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News

Howard League launches campaign for urgent Criminal Courts Charge review



Photo by Suphakit73, courtesy of freedigitalimages.net

The Howard League has begun a campaign calling for the review of the Criminal Courts Charge to be brought forward to this autumn – the current plan is to review after 3 years. Magistrates and judges must now impose a mandatory Criminal Courts Charge of up to £1,200 on anyone convicted of an offence, regardless of the defendant's circumstances. Not only does this new charge penalise the poor, it also encourages innocent people to plead guilty to crimes they haven't committed as the charge rises from £150 for a guilty plea for a summary offence in a magistrates' court to £520 for a conviction after a guilty plea. The respective charges at crown court are £900 and £1,200. Examples of people having to pay the £150 criminal court charge include a homeless woman convicted of begging at a car park in Coventry and a 26-year-old homeless man who stole a 99p can of Red Bull from a supermarket.

Supreme Court rules routine practice of holding prisoners in solitary confinement for long periods unlawful

On 29 July, the Supreme Court ruled that prison governors who keep prisoners in solitary confinement for longer than 72

hours without external authorisation are acting unlawfully. The practice is routine in many prisons across England and Wales and was challenged in a landmark legal case which heard that 28 prisoners took their own lives while being held in segregation units between January 2007 and March 2014. The Howard League intervened in the case in a neutral capacity providing expert advice based on its many years of experience working in prisons, conducting research and representing young people in custody.

Wandsworth, Pentonville, Cookham Wood and the Harris Review: four examples of a prison system in crisis

The Howard League has responded to an independent review into self-inflicted deaths in custody led by Lord Harris of Haringey, and Her Majesty's inspectorate of Prisons' reports on Wandsworth, Pentonville and Cookham Wood. The reports paint a similar and all too familiar picture of staff shortages and overcrowding. As a result of overcrowding and understaffing, a majority of prisoners at Pentonville and Wandsworth are spending more than 18 hours per day in their cells, with many spending up to 23 hours a day locked up. Wandsworth is currently holding 70 per cent more prisoners than it was designed for and Pentonville is now twice as violent as it was at the time its last inspection, carried out only 17 months ago. Cookham Wood was running a restricted regime because of staff shortages, with one in three boys locked in their cell during the day, and the number of violent incidents was very high, with 61 assaults and 92 fights in the six months leading up to the inspection. The issues of restricted regimes and understaffing are also recognised in the [Harris Review](#), which concluded that 'overall the experience of living in a prison or a Young Offender's Institution is not conducive to rehabilitation.'

BBC Radio 4 Appeal



The Howard League was delighted to be one of the charities chosen to broadcast an appeal on BBC Radio 4 this year. The appeal, read by Danielle, one of our Young Advisors, was broadcast on Sunday 9 August. We want to express our sincerest thank you to everyone who contributed. The donations raised will go towards funding the Howard League's work. This includes services such as the Howard League legal team's free helpline for children and young people who are locked up, our participation work giving young people in the criminal justice system a voice, and campaigns and research on a wide range of issues such as improving prison conditions.

Howard League announces radical strategy to keep children out of prison

The Howard League for Penal Reform has written to Michael Gove, the Secretary of State for Justice, recommending a raft of radical youth justice reforms that would help children and save the taxpayer millions. The measures outlined would enable the government to close prisons and instead focus its resources on addressing the causes of reoffending. The letter recommends the immediate closure of two secure training centres in Northamptonshire and Kent – whose contracts are due for renewal. This alone would bring savings of up to £181 over the next seven years. Additionally, the Howard League urges the government to address the

disproportionately high number of black and minority ethnic children currently in custody. Frances Crook, Chief Executive of the Howard League for Penal Reform stated "We are all so much more than the worst thing we have done. All children deserve the possibility of redemption and hope for a positive future. Communities deserve to feel safe. Taxpayers deserve to see their money well spent." The letter outlining the strategy in full can be read [here](#).

