, the number committed to custody and the length of sentence imposed. The work of the prison service is therefore crucially affected not only by the total rise in the number of offenders but by changes in the sentencing practice of the courts. This note analyses the effect of some of those changes in the last few years. Also, because the information is not widely known or readily available, the note makes some comparisons between the post war position and that in 1913 and 1938.

ii. Table 1 shows how many people were committed to custody in selected years from 1913 onwards. Table 2 shows how many people, on an average day, were in custody in the same years.

**TABLE 1**  
*People Committed to Custody (Males and Females)*

	1913	1938	1948	1958	1961	1964	1967	1968
Remands etc.*	15,402	9,506	11,667	18,059	18,682	22,591	29,394	30,864
Detention Centre	—	—	—	1,302	2,311	5,890	7,220	7,675
Borstal	487	1,347	2,115	3,162	3,715	3,863	5,160	5,153
Sentenced to imprisonment†	138,570	30,772	35,277	34,239	40,581	44,013	48,333	36,069
Civil prisoners and others	14,987	8,246	5,372	9,377	9,676	9,633	8,011	7,505
<b>TOTAL</b>	<b>169,446</b>	<b>49,871</b>	<b>54,431</b>	<b>66,139</b>	<b>74,965</b>	<b>85,990</b>	<b>98,118</b>	<b>87,266</b>

\*Persons remanded or committed in custody who did not return to custody on sentence.

†Imprisonment includes court martial sentences, life sentences and death sentences commuted to life imprisonment. This section also includes those committed to prison in default of payment of fines. (The big drop between 1913 and 1938 reflects, in particular, the fall in the number of short sentences. See para. iii.)

**TABLE 2**  
*Average Daily Number of People in Custody in Different Types of Institution (Males and Females)*

	Prisons	Borstals	Detention Centres	Total
1913 .. .. .	17,227	928	—	18,155
1938 .. .. .	8,926	2,160	—	11,086
1948 .. .. .	16,659	3,106	—	19,765
1958 .. .. .	21,209	3,899	271	25,379
1961 .. .. .	23,948	4,615	462	29,025
1964 .. .. .	23,701	4,604	1,295	29,600
1967 .. .. .	27,652	5,749	1,608	35,009
1968 .. .. .	25,320	5,563	1,578	32,461

**Short Sentences**

iii. Fewer people now go to prison for a short period. Table 3 shows how, by comparison with 1938, and even more strikingly with 1913, the courts are now dealing in other ways—for example by probation and by allowing offenders reasonable time to pay fines—with those who formerly spent a few days or weeks in prison. A fall in the number of offenders received into prison on short

sentences in 1968 reflects the use of suspended sentences and the other provisions of the Criminal Justice Act 1967 referred to in paragraph viii below.

**TABLE 3**  
*Length of Prison Sentence Imposed\* (Males and Females)*

	1913	1938	1948	1958	1961	1964	1967	1968
Up to 2 weeks ..	80,961	8,820	3,366	3,030	3,066	3,165	2,450	2,932
Over 2 weeks up to 5 weeks ..	30,359	7,475	5,595	4,922	5,703	7,027	7,045	3,765
Over 5 weeks up to 3 months ..	16,862	7,043	8,925	8,398	10,179	11,988	13,670	6,930
Over 3 months up to 6 months ..	5,070	3,947	6,447	6,710	8,237	10,304	11,476	7,801
Over 6 months up to 12 months ..	2,873	1,881	4,775	4,843	5,959	5,145	5,673	5,858
Over 12 months up to 18 months ..	1,033	694	2,361	2,085	2,463	2,236	2,873	3,179
Over 18 months up to 3 years ..	774	581	2,478	2,906	3,499	3,101	3,647	4,059
Over 3 years up to 5 years ..	231	158	617	733	873	720	955	1,086
Over 5 years ..	120	47	123	348	405	211	352	364
Life ..	13	14	30	40	52	52	94	95

\*Including periods imposed in cases of fine default but excluding sentences of corrective training and preventive detention.

**The Average Length of Sentence**

iv. Table 4 combines the information about offenders sent to prison and about the total prison population with an index of the average length of sentence. It shows how these factors have varied in relation to each other over the years. Two points need to be emphasised here, in drawing any conclusions about greater severity or greater leniency on the part of the courts. The first, which is perhaps obvious, is that as we achieve the very desirable aim of not sending people to prison for a few weeks when there are other ways of dealing with them, so the average length of sentence is bound to increase. Second, the figures given are those for *all* offenders, including those under 21, sentenced to imprisonment. Statutory restrictions on the powers of the court to send young offenders to prison and the greater use of borstal and detention centres are likely to affect the average length of prison sentences.

**TABLE 4**  
*Sentenced Prisoners*  
*Comparisons of Receptions, Population and Average Length\* of Sentence (Males and Females)*

	1	2	3*	4	5*	6*
	Receptions under† sentence	Index of receptions	Average population of sentenced prisoners	Index of population	Index of average length of sentence	
1913 ..	138,295	342.0	Not available	—	17.0	
1938 ..	30,646	75.8	674	36.8	38.9	
1948 ..	34,687	85.8	14,665	70.3	82.7	
1958 ..	34,009	84.1	17,817	85.4	98.8	
1961 ..	40,440	100.0	20,845	100.0	100.0	
1964 ..	43,977	108.7	20,759	99.5	84.4	
1967 ..	48,234	119.3	23,782	114.0	93.4	
1968 ..	36,020	89.1	21,401	102.7	119.3	

\*Columns 3, 5 and 6 are indices with 1961 taken as 100.

†Excluding Court Martial cases, but including persons sentenced to life imprisonment except where sentences of death were later commuted.

v. Table 3 showed the number of offenders received into prison in certain years who had received sentences of particular lengths. Table 5 analyses the same set of figures so as to show what percentage of those sentenced to imprisonment in the same year received sentences of particular lengths. (In both tables offenders committed to custody in default of payment of fines are treated as though they had been sentenced to imprisonment). It shows that the proportion of offenders received into prison with sentences of more than 5 years is greater now than before the war or in 1948.

TABLE 5

*Analysis of Length of Prison Sentences expressed as percentages\*  
(Males and Females)*

	1913	1938	1948	1958	1961	1964	1967	1968
Up to 2 weeks ..	58.6	28.7	10.0	8.9	7.6	7.2	5.1	8.1
Over 2 weeks up to 5 weeks ..	21.9	24.4	16.7	14.5	14.2	16.0	14.6	10.5
Over 5 weeks up to 3 months ..	12.2	23.0	24.7	24.7	25.2	27.3	28.3	19.2
Over 3 months up to 6 months ..	3.7	12.9	18.3	19.7	20.4	23.5	23.8	21.6
Over 6 months up to 12 months ..	2.1	6.1	14.3	14.2	14.7	11.7	11.8	16.2
Over 12 months up to 18 months ..	0.7	2.3	7.1	6.3	6.1	5.1	5.9	8.8
Over 18 months up to 3 years ..	0.5	1.9	7.4	8.5	8.6	7.1	7.6	11.3
Over 3 years up to 5 years ..	0.2	0.5	1.0	2.1	2.1	1.6	2.0	3.0
Over 5 years ..	0.1	0.2	0.4	1.0	1.0	0.5	0.7	1.0
Life ..	—	—	0.1	0.1	0.1	0.1	0.2	0.3

\*Including periods imposed in cases of fine default.  
Excluding court martial prisoners.

### Criminal Justice Act 1967

vi. It has been the policy of successive Governments throughout this century to attempt to limit the number of people sent to custody and to encourage other effective ways of dealing with offenders. In particular there has been a series of statutes aimed at reducing to the minimum the number of young people and first offenders sent to prison. One of the main purposes of the Criminal Justice Act 1967 was to accelerate the shift of emphasis away from imprisonment. One major innovation introduced by that Act was the suspended sentence, enabling the courts when passing a sentence of imprisonment of 2 years or less to suspend its operation for a period of between one and 3 years. In any case where the offender is sentenced to imprisonment for 6 months or less (as were over 60 per cent of those sent to prison in 1967) the court is *obliged* to suspend the sentence unless the offence is one involving violence or a weapon, or the offender has previously received a prison or borstal sentence (including a suspended sentence) or is subject to a probation order or an order of conditional discharge. The offender serves his sentence only if, within the period of suspension, he commits a further offence punishable with imprisonment; in that event, the suspended sentence is put into effect unless the court considers that it would be unjust to do so in view of any circumstances that have arisen since it was passed.

vii. It is too early to pass any judgment on the effect of the new provisions in keeping people out of prison and deterring them from committing fresh offences. It is not simply a question of counting the number of suspended sentences passed and the number subsequently enforced after fresh crimes have been committed, since the figures suggest that some courts may have passed a suspended sentence where before 1968 they would have imposed a fine. Nevertheless the first year's figures are encouraging. In 1968 32,002 offenders received suspended sentences and within that year only 4,222 were committed to custody after a subsequent conviction.

viii. The 1967 Act contained other measures designed to reduce the number of people sent to prison for short periods. These included legislative restrictions on remands in custody, the freer use of bail, the more widespread use of social inquiry reports as a guide to sentencing, increased powers to fine offenders, and modified fine-enforcement procedures. Here also the preliminary results are encouraging. The number of people received into custody before sentence—and this, for almost all adults, means detention in grossly overcrowded local prisons—fell by 1,564 (or 3 per cent) in 1968 compared with 1967 and the number of those sent to prison in default of fines fell by 4,395 or 34 per cent.

### Length of Prison Sentences in Recent Years

ix. Paragraphs iv and v show that fewer people are being sent to prison for short periods than before the war and that the average length of sentence has increased. Table 6 gives more detailed information about the average length of sentence in each year since 1961. It shows that this fell between 1961 and 1963, and has increased again since 1966. The sharp increase in 1968 is a reflection of the fall in the number of offenders received into prison on short sentence as a result of the Criminal Justice Act 1967. It is too early to say what the long term trend will be.

TABLE 6

*Comparison of Receptions, Population and Average Length\* of Sentence in recent years  
(Males and Females)*

1	2	3*	4	5*	6*
	Receptions under† sentence	Index of receptions	Average Population of sentenced Prisoners	Index of Population	Index of Average length of sentence
1961 ..	40,440	100.0	20,845	100.0	100.0
1962 ..	45,868	113.4	22,282	106.8	91.6
1963 ..	45,939	113.6	21,890	105.0	84.3
1964 ..	43,977	108.7	20,759	99.5	84.4
1965 ..	45,440	112.4	20,681	99.2	83.6
1966 ..	50,032	123.7	22,316	107.0	93.9
1967 ..	48,234	119.3	23,782	114.0	93.4
1968 ..	36,020	89.1	21,401	102.7	119.3

\*Columns 3, 5 and 6 are indices with 1961 taken as 100.

†Excluding Court Martial cases, but including persons sentenced to life imprisonment except where sentences of death were later commuted.

### Very Long Sentences

x. There is a widespread impression that more very long sentences are now being imposed. Table 7 gives some information about the number of offenders sentenced to imprisonment for 10 years or over (including life) in each year since 1958. It shows that while there has been an increase in the number of offenders received with life sentences, the number of *fixed* sentences of 10 years and over has not changed greatly in the last decade. On the other hand, there has been a change in the number of offenders received with fixed sentences of 14 years and over. Table 8 shows the number of such sentences imposed in each year since 1949. As the Advisory Council on the Penal System pointed out in their Report on the Regime for Long-Term Maximum Security Prisoners\*, the secure yet humane containment of this very small group of prisoners creates special problems for the prison service.

\*The Regime for Long-Term Prisoners in conditions of Maximum Security. H.M.S.O. 1968.

TABLE 7

Proportion of Sentences of Ten Years or Over (Males)

	Total Number of Receptions	Number of receptions under sentence of ten years or over excluding life†	Life Sentences	Percentage†
	(1)	(2)	(3)	(4)
1958	31,749	50	34	0.26
1959	34,605	33	46	0.23
1960	35,561	41	48	0.25
1961	38,007	54	49	0.27
1962	43,152	59	37	0.22
1963	43,420	47	54	0.23
1964	41,724	47	54	0.24
1965	43,382	43	73	0.27
1966	47,770	90	84	0.36
1967	46,183	54	91	0.31
1968	34,671	57	92	0.43

†This percentage is the total of Cols. 2 and 3 expressed as a percentage of Col. 1 to show the proportion of sentences of ten years and over imposed by the courts in each year.

TABLE 8

Number of Fixed Sentences of Fourteen Years and Over (Males)

Years	1949	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68
14		5	4	1	2	5	3		6	2	2	1	4	6	1		1	5	2	2
15		1	2		3		2				1	3	4	1	3	5	1	7	3	2
16-20						3	1		1				3	1	1	1		3	2	4
21-25													3				3	2		1
30																	7			
42													1							

### Life Sentences

xi. New problems have also been created for the prison service by the increase in the number of prisoners serving life sentences. 10 years ago, at the end of 1958, there were 139 prisoners serving life sentences or detention "during Her Majesty's Pleasure". 5 years later the figure was 329. By 31st December 1968 it had risen to

598. It seems likely that the number will continue to rise. The term of imprisonment actually served by prisoners sentenced for life is determined according to the circumstances of every particular case—and every case is different. Since the war most life sentence prisoners have served a term equal to that served by a prisoner with a long fixed sentence of between 10 and 18 years. Out of 180 such prisoners released in the 10 years 1959–1969 all but 19 had served for periods equivalent to a fixed sentence of 10½ years or longer on which the normal one third remission had been granted. A few life sentence prisoners were detained for much longer periods. One had spent 15 years in prison, one 20, and two were released after 21 years. Such very long periods have been unusual since the war. But the position is changing partly as a result of the abolition of capital punishment. There are some men who have already spent a considerable period in custody (in one case more than twenty years) and whom it would not in the present state of knowledge be safe to release into the community. A few may have to be detained for something approaching the term of their natural life.

# III

## OFFENDERS IN CUSTODY

### THE PEOPLE IN CUSTODY

26. This and the next Part of the White Paper deal with the treatment of people in custody, with their daily lives and with what is done to conduce to their rehabilitation as members of the community. It will be useful, first, to describe the people in custody, and, second, to clarify what is meant by "treatment".

27. The Appendix (page 110) shows their ages, the offences of which they have been convicted, and how many times they have been in custody before. In 1968 there were on average over 31,500 men and boys but only 800 women and girls in custody; a ratio of about 40 to 1. The following table shows the main groups:

	<i>Male</i>	<i>Female</i>
1. In prison		
(a) unsentenced .. .. .	3,474	182
(b) sentenced to imprisonment up to 18 months .. .. .	9,628	275
(c) sentenced to imprisonment over 18 months .. .. .	11,351	147
2. Sentenced to borstal .. .. .	5,648	178
3. At a detention centre .. .. .	1,555	23
TOTAL .. .. .	31,656	805

#### UNSENTENCED PRISONERS

28. About 10 per cent of all those in custody are being held on remand or awaiting sentence. They are detained in local prisons or special remand centres, and Part VI of the White Paper gives some account of the staff time occupied in looking after them and the related escort duties and court work.

#### SENTENCED PRISONERS

29. The people in custody are predominantly young. About 28 per cent of all those in custody are under 21, while of the men over that age, almost half are under 30. The figures given in the Appendix show that the majority of convicted offenders have been found guilty of offences against property (theft or burglary) and that only a very small proportion are first offenders—less than one in ten of adult men sent to prison, and less than one in thirty of young men at borstal.

Moreover, and this is equally important to any assessment of the task of the service, the majority of convicted offenders in prisons and borstals are not serving their first sentence but have been in custody before.

#### LENGTH OF SENTENCE

30. The majority of convicted offenders are in custody for less than twelve months. Young offenders sent to detention centres normally serve a fixed sentence of three or six months, on which one-third remission is now granted; and the normal period of detention at borstal is a little over a year. Only about one in five of adult offenders in prison have to spend more than two years in custody\*.

#### TREATMENT

31. No clear distinction can, or should, be drawn between the aspects of treatment that are primarily designed to regulate the daily life of an offender in custody and those that look primarily towards his return to the community. For example, a man's attitude to authority after release may well be affected by the conduct of a disciplinary hearing in prison. The clothes that a young man at borstal has to wear may affect his self-respect and thus his view of himself and of society. Again, work is central to the treatment of many offenders in custody. Well organised and productive work can provide training that is of value to an offender after release. In addition, the organisation and tempo of work in a prison or borstal affect the attitude of the offender to his daily life and the atmosphere of the institution in which he is detained.

32. Thus it is wrong to think of treatment as an item, or choice of items, that can be added at will to the daily regime of a prison or borstal to meet the needs of offenders. Neither our capacity for the diagnosis of the needs of offenders nor the ability to effect a cure is at present as great as many advocates of this or that form of treatment have implied. We need a view of treatment that embraces all that is done by or for the offender in custody. But there is also a place in the prison system for the use of the term in the alternative sense in which it relates to a diagnosis and to the possibility of a changed way of life; and there are already in the system a wide variety of forms of treatment that have been evolved in the hope that they may directly affect an offender's behaviour both in custody and after release and may assist his rehabilitation.

#### DAILY ROUTINE

33. It is not possible within a brief compass to describe all aspects of the treatment of offenders in custody in the wide variety of establishments for which the Prison Department is responsible. The following paragraphs describe some of the main aspects of the daily routine of a prison or borstal. Here, and elsewhere in the White Paper, most of what is said of prisons and borstals applies also to detention centres and remand centres.

\*The note on page 14 refers to the special problems created for the prison service by the small number of men serving very long sentences.

## A SOCIETY IN MINIATURE

34. In many ways a prison or borstal is a society in miniature providing for those in custody most of the essential facilities of living that the citizen enjoys outside. The original basic elements of the well-ordered Victorian gaol were food, shelter, clothing, exercise (of a sort), religious services and medical treatment. "Good order and discipline" were maintained by the separation of prisoners and the enforcement of the rule of silence. Mere incarceration was not thought punishment enough. As Wilde wrote in his *Ballad of Reading Gaol*:

*"I know not whether laws be right  
Or whether laws be wrong;  
All that we know who lie in gaol  
Is that the wall is strong,  
And that each day is like a year,  
A year whose days are long."*

But now to the original basic elements are added work, access to books, opportunities for education, and opportunities for social life and recreation within the institution. As a result the prison society has become increasingly complex.

## DISCIPLINE

35. The entire regime must rest on a foundation of discipline and good order. As with all societies a prison or borstal must have rules, and sanctions that can be imposed for breaches of them. But discipline depends far more on the attitudes of staff and of the offenders in their charge than it does upon sanctions. The relationships in the daily contacts between members of the prison service and offenders in custody are generally good. (A visitor whose image of a prison has been formed by the harshness of its Victorian buildings, and by grim tales of prison life, is very often surprised by the relaxed atmosphere he finds inside the wall.) In the last few years the uniformed officer has been encouraged to get to know and to concern himself with the treatment of those in custody, with the result that there has been a noticeable improvement in the atmosphere of our institutions. This process will continue. There will always be a small minority of offenders needing strict control and supervision and there are some offenders who, if given any opportunity to do so, will dominate the larger group of which they form a small part. For the majority of offenders no more restrictions need be imposed than are necessitated by the efficient performance of the task of the establishment within the limited space available, and by the maintenance of good order.

## ASSOCIATION

36. The Gladstone Committee recommended in 1895 that "the privilege of talking might be given after a certain period as a reward for good conduct on certain days for a limited time".\* The difference between this cautious recommendation and the present practice is one illustration of the change in the attitude of our prison system to the social life of people in custody. Restrictions on

\*Paragraph 73 of the Report.

prisoners talking to each other have long since been abolished, and it is the Government's policy to allow them to associate with each other at work, at mealtimes and in the evenings. The fact that in our local prisons too many are locked in their cells for up to 18 hours out of the 24, and sometimes longer at the weekend, shows the extent to which progress is still hampered by Victorian buildings, designed for solitary confinement, and by shortages of staff. In many local prisons most prisoners have to eat in their cells, because there is no room for them to do so anywhere else, and spend the evening hours in their cells because of the lack of space for classes or other activities. (An evening, in prison, starts at 5 p.m.) At the other end of the spectrum is the purpose-built training prison in which prisoners eat their meals together, and in which rooms are available where, in the evening, they can watch television, play table tennis or billiards, or talk. Between 7 a.m. and 9 p.m. in these prisons a man does not have to be locked in his cell except for very brief periods. In this respect, the establishments for young offenders are at the same end of the spectrum as the training prison. The staff complement of all borstals and detention centres is designed to allow a full day's activities, including work, opportunity for sport and recreation, and evening association.

