

A Remarkable Absence of Scandal

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Prisons, like the poor, would seem to have always been with us.

In fact, the origin of our penal system – a system, in other words, that is a function of the State, is as recent as 1877. Indeed, ignoring the Tower of London, the State's first ever prison – Millbank, situated on the banks of the Thames, on the site where the Tate now stands - was only built in 1812. Prison as a State institution, and imprisonment as a function of the State is just over 200 years old.

So too public debate about what should happen inside of our prisons is also a relatively new phenomenon, and John Howard – whilst High Sheriff of Bedfordshire in the 1770s - was the first to really make his mark by commenting publicly on the conditions in which people were being incarcerated, and by then creating a scandal about the awful things he had discovered that were going on inside our jails. A “scandal” is, of course, a situation, a set of circumstances, or an event which is morally, or legally wrong, and which causes a public outrage. Howard wrote articles and books about what he saw to create that public outrage; he gave speeches; lobbied parliament; conducted research; and such was his fame for doing so that he eventually travelled the world doing the same in other countries about their prisons. He made penal reform messianic – a noble cause, and a badge of what it meant to be civilised. Perhaps, if we were using more contemporary language, he even made prison reform “trendy”.

I've thought about Howard a lot recently as he died in Kherson – where children even today still get a special day off school to celebrate his birthday and where there is a statue in his honour in that now beleaguered city.

Howard's scandals also led to some real penal changes about, for example, the imprisonment of debtors, the provision of food, lack of exercise, solitary confinement, and the access that prisoners had to education, or their spiritual welfare. He made it acceptable to think of prisoners as being just like us – as people with a shared sense of what it means to be human. In doing so he paved the way for the State to take control of prisons, as opposed to the various, local, often corrupt private contractors who had been running jails.

What has changed and what has stayed the same since Howard first brought the issue of prison conditions and penal reform to the public's attention?

I'm sure we could all cite a whole list of things that have got better (an end to corporal and capital punishment most obviously), and those which have deteriorated (the ever growing numbers of those who get sent inside – a trend that really took-off at the end of the Second World War).

However, for me, the most obvious thing to say is that prisons, and what happens inside them, do not generate a scandal as they did in Howard's day. No one really notices another murder in our prisons (the prison murder rate is sometimes higher than the murder rate in the community); the shocking rates of suicide and self-harm; the appalling lack of care for the mentally ill; the poverty of access to education, or proper work; of prisoners being locked up in their cells for almost all of the day; the high levels of sexual abuse and rape; prisoners still languishing on IPP sentences – even though the sentence itself has been abolished; the general under-funding of H M Prison Service and the lack of properly trained, experienced and confident staff to patrol the landings, and control what is going on. Ironically, this latter

reality is occurring as the already bloated, non-operational ranks of administrators, advisors, and managers gets fatter all the time.

All of this should be the stuff of scandal because we need to remember that, with few exceptions, our prison population is made up of that section of our society that has already been excluded rather than included. Most prisoners lack educational qualifications, have few employment skills, and have often experienced long-term housing, family, alcohol and drug problems. Prison is incapable of treating addictions, nor can it cope with or manage the underlying mental health problems from which many in our prisons suffer. Prison cannot deal with the causes of poverty and the widening gap between the rich and the poor. And since it cannot do these things, an expanding prison system does not make our community safer because, ultimately, most prisoners get released - sent back to where they came from, not "rehabilitated", nor even helped to find work, let alone somewhere to live. Is anyone surprised that in such circumstances the re-offending rate by ex-prisoners is so high?

If we know all of this, why then is there a remarkable absence of scandal? Why is there no outrage? No demand for Prison to get its "big house" in order?

I think that there are three probable answers but, if I am honest, it's also perfectly possible that there's a fourth – an answer which I find truly depressing.

Let's start with those answers which are probable.

First, and in testament to many fine people who work in our penal system, there really have been improvements that have ameliorated the very worst excesses of what might happen to you if you get locked up in England and Wales. So, for example, there is counselling available from trained staff (and other prisoners); there is the pioneering regime at HMP Grendon – still the only prison in Europe to operate entirely as a therapeutic community; there are phones and email which can keep the prisoner in touch with their loved ones; there has been a concerted effort to provide integral sanitation and most prisoners now have access to electricity in their cells; and increasingly there have been design changes to accommodate an ever-ageing prison population.

These improvements serve to distract and deflect criticism away from our prisons to the extent that some public commentators – such as those to be found on the political right – would claim that prison has become "too soft"; too much of a "holiday camp". Indeed, this type of criticism underscores the fact that prisons have to appeal for their legitimacy as an institution of the State to competing audiences – the public (which would include politicians), the prisoners and the staff – and therefore the reality that one audience's "improvement" is merely another audience's "its all gone too far", or perhaps for the political "left", "not far enough".