A win on the right to challenge legal aid cuts for prisoners



Photo by nongpimmy, courtesy of freedigitalphotos.net

The Howard League and the Prisoners Advice Service has won the right to challenge legal aid cuts for prisoners after the Court of Appeal ruled there was a risk that the system could be unfair and unlawful. Since the cuts were introduced in December 2013, both charities have been overwhelmed with requests for help from children and prisoners. A challenge by the Howard League and PAS was blocked by the High Court in March 2014 but has been overturned by the Court of Appeal, which means that the case can now proceed to a full trial. Frances Crook, Chief Executive of the Howard League stated "The Howard League legal team has represented many hundreds of children in prison and we want them to thrive inside and on release. Legal aid gets them the best help to achieve that."

You can't put a number on it

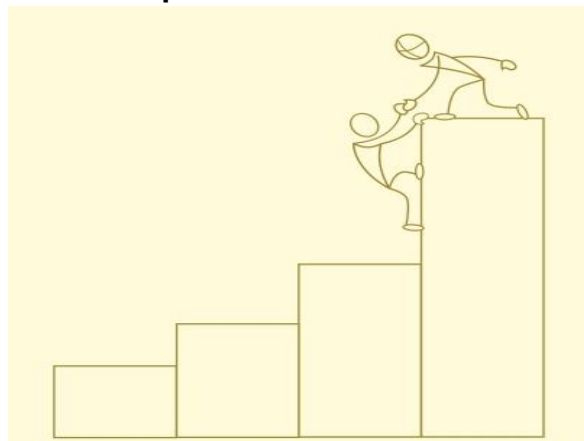


Image by Digitalart, courtesy of freedigitalimages.net

The Transition to Adulthood (T2A) Alliance and The Howard League have [published a report](#) looking at maturity for young adults in the criminal justice system. It finds that the criminal justice system is failing to support young adults adequately by not offering a distinct approach that recognises their development and varying levels of maturity. The report draws on the Howard League's participation work with young people from across England and Wales who have experience with the criminal justice system. Young people pointed out that everyone matures at a different rate and this has little to do with age or legal status. They thought the criminal justice system should be better at giving young people responsibility so they can grow and develop, including help with interpersonal and practical life skills.

Outcome-based payment schemes: government's use of payment by results
The government's payment by results (PbR) schemes are now estimated by the National Audit Office to account for at least £15 billion of public spending. [A new report from the NAO](#) looked at a number of areas where PbR is now used, including welfare to work, family support, offender rehabilitation, and international aid. The Government's experience to date has shown that PbR is a technically challenging form of contracting, not suited to all public services. But

commissioners have often failed to explain why they have chosen to use PbR rather than alternative delivery mechanisms. The PbR mechanism carries costs and risks that government has often underestimated. Although PbR transfers some risk to the provider, commissioners need to be aware of the risks they retain: for example, that providers do not meet their objectives. It takes time and effort to design PbR payment mechanisms that offer appropriate incentives to providers. If the payment offered is too high, the taxpayer could pay too much for the service; if too low, providers may not bid for the contract. A poorly designed scheme may create perverse incentives which lead providers to prioritise people who are easier to help and neglect those who are harder to help.

Women in the criminal justice system



The All Party Parliamentary Group on Women in the Penal System (APPG) reported that thousands of women in England and Wales are criminalised needlessly every year. Money is being wasted on

“expensive and destructive” short-term prison sentences while successful women's centres and diversion schemes are struggling for funding. The APPG's findings are outlined in its [Report on the Inquiry into Preventing Unnecessary Criminalisation of Women](#).

On 7 July this year, Sian James launched a campaign calling on the Welsh Assembly to adopt a new approach to working with women and girls in trouble with the law after Welsh police make 66,000 arrests of women in five years. Sian James, who represented Swansea East for 10 years before stepping down at the last general election, has produced a 10-point manifesto

aimed at stopping the needless criminalisation of Welsh women and girls.