## OTHER PRIVILEGES

37. The reference in the quotation from the Gladstone Committee Report to the grant of "the privilege of talking . . . as a reward for good conduct" illustrates two other points. First, the way in which the privileges of one generation become the accepted practice of the next—library books, for example, are no longer a privilege to be allowed only to some people; and, secondly, the use of privileges as rewards for good conduct. There is certainly a place for the progressive grant of privileges if they entail greater responsibilities on the part of the inmate, and mark real progress in his response to training. This is still one of the main features of the borstal system. But any graded system of privileges is liable to become automatic and bureaucratic. The Government decided in 1967 to abolish the gradation of minor privileges in prisons and those parts of the old "stage" system that still remained, and changed the emphasis by retaining and strengthening the power of the Governor to withdraw privileges, such as that of eating meals in association, from the minority who abuse them. One such development was that prisoners in cellular training prisons may now have personal radio sets.

## THE PRISON COMMUNITY

38. There are dangerous and violent people in custody; but, although the maintenance of good order and discipline is the first duty of any penal administration, the staff are not merely detached preservers of good order. Their role is more complicated and more important than that. To understand their role it is first necessary to abandon the presumption frequently and naively made, that the prisoner is the passive recipient of punishment or of instruction, or that he is the unprotesting object of institutional control.

39. Offenders see committal to custody as a mark of society's rejection. While some are genuinely filled with regret for their offences they do not necessarily

accept that their sentences are just. Moreover, life in custody, with its inevitable reduction of personal choice in companions, possessions, and activities, may be seen by the offender as a threat to his own sense of identity. He may seek to counter this threat by his own individual response to the regime or by sharing in the collective attitudes of those around him. Acts of indiscipline and disobedience are the overt expressions of such protest. Manipulation of "the system", of the procedure for redress of genuine grievances, of staff and of other inmates, are less obvious but not less serious manifestations of the attitudes of offenders to the reality of custody, and can lead to the undermining of authority or to a situation in which a great deal of the work of the staff is taken up with its maintenance.

#### THE ROLE OF THE STAFF

40. Most observers of the prison community would accept this general analysis, although there would be dispute about the details. Many offenders see members of the staff of the prison or borstal as part of a hostile community. It is therefore of vital importance to find means, particularly through staff training, to avoid such a general polarisation of attitudes. For if someone in custody is able to make a personal contact with a member of the staff he may begin to appreciate that the staff are fellow human beings, who have many other functions than that of representing the restrictive aspects of authority. Such appreciation may enable him to reject the pressures for a collective and unreasoning hostility to the staff, and encourage him to think about his own present behaviour and that which brought him into custody. When an offender begins to understand the reasons for his own behaviour there is a much better chance of his being able to change it in future.

#### PERSONAL RELATIONSHIPS

41. There are many opportunities for offenders to develop personal relationships of varying kinds with members of the staff within the prison society: with officers in the daily activities of the prison, in personal interviews and recreation, with instructors in workshops and teachers in classes, with chaplains and welfare officers, with assistant governors and governors. All these situations provide the staff with opportunities that can be used to demonstrate that good relationships are possible; and if the staff have received training in the skills of individual case work and in the understanding of group processes, such personal influence is likely to be the more effective.

#### A MORE CONSTRUCTIVE COMMUNITY

42. Individual case work of this nature may take place within the prison community as it exists. Or there may be a conscious attempt to alter the structure of that community in such a way that the offenders in it can help others and themselves to deal in a positive way with their destructive tendencies. Any attempt to change the attitudes of offenders by these methods requires training and understanding on the part of the staff, and makes heavy demands on them.

43. The prison service is engaged in an attempt to develop a constructive community atmosphere at Grendon, under psychiatric supervision. Other prisons

and borstals have experimented in the conscious shaping of a regime and of staff attitudes to this end. For example, group counselling has been found a useful way of helping some young men in borstals to face up to their difficulties and to understand more easily the reasons for behaviour which is not acceptable to society. It is hoped that research, particularly in certain borstals, may in time show what types of offenders are receptive to individual treatment, to treatment in groups, and to the more traditional forms of training, for it is very likely that group treatment will not be beneficial for all.

44. The efficacy of such concepts in reducing criminality is as yet unproven. What does seem clear is that staff involvement with offenders, and greater understanding of the nature of custody, have brought about an encouraging alteration in the social climate of many institutions, a lessening of tension and a reduction of violent outbursts by prisoners. The alteration in atmosphere has brought benefits as well as challenges to staff no less than to offenders.

#### WORK

45. In no part of the prison system have there been greater changes in the past few years than in the sphere of work. The policy that work for prisoners should be punitive, and therefore as purposeless and degrading as possible, was abandoned long ago, and the belief that the offender, especially the young offender, might be reclaimed by being taught a trade lay behind much of the penal reform in the period before 1914. It was in 1914 that that shrewd observer Kim Hubbard wrote of a man that "he has decided to go to work until he can find something better". Between the wars, considerable attempts were made to improve work and industrial training, but the economic climate was not favourable. After the second world war economic conditions had altered and more and better work was available to prison workshops. But these opportunities came at a time when the number of offenders in custody was increasing rapidly, and as both the opportunities and problems grew it became clear that the prison service lacked the organisation to implement new policies efficiently.

#### PURPOSE OF WORK

46. In 1960 an Advisory Council on the Employment of Prisoners was set up to advise the Government of the day how things might be improved. In three reports the Council defined the purpose of work for offenders, suggested the kinds of employment that were suitable and set out the changes in organisation that they thought were necessary. Real progress is now being made on the basis of the Council's recommendations. Current developments have two aims. The first, and more important, is that offenders in custody shall be given training and experience that will fit them to get and keep jobs on discharge. The second is that the best possible economic use be made of prison labour. For the most part these two aims can go hand in hand. Modern semi-skilled work—the kind of production work done in the bulk of the industries of the country—is what is readily available to most offenders on discharge. It is also the kind of work that can be organised in prisons and borstals so as to make a useful contribution to the national economy. The Government recognises that it is right to provide



facilities for the comparatively small proportion of offenders who are capable of learning and benefiting from a skilled trade, and more also needs to be done for the comparatively small proportion who can realistically hope to return to "white collar" employment. It is, however, neither practicable nor indeed necessary to provide for most offenders exactly the same work in custody as they might obtain after release. The need is the inculcation of the habit of regular and purposeful work at a tempo and in conditions as close as possible to those of outside industry.

#### PRACTICAL DIFFICULTIES

47. In developing this kind of work the Prison Department faces practical difficulties that are not met by outside employers—who can choose whom they will employ. Some prisoners are not inclined to work and others lack the adaptability to take on even fairly routine jobs. A small proportion would probably be regarded by any outside employer as unemployable. Some, like Mark Twain, "dislike work even when another person does it". There is about a 400 per cent turnover each year in the labour force of the average prison workshop. This is partly because of the number of offenders serving short sentences and partly because of the transfers that are necessary from one establishment, or part of an establishment, to another. It is a situation that might face a business with over 100 branches each of which changed its labour force every three months. Also most prisons were built at a time when the policy regarding prison work was quite different, and the demand for workshop space far smaller. Existing buildings cannot easily be adapted to house modern manufacturing processes; in many cases there is neither enough space nor enough power.

48. There is, however, an obligation to provide some sort of work for everyone in custody. In overcrowded prisons this means the overmanning of workshops and the absorption of further surplus labour into the domestic services of the prison. Security, which can never be ignored, affects the layout of workshops; and in closed prisons it involves arrangements for escorting prisoners to and from work that cut into normal working hours. In local prisons in particular there are many other claims on staff time that may have to take priority over the manning of workshops.

49. In the past few years considerable resources have gone to help to overcome the physical handicaps. New workshops have been built, power supplies have been improved and about £750,000 invested in machinery in the last four years. But this has still not caught up with the deficiencies of the past. A long period of sustained building and equipping of workshops lies ahead.

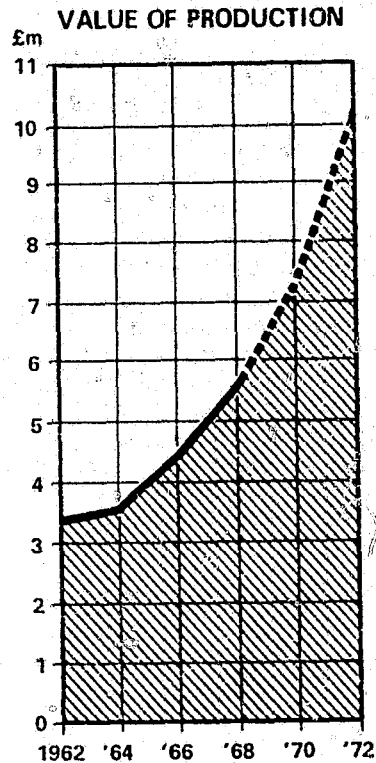
#### THE ORGANISATION AND MANAGEMENT OF WORK

50. The pace at which buildings, services and equipment can be modernised is not the only factor governing the effectiveness and economics of work. The reports of the Advisory Council on the Employment of Prisoners laid stress on the need for better organisation and management. In 1964 the legacy from the past was a collection of 36 manufacturing activities spread over a hundred and more establishments. Three years ago a start was made in reducing this complex

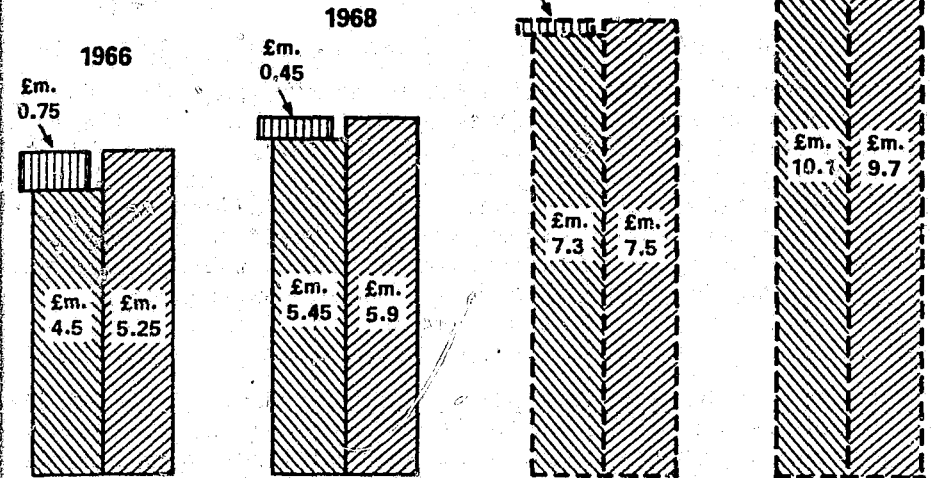
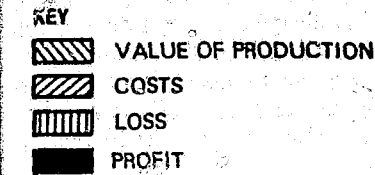
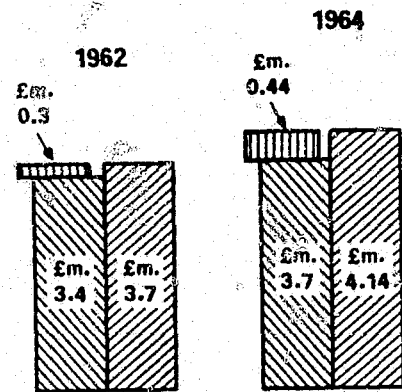
of activities to a small number of industries that could be organised on a sound economic basis and that would still provide a wide range of semi-skilled work. The industries chosen were light engineering, carpentry, garment making, metal recovery, weaving and laundering. Under present plans most prisons will eventually have no more than two main industrial activities.

51. This smaller number of industries requires efficient management. The Advisory Council pointed the need for the same calibre of management as would be found in an efficient firm. Acceptance of their recommendations has called for a reorganisation of the whole management structure of prison industries. The new management of prison industry cannot be based entirely on outside patterns. It operates in, and must understand, the special constraints of the prison situation in which profitability is not the overriding consideration. It must also operate in the framework of annual estimates, and the careful check and control of public money, that stem from accountability to Ministers and to Parliament and do not always allow of commercial flexibility. Nevertheless, the Prison Department has looked to outside industry for staff and for ideas. It has introduced modern techniques such as work study, management accounting, marketing, quality control and management development of staff, that are an accepted feature of modern industry but were new to prison industries. All this has required an increase in the number of civil servants employed in what has been an under-managed area; and more staff, especially senior management staff, will be needed in the next few years to complete the process of modernisation.





**PRISON INDUSTRIES:  
PRODUCTION, COSTS,  
AND TRADING RESULTS**



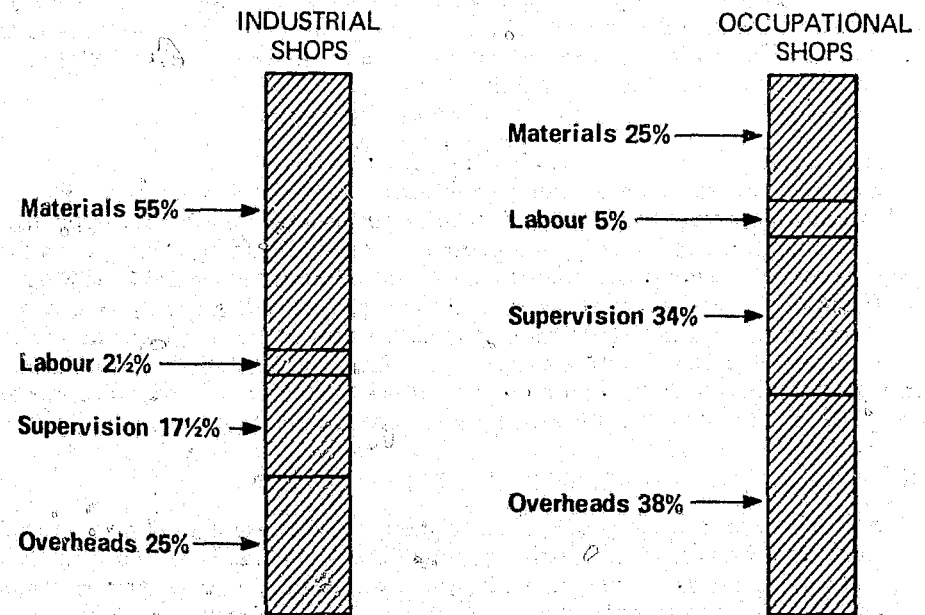
**FINANCIAL RETURNS**

52. The financial returns from prison industries as a whole have shown encouraging improvement. The value of production is rising. The graph on this page shows the estimated value of production in each year since 1962 and the increase planned up to 1972. The trading results are also improving. Against the value of goods produced by prison industries must be set the costs incurred in their production. These include the normal industrial costs of materials and overheads (including rent). They also include the cost of supervision in prison workshops. The diagram above puts the value of production and costs together to show the trading results for 1962, 64, 66 and 68 and the projected outcome in 1970 and 1972.

**MAKING A PROFIT**

53. In the past, prison industries always made a loss. It reached about £750,000 in 1966, and had been reduced to £450,000 in 1968. The current loss is about £350,000 a year. The Government's immediate aim is to turn the loss into a profit of £400,000 by 1972. Profit depends on productivity. The annual value of goods produced by the average prisoner in prison industries today is about £420. The comparable figure for an operative in outside industry is about

**1968 COMPARISON OF COSTS**



£2,500, and the gap between the two shows the theoretical scope for improving productivity in prison workshops. The unique handicaps faced by prison industries will always put the national figure beyond reach, but by 1973 about 16,000 operatives (an increase of 23 per cent over the present number) should be producing per head goods to the value of £700 per year, and, as a long-term aim, a figure approaching £2,000 per head might be a realistic target. Productivity of this order would show a substantial profit.

#### OCCUPATIONAL AND INDUSTRIAL WORKSHOPS

54. It is only in a proportion, though an increasing proportion, of prison workshops that work can be efficiently organised. There are some old and overcrowded workshops known as "occupational shops" where, because of the size and quality of the labour force, "employment" is little more than a way of spending part of the day. These differences are reflected in the costs incurred. As the diagram on page 29 shows, the cost of supervision and overheads is proportionately higher in occupational shops, which accordingly make a loss. The remaining shops, the "industrial shops", are now breaking even.

#### MARKETS

55. As production expands so prison industries require bigger markets. The main markets will probably involve the production of goods and services for government departments (including the Prison Department). But production for sale to commercial firms and nationalised industries will increase. To some extent, since prison industries see their future in association with outside industry, this will be through sub-contracting arrangements with firms. To a lesser extent, it will be through competition on fair terms. It is important for prison industries to have the understanding and co-operation of both sides of outside industry. This has lately been forthcoming, and the Government is grateful for it and will do all it can to preserve this goodwill.

#### COLDINGLEY

56. At a new prison at Coldingley in Surrey many developments described in previous paragraphs are being taken a stage further. The regime of this new prison is geared to industry, and prisoners work in light engineering, or in the commercial laundry, with equipment and in conditions comparable with those found in efficient organisations outside. This project is designed to be an economic success. Its industries, employing 240 prisoners, should have an annual turnover of £400,000. More important, Coldingley will test the possibility of "training the whole man" in an industrial prison environment with a regime to which all the other interests in the prison service can also make a contribution.

#### NON-INDUSTRIAL WORK

57. 80 per cent of the population at Coldingley will be employed on industrial work. In prisons as a whole only about half the population is so employed. Too many prisoners are at present under-employed in the domestic services of the prison, such as cleaning, and in the kitchens. There is room for much improve-

ment in the efficiency of domestic services and a start has been made by applying work measurement to such services and setting standards of efficient manning of parties. Several thousand more jobs will have to be provided in industry and building to absorb the prisoners released from domestic work.

#### FARMING

58. There is scope for similar improvement in farming. The Prison Department owns or rents about 11,000 acres of farm land. This employs an average of 1,200 people and produces about £600,000 worth of food a year. The yield from these farms is above the national average, but the use of labour is uneconomic, and there have been unrealistic assumptions about the training value of work on farms for men and boys likely to return to urban areas. There is scope, however, for a rationalised modern farm system giving efficient work to a relatively small number of offenders and making a contribution to the national economy. Some of the more isolated farms manned by parties of prisoners travelling daily from a parent prison might be capable of being developed as separate residential establishments. A study is being made of the feasibility of this and of the regimes that might be suitable. One suggestion is that they might be used as an experimental form of treatment for some categories of socially inadequate offenders.

#### ORGANISED WORK OUTSIDE

59. Some open prisons and borstals supply parties to work for farmers in the neighbourhood, particularly at harvest time. Other parties help to improve local amenities, such as canals, and take part in archaeological excavations. While the Government is in sympathy with the employment of offenders on outside work that has clear social value, the contribution prison labour can make in this direction is limited by security considerations, shortage of supervisory staff and the need to devote resources to improving work within institutions.

#### BUILDING WORK

60. There is wide scope for increasing the amount of building work done by offenders. There is nothing new in prisoners producing work that benefits the prison system and the Government does not accept that it is wrong so to employ them. Their labour can make an important contribution not only to the badly needed maintenance and rebuilding of some of the older prisons and borstals, but to the building of new establishments. The building of the detention centre at Eastwood Park, in Gloucestershire, was an example of what can be done. Almost the whole of the work was done by prisoners who were brought to the site daily from Leyhill and Bristol prisons. The buildings cost 25 per cent less (that is about £100,000) than they would have done had the work been done by outside contract. The prisoners benefited because their work had obvious purpose and value, and was done in conditions, and at a tempo, comparable to that of a sizeable building project. Both prisoners and staff benefited from the harmonious working relationships that grew up on the site.

61. The success of this project has encouraged the Prison Department to extend plans for the efficient use of its own labour force, for example in the rebuilding

of major parts of the borstal at Hollesley Bay, Suffolk, and of the prison at The Verne, Dorset, and in other long-term redevelopment plans\*. These projects have shown the value of the right kind of training. The emphasis in trades other than building is changing to provide practical training that the prisoner can put to profitable use during his sentence as well as in employment after his discharge.