Secondly, prisons are still very adept at concealing those circumstances which should create a scandal. As I have often argued, the high prison walls and barbed wire not only serve to keep prisoners inside, but also the public out, and therefore critical scrutiny is simply stopped at the prison's Gate. Very few members of the public go into jail, and H M Prison Service has become skilled at managing what comes to be viewed. Personally, I doubt that John Howard would be allowed to visit HMP Bedford these days. Thus, at the most basic level prisons remain secret places - where staff still sign the Official Secrets Act and Governors seem to be reluctant to "blow the whistle". Therefore, news of suicides, rapes, murders, riots, roof-top demonstrations and so forth only slowly leaks out – if at all. That's why I had high hopes for all that smuggled mobile phone footage from inside our prisons that makes its way onto social media. Now at last the public will see what is *really* going on, I thought. They did indeed see uncensored images beyond the control of the Press Office

but, paradoxically, these seemed to serve to further alienate the public from who it was that got locked up and heighten fears about what might happen when and if they were released. All that footage of people high on spice, or fighting each other, or glorying in their “look at me”, criminal undertaking behaviour and declaring that they were making more money inside than they did when they were in the community, merely further “monstered” – “othered” - them in the eyes of the viewer.

That’s also why more formal media representations of prisons and prisoners are so important, for the reality is that very few members of the public will ever visit a prison or see first hand for themselves what happens there and thus it continues to be the media which creates a sense of who prisoners are and what happens – for good or for ill - inside our jails.

Third, and connected to this second point, prisons and what happens there seems remote – prisons appear to be disconnected from what is happening in our own lives and what is of concern to our own families. Prisoners don’t have to do the school run; finish that degree course; get help for some health problem – and, unlike prison, we all know something about the state of our NHS; and increasingly we are all having to make certain that there is food on the table and that the rent can be paid at the start of the month. From this perspective, prisoners and what happens inside our jails are the last thing that people need to worry about.

But here’s my rather depressing possible fourth explanation as to why there is a remarkable absence of scandal. This is exactly what the State wants prisons to do – they are doing their job, not failing at it. There is no scandal. The State wants prisons to be dehumanising, sometimes brutal, punishing, starved of resources and unforgiving places, because that serves to take our minds off our own worries. Prison and who gets locked up there reminds us that even at a time when food banks are being used by nurses, teachers and students there really is someone worse off than we are – they’re called prisoners. It’s the State’s institutional form of *schadenfreude*. I know I’ve got it bad, but it’s not as bad as that!

I hope that I’m wrong.

But in the face of everything that I’ve described we need to fight hard to remind people of all of our social inter-connectedness; of our shared humanity. We need to continue to tell people that every prisoner is somebody’s son or daughter, somebody’s husband or wife, uncle or aunt, father or mother, brother or sister. The human condition is social – we really are all ultimately connected to each other and that’s why and how we survive, but the only way that we can reconnect the public debate about prisons and prisoners to that reality – to our own lives - is to tell the stories of those who we are locking up, and reminding ourselves that frankly, no matter what an offender has done, the State still has a duty to protect them from violence while they are locked up, give them medical and mental health treatment and to help them to lead a law-abiding life on their release.

As I say, I hope that I am wrong, but at times this remarkable absence of scandal has made me feel as if there’s a perverted, common sense, moral hierarchy that has emerged in our culture which not only forbids us from questioning too carefully what our prisons are doing and who prisoners are, but also allows us to quietly continue to function by masking the reality of what’s actually going on in our own lives – what has been created by the State. We need prison to be as awful as it is currently because “real life” has become so awful too.

So where do we go from here?

I was delighted to see that Circles UK was presenting today. I did a lot of research about Circles of Support and Accountability in Canada and wrote a book about that work called

Innocence Betrayed: Paedophiles, Media and Society. A story about their first client perhaps shows us how to reconnect the debate about prisons, offenders and the rest of society and how ordinary members of the public took brave decisions to right what they saw as institutional failings.

Charlie Taylor was once regarded as Canada's public enemy No 1. Deservedly so. He had been in and out of jail for offences against young children since his teens, and in 1994 had just been released again in Hamilton, Ontario, after his latest sentence had come to an end. Charlie had an IQ of 70, was illiterate, and had never been employed.

Understandably, the community into which he was released was up in arms about the fact that Charlie had come home. Several concerned residents took to the streets to make their views known. Forced to "do something" in response to this public uproar, the police promised that they would watch Charlie's bedsit around the clock. Even the local schools got in on the act, placing a photograph of Charlie on every child's desk. Pupils were warned not to go near him if they should spot him in the street or in the park.

One child put up his hand.

"But Miss," he said, "he came over to our house last night for supper."