[A new report by the Institute for Criminal Policy Research](#) shows there are over 700,000 women and girls in prison around the world. The analysis indicates that female prison population levels have grown much faster than male prison population levels since around the year 2000, with the number of women and girls in prison increasing by 50% in the past 15 years. Compiler of The World Female Imprisonment List, Roy Walmsley, comments: The astonishingly sharp rise in recent years in the number of women and girls in prison, and the substantial variations in female imprisonment levels between neighbouring countries, between different regions and between different continents, should prompt policy makers in all countries to consider what they can do to limit the number of women in custody. Female imprisonment has a high financial and social cost and its excessive use does nothing to improve public safety”

No children's super-prison



Photo: Prisonimage.org

On Friday 10 July 2015 The Howard League for Penal Reform responded to the government's decision to scrap plans for a 'secure college' for children. Andrew Neilson, Director of Campaigns at the Howard League for Penal Reform, said: "This a hugely welcome statement from the Ministry of Justice, after a long campaign by

the Howard League and other charities against the secure college proposals. Branded a 'secure college', the government was planning to build one of the largest children's prisons in Europe. Young people who end up in the criminal justice system have a whole host of complex needs, from backgrounds of abuse or neglect to poor educational attainment. All evidence shows these problems can be tackled through effective community sentences. They are never resolved behind the walls of a huge prison. The Howard League was [nominated](#) for the prestigious Liberty Human Rights Campaign of the Year Award 2015 alongside Lord Ramsbotham, the Children's Rights Alliance for England and the Standing Committee for Youth Justice for our role in persuading the Government to abandon plans for a secure college.

Spending Review 2015: Shrinking the justice system would cut crime and save billions

In its official submission to the government's Spending Review 2015, the Howard League points out how, unlike other Whitehall departments, a massive cut to the Ministry of Justice's budget could bring huge benefits for everyone if it is done in the right way. The charity put forward policy plans that would cut the prison population by 25 and 40 per cent respectively – while arguing that the government should go even further and bring down prisoner numbers by more than 50 per cent. The number of men, women and children in prisons in England and Wales has almost doubled in 25 years – from fewer than 45,000 in 1990 to more than 86,000 today. Reducing the prison population to its level under Thatcher would allow governors to improve prison conditions, which in July the Chief Inspector of Prisons described as being at their worst in a decade. The Howard League's submission to the Spending Review 2015 can be [read in full here](#).

Evaluating the success of the Victorian youth justice system

Zoe Alker, University of Liverpool*

The *After Care* project, funded by The Leverhulme Trust and conducted by Barry Godfrey, Pamela Cox, Heather Shore and Zoe Alker, has recently studied the lives of 500 children passing through a range of industrial and reformatory schools in nineteenth-century England. The project is the first cradle-to-grave study of a large cohort of children passing through the early English juvenile reformatory and industrial school systems.



themselves re-homed into secure institutions experienced poor parenting, poverty, and poor housing. Boys and girls who were picked up by the courts for petty offences such as larceny, assault, or public disorder were placed in secure reformatories, after serving fourteen days in gaol. Other children who were

In the 1850s the State began to be much more willing to step in when it was believed that parents had failed to provide for the moral well-being of their children. In response to the creation of reformatory schools, the 1854 and 1857 Industrial Schools Acts were set up as an alternative to imprisonment and took in vulnerable, poor children between the ages of 7 and 14. Children were admitted for a variety of reasons including perceived bad parenting, the exposure of children to immorality, insanitary living conditions, cases of extreme poverty, or what might be interpreted as the first steps towards a career in crime and so on (Godfrey and Lawrence, 2014). As many as one in every 230 children spent time in an institution during the nineteenth century according to Radzinowicz and Hood (1990: 181) and by the end of the nineteenth century, thousands of children had passed through a wide range of different state and charity-supported semi-carceral homes for 'delinquent', 'difficult' and destitute children. Approximately 4,000 young people were housed in 48 reformatories by 1860 and by 1900 over 30,000 young people were held in over 200 state reformatories or industrial schools. As with many of the children appearing before Youth Courts today, the majority of the young people who found

considered vulnerable to becoming criminal were taken away from their parents (if they possessed them), or from homelessness, and placed within Industrial Schools.

Inside the industrial and reformatory schools until their late teens, the children received training in trades such as tailoring, hatting, shoemaking, farm work or training for the military. Many were then found paid work on release with local employers placed in apprenticeship-type schemes (for three years after their release). Others were placed in the army or navy. These work placements seemed to give the boys essential skills to take in to the Victorian workplace and could make them a valuable resource for local employers rather than a burden on society.