#### CO-OPERATION IN RESETTLEMENT

62. An important feature of the Eastwood Park scheme described above was the part played by the local officers of the building trade unions. They took an interest in the prisoners' work. Before the end of a prisoner's sentence they interviewed him and in suitable cases arranged his admission to a union and helped him to settle in the building trade on his discharge. The Amalgamated Union of Building Trade Workers has agreed to national arrangements of this kind. The Prison Department has made similar arrangements with the Transport and General Workers' Union and hopes to do so shortly with other unions; it is also seeking further co-operation from employers who might help in the resettlement of offenders on release. It is felt that young offenders in borstal can, for example, benefit considerably from an increase in building work, the practical training allied to it, and arrangements with trade unions to help in resettlement in the working community. In the engineering industry, co-operation with an outside firm has produced schemes under which prisoners are given production training on up-to-date engineering machines supplied by the firm and are able to apply for jobs in the firm's factories on discharge. These arrangements also have been made with the support of the trade unions.

#### EARNINGS

63. The average earnings of offenders in custody at present are 7s. a week. This is no more than pocket money. It allows no scope for savings to be made for the offender's discharge, or to help his family. As an incentive to hard work it is derisory. The Government believes that the improvement in the tempo of work, and the increasing opportunities to do a useful and productive job, can themselves have an important effect on the rehabilitation of offenders and the development of prison industries. But there must also be an improvement in earnings, and that must come from greater opportunity for employment in more skilful work. This approach makes sense in economic terms, and in terms of the general treatment of offenders. It is Government policy therefore to tie higher earnings to improved standards of work. New rates have been introduced and some prisoners will be able to earn up to 33s. a week in return for increases in productivity.

#### INCENTIVE SCHEMES

64. The new incentive schemes started in 1967 in the workshops at Kirkham prison in Lancashire and in selected workshops at other prisons. The prisoners employed on the building of the detention centre at Eastwood Park received incentive payments. The results were encouraging. A further experiment at

\*See paragraph 186.

Kirkham has shown that similar incentive schemes can be applied to other types of work and can produce an increase in productivity approaching 40 per cent. They also bring a much brisker atmosphere to the whole prison. The Government plans the extension of incentive schemes. Their introduction depends on the careful application of work measurement techniques by skilled staff and on the provision of more jobs to absorb the prisoners made redundant by more efficiently organised work. Progress is therefore steady rather than spectacular. 1,000 prisoners are now being paid on an incentive basis. By the end of this year there should be at least 2,000. An experimental scheme is starting at one borstal.

#### FUTURE PLANS

65. It is often suggested that offenders in custody should receive earnings comparable with those of average workers in outside industry and that from these earnings they should meet their commitments to their families, and the cost of their board and lodging, now borne by the taxpayer. The Government regards arrangements of this kind as its ultimate aim. But prison industries are clearly a very long way from being able to meet on an economic basis the £30 millions or more a year that it would cost to pay everyone now in custody the national average wage.

66. There are two possible policies that could be followed in the next few years. The general level of earnings of all prisoners could be gradually increased as the efficiency and profitability of prison industry improves, or increased earnings could be confined to those prisoners whose work became more efficient and profitable than the average: there are already some workshops which could support pay of several pounds a week to those working in them. These two policies are not mutually exclusive, and whatever increase becomes possible in the general level of earnings the Government hopes that individual prisoners will continue to be able to earn more than the average by their own efforts.

#### FOOD AND CLOTHING

67. Reference was made earlier to the basic elements of the prison regime. These include food and clothing. Prison food is wholesome and adequate. In the past the chief criticism has been that it was monotonous and badly served. Much has been done since the war to improve the preparation and serving of food, and, where space has been available, to improve messing facilities. Individual establishments are able to introduce more variety into their menus. The general standard of prison catering now compares favourably with that in hospitals and other institutions. As in any other institution the quality of the meals depends largely on the efforts and imagination of the person in charge of catering, and the general improvement of recent years owes a good deal to the work of the catering officers of the service.

68. Prison clothing has also been much criticised, and although many of the critics have underestimated the practical problems of providing serviceable clothing for a rapidly changing population, the Government agrees that there is considerable scope for improvement. Most women and girls in custody are now

allowed to wear their own clothing or civilian clothing bought for them. This has improved their morale and their self respect. The problems of security and discipline are different for men and boys in custody and the Government has no plans for allowing convicted offenders in male establishments to wear their own clothes. The aim rather is to encourage self-respect by improving standards of uniform clothing.

69. The battledress blouse has been the outward mark of an offender in custody for many years. It is neither smart in appearance nor particularly serviceable. It is now being replaced by a jacket that is more attractive and more comfortable to wear. Shirts, socks and underwear of a more modern design have also been introduced. The redesigned garments require fewer manufacturing operations in prison workshops and are cheaper to produce, and it has been possible to improve the frequency of issue, which is particularly important for underwear. It should soon be possible to introduce, without increase of cost, more variety into the clothing provided, and to allow most men and boys in custody some choice of what they will wear. It should, for example, be possible to have a range of shirts in different colours. Pyjamas are now being issued in prisons as well as in borstals (the latter have had them for some years); among the inherited Victorian traditions was one that required prisoners to sleep in their shirts.

### MEDICAL SERVICES

70. Because of the National Health Service and changing social conditions the people who now come into custody are generally in a better physical state than those received into prison 20 years ago, and the treatment of serious physical illness forms a smaller part of the work of the prison medical officer than it did. But each prison or borstal has some accommodation for sick people and there are larger prison hospitals, some with up to 100 beds, to which patients can be transferred if they need treatment not so readily available in their own establishments. The prison medical service can call on the consultant and specialist services of the National Health Service and patients can, where necessary, be sent to outside hospitals.

### PSYCHIATRIC TREATMENT

71. There is a steadily increasing awareness of the need for psychiatric care in custody and the last few years have seen substantial development in the psychiatric services. About 15 or 20 per cent of all offenders and more than half of all women in custody receive some form of psychiatric treatment during their sentence. Two-thirds of the full-time medical officers in prisons and borstals have had psychiatric experience outside the prison medical service and there are 40 visiting psycho-therapists. The psychiatric work in prisons is not confined to the treatment of those who are manifestly ill. There are many offenders who need some degree of psychiatric support and supervision at various stages of a sentence, especially a long sentence, and they include, inevitably, some who apply frequently to see a doctor for what is ostensibly some physical ailment. An important part of the work of medical officers in relation to the prison system as a whole is that of increasing the understanding among staff of all

grades who have to deal day by day with disturbed offenders. It is by this means, as much as by the various forms of medical and psychiatric treatment, that the service can lower the risk of violent outbursts by unstable offenders in custody.

72. Grendon, opened in 1962 as our first psychiatric prison, is pioneering the treatment of personality disorders in a prison setting, and techniques now being developed at Grendon may be of value in other establishments. There are other psychiatric centres in the prison service at which patients may receive psychiatric treatment. Both physical and psychological treatments are available. At some establishments special treatment is available for alcoholics, and the prison medical service is developing its work with drug addicts.

### OTHER FORMS OF TREATMENT

73. Two widely differing examples may be given of the way in which modern medical techniques can assist in the rehabilitation of offenders. First it is well known that a considerable proportion of the young men and women who come into custody have been tattooed, and many regret it. Arrangements can be made for offenders to undergo surgery during sentence for the removal of unwanted or objectionable tattoos. Secondly there is reason to hope that a small number of abnormal sexual offenders may be helped by the use of hormone therapy as an adjunct to psychotherapy. This is an area in which pioneer work is being done in the prison medical service.

### THE GENERAL RESPONSIBILITIES OF THE PRISON MEDICAL SERVICE

74. The prison medical service has a responsibility for the physical and mental health of all those in custody, and a responsibility to give advice on any aspect of their treatment, including living and working conditions, clothing, and diet. The prison medical officer may advise, for example, on the general type of regime most likely to suit a particular offender. The regular medical and psychiatric reports made on those serving life sentences are of great importance in deciding whether they can safely be released. (The note to Part IV deals with the procedures for considering the future of life sentence prisoners and the periods of time they should spend in custody.) A major responsibility of the prison medical service concerns unsentenced prisoners. Prison medical officers examine and report on the physical and mental health of those remanded in custody and awaiting sentence and offer such advice as courts may require. About 13,500 such reports were made in 1968\*. For this work adequate diagnostic facilities and medical staff must always be available in local prisons and remand centres.

### DEVELOPMENT OF PRISON HOSPITALS

75. The older prisons were built when the simplest physical care of offenders was the main task of the prison medical service. This situation has altered. Medicine itself has become more complex, and the current need is for the

\*In carrying out this work for the courts, as in some other aspects of their work, medical officers have the helpful co-operation of prison psychologists, whose general role in the service is discussed in paragraph 211.

expansion of selected prison hospitals to which patients can be transferred if they need treatment not readily available in their own establishment. Principal and Senior Medical Officers already supervise groups of smaller establishments to which they act as consultants and advisers. It is intended to develop the larger prison hospitals—by reconstruction or rebuilding if necessary—as group hospitals. These should be able to provide a fuller range of treatment facilities, especially in the psychiatric field, as well as making better use of valuable nursing staff, and they already have close and long-standing links with both N.H.S. and Teaching Hospitals.

### PHYSICAL EDUCATION

76. Physical education and sport have always been seen as a valuable part of the regime in establishments for young offenders. Why not for adult establishments too? Here at present the facilities are often poor, but a start is being made. A new training centre for the initial and refresher training of physical education instructors, of whom the service now employs about 170, is to be developed at Swinfen Hall, and one of its purposes will be to make a detailed study of the ways in which physical education may assist offenders over the age of 40.

77. Where trained staff and adequate facilities are available, the physical education instructor can often help offenders who are not physically fit, by means, for example, of remedial gymnastics. Physical fitness is likely to help an offender in the daily routine of life in custody, enabling a man in a crowded local prison, for example, to come to terms with sedentary occupations making little demands on mind or body. Sport in prison can be more than an enjoyable form of exercise: it can provide the means of demonstrating a skill, and the offender who can prove to himself and to others that he has learnt a skill may improve his self-respect and gain acceptance in the eyes of other people. Not the least, physical education can assist the return of the offender to the community by helping to ensure physical competence to take-up work outside.

## EDUCATION AND VOCATIONAL TRAINING

### THE PURPOSE OF EDUCATION

78. Education has been described as an aid to living. It has an important part to play in the life of the prison society, where, as in few other places where people are taught, the best teacher (as Sir Walter Raleigh said) is the one whose main interest is the scholars not the subject. Some prisoners will turn to it for the relief of boredom—to find that it pushes back horizons, occupies time in a personally satisfying way and increases self-respect. People in custody, as in society at large, include some who look to education for assistance in understanding themselves, their fellow men, and the world in which they live and work. At its most utilitarian level it provides a means of acquiring skills which will assist an offender on his return to the community.

### THE PRESENT ARRANGEMENTS

79. Education for those in custody—remedial, academic, cultural, recreational, vocational—is provided by local education authorities at the invitation of the Prison Department. In the financial year 1968-69 the cost to the Department was just over £600,000. The local education authorities provide "tutor organisers", some full-time, some part-time, who are responsible for the education service in each establishment. There is a small but growing number of full-time teachers, but the great bulk of teaching is done by part-time teachers.

80. All offenders under 21 have to attend a certain number of classes each week, but adults are free to engage in education or not, as they please. Most of it takes place outside working hours. But daytime education is provided for those who lack the basic skills of reading and writing, and normal working hours have been used for promising experiments in general education for a few selected offenders, especially those capable of advanced academic work. Over 200,000 individual classes are held each year, covering a wide variety of subjects. They include academic and technical subjects which may in suitable cases lead to offenders obtaining nationally recognised qualifications, current affairs discussions and, not the least important, the encouragement of handicrafts and hobbies. Under the terms of an award founded by Arthur Koestler in 1962, prizes are available to people in custody for work showing talent in art, literature, and music. The publicity given to these awards, especially by the arrangement of an annual exhibition, has helped to make more generally known what can be achieved under this kind of encouragement. The Koestler Award was extended in 1969 to achievements in the field of vocational training and industry.

### PLANS FOR THE FUTURE

81. The present administrative arrangements are largely those recommended by the Prisoners' Education Advisory Committee in 1947 and conceal a good deal of variation, as between one institution and another, in the effectiveness of the education provided; a variation due partly to differences in the facilities available, the kind of people in each establishment and their average length of stay, but partly also to differences in their approach to education. Education in custody is generally least effective when presented as schooling and most effective when treated in an adult way and presented informally to small groups.

82. In the light of changes in the penal system and in the organisation of "further education" outside, the Prison Department has started to re-examine the place of education in the treatment of offenders. An immediate result has been the amalgamation of the education and vocational training units. The aim is to develop them under the guidance of a chief education officer into a "further education" service as that term is understood in the public system outside. The Department is also seeking closer co-operation with local education authorities, especially in the adult and further education fields, and liaison with voluntary bodies and with teachers' organisations is being strengthened. A review of the recruitment, conditions of service, duties and training of full-time and part-time tutor organisers and teachers has already been made.



83. The education service, especially in adult establishments, needs better accommodation, furniture, teaching aids, and equipment, although the claims for these have to be balanced against other claims. But most important is the need to relate a prisoner's education more closely to all other aspects of his treatment: an aim that is easier to state than to achieve. On the one hand, one of the strengths of a further education service is its voluntary character. Within the confined life of a closed institution, offenders benefit from taking part in activities which appear to have no direct connection with the rest of the regime. On the other hand, an offender's education, especially where it involves the acquisition of particular skills, or includes teaching to certain academic standards, ought to be closely related to his prospects after release.

#### VOCATIONAL TRAINING

84. Offenders are prone to believe that the difficulties that got them into prison will not recur on release if only they can be given a vocational training course. Often, therefore, they plead for inclusion in such a course without realising what is involved. A vocational training course will in the long run help an offender only if (a) it is within his capacities, (b) it provides a skill which will assist him in obtaining better employment on his release, and (c) he will have the opportunity, ability and determination to find and retain such employment. For many offenders, the shorter periods of training, for example in building work, described in paragraph 61, are more suitable. Nevertheless for a minority of offenders a vocational training course leading to an acknowledged qualification, such as that of the City and Guilds of London Institute, is valuable and appropriate. The Prison Department runs about 100 such courses a year. Most are in borstals. They are spread over 19 trades, including plumbing, welding, and electrical installation. In the financial year 1967-68, 897 people entered for public examinations at the end of these courses; 675 were successful.

### RELIGION AND SOCIAL WORK

#### WORK OF THE CHAPLAIN

85. In the past the chaplain has pioneered much of the educational and welfare work among people in custody. The appointment of welfare officers, tutor organisers, and assistant governors has progressively relieved chaplains of such demands and given them a new freedom to develop their own contribution to the treatment of offenders. There are those who argue that, as a chaplain is responsible only for the spiritual welfare of the offenders, he should restrict himself to giving spiritual advice and interpreting religion in a narrow sense. The chaplains reject this view and increasingly regard themselves as members of a team of people concerned to help offenders. Training, in which chaplains and all ministers of religion share, is designed to help them to take their part with others who are seeking to affect the attitudes and behaviour patterns of the offender. The chaplain makes his own particular contribution and in addition to leading worship and administering the Sacraments he can meet offenders as individuals and remind all in the prison service of the uniqueness of each individual man or woman in his charge.

86. Increasingly, Britain is a multi-racial society, and offenders of different races and religions are committed to custody. In consultation with representatives of these groups in the community arrangements are made to enable prisoners of non-Christian religions to comply with the tenets of their faith in matters of dress and diet.

#### SOCIAL WORK

87. There is a particular place for the professional social worker. After considering a report by the then Advisory Council on the Treatment of Offenders, to which further reference is made in Part IV, the Government decided that from 1st January 1966 prison welfare officer posts should be filled by probation officers on secondment for limited periods. Prison welfare officers previously appointed became probation officers on that date and since then fresh appointments have been made by the secondment of serving probation officers. The number of posts is now about 200, double the 1966 figure. On 1st January 1969 the probation and after-care service were also made responsible for filling the social worker posts that had already been created in detention centres, remand centres and borstal allocation centres; and, like the prison welfare officers three years before, those in post became probation officers.

88. The welfare officer or social worker has an obvious role in giving immediate and "first aid" help with the welfare problems of offenders coming into custody, in acting as the focal point of social work in the institution, and, as explained in Part IV, in providing a link—throughout the man's sentence—between the institution and the members of the probation and after-care service working in the community. In many establishments, especially the local prisons, sheer numbers do not yet allow the prison welfare officer to undertake case work in any great depth. But at three prisons in the Midlands the number of welfare officers has been substantially increased as part of an attempt to assess the place of social work in prisons. The experiment is linked with research studies by the Home Office Research Unit, and although the results are not expected for at least another 18 months these investigations and the experiment itself have already helped to identify many of the problems of administration and organisation that need to be solved.

#### SOCIAL TRAINING

89. Previous paragraphs have described ways in which an offender during his sentence may receive help towards his rehabilitation and ways in which he may be encouraged to help himself. But if an offender leaves custody thinking only of himself he is unlikely to find a place in a society in which no-one can escape obligations to other people. Our forefathers were perhaps more confident than we that they knew how moral teaching should be given in prisons. The need for such teaching has not diminished, and the offender needs the opportunity and the encouragement to help other people. He can help those inside the institution and in many cases can also help those outside it. Offenders are often very generous, and their generosity can take the form, for example, of making toys for handicapped children. In borstals it is possible to go much further; most

borstals maintain close links with other establishments in their areas such as Cheshire Homes, psychiatric hospitals and old people's homes, and the young offenders visit these establishments and offer a range of practical and willing help. Detention centres, also, have recently been encouraged to find ways in which boys can give help to the community. Such voluntary work helps the people to whom it is given. But more profoundly, and sometimes more permanently, it helps those who give it. "One must be poor", as George Eliot said, "to know the luxury of giving."

## IV

### OFFENDERS AND THE COMMUNITY

#### FAMILY TIES AND LINKS WITH THE COMMUNITY

90. Most of the offenders who leave custody each year and return to the community have spent less than a year "inside". Those who have had the custody of them have increasingly realised the need to see the period inside as an interval between two periods outside, and not the other way round. This Part shows some of the methods that are used to help the offender in custody to see himself as still a member of society, to preserve his vital links with wife and family, and to assist his reabsorption into the community.

#### LETTERS

91. The limits that are still placed on the number of letters, and the number and length of visits, reflect the demands on staff resources for censorship and supervision, and the lack of space in visiting rooms. In this sphere, as in all too many others, it is the prisoner in the overcrowded local prison whose deprivations are the most severe. There are security and general reasons why the censorship of letters is necessary, but the Government has reviewed the rules, and in training prisons a man may now regularly write three letters a week, on two of which he himself meets the cost of postage, and receive the same number.

#### VISITS

92. In local prisons priority has to be given to visits to those who are on remand or who have appealed. Because of this, and the poor visiting accommodation, other prisoners may have to be limited to a visit lasting half an hour every four weeks. The Government does not regard this as sufficient. At other establishments longer visits are possible, and, at some, visits are now allowed every fortnight. Although many visitors still have to travel considerable distances, and may welcome help from volunteers in transport for the journey or in looking after the children, the decision to allocate as many men as possible to establishments within a Region\* has done a good deal to make the visiting of long-term prisoners less difficult. So has the recent change which has enabled those in receipt of supplementary benefit, and others not in full-time employment who are equally badly off, to be assisted each month with the expenses of visiting a relative in prison, and not once in two months as previously. The governor can grant additional letters and visits when there is a special need for them to help a family to meet a domestic crisis.

\*See paragraph 170.



## FAMILY PROBLEMS

93. It has been said that if prisoners share a single common factor it is their propensity to attract problems to themselves; and they are usually family problems. The prisoner can seek help from the prison welfare officer and through him from the probation and after-care service outside. He is seen, anyway, by the welfare officer soon after reception, and his immediate domestic problems can be referred if necessary to a local probation officer—often in touch with the family already and likely to remain so throughout the sentence. When the family goes to the prison on visits, the welfare officer will often be available to discuss their problems. We are a very long way from being able to provide for all prisoners and their families the skilled social work that they may need, nor, indeed, have we yet discovered how this type of social work is best done in the prison setting, but progress has been made.

## CREATING NEW LINKS

94. Some of those in custody are so isolated that they have no ties with family or friends. To such men the work of over 750 prison visitors who regularly visit prisons is invaluable. Prison visitors were among the pioneers of voluntary social work in prisons and the unique appeal of the prison visitor remains—as one of them once put it—that “he is unpaid and comes to the prison because he wants to and for no other reason”. Where there are no existing ties to preserve, the attempt is made to forge new ones. Various methods are being tried. At some prisons, for example, the governor will put an isolated offender in touch with a voluntary “associate”, a man willing to attempt to build up a personal relationship with him both during sentence and after release. At others the local probation and after-care service has taken the lead in making similar arrangements.