And so he had, for this child's father, Harry Nigh, had just set up the first ever Circle of Support and Accountability for released paedophiles - in an act that Harry and his wife described to me as "accidental courage". In fact, all they had done was to invite four of their friends over to dinner with Charlie; they wanted to see if they could do anything to help him resettle in the community in the face of public panic. But then, over the next 12 years, they kept following this basic template of the first ever circle. Each day, one of the six would meet with Charlie - the "core member" - to buy him a coffee, ensure that he was taking his medication, and just to provide an ear for Charlie to vent his many complaints. Then, on the seventh day, they would all come together to eat a meal, find out how Charlie was doing, and celebrate his successes, or help him to overcome his problems.

To put it bluntly, Charlie - whom I met on a couple of occasions - became part of their extended families. When Charlie died in 2006, his circle members were his only mourners. Yet, in the 12 years of liberty before his death, Charlie Taylor had never reoffended.

And what holds true for Charlie's circle can equally be applied to the first 50 circles that were set up in Canada, and which have been academically evaluated by Dr Robin Wilson of the Correctional Service of Canada. He demonstrated that circles - overwhelmingly made up of everyday, working Canadians with little, or no, knowledge of criminology, policing, psychology or social work - have reduced the predicted rates of reoffending for this extraordinarily difficult type of offender by some 60%. He also found that if these "core members" do reoffend, it's for a less serious category of crime than they had originally been sentenced for.

Why should this approach work? What is it that succeeds when cognitive behavioural courses, chemical castration, long prison sentences, "naming and shaming" and so forth have all failed?

Harry Nigh was clear that the key to the circles' success is in the name. What it offers is precisely support and accountability - support when the released paedophile is facing a crisis; support in finding work, or a home; support in making certain that there is enough to

eat, and that there is someone to talk to. But accountability, too, to ensure that the core member of the circle is not going to the park or loitering around schools.

In all of this, there is an element of "keeping your enemies close", but there is much more going on besides. At their heart, circles are about including, rather than excluding. They provide a real and meaningful community for a group that has previously been only stigmatised and marginalised - isolated and then pushed from one place to the next. By contrast, in the circle, the released prisoner finds a home - often for the first time in their lives; a home with values and norms; a ready-made society in which they are known, included and have value. And that is why they work. They reconnect – or connect for the very first time - a prisoner to the community, and at a broader level they remind us that we are all human beings who live in a shared organism called society.

I will leave it to Riana Taylor to describe Circles UK today and the work that they do.

For good or for ill, prison and imprisonment is central to the “war on crime” and, no doubt this war will become a feature of the coming General Election. The first warning shots have already been fired. Who is going to claim this time that they are “tough on crime”? Right, Left – both? That war in the past has often been a battle, or at least a series of skirmishes, to put more people in prison and for longer periods - the inevitable result if you change the rules on parole eligibility, and which seems to me to have become the new frontline in the conflict.

In that respect prison therefore performs a huge disappearing trick. It sweeps under the carpet huge swaths of the population, hiding them from public view - and thus removing them from scrutiny and scandal, at a time when we are reducing welfare provision, when inflation is soaring and wages are falling. For the State, prison plugs the gaps that inevitably emerge when there are fewer community mental health nurses, hostels and drug and alcohol treatment programmes. Prison removes from our streets all the young men (and increasingly young women) who have been excluded from school and then can't find jobs because it is cheaper to outsource the work to the developing world, rather than educate and train the workforce here in the UK. It mops up those who don't quite fit in; those whom we would all therefore prefer to ignore; those who we get angry with – as opposed those whom we are scared of.

In that war the numbers of offenders being sent to Prison – to mix my metaphor - become medals to be worn on the jackets of politicians. It's a race to the bottom. I'm tougher than he or she is; I understand what it is that you want; I am sympathetic to your suffering.

But remember Prison is a trick - all those who have disappeared will return. And when they do, none of their underlying problems will have got better; many will have got worse. Prison does not make a community safer. In fact prison ultimately contributes to making it more dangerous. It promises too much and delivers nothing - a reality that becomes obvious when the prisoner returns to a community that is ever more scared and polarised and poorer, and so inevitably acts to stigmatise, exclude and shun.

Contrast that scenario with the courage of the volunteers on circles, who seem to be able to reshape a sense of a confident community through voluntary action. By coming together, they stand above the noise of battle, and are strong enough to include, rather than exclude. More than this, by that inclusion, they are contributing far more to community safety than any number of disappearing tricks.

And so do you.

As Volunteers for New Bridge you see the reality of prisons in ways that the vast majority of the public simply do not. You have an informed voice, where so many others have nothing to offer but hot air. Your voice is shaped by experience, not by sentiment – you know only too well that offenders are sometimes dangerous, damaged and disturbed, just like Charlie Taylor. But you also know that despite all of that, offenders retain a humanity no matter their offence and, just like John Howard, it is you who seem to me to be able to still create a scandal about what goes on inside our awful, failing, costly, counter-productive jails.

As I hope all of this makes clear, I am so very proud to be the Vice President of this wonderful charity.