After Care has used innovative interdisciplinary research methods to ask contemporary 'what works?' questions and unlock the life courses of Victorian and Edwardian children who were incarcerated in disparate carceral and semi-carceral child care institutions. Recent digitisation of court records, census returns and birth, marriage and death indexes has made it possible to collate life histories of nineteenth-century young criminals and unlock the life-courses of Victorian England's 'artful dodgers'. Accordingly, the project asks three central questions: Firstly, how did these different

institutions work in practice; and did they provide a level of support which protected children from future offending? Secondly, were some regimes markedly more 'effective' than others, and if so, why? Thirdly, what were the broader life-course outcomes for the children concerned and were their experiences qualitatively different (better/worse) than those of children who did not experience this kind of institutional care?

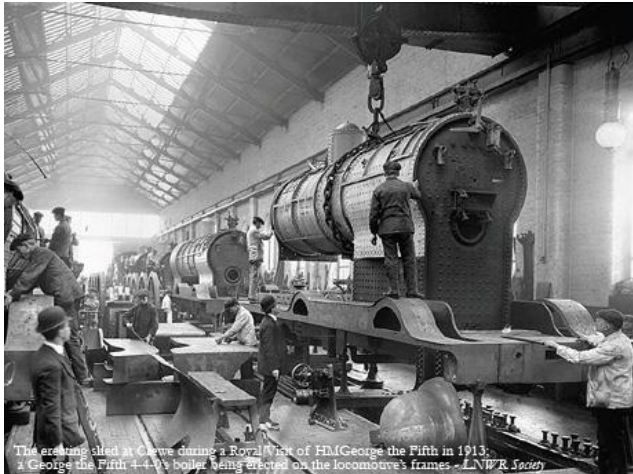
The project has linked together five historical data streams including court, criminal and institutional records, as well as a wealth of social and personal data including census reports and birth, marriage and death registers, to chart the lives of the 500 children in our study. The full findings will be published later, but initial findings show that there were significant differences in the institutional regimes. We have gathered official information on the institutions from minutes, Home Office annual reports, statistics and newspaper reports. The Akbar training ship was renowned for its brutal regime and we have uncovered evidence of several mutinies as well as a high level of absconding by prisoners. In contrast, Bradwall reformatory and Stockport Industrial School were celebrated in the nineteenth century for their innovative approaches to child saving. This is an important finding in our work as the positive reflections, found in letters sent to the schools from the prisoners, challenge dominant understanding of the youth justice system as uniformly harsh. In contrast, we find that not only did the institutions offer a 'better' life for boys whose lives on entry were characterised by abject poverty and neglect and difficult family dynamics, also that they had generally positive short and long term impacts on the boys lives 'after care'.

Isaac Sidebottom was born in Stockport, 1858. Like many of the boys on the After Care project, Isaac was born into poverty; his mother, Sarah, made little money as a cotton bobbin winder, and his

father, Isaac, was an agricultural labourer. Born into difficult beginnings, Isaac was admitted to Stockport Industrial School for begging when he was just eleven years old. During his time in the school Isaac learnt skills relevant to the Victorian labour market such as hatting, sewing and shoemaking. Upon his return to the booming industrial town of Stockport, Isaac secured work as a cotton bobbin carrier in a local factory. Age 30, Isaac married Mary and they had 3 children shortly after. Isaac eventually became a shoemaker with his own small, home-run business, and remained in Stockport until his death age 67 in 1927. Arguably the intervention of the industrial school lifted Isaac out of poverty by equipping him with skills that aided his ability to secure work on the outside, and it was these employment opportunities and familial stability that secured Isaac's desistance.

For those boys who entered reformatories after conviction, we found that a broad range of legal, personal and social factors impacted on their desistance and recidivism. We have yet to fully quantify the reoffending rate among the young people we are studying, however the headline rate is that only 22 per cent of the young criminal lives that were studied continued to offend after release. There appears to be a higher rate of recidivism amongst reformatory school children, however this was largely due to factors existing outside of the institutions. For those who did reoffend, this was the result of several interlocking factors including the preoccupations of the courts, their residences, their occupations and incomes, their familial lives, their peer networks, and workplace and neighbourhood dynamics which all played a part in the return of offending.