## YOUNG OFFENDERS

95. The previous paragraphs have been concerned primarily with the inmates of prisons. In borstals it has always been recognised that the young offender must be kept in touch with his family. Throughout the sentence there is direct contact between the training borstal and the probation officer who is going to be responsible for the supervision of the offender when he goes out on licence. In detention centres the problems are different because of the shortness of the sentence, but a social worker in each centre helps the young offender to keep in touch with his family by writing to them and by encouraging visits, and is in regular contact with local colleagues in the probation and after-care service who will supervise him after release.

## HOME LEAVE

96. Another way of enabling someone in custody to preserve links with family or friends, or to make new contacts with people who may be able to assist him on release, is to allow him to visit them. It has long been the practice to allow young offenders at borstal a period of home leave towards the end of their training. Similar arrangements have existed at some training prisons and for long sentence prisoners. The Government has recently introduced an extension of home leave so that prisoners serving sentences of three years or over in training prisons are

now considered for two periods of home leave in the last year of their sentence. Prisoners serving two years and less than three will be considered for one such period. Further extensions of this scheme will be considered when the effects of the new arrangements have been assessed. The Government believes that the granting of home leave in suitable cases is the most promising way of assisting people in custody to maintain their family relationship. It believes this is a preferable alternative to allowing what are called “conjugal visits” by wives. There are manifest difficulties in providing acceptable conditions for such visits and a real risk that their artificiality would, on balance, do more harm than good to the marital relationship.

## THE PERIOD BEFORE RELEASE

97. Almost every prisoner needs practical help in the period immediately before release (though not all will accept it). Whether or not the released prisoner is going to be subject to supervision on release, the prison welfare officer can assist him in finding accommodation before he leaves custody. The Department of Employment and Productivity will always help offenders to find jobs, and representatives of that Department regularly visit institutions to interview offenders and to try to place them in employment. All those at borstal, and all prisoners who have served long sentences, are given a full set of clothing on discharge; but these and other practical steps, though important, meet only part of the problem. An offender leaving custody may also face emotional and psychological problems, the nature of which will vary with his temperament and circumstances and the length of time he has been in custody. It has long been recognised that someone who has spent any considerable period in any closed community (not only a penal institution) may have difficulty in making the adjustment to life outside, and the aim has been to find various ways of making the change from incarceration to complete freedom more gradual. In borstal, the basis of training has always been the gradual widening of the offender's responsibilities and the range of choices open to him, and the lessening of control towards the end of the period in custody is often accompanied by a move from one borstal house to another. Likewise it is fairly common for a prisoner serving a long sentence, including a life sentence, to be transferred to an open prison towards the end of that sentence.

## PRE-RELEASE EMPLOYMENT SCHEMES

98. Long sentence prisoners may be gradually re-introduced to freedom by leaving the prison every day during the last stage of their sentence and working for a private employer. Any prisoner serving a sentence of 4 years or more (including one serving a life sentence who has been given a date of release) is now considered for outside employment on such a scheme. The detailed arrangements vary slightly (and experimentally) from one prison to another; but in essence, a man who is selected for the scheme is allowed to take work outside the prison for about the last six months of his sentence. He may live in normal accommodation within the prison, or he may live in a hostel that is separate from, though within the perimeter of, the prison from which he goes out to work

daily. Plans are also being made for opening the first hostel to be physically separated from its parent prison as recommended by Lord Mountbatten in his report on prison security. The hosteller works for a private employer as if he were a free man, receiving normal wages, and meeting people outside the prison environment, and he is able to resume some of the obligations of a free man, for example by supporting his family. At the same time the prison staff can watch his progress. When the hostel scheme first started at Bristol prison in 1953 it was designed for men sentenced to preventive detention who were in the last months of their sentence. Some of these men had spent many years in custody on successive sentences and were so accustomed to life in an institution that they found it extremely difficult to cope with life outside. The scheme has greatly expanded since then and all long sentence prisoners, including men serving their first period in custody, are now eligible for consideration. There is a similar scheme for women. The main purpose of the scheme remains that of aiding the re-adjustment of people who may have spent long periods of their life in institutions.

#### SELECTION

99. It is not possible for all long term prisoners to work for outside employers in this way. Some men will have shown, perhaps by the nature of their offences, perhaps by their behaviour in prison, that they are not suitable. But each case is considered on its merits by the governor of the prison, who is advised by a selection board consisting of members of the prison staff who know the man, representatives of the Board of Visitors or Visiting Committee, and a representative of the Department of Employment and Productivity. The aim is to place those selected near their homes or near where they intend to settle after release. About 1,000 prisoners a year are eligible for consideration for this scheme, and about two thirds of those eligible are selected. There are about 375 places available at any one time. 75 of these places are at Pentonville, 48 at Wormwood Scrubs and 46 at Wakefield. The remaining 200 places are divided among 18 other establishments in various other parts of the country.

#### SAVINGS

100. It is implicit in this gradual re-introduction to freedom that a prisoner is not given complete control of his weekly wages. The first call on his income is the amount, if any, being paid by the Department of Health and Social Security for the maintenance of his dependents. Then a charge is made for his board and lodging in the prison. He retains any money necessary for fares and lunches, and also up to 30s. as pocket money. The remainder—a minimum of £1—must be saved. Thus a man supports his family, has normal responsibilities, and also saves money towards discharge at a rate which usually means that he leaves custody with at least £25, and maybe a good deal more. When the man's wage is insufficient to support both his family and himself, it is possible to help him by abating the board and lodging charge and by other subsidies. He is allowed weekend leave to visit his home, and a certain degree of freedom during the evenings.

#### RESEARCH

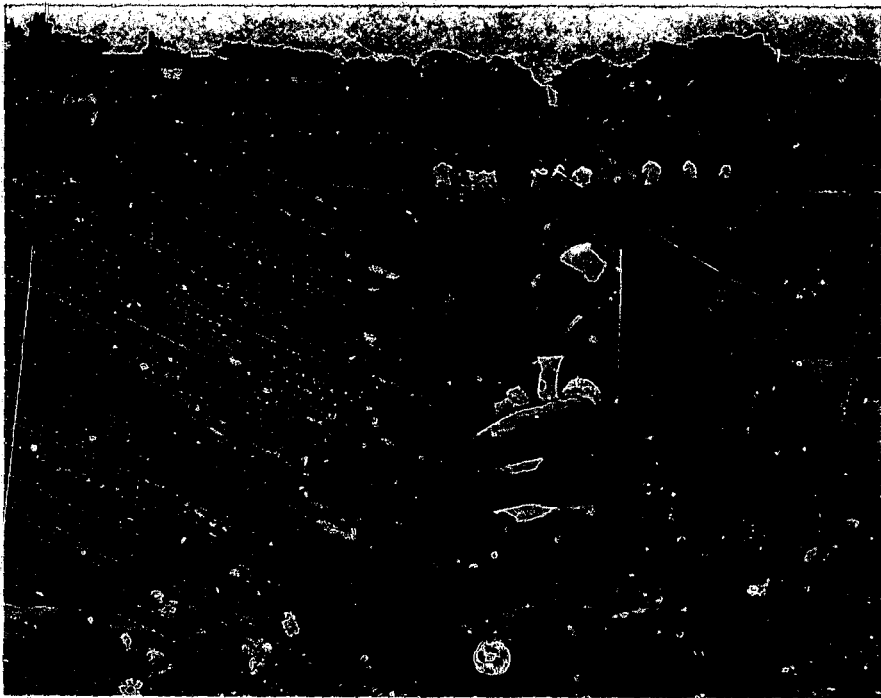
101. The Home Office Research Unit is undertaking research into the effects of the scheme. The research covers selection, men's behaviour while in a pre-



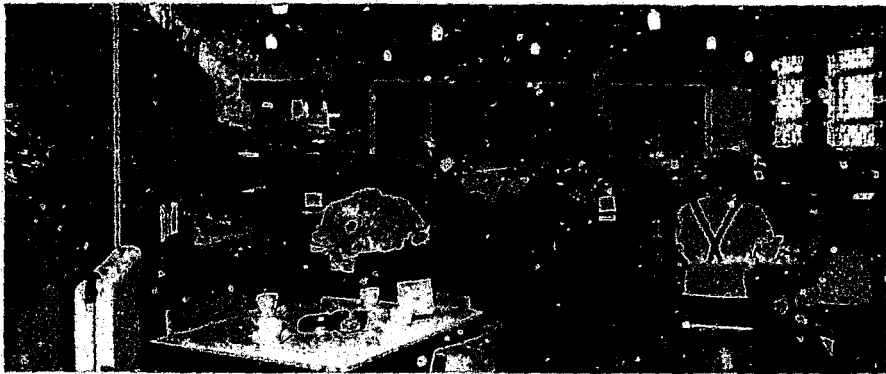
1. A prison officer talking with inmates at Leyhill open prison, Gloucestershire. Officers are encouraged to make informal contacts with prisoners in their charge.



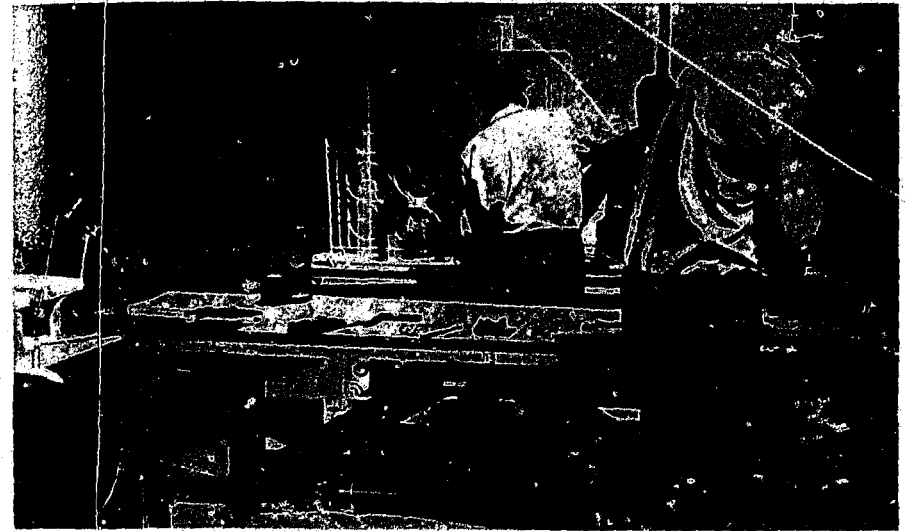
2. Group counselling at Swansea prison. It is hoped that research may in time show what types of offenders are receptive to this form of treatment. It is already clear, however, that staff involvement with prisoners has brought about a lessening of tension and a reduction of violent outbursts by prisoners.



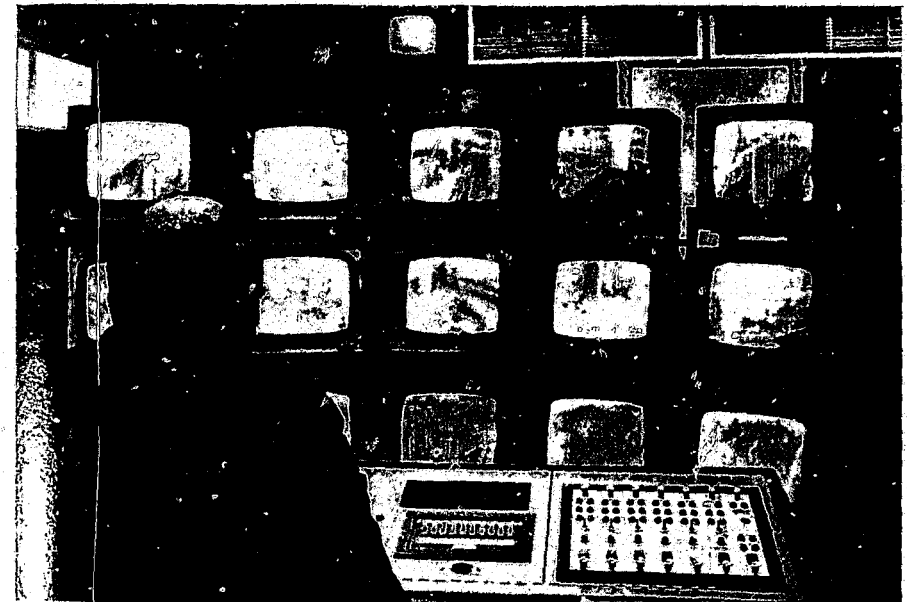
3. A prison sister encourages a mentally disturbed inmate of Askham Grange open prison to take an interest in her surroundings. More than half of all women in custody receive some form of psychiatric treatment during their sentence. The majority of the full time medical officers in prisons and borstals have had psychiatric experience outside the prison medical service and there are 40 visiting psychotherapists.



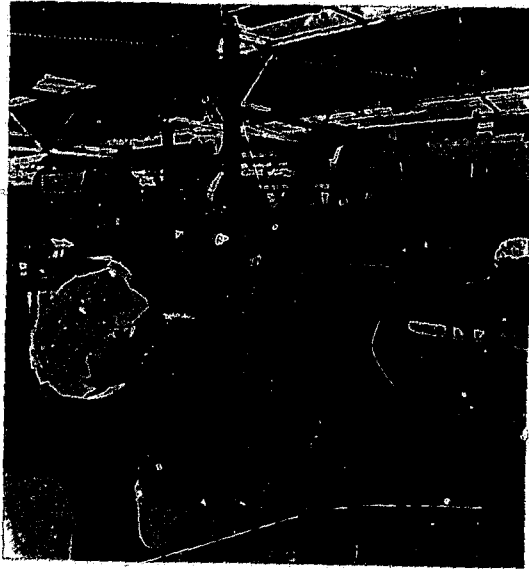
4. Week day visiting at Blundeston—a modern prison in Suffolk. At week end the demand on accommodation is very much greater. In local prisons, priority has to be given to visits to those who are on remand or have appealed and other prisoners may have to be limited to a visit lasting half an hour every four weeks. At other establishments, longer visits are possible.



5. Prisoners in the workshop of the special security wing of Durham prison.



6. A prison officer watching the perimeter from the security control centre at Gartree prison, Leicester. Following the implementation of most of the recommendations of the Mountbatten Report, the number of escapes from closed prisons and remand centres was reduced to a quarter of what it had been. The aim has been to concentrate on perimeter security so that there should be as few restrictions as possible on the activities of prisoners.



7. Spot welder in the metal shelving workshop at Coldingley prison. The regime of this prison, which was opened in October 1969, is geared to industry and prisoners work in light engineering or in the laundry, with equipment and conditions comparable with those found in efficient organisations outside the prison system.



8. Sewing mailbags by hand in Wandsworth prison. There are some old and overcrowded workshops known as "occupational" shops where both the number and the quality of the labour force means that employment is little more than a way of spending part of the day. However, the organisation of prison workshops is being improved wherever possible.

release hostel, the attitudes of men and staff to the scheme and a comparison of offences and work records before and after the sentence. Provisional results indicate that those who successfully completed the hostel period were slightly less likely to be reconvicted after *final* discharge than if they had been released direct from prison and that these men seem better able to maintain themselves in work.

### AFTER-CARE

102. The development of after-care has followed a pattern to be found in this country in many other services aiming to help people in need. It had its beginnings in voluntary effort in the nineteenth century; it was continued in the twentieth by voluntary organisation, in partnership with public agencies: and it has now become the responsibility of a statutory service—the probation and after-care service. At the same time, and here again the pattern is not unique to after-care, the total task is not one which any statutory service can tackle unaided. The help of members of the community is needed, working under the guidance of trained professional workers.

### THE NEW ORGANISATION

103. The major changes of the last few years were foreshadowed in 1963 by a report from the Home Secretary's Advisory Council on the Treatment of Offenders. This recommended that professional social workers should be employed on after-care, both in penal institutions and in the community, and that there should be a greater use and involvement of community resources in the rehabilitation of offenders. These recommendations were accepted. The enlargement of the probation service into a probation and after-care service was given formal effect in the Criminal Justice Act 1967. The Government also decided that social workers in prisons and detention centres should belong to, and be drawn from, the probation and after-care service. (The present arrangements for borstal after-care are dealt with in Part VI.) By 1967 therefore the foundations had been laid for a unified professional after-care service.

### OFFENDERS LIABLE TO RECALL

104. Offenders who were under 21 when sentenced are subject to supervision in the community after release from custody. So are (a) those adult offenders granted early release on licence under the new parole scheme referred to in paragraph 114; (b) those subject to an extended sentence (whether paroled or not); and (c) those released on licence from a sentence of life imprisonment. For offenders in these categories\*, supervision in the community is part of the sentence; and the sanction of recall to custody exists in the event of failure to observe the terms of supervision. Apart from these, most adult offenders are not subject to recall or to compulsory after-care, but they are encouraged by prison welfare officers to take advantage, voluntarily, of the after-care that is offered.

### THE PURPOSE OF AFTER-CARE

105. The aim of after-care, whether or not it is backed by the sanction of recall to custody, is not only to assist the offender on his return to society but also to

\*There are very rare exceptions, e.g. where the offender is going to live abroad after release.

give him continuing help with fundamental problems that may have got him into trouble. The licence provides an element of control and stability during the period of resettlement when an offender is at greatest risk. Used imaginatively, it can set limits whilst the individual builds up his own controls; for in this process of re-adjustment after-care gives the offender the help of a skilled caseworker who will not only assist him directly but may also mobilise on his behalf the resources of the community provided either by statutory or voluntary agencies or by individuals.

#### THE WORK OF THE PROBATION OFFICER

106. If the offender is to derive the maximum benefit from after-care, its foundations need to be laid early in his sentence. It is easier to do this if the offender or his family have already had some contact with the local probation and after-care service. More and more often, a probation officer will have seen the offender while he was making a social inquiry for the court before sentence. After sentence the probation officer at the court tries to see him to discuss any urgent domestic or other problems with him, and to make sure that, if he has a wife and family, they are given help and advice while he is in custody. So far as is practicable, and this depends on the availability of staff as well as on the attitude of the family, contact is maintained both with the family and with the prisoner during sentence, and the probation officer will try to visit the prisoner before his discharge to discuss plans for his future.

107. Which would be the more effective, voluntary after-care on a more intensive scale or compulsory after-care for more and more offenders? There is evidence that the approach described in the previous paragraphs is providing the answer. With the encouragement of the probation and after-care service, and, in particular, of the prison welfare officers, more adult prisoners are making use of "voluntary after-care" facilities. In 1966, the first year in which the probation and after-care service became fully responsible for it, 18,522 prisoners had some contact with the service after release. In 1967 this figure increased to 22,441, contact being maintained also for longer periods. This trend continued in 1968 and it may well be that experience will confirm that it was right to have contemplated the extension of voluntary after-care rather than a general extension of compulsory after-care to larger groups of adult prisoners.

#### OTHER AGENCIES

108. Because the probation and after-care service is a nation wide service, the probation officer being equipped by his training to carry out this form of social work, it is right that the major contribution to after-care should be made by that service, and by probation officers in the districts to which offenders go on release. The work of the service can and should, however, be supplemented in various ways, including the continuing interest of members of the prison service in former offenders. At a few establishments members of the staff who have been concerned with individual offenders have been encouraged to maintain contact with them after discharge; and this is particularly appropriate where the staff have developed special skills in the handling of disturbed offenders and have won their trust.

#### VOLUNTARY EFFORT

109. As indicated in paragraph 102 the individual citizen will always have a part to play in the many social services that aim to help people in need, and nowhere is this more so than in achieving the main object of prisoners' after-care: the reintegration of the offender within the community. In 1965 the Government appointed a Working Party under the Dowager Marchioness of Reading to advise on the best possible use of this voluntary effort, and it has produced two valuable reports.

110. Probation officers are increasingly recognising the value of volunteers, of whom there are now over 1,200 working actively in conjunction with the probation and after-care service. They provide a wide range of support—from baby-minding during prison visits and collecting prisoners' luggage, to the long-term befriending of wives and families during the prisoner's absence and of the whole family after his release. The work of such a volunteer, or "associate" as he is more usually called, can best be summarised as the provision for an ex-prisoner of someone who will befriend him, knows and accepts his story of past failure, and is willing actively to help him to a more successful future. It is someone to whom he can turn for guidance and advice on matters often outside the range of the official agencies, and whose help is sometimes as simple as the filling up of a form, the drafting of a letter, or the making of a telephone call. The "associate's" main strength lies in the fact that he has a status which his protegee has temporarily lost, and that he is willing to use it for his protegee's benefit; for the latter's biggest loss is usually his self-esteem, the most profound consequence of imprisonment. A housing society has been formed to help to prevent the break-up of families as a result of imprisonment, and many other voluntary societies and trusts are finding ways of helping ex-offenders, including helping them to find jobs, and of providing the financial means. Supplementary financial support is provided by the Home Office for approved organisations undertaking such work.

#### AFTER-CARE HOSTELS

111. A particular field in which voluntary organisations have always taken a leading part is the provision of hostels for offenders. The substantial number of offenders who have nowhere to go on release obviously face special difficulties, and experience shows that they are very likely to return to prison, often after conviction for comparatively minor offences. The Government decided, having considered a Report by the Working Party mentioned in paragraph 109 that it was right to retain the voluntary and non-official character of after-care hostels, which is known to make them more acceptable to those who would use them, but also that Government financial help should be made available to them.

#### FINANCIAL PROVISION

112. Grants have accordingly been given since 1965 to those hostels which provide personal help and support for offenders in addition to reasonable standards of board and lodging. The condition of grant is that the offenders in the hostel have been discharged from custody in the preceding twelve months or are subject to compulsory supervision. The grant is designed to help to meet the difference between contributions from residents to their board and lodging and the running costs of the hostel. The annual grant per place was increased from



£100 to £125 in April of this year. The Government also recognised the difficulties facing hostels which aimed to give continued support to certain groups of former prisoners with special problems—for example, alcoholics—and a higher annual grant with a maximum of £200 per place for hostels meeting these special needs, introduced in 1968, was increased to £225 on 1st April of this year. At present 72 such hostels receive grants in respect of 774 places for former prisoners.

113. Some voluntary bodies have not found it easy to raise the capital needed to build or extend hostels. In 1967 a Housing Association was formed to acquire, convert and hold properties to be managed by voluntary bodies as after-care hostels. It is run by an honorary committee, but the Home Office has made grants to meet administrative costs and to provide some working capital. It can obtain grants and loans from local authorities on the same basis as any other housing association. The Government hopes to see a considerable increase in this kind of hostel provision for former prisoners in the next few years.

### PAROLE

114. Under section 60 of the Criminal Justice Act 1967, every prisoner serving (in effect) a fixed sentence of imprisonment of over 18 months is eligible for consideration for parole when he has served one third of his sentence, or 12 months, whichever is the longer. Unless he specifically declines the opportunity, each prisoner who is eligible for parole has his case considered by a local review committee at the prison in which he is detained. The committee reports to the Home Office, and all cases in which a committee thinks a prisoner suitable for parole are now referred by the Home Office to the Parole Board. Additionally, some cases are referred which the local committee has not deemed suitable. No prisoner may be released on licence unless the Board recommends release to the Home Secretary.\* The licence prescribes the conditions with which the prisoner must comply while on parole, and the Board has statutory responsibility for advising the Home Secretary what these conditions should be. Where a man on parole is in breach of the conditions of his licence, the Home Secretary may refer the case to the Board which considers whether he should be recalled. (If the recall is urgent, the Home Secretary may authorise it himself, but the case has to be considered by the Board as soon as possible).

### RESULTS SO FAR

115. The Parole Board, under the chairmanship of Lord Hunt, began considering cases in November 1967 and the first prisoners were released on licence on 1st April 1968 when the relevant provisions of the Act came into force. The Board is an independent body, and in its initial report† it gives a full account of the first year's work and that of the local review committees. By 30th September 1969 the Home Secretary had accepted the Board's recommendation to release 2,500 prisoners on licence. Only 91 of them had to be recalled during this period. The Government believes that the results so far achieved, and the very small number of offenders whose licences have had to be revoked, are encouraging and go far to justify the hopes expressed when the scheme was introduced. The following table gives the figures in more detail:

\*See note at the end of this Part about life sentence prisoners.

†The Report of the Parole Board for 1968. House of Commons paper 290.

### PAROLE STATISTICS—From the inception of the scheme up to 30th September 1969

	A Prisoners Eligible on 1st April 1968 When scheme started	B First Review of Prisoners Eligible after 1st April 1968	C Second Review of Cases in A or B
1. Prisoners declining to be considered . . . . .	417	649	224
2. Considered by local review committee . . . . .	4,347	8,948	1,831
3. Not recommended by local review committee . . . . .	3,315	6,376	1,090
4. Recommended by local review committee . . . . .	1,032	2,572	741
5. Total sent on to the Parole Board by the Home Office* . . . . .	541 (61)	2,741 (169)	792 (51)
6. Not yet decided . . . . .	—	444	110
7. Not recommended for Parole by the Board . . . . .	80	548	177
8. Recommended for Parole by the Board . . . . .	406	1,626	490
9. Recommended by the Board for later consideration but before the next formal review . . . . .	55	123	15

\* The figures in brackets, which have been included in the totals, are of cases not recommended by the local review committees.

## A STAGE IN REHABILITATION

116. It is only a minority, although an increasing minority, of prisoners who are found suitable for parole. For them release on licence represents an important stage in the process of rehabilitation, a stage during which an offender who would otherwise be still in prison is assisted to resettle in the community with the help and supervision of a probation officer. In considering whether a prisoner is suitable for release the local review committee, the Home Office, and the Parole Board need to know about his past record, the circumstances of his offence, his social background, his general attitude and response in prison, and his probable circumstances on release. In the past these matters have often been looked at in isolation; the home conditions and the likely circumstances on release have appeared to be the concern of the probation and after-care service, and the offender's time in custody the concern of the prison service. The introduction of the parole scheme has made more apparent than ever the need for a continuity of approach and treatment. This has led the prison service to keep better records of the information available about each prisoner who will become eligible for parole. Even more important, it has reminded all those who deal with the prisoner of the need to look outwards towards his return to the community and not to see a spell in custody as a self-contained episode.

## THE PROBATION SERVICE AND PAROLE

117. Members of the probation and after-care service provide information about an offender's social background both at the time of his conviction and when he is being considered for parole. Reports by the prison welfare officers are available to local review committees and to the Parole Board. When it has been decided that an offender should be released on licence, the arrangements for his release are discussed between the prison welfare officer and the probation officer who will be supervising the offender after release. The probation and after-care service thus plays an essential part in the earliest stages of a man's preparation for release, as well as giving him skilled assistance during the period of supervision.

## RESEARCH

118. There is no doubt that the introduction of the new arrangements has affected the attitudes and responsibility of the prison service and of the probation and after-care service, and has had the incidental but valuable effect of strengthening the co-operation that was growing between them. It is too early to judge the success of the new legislation in its primary aim of assisting the resettlement of offenders. Research is being carried out on the effect of the scheme on all prisoners eligible for parole and also into the methods of selecting prisoners for release.

## THE EFFECTS IN THE PRISON

119. Account must also be taken of the effect of the scheme on the majority of prisoners who are not granted early release. In 1968 there was some anxiety lest refusals might not only embitter the individuals concerned but also have an

adverse effect on the general atmosphere of the prison. These gloomy forecasts have not been fulfilled. The prison staff dealing with men serving very long sentences who are not suitable for parole have the difficult task of helping them to come to terms with their situation, but the provision for regular review means that the prisoner serving a long fixed sentence need not feel that all is lost if as a result of a review he is not released on licence. His case *must* be reviewed again after 12 months—provided that a month or more on licence would still be possible—and may be reviewed after a period shorter than this. Parole has already become an accepted part of the prison scene, viewed with hope or cynicism according to the temperament of the offender, but offering the possibility to many that they can affect their own future by their own efforts.

## NOTE TO PART IV

## Life Sentence Prisoners

The previous paragraphs, and the figures given in them, have referred only to prisoners serving fixed sentences of imprisonment. The Parole Board also advises on the release of life sentence prisoners (or persons detained during Her Majesty's Pleasure). Because these sentences are indeterminate and the risk to the public potentially greater, the release of such prisoners is governed by a somewhat different procedure. Each case is carefully considered at an early stage and a date is fixed for review, normally after four years, though in rare cases a review may be held earlier. This review at four years is carried out in the Home Office, its main purpose being to decide whether, exceptionally, the local review committee should be asked to review the case within the following two years. Such a review is unusual. The usual practice is to seek the views of the local review committee after an offender has served *seven* years whether or not it appears likely that a provisional release date can reasonably be fixed. (Such a date is usually fixed a year in advance.) The Home Office considers the case and forwards it to the Parole Board whether or not the committee's recommendation is favourable. The Lord Chief Justice, and the trial judge if available, must by law be consulted before any prisoner in this category is released. The note on page 14 deals with the actual periods likely to be served in different cases.



## V

## ASSESSMENT AND RESEARCH

## INTRODUCTION

120. This White Paper has now described some of the work of the prison service and some of the methods used in the treatment of offenders. What results are being achieved? Some things can be measured: the rise in the output of prison industries or the fall in the number of escapes. But we have no effective means at present of measuring other things: the value, for example, of the educational programme of a borstal, or of the psychiatric treatment provided in a prison. Nor have we the means of estimating the cost to the community of the crimes that the offender might have committed had he *not* been confined to custody. We must try through research and the use of new financial and economic techniques to find ways of evaluating the results of the prison system as a whole, but this is not an easy task and we are a long way from being able to make such comprehensive assessments.

121. Nor can one generalise about the effect on offenders of their treatment in custody. The testimony of those offenders who write books and articles about prisons is not necessarily representative, or even accurate, although it cannot be ignored merely because it is not in general flattering to authority. A more favourable picture can be drawn by using the testimony of those offenders who express appreciation of efforts made by the staff to help them, but it would be equally unwise to place too much reliance on them. We must also remember, and this is the vital importance of after-care, that it is what happens to an offender after he has left custody, rather more than what happened to him in custody, that may determine whether or not he returns to crime.

## RECONVICTION RATES

122. Information can and should be collected about how many offenders are again convicted after release. There are, however, certain weaknesses and limitations about the use of "reconviction rates" as a means of measuring the results of a form of penal treatment. It must never be assumed that an offender who goes straight after release does so because of what happened to him in custody. Nor must it be assumed that an offender has gained no benefit from his treatment in prison or borstal because he again comes before the courts. His reconviction may be for a relatively minor and isolated offence as a result of which he may not return to custody and which may not prevent him from becoming an acceptable and useful member of society. Finally, because offenders, even those serving similar sentences, vary so widely in their temperaments, backgrounds, and criminal or non-criminal careers, an average reconviction rate may conceal such wide variations as, of itself, to be of little significance.

123. All this should be borne in mind in considering the information given in the following paragraphs. The figures given come from a combination of statistics now obtained by the Home Office Statistical Division and the results of special research by the Home Office Research Unit\*.

## ADULT OFFENDERS

124. There are no figures yet available to show the average reconviction rates of all adults released from imprisonment. Indeed they form so heterogeneous a group that such general figures would hardly be useful. The following information is based mainly on records of adult men released from sentences of over 18 months' imprisonment during 1965. Slightly more than half the men who have served sentences of more than 18 months for an indictable offence are reconvicted within two years of release from prison. Only a small, and diminishing, number of offenders are now sent to prison for a first offence. Of these first offenders, 90 per cent are not reconvicted within two years of release. At the other extreme, more than two-thirds of persistent offenders released after serving sentences of 4 years or more are reconvicted within two years of release.

## YOUNG OFFENDERS

125. There are also a wide variety of young offenders in custody at any one time, ranging from a few with no previous convictions to those who have often offended before; and some of the latter will already have experienced the full range of methods at the disposal of the courts. The figures† show that, on average, between 55 per cent and 60 per cent of young offenders released from senior detention centres are reconvicted within three years. So are about 70 per cent of those released from borstal. Of the young men released on licence from prison after sentences of over three months about 75 per cent are reconvicted within three years.

126. These are average figures, and it is the general experience with offenders of all ages that first offenders are less likely, and offenders with several offences are more likely, than the average to offend again. About one in eight of the boys at detention centres and one in thirty of those at borstal were first offenders, and the information available suggests that the reconviction rates for these first offenders were in each case about 20 per cent lower than the averages given in the previous paragraph. So, for example, only 40 per cent of first offenders released from senior detention centres were reconvicted within three years.

127. On the other hand, young offenders with a series of previous convictions could be expected to have reconviction rates worse than the average. A court dealing with an offender under 17 is nowadays unlikely to make an approved school order until the boy concerned has appeared before the courts on several occasions; similarly borstal or imprisonment are sentences given to the more

\*While a good deal of statistical information is available about offenders sent to detention centres and borstals the information about prisoners has in the past been inadequate. The Home Office Statistical Division have introduced new systems which should provide better statistical information in future not only about the reconviction rates but for other purposes.

†Because of the use of the three year "follow-up" period, the latest figures available are those for offenders released in 1965 and for reconvictions up to 1968.

serious offenders, many of whom have experienced the range of institutional sentences available to the courts for juvenile offenders. It is not therefore surprising that young offenders for whom past institutional treatment has already proved unavailing should have reconviction rates which are 10-15 per cent higher than the appropriate averages quoted in paragraph 125. Thus as many as 80-85 per cent of young men released from borstal with past experience of juvenile institutions were reconvicted within 3 years.

128. To some these reconviction rates will seem dauntingly high; they certainly reflect the measure of the problem which the staff in detention centres and borstals have to face and live with. But it is right to see the figures in positive terms. The following table summarises the information in the three previous paragraphs in terms of the proportion of young offenders who were not reconvicted within three years of leaving a senior detention centre or borstal.

Type of Offender	Percentage NOT reconvicted within three years of leaving	
	Detention Centres	Borstals
First Offenders (a) .. .. .	60-65	50
Offenders with several offences who had previously attended approved schools (b) ..	30-35	15-20
All offenders .. .. .	40-45	30

(a) The proportion of first offenders among those received into detention centres and borstals was 12 and 3 per cent respectively.

(b) These offenders accounted for 11 and 35 per cent respectively of all receptions at detention centres and borstals.

129. Changes in the type of offender sent to custody are likely to produce changes in the reconviction rates for that type of custody. An apparent worsening in the records of those released from borstal may therefore be due to an increased proportion of young men who reach borstal only after the courts have tried other methods of dealing with them. Allowance can be made for these changes and calculations done of the number of the various groups of offenders who, in the light of experience, can be expected to be reconvicted. When the necessary allowances have been made, the changes in the reconviction rates of young offenders released from custody are seen to be in line with changes in the type of offender committed to custody in the last few years.

#### PERSISTENT OFFENDERS

130. What really matters to the community is not so much the number of young offenders who are reconvicted on one occasion after release as the number who repeatedly commit further offences and end among the hard core of the persistent adult offenders. Of the 70 per cent of those released from borstal who are reconvicted, perhaps one fifth to one quarter are reconvicted only once and thereafter stay clear of further trouble. Those young offenders most likely to continue in a life of crime are those who are first found guilty at an early age. Any study of adult prisoners shows a high proportion of those whose criminal

career started early and even, for example, among long sentence prisoners at Dartmoor, a record of early offending and early institutional experience continues, statistically speaking, to increase the chances of reconviction many years later. This persistent recidivism, whose roots may go back to an offender's childhood, illustrates the importance of the measures which the Government is taking to deal more effectively with offenders under 17. It also represents the most intractable problem confronting the prison system of this and other countries, on which much more work needs to be done.

#### RESEARCH

131. To find other answers to the question "what is achieved" we must turn to the results of research. It is not the purpose of this White Paper to attempt a summary of the present state of knowledge in penology and criminology; these disciplines cover a very wide field of which research on custodial sentences (particularly prison sentences) constitutes as yet a relatively small part. It seems appropriate, however, to give a brief outline of the main aims of such research, some of the conclusions suggested by the results so far obtained, and a short summary of future plans.

#### AIMS

132. The aims of research on custodial sentences may be set out as follows:
- It is generally agreed that imprisonment, or any custodial sentence, may serve several purposes: for example, protecting the public by keeping offenders segregated from the community; acting as a deterrent to potential (or actual) criminals; and providing an opportunity for reform or rehabilitation. Investigation of the extent to which all these purposes are fulfilled or could be better fulfilled should be the main object of research in the prison system; and it is the last of them that requires the greatest research effort.
  - Research, then, has to evaluate the effectiveness of imprisonment compared with other kinds of sentence—fines, probation and so on—and also has to study the relative value of various methods of dealing with different types of people serving custodial sentences. Older, well-established routines have to be studied, as well as newer and more promising techniques suggested by experience or by the results of research itself.
  - Continuing observation and assessment of the organisation and management of the prison system is needed if research is to be of real value to it. Such work includes the collection and transmission to management of information about the working of the system, including the study of communications and the structure of responsibility, the way in which staff are employed and their roles vis-a-vis the prisoners.

#### CURRENT STATE OF RESEARCH

133. The Note at the end of this Part lists some investigations being carried out. The list is not comprehensive, but indicates the main areas of current

research. A broad, imprecise distinction can be drawn between descriptive research (the attempt to state with authority what is happening—a task not as easy as it sounds) and evaluative research (the attempt to assess the results of what is done).

134. The greater part of research effort so far has been devoted to attempts to evaluate the effects of different kinds of sentence on offenders' subsequent criminal careers. The fact that a known proportion of discharged prisoners are not convicted again does not of itself tell us anything about the efficacy of the way in which they were treated in custody. We need to estimate, for we can never know, what would have happened to a prisoner if the court or the prison system had dealt with him in some other way. We can attempt this by comparing the subsequent criminal records of similar groups of offenders given different sentences or allocated to different kinds of routine or regime. A difficulty immediately arises. Such comparisons would be completely valid only if the individuals in the experiment had been allocated randomly to the different sentences or regimes in the first place. This is something that, for obvious reasons, is not ordinarily possible. The alternative is to make statistical corrections for relevant differences between the groups before making the final comparison.

135. Investigations carried out so far suggest that fairly crude measures of an offender's past criminal history have a closer statistical association with his future criminality than either the decision of the court or what happens to him in custody. This suggests that prison or other penal measures have only a limited beneficial effect on offenders, but it may also mean that we have not yet learnt to select the best way of treating different types of offender, so that bad effects on some cancel out the good effects on others.

136. Much further work remains to be done in order to see whether differences in the personality and social backgrounds of criminals can be used effectively to make some broad classification for the most hopeful forms of treatment. Such research may also suggest new and better forms of treatment, and any that are promising must be tried out and evaluated.

137. Research has confirmed already that a steady proportion of recidivist prisoners are basically inadequate people who cannot cope unaided with the demands of life "outside" and who have never had, or have lost, the family and other ties that assist more fortunate citizens in times of difficulty. Such people clearly need long-term support, but the right way to provide this is not by successive periods in prison. Development of hostels and "half-way houses" may well prove a more successful and economical alternative. Research has also indicated that reconviction rates would not be reduced if a larger proportion of offenders were committed to custody, or if those imprisoned were given longer sentences. A policy of keeping as many offenders as possible out of custody still seems the correct one and will continue to shape Government plans.

#### FUTURE RESEARCH

138. Plans drawn up by the Home Office Research Unit, and now under consideration, include proposals for a detailed description of the male prison

population and of prison routines and regimes, particularly of work in prisons and the attitudes of staff and prisoners to it. A good deal of previous research in penology has been concentrated on young offenders, but little has been done to attempt to describe the adult male population in prisons—the large majority of people for whom the Department has to provide; nor has there yet been enough scientific description of the treatment that prisoners receive or of their reaction to it. Investigation of regimes, and their evaluation, lead naturally to the study of attitudes among staff and prisoners, to observation of the various roles that staff are required to play in the course of their work and of the effect of all this on the prisoners themselves.

### NOTE TO PART V CURRENT RESEARCH PROJECTS

(See Paragraph 133)

#### Research Supported by Home Office Grant

##### *Cambridge University (Institute of Criminology)*

An evaluative study of the training programme of a medium security borstal.  
A study of the nature and origins of parole and an examination of the operation of two American parole systems.  
A descriptive study of the prison population at Birmingham, and of transfer to and from other prisons.

##### *Durham University*

An investigation of psychological changes associated with long-term imprisonment.

##### *London University (University College)*

A comparison and follow-up study of boys aged 17–20 in borstals, prisons and detention centres.

##### *Borough Polytechnic*

Research into certain aspects of parole.

##### *Manchester University*

A general sociological study of Styal prison for women.

##### *Maudsley Hospital, Institute of Psychiatry*

A study of women offenders in Holloway prison.

##### *Oxford University*

The use of Part V of the Mental Health Act, 1959, including transfers from penal institutions to mental hospitals under sections 72 and 73 of the Act.  
A population study of Oxford Prison.