Alfred Brereton was born in Crewe, Cheshire, in 1858. Alfred was the sixth child born to James Brereton, an agricultural labourer, and his wife Mary, a charwoman. At 14 years old, Alfred was brought before



The erecting shed at Crewe during a royal visit of HM George the Fifth in 1913; a George the Fifth 4-4-4-0's boiler being erected on the locomotive's frames. Image courtesy of LNWR George the Fifth Steam Locomotive Trust.

Crewe magistrates court for stealing pigeons. This was his second offence, and Alfred was sentenced to one month's imprisonment and four years in Bradwall reformatory school. Following his release from Bradwall in 1876, Alfred returned to his family home in Crewe and began work as a railway labourer for London and North Western Railway where he continued to work for the rest of his life.

Two years after his release, Alfred, along with two workmates at the railway, stole three kerb chains from the Lamb Hotel, which was located on Hospital Street, Nantwich, the same street where Alfred lived with his parents. Shortly after his marriage to Alice Cook, the following year, Alfred, now a bricklayer like his father, was charged at Sandbach Petty Sessions for throwing down a wall just before midnight on a Saturday evening. He was ordered to pay a £3 fine along with 5s damages as the magistrates hoped that, 'this would be a caution to young men, who for some time past have indulged in this wanton mischief.' Alfred went on to commit a further six offences – two were for drunkenness, one for furious driving, one for unlawful wounding, one under the education act and

his final offence and fine, when he was 50 years old, was for using obscene language.

When we look at Alfred's offences, we see that, like many of the boys in the After Care project, it was wider social networks that impacted on his offending. Alfred's stealing of three kerb chains with his workmates and his throwing down of a wall in his neighbourhood shows that it was the neighbourhood and workplace which contributed to his offending. The taking of bricks and chains, presumably to sell on, reveals Alfred's attempt to supplement meagre wages as a railway labourer. His attack on Thomas Wright, for which he was given a short sentence for unlawful wounding, similarly shows that it was wider peer networks, particularly those involving other men, that appeared to matter more than the influence of his parents. His other offences for drunkenness and obscene language highlight the preoccupations of the Victorian and Edwardian justice system as his behaviour clashed with ideals of respectability.

In contrast, the absence of these features alongside the protective factors established by the institutions, such as the development of skills relevant to the industrial economy and regular employment, commonly led to positive outcomes for the young people we have traced.

John Ward was born in Birkenhead in 1907 to his Irish-born father, Richard, a boilermaker at a local shipworks, and his mother, Frances. By age 16, John had already incurred a criminal record and had been convicted three times – once for breaking in to an office and twice for stealing. On his fourth offence, once again for larceny, he was sentenced to three years at Bradwall reformatory school. Bradwall, set in rural Cheshire, instructed boys in farm work such as dairy farming and gardening. Training in agricultural labour was arguably of little use to the boys who wished to return home upon release to the large cities of Liverpool, London and Manchester. But for



Duxbury Park, Chorley. Image: Wikimedia commons, public domain.

boys like John, who could, or wanted to, remain in Cheshire, these skills allowed them to secure regular employment. John was licensed in 1925 and sent to work on the gardens at Duxbury Park in Chorley, Lancashire. His first report observed that he was a 'very good lad. Splendid type. Made wonderful progress after a faulty start to the gardens' (Bradwall Reformatory School License Registers, HO349.14). Whilst on license John was reported as 'doing well', 'had moved twice to improve himself' and that he was 'an excellent character'. Age 26, John wrote to the school to ask for a £100 loan to develop his own gardening business. Cases like John's show that giving boys skills and encouragement, alongside fiscal support, can help put people who have offended back on 'the straight and narrow'.

The rate of recidivism in our study is in stark contrast to recently released government figures from the Ministry of Justice that showed a 73 per cent recidivism rate amongst today's young people who offend. However, we argue that the low reoffending rate in the nineteenth century is evidence not of the positive effects of a more rigid, punitive system that many associate with Victorian justice (and which left many boys and girls scarred by their experiences of bullying, brutality, sexual predation, and callousness), but of the effectiveness of welfare provisions, and in particular, apprenticeships. Both residential

stability and gainful employment helped young offenders in the nineteenth century 'get back on track'.

After Care therefore exposes persistent problems inherent within the modern youth justice system. Commenting on our findings, Juliet Lyon, Director of the Prison Reform Trust, said: "Only 27 per cent of men and just 8 per cent of women are released from prison with a job or training place to go to. Of those young offenders who are selected as National Grid apprentices just 7 per cent are re-convicted within two years of release compared to around 70 per cent of all young offenders. Clearly there is much to be said for giving a second chance and finding gainful employment for those few young people whose offending is so serious that prison is the only option" (Dugan, 2015). What is shocking is that today's young people aren't given the same opportunities as their Victorian counterparts. Youth Justice has always been subject to lurches in policy, but this study shows, yet again, how important it is to provide skills and stability for young people living difficult lives, both before and after release.

*The author is grateful for comments on an earlier draft of this article by Heather Shore, Pam Cox and Barry Godfrey.

About the author

Zoe Alker is a postdoctoral research associate in the Department of Sociology, Criminology and Social Policy at University of Liverpool. Her chief research interests are in the history of young offenders and youth justice. She is currently working on two projects: After Care (Leverhulme Trust) and Digital Panopticon (AHRC).

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The Inside-Out Prison Exchange Programme, from Philadelphia to Teesside

Laura Goldsack and Pauline Ramshaw, Teesside University

It is a very simple concept...people coming together to talk about and wrestle with issues that are important to them. Yet, in this setting, it is actually quite complex and surprisingly profound. The reason is that it is all happening behind the walls of a prison
(Lori Pompa, Founder and Director of the Temple University International Inside-Out Prison Exchange Programme 2013: 13)

Introduction

Originating at Temple University, the Inside-Out model of prisoner education aims to promote learning through creating conversations, collaboration and dialogue around issues of crime and social concern. University undergraduates (outside students) alongside imprisoned men and women (inside students) learn together on a 12 – 15 week module undertaken within the prison setting, facilitated by academic staff. Equality of status is at the heart of this innovative learning experience, alongside equality of expectation and outcome; each student whether inside or outside undertakes the same learning process, assessments and, ideally, has the same opportunity to gain University credits. The first Inside-Out course was piloted with the Philadelphia Prison System in 1997 and it is now delivered in 38 of the American states, Canada (Werts, 2013), and as of 2014 Inside-Out has been offered here in the UK (Durham University, 2015).

The Inside-Out programme has a distinctive methodology and pedagogy, contrasting with both statutory prison education and mainstream models of teaching and learning in Higher Education. It is the very opposite of 'distance learning', promoting learning through the forging of connectedness, partnership and community. In addition to the formal learning, student's



Pauline Ramshaw and Laura Goldsack in Philadelphia

preconceptions of each other are challenged as genuine alliances are formed. An intensive course of training is required prior to establishing the programme, preparing facilitators as well as introducing the broad framework, protocols and partnership arrangements. The training is provided by the Inside-Out Centre in Philadelphia, takes 7 days to complete and, in part, is undertaken in high security correctional facilities.

Over the course of the summer of 2015, we were part of a group of 5 staff from Teesside University who completed the training. We now join the other 300 plus trained instructors from the United States, Canada, Mexico, Australia, and the UK, who collectively have delivered Inside-Out to over 10,000 inside and outside students (The Inside-Out Centre, 2015). Our intention is to bring Inside-Out to undergraduate Criminology and Sociology students at Teesside University, as well as

men and women serving sentences in local prisons in the North East of the UK.