##### *Southampton University*

An investigation of the social difficulties which arise from a conviction for a criminal offence

An evaluative study of anxiety reactions in relation to criminal impulses.  
An examination of the nature of some existing prison regimes.

*Blackfriars Settlement*

A psychiatric examination of men and women allotted to after-care "associates" and a descriptive report on all stages of the "associate" scheme.

*Royal London Prisoners' Aid Society*

A comparative study of a newly established short-term hostel and an existing hostel for ex-prisoners.

**Research not Financed by the Home Office, but for which facilities have been given by the Prison Department**

*Durham University*

An investigation into the possibility of distinguishing at an early stage between persons with definite criminal tendencies and those who are "circumstantial" criminals.

*Hull University*

An evaluative study of the working of the parole system.

*Keele University*

A study of the extent to which imprisonment may make persons more criminal.

*London University*

A study of the sociology and psychopathy of murder based on people indicted for murder between 1957-1967.

*London School of Economics*

A study of the types of crime committed by women.  
A study of compulsive gamblers.

*Manchester College of Commerce*

A study of institutional influences on delinquent adolescents.

*Maudsley Hospital—Institute of Psychiatry*

A comprehensive study of the problems of alcoholism including the suitability or otherwise of short term imprisonment.  
A sociological study of drug addiction.

*Southampton University*

A study of the effectiveness of staff/inmate discussion groups in prison.

**Research being carried out by the Home Office Research Unit and Statistical Division**

An estimation of reconviction amongst prisoner groups. (See paragraph 124.)  
A comparison of men serving first and second prison sentences.  
Research into prison industry.

An assessment of the hostel scheme for long sentence prisoners. (See paragraph 101).

Research on criminals sentenced to life imprisonment.

A study of selection for parole and the operation of the parole system. (See paragraph 118.)

Statistical description of the female prison population.

The effect of the imprisonment of women upon their families.

A study of girls sentenced to borstal, including problems of resettlement.

A comparison of 16-year-old boys in senior approved schools and borstals.

A study of the characteristics of adult male prisoners who escaped from closed prisons or absconded from open prisons before January 1967.

A new report on Murder 1957-68.

A further study of time spent awaiting trial at Higher Courts.

A Midlands experiment in prison welfare and after-care. (See paragraph 88.)

**Research being carried out by, or under the supervision of, psychologists in the Prison Department**

An investigation into factors associated with failure on release from senior detention centres.

An investigation into changes in inmate behaviour at a psychiatric prison.

A comparison of some aspects of men serving life sentences who were imprisoned before 1957 with those sentenced subsequently.

A study of the characteristics of men sentenced to long term imprisonment in the South East region.

A comparative study of the effects of different types of borstal training involving the controlled allocation of similar offenders to different regimes. (See paragraph 43.)

An examination of staff attitudes in a psychiatric prison.

The evaluation of a hostel used as part of borstal training. (See paragraph 153.)

An investigation into personality and drug-taking within an adolescent remand population.

A study of treatment methods in a detention centre.

**Research being carried out by Prison Medical Officers**

Evaluation of the methods used at a psychiatric prison in dealing with disorder of personality.

A study of drug addicts.

A study of the problem of incest.

A study of abnormal chromosome characteristics.

A study of methods of treatment of some sexual offenders.

A study of methods of treatment of alcoholics.

# VI

## THE STRATEGY OF THE PRISON SYSTEM

### INTRODUCTION

139. This Part of the White Paper deals in turn with the main groupings of the present system, namely those dealing with women and girls, with young men under 21, and with men over 21. It summarises the present strategy of each part of the system. It then describes a building programme that appears, in the light of the current strategy, to make the best use of available resources.

### THE ADVISORY COUNCIL ON THE PENAL SYSTEM

140. It is the Government's responsibility to determine the priorities of the prison system, and to attempt in the light of available resources to direct changes to consistent aims. Advice is available from outside as well as inside the service. In particular the Government seeks advice from the Advisory Council on the Penal System. This Council, which was set up in 1966, is a strong, expert and broadly based body under the chairmanship of Mr. Kenneth Younger. It has a present membership of 18 on which both Houses of Parliament, the judiciary, the social sciences and the police are represented. Its terms of reference are: "To make recommendations about such matters relating to the prevention of crime and the treatment of offenders as the Home Secretary may from time to time refer to it, or as the Council itself, after consultation with the Home Secretary, may decide to consider". In addition to an important study of non-custodial penalties there are two other current inquiries by the Council: into the detention centre system and into the possibility of giving the concept of reparation by the offender a more prominent place in our penal system. The Advisory Council has already completed studies (which have been published) of the regime for long term prisoners in conditions of maximum security (see paragraph 176) and the suitability of the detention centre as a method of treatment for young women and girls (see paragraph 144).

### WOMEN AND GIRLS

141. In 1968 the Government made a thorough review of the way in which the prison system should deal with women and girls, and the Home Secretary announced its conclusions in a Parliamentary statement in December of that year. The number of women and girls in custody is small. In 1968 it averaged 805, a figure that has not changed much since 1938 although in that time the male population in custody has trebled. The following table shows how the population of women's institutions was made up:

Average Population 1968	Age under 21 at time of reception or conviction	Age 21 and over
Untried .. .. .	44	58
Convicted, unsentenced .. .. .	43	32
Awaiting removal to approved school .. .. .	3	—
Civil prisoners .. .. .	—	2
<i>Sentenced</i>		
6 months and under .. .. .	11	125
Over 6 months to 18 months .. .. .	2	137
Over 18 months to 3 years .. .. .	3	85
Over 3 years, under 10 years .. .. .	2	44
10 years and over, including life sentences .. .. .	1	12
In borstals .. .. .	178	—
In a detention centre* .. .. .	23	—
TOTAL .. .. .	310	495

Nearly 50 per cent of the women and girls who receive custodial sentences are guilty of offences against property. Others have been convicted of offences relating to prostitution (over 20 per cent), drunkenness (about 15 per cent), violence or assault, cruelty to children and, in a very small number of cases, murder. There is a relatively small group of offenders who have been imprisoned for arson, drug offences, bigamy and motoring offences.

### AIMS

142. The Government sees no reason to expect any considerable increase in the number of women and girls in custody in the foreseeable future. New developments in penal treatment, including those that may result from the review now being made by the Advisory Council on the Penal System of non-custodial and semi-custodial treatment, may result in a decrease. The Government's aim, therefore, is to provide adequate facilities for the treatment of the relatively small number of women and girls in custody, together with the considerable range of specialist facilities and the high staff ratio that experience shows to be necessary. There must also be sufficient flexibility to meet additional demands and to enable facilities to be modified in the light of future developments.

143. The aims of the prison service are the same for women and girls as for men, and, although some methods of treatment may differ, many of the methods of treatment mentioned in Parts III and IV are applicable to women. They need, for example, constructive work, the personal interest of the staff, and religious and educational support. Many women in custody are clearly in need of medical and psychiatric treatment. This must take place within a regime in which good order and discipline are maintained, but, except for a small minority of women

\*Now closed (see paragraph 144).



prisoners, the element of security is not so important, and in the management of the women's prison system there has been a steady tendency towards relaxing control.

#### CLOSING OF DETENTION CENTRE

144. The Government has decided that the women's system need no longer include a detention centre. The Advisory Council on the Penal System, which has been reviewing the general operation of detention centres, made an interim report about detention centres for girls. The Council concluded that short periods of custodial training were in principle undesirable for girls, and that, in general, girls sent to the former detention centre at Moor Court would have been better dealt with either by non-custodial treatment or by the sentence of borstal training which would have provided the longer period of treatment that many of them require.

#### THE SHAPE OF THE SYSTEM

145. With the closure of the detention centre at Moor Court there are now 10 establishments holding women and girls. (In four of them, as the list on page 86 shows, women's units are attached to male establishments.) The total capacity of about 1,100 places is adequate, but about half of them are in the obsolescent building at Holloway. Very small institutions are not economic and cannot provide the range of facilities needed. Since the number of women and girls in custody is small, the Government cannot plan to provide prisons and borstals for them in all parts of the country, and some offenders have inevitably to be sent a considerable distance from their homes. Married quarters are not provided for women officers and nursing sisters, so that the availability of locally recruited staff is an important factor in planning the system. Moreover, a women's prison needs to be where outside consultants can readily visit patients and where access is convenient to other visitors.

146. The Government has decided to create a northern and southern complex of female establishments. Each will have closed and open prisons, remand facilities, a closed borstal and adequate psychiatric resources. It is feasible to maintain only one open borstal for the whole country. The northern complex will be based on the existing prison at Stryal. Holloway will be the centre of the southern complex. The Holloway buildings, especially the present hospital facilities, are inadequate, but the site meets the needs indicated in the previous paragraph, and will be totally redeveloped to provide the principal women's establishment in the country. Because most women and girls in custody require some form of medical, psychiatric or remedial treatment, priority will be given in the redevelopment of Holloway to the construction of a new hospital. It will thus become a medically-orientated establishment with the comprehensive, versatile and secure hospital as its central feature. The redevelopment of Holloway is a major project and the planning for the design and construction of the new building, and for the training and selection of staff, is in its early stages. The Government hopes, however, that within the next ten years the redevelopment of Holloway will have been completed and that the general policy announced to Parliament last year will have been fully implemented.

## MALE YOUNG OFFENDERS

### REMAND CENTRES

147. About 12 per cent of the young men in custody at any one time are on remand; that is they are either awaiting trial or, having been convicted, are held while enquiries are being made to assist the courts to decide how best to deal with them. Only a small proportion of these young men will be sentenced to imprisonment, and they ought not to be held on remand in a prison. In the last ten years, special remand centres\* have been opened for both young men and young women. These centres have two main purposes. First, to detain in suitable and secure conditions those remanded in custody by the courts, and to provide the facilities, including those for visiting by solicitors, probation officers and relatives to which an unsentenced person is entitled. Second, to provide a service to the courts by the assessment of these unsentenced persons by experienced staff, including medical staff. There is not yet enough separate accommodation for all young offenders under 21 remanded in custody, and until the building programme described in paragraph 192 is completed some must continue to be held in local prisons.

148. It had been intended that remand centres should eventually provide facilities for the detention and assessment of adults as well as those under 21, and the purpose-built centre at Risley has this role. For the reasons explained in paragraph 164 the Government now feels that, in most parts of the country, adults on remand should be detained in local prisons, leaving remand centres to deal with those under 21.

### DETENTION CENTRES

149. About 6,000 young men are sent each year to a senior detention centre. Most are sentenced to three months' detention, less remission, but about one in eight receive a six months' sentence. (For more details about the records of these young men see the Appendix.) The 13 senior detention centres for young men aged 17-21 contain about 1,500 places and now serve courts in all parts of the country. In 1968, for the first time, the supply of vacancies was generally sufficient to meet the current demand. There is one open centre, North Sea Camp. The others are closed establishments with a relatively high degree of security.

150. In July 1967 the then Home Secretary asked the Advisory Council on the Penal System to review the operation of detention centres, and the Council set up a sub-committee for this purpose under the chairmanship of the Bishop of Exeter. This review was timely because of past and current changes in the regimes at these centres. Statutory provision for detention centres had been made in the Criminal Justice Act 1948 and the statements then made suggested

\*They are listed in the note on page 87.

†There are also 5 junior detention centres for boys aged 14-16. The Government will in due course be ready to discuss with local authorities ways in which these facilities might be incorporated within new schemes of supervision or residence of the type described in the White Paper "Children in Trouble" and provided for in the Children and Young Persons Act 1969.



that the centres were intended primarily as a deterrent and that regimes should be relatively punitive. Experience of operating the centres soon showed that despite the short length of sentence there was opportunity for positive training. In consequence the regimes now, although brisk and well disciplined, also aim to incorporate a good deal of moral and social training in the teaching of self-discipline. The main Report of the Advisory Council is expected to be published soon.

### BORSTALS

151. Very few of the 5,000 young men sentenced to borstal training each year are first offenders. The Appendix gives the figures. The borstal sentence is to some extent an indeterminate one—it is for not less than six months and not more than two years; and it includes a statutory period of supervision after the completion of the custodial training. As soon as possible after sentence to borstal, young offenders are sent to allocation centres. At present these centres are in unsuitable buildings in separate wings of the adult prisons at Manchester and Wormwood Scrubs. The Government intends to replace them as soon as possible by two new purpose-built allocation centres—one at Glen Parva, near Leicester, and another in the South. The staff of an allocation centre make an assessment of each young offender, taking account of his background before sentence, his mental and intellectual ability, his age, his degree of criminal sophistication and the likelihood of his seeking or taking an opportunity to abscond. The offender then goes to one of the training borstals listed in the note on page 86 which aim to provide a range of regimes to deal with the various types of offender.

### TRAINING

152. A high proportion of those sentenced to borstal training have been in institutions before, whether in approved schools or detention centres or both. The proportion has increased in the last few years, and more of those at borstal seem criminally sophisticated. Research data has provided independent confirmation of the impression of borstal governors that they have a higher proportion of difficult people to deal with. A smaller proportion are now suitable for training in open borstals. As a result the greatest pressure in the last few years has been on the closed borstals and those allocated to them have had on occasion to wait for several weeks or months in unsuitable conditions before transfer. The Government is considering the possibility of providing closed units in otherwise open establishments, as for example at Hollesley Bay, so as to adjust the balance of the system to these changing needs. The term "closed borstal" is perhaps misleading. The security of a borstal is important, but it is not and is not intended to be absolute; and a considerable number of those in "closed" establishments can expect to spend a proportion of the day on outside working parties. Some of those sentenced to borstal are transferred from closed to open units during the course of their training, and others may be selected to go out to work under arrangements made with private firms.

### DEVELOPMENTS IN BORSTAL TRAINING

153. Something was said in Parts III and IV about the treatment of offenders in borstal. It is well worth emphasising again that the borstal regime is so devised

that the staff can get to know individually each one of a small group of offenders. (A small number of women are being appointed as Assistant Governors in suitable male borstals.) An important recent development is one at Ipswich under which young offenders work for outside employers and from an early stage of their borstal sentence live in a small house in the town. This house is associated with the open borstal at Hollesley Bay and is staffed by officers from that borstal. Suitable young men are selected within the first month of their arrival at Hollesley Bay and can spend the rest of their sentence at the house, going out to work for employers in Ipswich. The sanction of return to a normal borstal is always available. The experiment, of which a careful assessment is being made, is designed to test the value of such a scheme in the training of homeless offenders who may already have spent long periods in institutions. The hope is that it may have the result of breaking down still further the barriers between holding a young offender in custody and letting him live in the community with support and supervision.

### BORSTAL AFTER-CARE

154. After-care for young men released from borstal was until recently in the hands of the Borstal Division of the Central After-Care Association. As a new development, governors and housemasters now develop their own links with the probation and after-care service, both with the principal probation officer for the area in which the borstal is situated, and with the officer likely to supervise a boy after release. This development has given greater emphasis to the fact that after-care is part of the borstal sentence from the time the offender is committed to custody. The borstal pre-release unit, now a part of the Home Office Prison Department, maintains a general oversight of the new arrangements.

### YOUNG PRISONERS

155. For some years it has been accepted policy that offenders under 21 should not be sent to prison unless no other alternative appears open to the courts. There are, however, as indicated in the Appendix, about 1,000 of them serving sentences of imprisonment at any one time. Most of them are aged 19 or 20 and have previously been in a borstal or detention centre, or both. It is also accepted policy that these young offenders should be kept separate from prisoners over 21. It is obviously not easy to provide a range of suitable establishments and regimes for this particular group, but it must be admitted that until recently young prisoners have been towards the end of the queue in the allocation of available resources.

156. Young offenders sentenced to periods of imprisonment of less than six months have to remain in local prisons, where often very little can be done for them. (Recently one or two local prisons in each region have, however, been able to provide a self-contained unit for young prisoners.) Those sentenced to longer periods of imprisonment go to one of four young prisoner centres. Two are self-contained establishments at Aylesbury and Northallerton, and two are in separate wings of the adult prisons at Liverpool and Stafford. There have not

been enough places in these centres, with the result that some young prisoners have had to wait for too long in local prisons before transfer. The Government has recently decided to provide a further 100 places at Aylesbury by closing the detention centre there and by using the buildings as an extension of the adjacent young prisoners centre. This will enable more of those sentenced to imprisonment to receive better training, with adequate work and provision for physical and other education, for a longer period of their sentence. Some young prisoners are serving very long terms for very serious offences; 50 of them are serving life sentences\*. A handful are Category "A" prisoners for whom adequate security must be provided. All young prisoners are reclassified as adults at about the age of 21 and transferred to adult training prisons if they still have a substantial period left to serve, although the exact time of transfer is adjusted to meet an offender's degree of maturity and the plans for his training.

### THE PRESENT SITUATION

157. Three forms of custodial treatment of young offenders have now been described: detention centres for sentences of between 3 and 6 months; borstal, where the period in custody ranges from 6 months to 2 years and depends on the offender's response to training; and imprisonment, normally for sentences of 6 months or less or of 3 years or more. Young offenders sentenced to imprisonment for over 18 months are eligible for consideration for parole, but in any case all young offenders on release from custody are liable to supervision for the full remaining period of the sentence.

158. There are powers in the Criminal Justice Act 1961 to remove altogether from the courts the power to sentence young offenders to short-term imprisonment once sufficient places become available in detention centres. These powers have not yet been implemented and although only a relatively small number of young offenders are sent to prison for short periods it is not certain that all of them could appropriately be dealt with in the present detention centres. The operation of detention centres is now under review by the sub-committee of the Advisory Council on the Penal System referred to in paragraph 150. Another sub-committee of the Council is examining the possibility of new forms of non-custodial and semi-custodial treatment for both young offenders and adults.

159. The borstal system is now more than 60 years old. Many changes have been made in its training methods to adapt them to modern social conditions and to the type of offender being received. (The effect of current legislation is that the sentence of borstal training is now passed on virtually all young offenders for whom the court feels a period of custody of between six months and two years is appropriate.) A good deal of borstal training takes place within a general framework devised between the wars, and the Government's view is that there should be a fundamental review of the system.

\*This includes some sentenced to "detention during Her Majesty's Pleasure".

### THE CHANGING BACKGROUND

160. Changing social conditions and changes in the type and character of young people now being received into custody have challenged many of the basic concepts on which the regimes in young offender institutions have been based. Young people grow up more quickly than they used to. Many of the young men now received into custody are married and many have children. Changes in the age of physical and mental maturation have been reflected in the decision to reduce the age of majority to 18. Although the Latey Committee, on whose recommendation the change was made, excluded the criminal and penal field from their recommendations, the formal change and the context in which it was made must have implications for the treatment of young offenders.

#### A NEW REVIEW

161. The Government's White Paper "Children in Trouble" and the legislation which followed provide a new pattern of jurisdiction and treatment for young offenders under 17. The Government has announced that it would now be appropriate to undertake a comprehensive review of the custodial treatment of all young offenders above that age. The review will be conducted by the Advisory Council on the Penal System and will require time and preparation. Preparatory work has begun in the Home Office and the Government hopes that the review itself will begin next year. The Government will ensure that in the meantime there is no inhibition on necessary change and progress—for example, in dealing with detention centres or in considering non-custodial penalties.

### MALE ADULT PRISONERS

162. Information about the 20,000 male adult prisoners under sentence at any one time is given in the Appendix. Almost half are serving sentences up to and including eighteen months. Almost a quarter are serving sentences of over three years. These 20,000 prisoners are contained in nearly sixty different prisons, of which a list is given on page 82. The basis of the system is still the local prison to which prisoners go direct from the courts and in which more than half the adult male prisoners are held; often sleeping two or three in a cell, in buildings which all are agreed are obsolete. The local prison is overcrowded and it is trying to perform too many functions.

#### LOCAL PRISONS

163. The first responsibility of any local prison is to the courts. The first priority in the deployment of its staff is in the reception of prisoners from court and despatch to court, in escorting prisoners to and from the higher courts and in ensuring their security. This work is fluctuating in its demands, and workshops in many local prisons sometimes have to close for lack of staff on days on which the demands of court work are high. In addition to men waiting to appear in court, local prisons hold civil prisoners, long sentence prisoners temporarily sent back to a local prison to receive visits from their families, young men awaiting vacancies in borstal allocation centres or young prisoner centres, and large numbers of men sentenced to terms of imprisonment for whom vacancies cannot yet be found in training prisons.

164. Yet, for all their manifest disadvantages, local prisons have one great advantage. Most of them are in the right places to perform their trial-and-remand function. They are near some of the courts they serve; they have ready access to outside medical and other specialist services; because communications are good it is possible for solicitors, probation officers, and others to visit prisoners on remand and after trial, and families do not have to make long journeys for visits. Staff can be recruited, including specialist staff of various kinds. In recent years separate remand centres for people under 21 have been built. As indicated in paragraph 147 they have many advantages, but experience has shown the extreme difficulty of getting sites in the right places with good communications.

165. The Government, after re-examining the role of the local prison, has evolved new plans for a major, though gradual, shift of policy. It has decided that the local prison should retain its traditional trial-and-remand function for adult male prisoners. It has also decided that the role of the local prison should in future include certain other functions which are either closely associated with the trial-and-remand function or require the services of the same specialist staff. These are:

- (a) allocation and categorisation of convicted prisoners;
- (b) medical examination and treatment; and, at least in some cases,
- (c) pre-release arrangements for long sentence prisoners.

#### A NEW DESIGN

166. All this does not mean that the functions of the local prison can be satisfactorily carried out in the existing Victorian buildings. There are plans for the gradual modernisation and redevelopment of old buildings as described in paragraphs 183-186, but, in addition, the Government has set up a full-scale study of the design of a local prison. This will be carried out by the Penal Establishments Group of the Ministry of Public Building and Works. The Group works in close association with the Home Office and the governor of a prison has been seconded full-time to it. This is the first study of its kind to be devoted to the special design problems of a local prison and will include an analysis of what would be involved in the complete redevelopment of one of our Victorian prisons. The recommendations of the Royal Commission on Assizes and Quarter Sessions\* will also be considered in planning the local prison of the future.

#### CLASSIFICATION

167. The Government decided a few years ago to set up regional allocation centres in the local prisons at Liverpool, Birmingham, Wandsworth and Bristol. All men sentenced to long periods of imprisonment are now sent to one of these centres for a period of assessment after conviction. In addition, observation and classification units have now been established in all local prisons for the assessment of men serving other sentences of 3 months or more. Thus, for the first

\*Cmnd. 4153 (1969).

time, a proper assessment can be made of the great majority of men sentenced to imprisonment. The assessment process has four aims:

- (a) to obtain and record certain basic information about each prisoner, and about his family background;
- (b) to attempt to identify his needs and, if possible, the factors that may have led to his criminal behaviour as an essential to any attempt to deal with them while he is in custody;
- (c) to settle his "security" category (see paragraph 168 below);
- (d) in the light of these factors, and of the resources available in the region, to recommend where he should serve the whole or the first part of his sentence.

#### SECURITY CATEGORIES

168. Prisoners are now placed in one of the following categories.

- Category A. Prisoners whose escape would be highly dangerous to the public or the police or to the security of the state.
- Category B. Prisoners for whom the very highest conditions of security are not necessary but for whom escape must be made very difficult.
- Category C. Prisoners who cannot be trusted in open conditions but who do not have the ability or resources to make a determined escape attempt.
- Category D. Those who can reasonably be trusted to serve their sentences in open conditions.

169. The categorisation arrangements were introduced in 1967 on the recommendation of Lord Mountbatten, after his inquiry for the Home Secretary into a number of prison escapes. Obviously there are no clear cut lines to be drawn between prisoners placed in one category and those placed in another. Also a prisoner's security category may be changed during his sentence. The experience so far gained suggests that the prison service should plan on the basis that about 1 per cent of the convicted prisoners in custody will be in Category A, about 30 per cent in Category B, about 50 per cent in Category C, and 20 per cent in Category D. One important qualification has however to be made to the definition of a Category D prisoner. Local people feel understandably alarmed at the prospect of an open prison being built in their neighbourhood, even though once the prison has become accepted the alarm generally disappears. At the planning stage the Department is often asked to give pledges that no prisoner convicted of offences involving sex or violence will be sent to a particular open prison, even though experience suggests that some of these offenders could be transferred without risk after a period of observation in a local prison.

#### TRAINING PRISONS

170. In a training prison there is little worry about the court and escort work that makes continuity of training and of staff influence so difficult in a busy

local prison. The great majority of convicted prisoners, apart from those serving very short sentences, ought to be in training prisons; and one of the unsatisfactory features of the present situation is that men serving up to four years' imprisonment may serve all their sentence in an overcrowded local prison. The Prison Department divides the country into four regions, and most prisoners who leave local prisons are transferred to training prisons within their own region. It was decided in 1966 to do this also with long-term recidivist prisoners (i.e. those who had served previous sentences). In the past men from the North and the Midlands have had to serve long sentences at Parkhurst and Dartmoor, which, though ironically known as "central" prisons, could hardly have been further from their homes. It is hoped that within two or three years it will be unusual for a recidivist prisoner not in the highest security category to be allocated to a prison outside his region. One of the reasons why this has become possible is that the Criminal Justice Act 1967 abolished the special sentences of corrective training and preventive detention. It is no longer necessary to set aside some closed prisons, or parts of them, for recidivists serving these sentences, whose needs and characteristics were often indistinguishable from those of men sentenced to ordinary imprisonment.

#### VARIATION IN REGIME

171. Ideally all convicted prisoners would be sent to training prisons with a regime suited to their needs, and with a degree of security no greater than was necessary. We are very far from this ideal, but here too a start has been made—for example in differentiating the functions of particular institutions. The new prison at Coldingley mentioned in paragraph 56, whose predominant feature will be its industry, will aim to train the prisoner in an industrial environment. This type of industrial regime may well prove to benefit considerable numbers of medium and long-term prisoners, but it is not designed to cater for the more disturbed prisoner. In addition to the special regime at the psychiatric prison at Grendon there are other prisons at which facilities are being developed for the treatment of disturbed prisoners. At one or two prisons there will be opportunities for education or specialised vocational training which it is not economic or practicable to make generally available.

#### CATEGORY C PRISONS

172. The measures in the Criminal Justice Act 1967 designed to keep men out of prison altogether led, at least temporarily, to a fall in the number of men suitable under present criteria for open prisons. There is no immediate need for the provision of more open prisons although more men sentenced to longer sentences should have the opportunity to spend part of their sentence in an open prison within their own region. There is however an urgent need for more training prisons for Category C prisoners (i.e. men not suitable for open prisons but unlikely to be "escape risks"). The Government plans to provide new Category C prisons for men serving sentences of up to 18 months. The opening of such prisons would relieve the pressure on local prisons, give convicted offenders much better facilities for work, education and recreation than are possible in overcrowded local prisons, and leave other closed training prisons to tackle the particularly difficult problems of prisoners serving longer sentences.

173. The new Category C prisons will have an effective perimeter fence, but will not have the elaborate security precautions of a Category B prison. Prisoners will sleep in cubicles and not in secure cells, and there will be a degree of freedom of movement during the day. The Government believes that, within a secure perimeter, it will be possible to reproduce for these prisoners many of the proved advantages of the existing open prisons.

#### CATEGORY A PRISONERS

174. Only about 1 per cent of all convicted adult male prisoners, and a handful of women and young prisoners, are currently placed in the highest security category: those whose escape would be highly dangerous to the police or the public or to the security of the State. Almost all convicted Category A prisoners are serving sentences of ten years and over, and about 40 per cent are serving life sentences. They are not a homogeneous group in other respects. They include one or two spies, and a considerable number of professional criminals, most with violent records, some of whom have associates outside who might be willing to help them escape. About one third are dangerous sexual offenders whose escape would endanger the public but who may present no particular threat while in custody. The security category of all Category A prisoners is regularly reviewed, and experience shows that it is safe to downgrade a number of them to Category B in the course of a long sentence.

#### SECURITY WINGS

175. To meet the new threats to security referred to in paragraph 199 the Government found it necessary to maintain small "special security wings" in parts of the existing prisons at Parkhurst, Durham, Leicester and Chelmsford. A secure wing at Brixton is used to hold Category A men awaiting trial. Conditions in these wings, and the adjacent exercise areas, have been much improved since they were opened, but it remains undesirable that men should be detained for very long periods in such confined conditions.

#### DISPERSAL

176. The containment of Category A prisoners poses difficult problems for the prison service and indeed for the community. They were fully discussed in the 1968 Report of the Advisory Council on the Penal System—"The Regime for Long Term Prisoners in Conditions of Maximum Security". The Council accepted that the concentration of all Category A prisoners into one or two small maximum security prisons would make it easier to provide "near-absolute security" for them. They were concerned, however, that the atmosphere of such institutions containing a concentration of evil and dangerous men might become repressive and that the maintenance of good order would be very difficult if prisoners could not be transferred between a number of equally secure prisons, either to split up associates or to separate enemies. They recommended instead that Category A prisoners should be dispersed among the population of a small number of secure establishments.

177. The Government thought that, on balance, this policy of dispersal was to be preferred to one of concentration, and decided not to build Alvington—the proposed maximum security prison for 120 prisoners on the Isle of Wight. Instead, work was pressed forward to strengthen the security, especially the perimeter security, of a number of long-term prisons, and this entailed the more secure containment of a considerable number of Category B prisoners as well as those in Category A. Apart from those in the special security wings, recidivist prisoners in Category A are now held at Gartree in the Midlands, at Hull in the North, and at Parkhurst on the Isle of Wight. It is proposed to send others to Albany, next door to Parkhurst, and to the new prison at Long Lartin, in Worcestershire, which should open in 1971. Prisoners in Category A without serious previous criminal records may be allocated to Wakefield or Wormwood Scrubs.

178. In accordance with another recommendation of the Advisory Council, a small segregation unit is to form part of each of these dispersal prisons. The power to send a disruptive or violent prisoner for a period to the segregation unit is one that safeguards the régime of the prison for the majority of its population, and will assist governors to deal with the small minority of prisoners, whether in Category A or Category B, who appear determined to stir up trouble and to incite others to do the same. The dispersal policy will also give flexibility in the transfer of such prisoners between establishments. It is still necessary to hold a minority of Category A prisoners in the special security wings. The population of those wings has, however, been substantially reduced—from 62 in April 1967 to about 45—and they will be kept under review as experience of the dispersal policy is gained.

#### THE CAREER OF THE PRISONER

179. Paragraph 167 described the initial assessment and allocation of a prisoner. Assessment must be a continuing process, and allocation needs to be reviewed. Some prisoners will be transferred to take a vocational training course. Some who are in closed prisons at the beginning of a sentence can, and therefore should, be trusted in an open prison towards the end of it. Also, as indicated in paragraph 98, those sentenced to four years' imprisonment and over can spend the last part of their sentence working outside the prison for a private employer. The arrangements for planning what may be called the "career" of a prisoner serving a long sentence have not in the past been satisfactory. Therefore, alongside the new arrangements for the initial assessment and documentation of convicted prisoners serving long sentences, the Government has introduced better methods for the review of a prisoner's situation and progress at regular intervals during sentence.

180. The introduction of parole has, however, introduced a new complication into the pre-release employment scheme. The stages in a prisoner's career ought to be related to his likely date of release. That date may now be brought forward by release on parole but those in the prison charged with the duty of looking after the long sentence prisoner cannot know in advance whether he will be selected for parole or not. Arrangements already exist under which the Parole Board may fix the release of a long sentence prisoner several months ahead an

indicate that they feel he should first spend a period on a pre-release employment scheme. Further study is needed of other ways in which the Prison Department and the Parole Board can co-operate in the planning of the career of a long sentence prisoner with a view to his release to supervision in the community after training in custody; and they must be ways which do not cast doubt on the responsibilities of the Prison Department or on the statutory independence of the Parole Board.

#### EXISTING BUILDINGS

181. Of the 46 closed prisons in which male adult prisoners were held on 1st July 1969, only 5 have been built as prisons since 1914. As the list of existing establishments given in the note on page 82 shows, our old buildings also house a considerable number of young offenders. The prison service is not alone in having to work with outdated capital assets. But it is particularly handicapped by the fact that not one closed prison or borstal was built in the 40 years 1918–1958, so that the proportion of obsolete buildings is unusually high.

182. Many people concerned with the prison system have said, or been tempted to say, that the only thing to do with our Victorian inheritance is to pull it down. But even assuming, and it is a very big assumption, that suitable sites could be found for modern buildings to replace them, the provision of 20,000 new places in secure prisons and borstals in modern buildings would cost something over £100 million. The prison service needs new buildings and they are being planned. (See paragraphs 190–192 below.) But we have to face the fact that the resources to replace all unsuitable buildings are simply not available, and that the service will enter the last quarter of the twentieth century with buildings designed in the nineteenth. The need, therefore, is to make the best use of them and see how they can be improved.

#### RENOVATION AND IMPROVEMENT

183. First, it is necessary to ensure that the services of our old buildings do not break down. There is a real risk of this happening, since in many of them the heating systems, drains, and power supplies are reaching, or have reached, the end of their useful life or are inadequate for modern needs. The Government has embarked on a major programme for renewal of these services, including new boiler houses, at a cost of between £½ and £¾ million a year over the next few years. An important part of this programme is the increase of power supplies to enable modern industrial machinery to be used and lighting to be improved. Second, on some sites there is space available on which new workshops can be added to or substituted for old, and a programme designed to do that will cost over £½ million a year in the next few years.

#### REFURBISHING PROGRAMME

184. Quite minor improvements can alleviate the harsh and drab appearance of much of our old accommodation. Since the war, for example, the floors of many prisons and borstals have been covered with new coloured tiles. The Government



thinks that such relatively minor improvements are of great importance. A systematic programme has been drawn up to give new impetus to such work, which will be done, as far as possible, by prisoners themselves under the direction of works staff. The programme will start this financial year and in the first phase 30 prisons, mostly dating from the last century, will be redecorated. The work will include substantial retiling of floors and the cost will be of the order of £1m. Similar redecoration will later be carried out at an additional 46, mainly hutted, establishments at a cost of about £1m. It is also proposed, as the programme proceeds, to replace old cell furniture with up to date patterns.

### "SLOPPING OUT"

185. All new prisons are being designed to avoid the need for "slopping out". Experiments in the automatic unlocking of cells may provide the means of solving the problem of night sanitation in existing prisons, although the system so far examined would cost a great deal to install. But, if there is no early prospect of getting rid of slopping out in most of our closed prisons, it is possible to improve their sanitary facilities. At 8 Victorian prisons £1m. is to be spent to provide more showers, toilets, and wash basins, and on improvements in lighting and ventilation. This scheme has had to be restricted, initially at least, to 8 prisons, partly because the cost is high, partly because it entails reducing the places available by giving up cells to make room for the additional showers and lavatories. While this carries with it some risk, particularly at a time when the current rise in the prison population is expected to continue, the Government believes that it is a risk that should be taken because of the general improvement that will result and to point a way for similar work, perhaps on an enlarged scale, in the years ahead. Another experiment which could provide a prototype for the future, if it is successful, is the complete reconstruction of a cell block which was badly damaged by fire. This reconstruction includes flooring in some of the "well" of the block to provide badly needed association or recreation areas. Some parts of the programme described above, including the redecoration of 30 Victorian prisons, will be completed within the next 2 years and the whole "refurbishing programme" should be complete within 5 years.

### REDEVELOPMENT

186. There are plans for the comprehensive redevelopment of a number of establishments. Priority will have to be given to closed prisons where the need is greatest, but comprehensive redevelopment will not be confined to closed prisons. Many of the open prisons and berstals are in hutted accommodation which is reaching, or in some cases has reached, the end of its economic life, and the Government plans the gradual redevelopment of such establishments on existing sites. The following is a list of establishments at which major building work is already proceeding, or in which new unit or rebuilding will, it is hoped, start in the next five years, although in some cases plans are in their early stages.

### Adult establishments

Appleton Thorn†	Liverpool
Ashwell† (already started)	Maidstone
Brixton	Nottingham†
Bristol	Portsmouth† (already started)
Eastchurch†	Reading† (already started)
Ford†	Sudbury†
Gloucester	Swansea†
Leeds	Thorp Arch
Leicester	The Verne† (already started)
Lewes (major improvements being made after fire)	Winchester†
Lincoln	Wormwood Scrubs

### Young Offenders Establishments

Dover (already started)	Latchmere House
Gringley Camp† (already started)	Morton Hall
Hatfield	New Hall
Hollesley Bay Colony† (already started)	Usk (Prescoed)†
	Wetherby†

## NEW BUILDINGS

### SITES

187. The present gross overcrowding in local prisons, and the resumed rise in the total number of offenders in custody, would alone point the need to a continuing programme of new buildings. The first task is to find sites. If suitable alternative sites could be found it would be possible, for example, to consider replacing the worst of the Victorian prisons now occupying central sites in London and other large cities. But new sites in towns are unlikely to become available and would be very expensive; and the proposal to build a new prison in any town would encounter strong opposition. The building of a new institution, and the housing for its staff, on open land within easy reach of a large centre of population—perhaps the best solution—has to meet formidable planning objections. A site in a more remote or barren area may isolate the institution, its staff, and the families of its staff, from the community. Not only is access difficult for the families and friends of offenders, and for probation officers, medical consultants and other visitors, but it may become impossible to recruit and retain all the necessary staff, both full-time and part-time. There are very real staffing difficulties at some of the institutions built since the war in rural areas. Many of these difficulties are not unique to the prison service—they apply to other services maintaining residential institutions of one kind or another; but there is, perhaps, an added difficulty in the alarm often expressed by local residents at the suggestion that a prison should be built in their midst.

†At these establishments the greater part of the work is being or will be done by the prisoners or young offenders themselves.



188. It is not, therefore, surprising that a good deal of staff effort has to be devoted to finding suitable sites. It has been Government policy that, so far as possible, new institutions should be built on land already in public ownership becoming redundant to the needs of other Government departments. The Home Office, like all other departments, consults planning authorities about the development of new buildings and where there is local objection a public inquiry may be held. It is right that these procedures should be followed and the interests of all those affected adequately considered. But the inevitable result is that the process of acquiring sites and developing them takes a long time and involves much work that in the end may prove abortive. It can take seven years or more from the time that the Department provisionally selects a site to the time when the new building is opened. In those seven years the demands on the prison service will have increased. It is hoped that better organisation of the Department will reduce unnecessary delays but the process will always take several years.

189. There is always a danger that a large institution will become authoritarian and impersonal in its attitudes and organisation, and, partly for this reason, the tendency since the war has been to plan and build smaller institutions than in the nineteenth century. But the same objections may not apply if two or three units are grouped into one complex, and if this is done there is scope for economy in the provision of common services, such as boiler houses and administrative offices, as well as the advantage of making more intensive use of a site. This is why the Prison Department is likely in future to resort to this practice and build rather larger institutions.

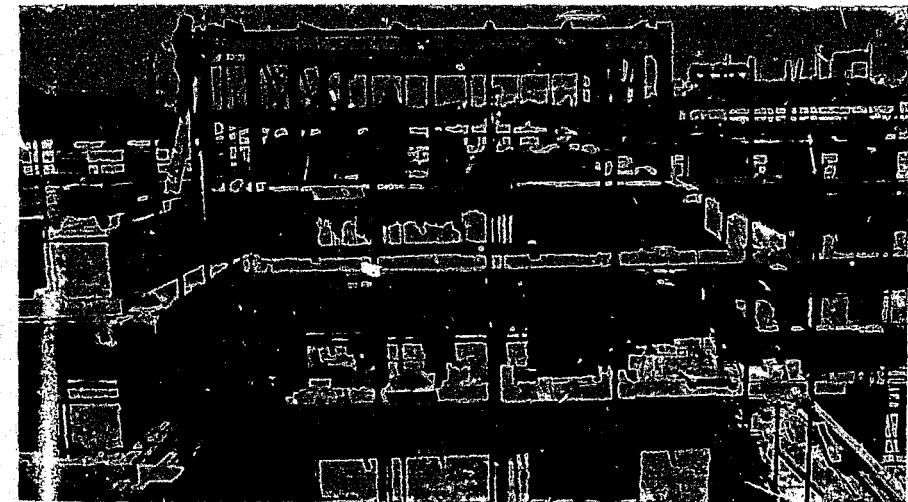
#### NEW ESTABLISHMENTS FOR ADULTS

190. Paragraph 172 explained why the Government intends to give high priority to new prisons for Category C prisoners—those not thought suitable for open prisons but not likely escapers. The first of these are now being provided in camps at Haverigg, in Cumberland, and at Northeye, near Bexhill in Sussex; but design work is now beginning on purpose-built Category C prisons. These may hold up to 200 prisoners in each of four units, or 750-800 in each prison; and it is hoped that the construction of six such prisons, built so far as possible to a standard design, may start within the next five years. Among the sites being considered are Pull Sutton and Ulnes Walton, in the North Region, Gartree in the Midland Region, and Wrabness in the South East.

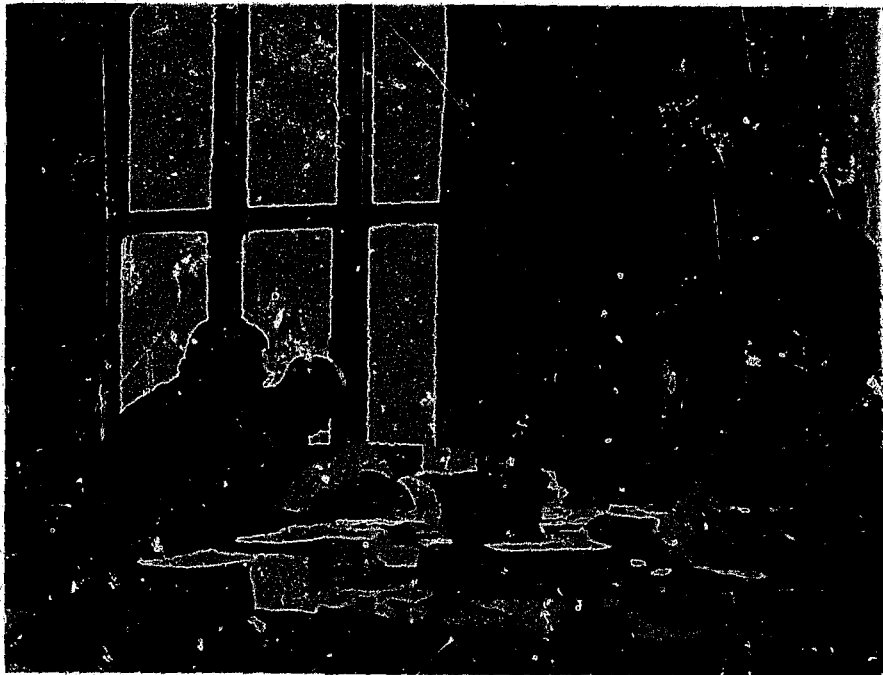
191. There is also an urgent need for more accommodation for prisoners of a higher security category. The training prison to hold about 300 Category B prisoners opened this year at Coldingley, in Surrey, has already been mentioned. A training prison for about 500 is being built at Long Lartin in Worcestershire, and should be open in 1971. Design work is now well advanced on a prison in Oxfordshire to be known as Lockwood prison. This will have two sections: the first section will be a training prison for about 300 prisoners; the other, a local prison for 200 will enable the small and obsolete prison at Oxford to be closed, thus fulfilling a long outstanding commitment. There are plans for an important closed prison in the North Region on which building work should start by the



9. Prisoners employed making aircraft parts in Gloucester prison. The workshop was opened in January 1967 with the co-operation of Dowty Rotol Ltd. for whom the work is done. The firm undertakes to employ prisoners who have worked in the shop for three months or more.



10. Prisoners building a new cell block and kitchens at The Verne prison, Portland. Prison labour can make an important contribution not only to the badly needed maintenance and rebuilding of some of the older prisons but also to the building of new establishments.



11. A Parole Board Panel in session with Lord Hunt in the chair. Parole has already become an accepted part of the prison scene, offering to many offenders an increased likelihood that they can affect their future by their own efforts. Research is being carried out on the effect of the scheme on all prisoners eligible for parole and also into the methods of selecting prisoners for release.



12. A probation officer discussing future plans with one of the young men in his care. So far as is practicable, contact is maintained both with the prisoner and his family during sentence and the probation officer will try to visit the prisoner before discharge.



13. Borstal trainees from Hewell Grange helping at a Cheshire home. An example of the links which can be established between those in custody and the outside community.



14. Dormitory at a borstal used by young men who worked outside the borstal in the last months of their training.



15. The interior of Wandsworth prison. Despite ambitious plans for new prisons the service does not have the resources to replace all unsuitable buildings and will enter the last quarter of the 20th century with buildings designed in the 19th. The aim, therefore, is to make the best use of them and to study how they can be improved.



16. The exterior of Blundeston prison. Blundeston is one of the five purpose built prisons built since 1914. It was opened in 1963 and accommodates 300 prisoners. The prison service is particularly handicapped by the fact that no one closed prison or borstal was built in the 40 years 1918 - 1958 so that the proportion of obsolete buildings is unusually high.

end of 1972. The basis of the design for it has been prepared by the group set up jointly by the Home Secretary and the Minister of Public Building and Works to which reference was made in paragraph 166. The Government also hopes that, by 1974, work will have started on four other training prisons for prisoners serving over eighteen months, although sites have yet to be agreed; and here it may be repeated that it is hoped that work will start in 1971 on the first stage of the complete redevelopment of the Holloway site to provide a new women's establishment, concentrated round a secure hospital (see paragraph 146).

#### NEW ESTABLISHMENTS FOR YOUNG OFFENDERS

192. More remand accommodation is needed for those under 21, and the following remand centres are to be built or extended.

Norwich	.. ..	Remand centre for 60 boys.
Rochester	.. ..	Remand centre for 100/125 boys.
Low Newton	.. ..	80 further places for boys.
Thorp Arch	.. ..	75 further places for boys.
Glen Parva	.. ..	Remand centre for 120 boys (associated with the allocation centre mentioned below).
Pucklechurch	.. ..	50 further places for boys and some additional accommodation for women and girls.

The most pressing need on the young offenders side is for new borstal allocation centres and these will be provided as follows:

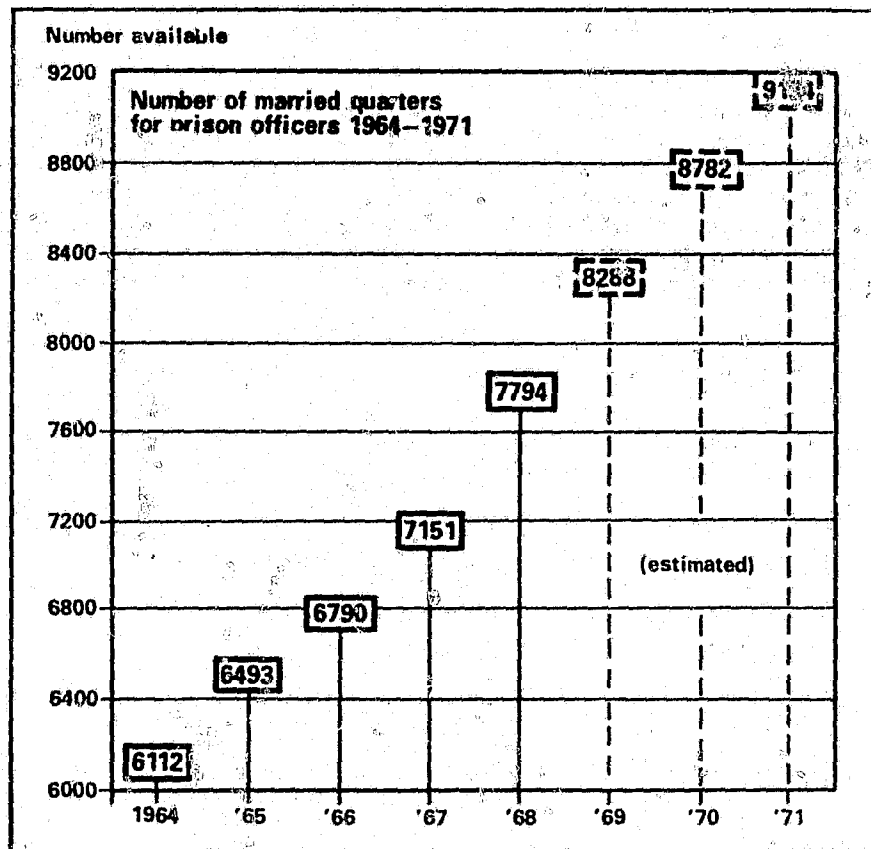
Glen Parva	.. ..	Allocation centre for 360 and training borstal for 300 boys.
Sites near London	.. ..	Allocation centre for 450 boys—to be associated with a psychiatric borstal for 250 boys.

Other closed institutions for young offenders are likely to be needed to meet rising numbers.

The Government has also made plans for adding further units to three existing detention centres, but work on these will not start until the situation has been reassessed in the light of the forthcoming report on detention centres from the Advisory Council on the Penal System. (See paragraph 150.)

#### QUARTERS

193. The following diagram shows the increase in the number of married quarters for staff since 1964, an increase made necessary by the rapid expansion of the prison service in this period—

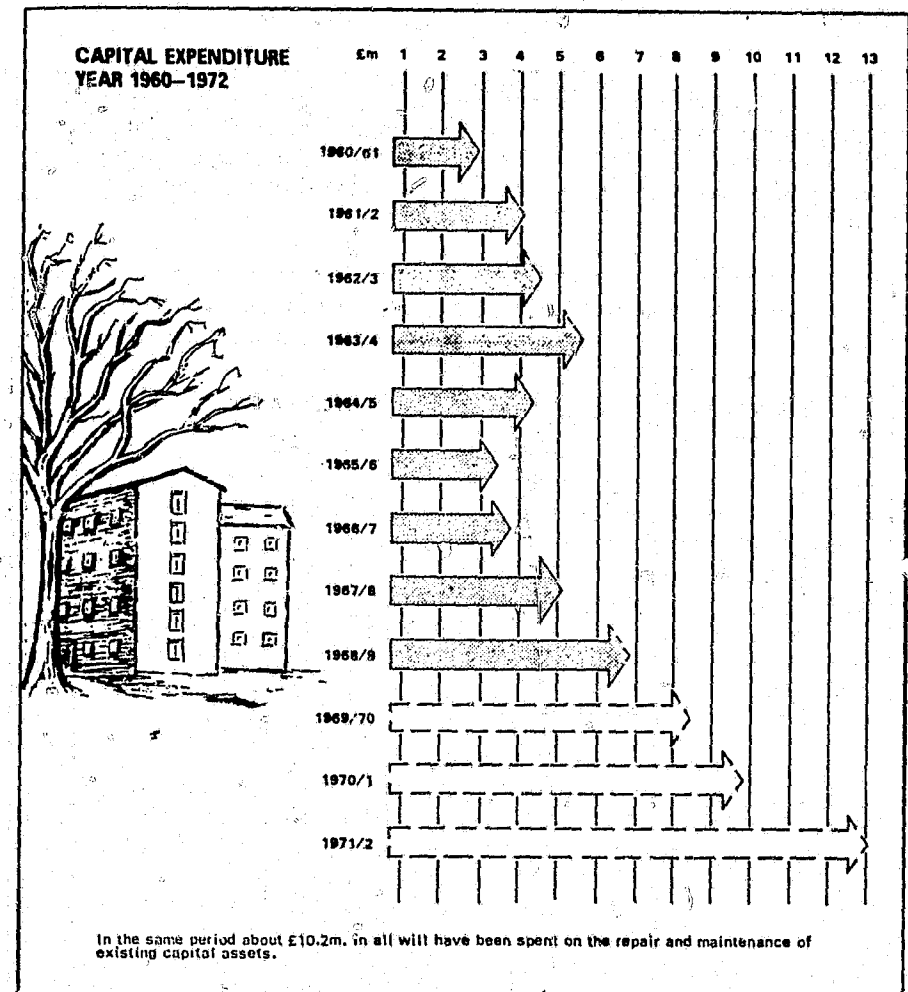


In addition to about 8,000 married quarters there is single accommodation for about 850 officers. In the last two years, the houses provided by Government building have been supplemented by purchase from private owners or builders, and as a result of these special efforts about 650 quarters were built or acquired in 1968. The number of officers waiting for quarters at the end of the year was less than 250.

#### GENERAL

194. The Ministry of Public Building and Works handles most major new prison projects. Other work, including work within existing prisons or borstals (where security considerations are likely to arise), is carried out by the Prison Department. On its works side, as with prison industries, the Department has been under-managed, and an expanding building programme requires more staff to control it effectively. The whole programme, including that for which the Ministry of Public Building and Works is responsible, is now being planned on a basis of annual "starts" for each of the ensuing five years.

195. The following diagram shows the total of capital expenditure since 1960, including that on quarters and on physical security, and estimates of expenditure up to 1971/72 (the figure shown for 1971/72 is a provisional estimate).

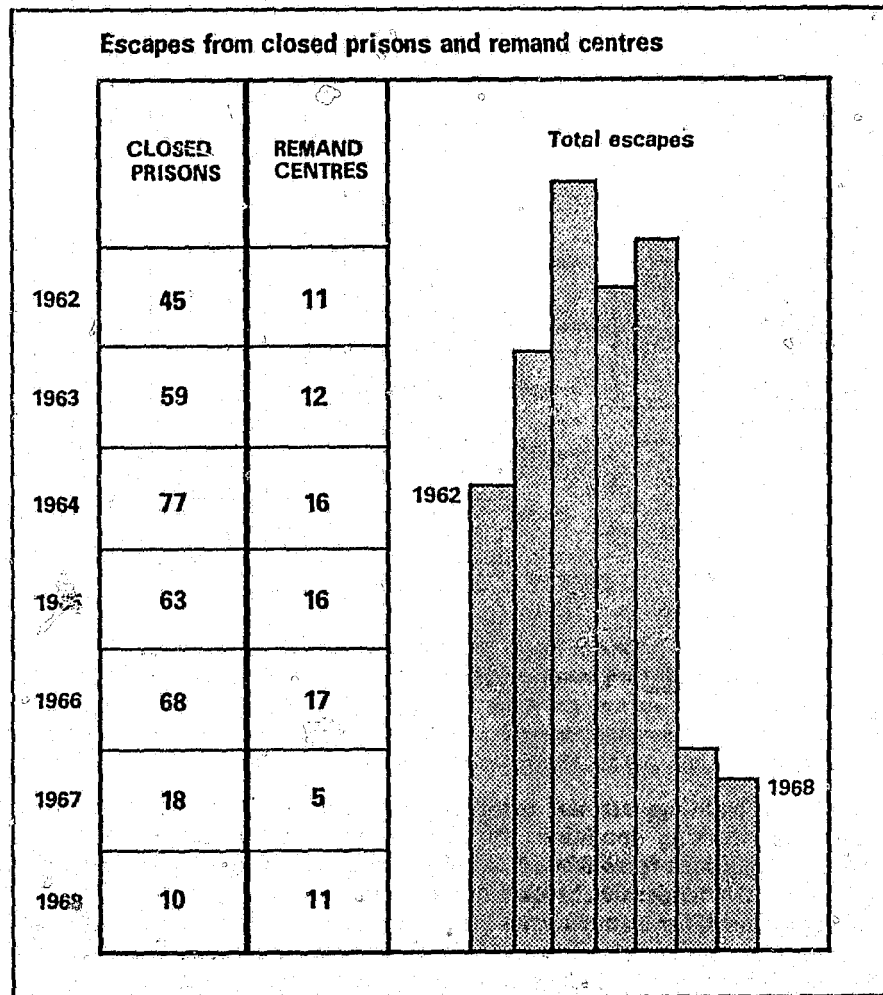


196. New buildings are not extravagantly designed. The aim is to provide reasonable working conditions for prison staff, and reasonable living and working conditions for offenders. Modern materials bring long-term economic advantages and modern techniques are being used. The installation of automatic locking systems, for example, can lead to economies in staff as well as helping to banish from new establishments the degrading practice of "slopping-out". New buildings can provide better standards for all who use them.

#### SECURITY

197. In October 1966, following the escape of George Blake from Wormwood Scrubs, Lord Mountbatten was appointed to conduct an Inquiry "into recent prison escapes . . ." and to make recommendations for the improvement of

prison security. In his Report, published in December 1966 (Cmd. 3175), he made a series of far-reaching recommendations to improve prison security and these, accepted by the Government, have been progressively put into effect in the last three years. As the following diagram shows, the number of escapes from closed prisons and remand centres has been reduced to a quarter of those for earlier years.



#### SECURITY WEAKNESSES

198. There were various reasons why security in closed prisons had fallen below an acceptable level. The deterioration of the fabric of old buildings was one reason. Another was the freer movement and association of prisoners in buildings that might have remained secure if used for their original purpose of

solitary confinement. Moreover, the post-war training prisons, such as Blundeston, had been designed on the assumption that the buildings themselves could be made so secure that a fence sufficient to hinder rather than to prevent escapes could replace the traditional perimeter wall. This assumption, and the buildings designed on it, have both had to be modified.

#### THE NEW THREAT

199. In addition, the prison service had been slow to react to a change in the nature of the threat it had to meet. Some escapes are made on impulse, some are the result of careful planning inside the prison, some reflect careful planning with associates outside. The longer a man's sentence, the more likely it is that he will plan to escape\*. Since the greater the resources a prisoner can command outside both in terms of money and influence the more likely he is to receive assistance in securing his escape, the emergence of large-scale organised crime is directly relevant to prison security. It is very difficult to judge how many prisoners in custody might, with such outside assistance, be able to engineer an attempted escape. But there are undoubtedly some and their safe keeping raises special problems. Finally although in the past very few prisoners serving life sentences have escaped, or attempted to do so, a new factor has been introduced by the abolition of capital punishment and the consequent detention for very long periods of some prisoners who might previously have been executed.

#### THE NEW DEFENCES

200. The procedure by which prisoners are now placed in "security categories" was described in paragraph 168. It has necessitated, as its chief aim, strengthened security at the prisons holding men in categories A and B. First, the conventional barriers of bars and walls have been improved. New bars have been fitted to many windows and the structure of cells and other buildings has been strengthened. The erection of additional inner fences has greatly strengthened perimeter security at 17 prisons. Double fences will provide the basic perimeter security of new category B prisons. (The Government has rejected the suggestion that security should be maintained by the use of armed guards on the perimeter.) Second, the Prison Department is making increasing use of modern technical equipment and has benefited from expert scientific advice. (The Prison Department is now advised on prison security by a high level Advisory Group of scientists.) The new equipment already in use includes better lighting, closed circuit TV, personal wireless sets for staff and various alarm devices fitted on or near perimeter boundaries. The programme of improved physical security and of new equipment is not yet complete but it has already done a great deal to raise standards.

201. More staff have been employed on security duties. New wall patrols and more staff on duty on the perimeter are merely the obvious additions. There must also be staff in control rooms and in the operation of security equipment.

\*In the years 1961—1966 about 20% of escapers, ignoring those on remand, came from about 2% of the prison population: those serving determinate sentences of ten years or more. The increase in the number of very long sentences has been described in the note on page 14.

Training courses have been held, including those for the security officers appointed at all closed prisons. The basic aim of training in security duties, as in other spheres, is to make the staff more professional in carrying out their tasks, for the best of security devices depends entirely on the training and alertness of the staff who operate and use them. Lord Mountbatten recommended that prison officers should be trained as dog handlers and provided with their own dogs. Thanks to the co-operation and ready help of the police, a prison dog service has been trained and built up, and it will soon reach the planned complement of 210 dog handlers for patrol duties at 24 closed prisons. Dogs are never used to assist in the routine escorting of prisoners within a prison. They are a deterrent to escape attempts, including attempts to breach the perimeter of a prison from outside. An important element in increased security effectiveness has been the growth of co-operation between the prison service and the police, including the provision by the police of up-to-date information as to a prisoner's known criminal associates at large.

#### THE COST OF SECURITY

202. In general the aim has been to concentrate the new security measures on the perimeters of closed prisons, which means that greater security does not involve the placing of greater restrictions on the activities and movement of prisoners. Indeed, in the long run, a strengthening of perimeter security should enable some of the restrictions imposed on security grounds within closed prisons to be relaxed. Greater security can be obtained without serious detriment to the treatment of prisoners. It cannot however be obtained without the expenditure of a lot of time and money. When resources are limited, difficult decisions must be taken about the relative priority of expenditure on security measures and expenditure on new building and other necessary prison improvements.

#### NOTE

#### LIST OF PRISON SERVICE ESTABLISHMENTS IN USE ON 1st JULY 1969

##### Local Prisons for Men

Name	Certified Normal Accommodation*	Date first used for custody of offenders	Purpose for which built
Bedford ..	167	1848	County Gaol
Birmingham ..	527	1845	City Gaol
Bristol .. ..	407	1883	Built by Prison Commission. New block for 100 long term prisoners added 1967

\*i.e. the number of offenders that the institution will hold without overcrowding of cells or dormitories.

# CONTINUED

# 1 OF 2