Prison education in England and Wales

The efficacious role of education for prisoners has been widely recognised, particularly its potential to strengthen employability skills and reduce recidivism (Bayliss, 2003). Beyond this instrumental role, the potential for learning to expand beyond courses for basic numeracy and literacy classes and offer a broader range of learning opportunities are evident in vocational qualifications and distance learning Open University degrees (Easton and Piper, 2012). This recognition is at the heart of Nick Hardwick, Chief Inspector of Prisons' vision for the 'aspirational prison', as outlined at the recent PLA Conference (September 2015). Secretary of State for Justice, Michael Gove, has just announced a review of prison education to report by spring 2016. In sum, Mr Gove acknowledged the significant part educational opportunities and qualifications can play in enhancing the employment prospects of imprisoned men and women post release, and also the importance of education as a key part of the rehabilitation process for those serving lengthy sentences. Acknowledging the status of prison education as a previously neglected area, Mr Gove's (2015) vision is to elevate and prioritise education within prison regimes. He also aims to re-invigorate the motivation of incarcerated men and women to participate in learning programmes through incentivised schemes such as early release for those who work towards gaining qualifications in prison.

The pressing need for Mr Gove's plans to reach fruition is met with a sense of urgency that cannot be understated given the reported level of educational attainment attributed to men and women serving prison sentences. With the current prison population in England and Wales standing at 85,699 (Howard League, 2015), just under half, 47 per cent, have no educational

qualifications, one in five need help with reading, writing and numeracy, and 42 per cent had been expelled or permanently excluded from school (Prison Reform Trust, 2015: 8). Given these statistics it is hardly surprising that much of the current educational provision is at a basic level (Easton and Piper, 2012). A university level course such as Inside-Out however, offers incarcerated men and women the prospect of continuing their educational journey at a higher level, a welcoming and challenging opportunity that is perhaps particularly appealing to those serving long sentences. We certainly feel Inside-Out courses have a place in what Mr Gove alludes to in his recent announcement as the prison Governors' new 'tool box' of 'demanding and creative' educational provision (Gove, 2015).

Transformative pedagogy and community based higher education

Rather than utilise traditional didactic teaching methods, the philosophical underpinnings of Inside-Out rest instead within a conceptual framework of transformative dialogue-focused pedagogy. On an Inside-Out course, the learning and teaching experience shifts from a teacher-centred to student-centred approach constructed around the dialogical exchange between inside and outside students' learning together as equals in a classroom inside a prison. With the teacher as facilitator encouraging discussion and supporting collaborative group work, students share the same readings and explore issues such as criminality, penalty, justice and human rights. Instrumental to the pedagogical design of an Inside-Out programme is a combination of large and small group work undertaken in a circle designed to encourage intergroup dialogue and personal reflection; interaction focused experiential classroom tasks, activities and problem solving exercises; and the critical analysis of a diverse range of literature and text (Crabbe, 2013: 28).

The formation of this egalitarian community-based learning experience is aimed at encouraging inside and outside students to re-examine significant issues from different perspectives generated from the subjective lived experiences each student brings to the class. Assuming a collective responsibility for equal participation in class discussions, interactive dialogue is essential to the learning process of an Inside-Out course. It forms the basis for students to deconstruct and reconceptualise curriculum content from a constructive standpoint based on meaningful and respectful participatory dialogue, where each student voice, experience, and contribution is of equal status and value (Pompa, 2013). Keen to stress that Inside-Out is not a research or voyeuristic experience, nor an opportunity for charitable help for those incarcerated, or an agenda for advocacy or activism, Lori Pompa, the founder and director of Inside-Out, states it is a learning experience that 'fosters analytical, productive, whole-self commitment to community and to civic engagement and helps people to actualize as contributing members of their community and society at large...both inside and outside students develop a desire to make change in the world' (Pompa, 2013: 16). Based on our experience of having undertaken the Inside-Out instructor training, we would endorse the view that this innovative and unique learning opportunity is indeed a powerful and challenging learning experience.

Reflection on the training and the Graterford experience

A central tenet of Inside-Out facilitator training is the primacy given to experiential learning; each course participant experiences first-hand the process and context of an Inside-Out programme. Pompa (2013: 16) describes learning in the prison context as the 'ultimate crossing border experience'. We can attest to the transgressive and challenging nature of this crossing whereby conversations about

crime, victimisation, justice, truth or just everyday life, assume a new meaning and intensity. The exigencies of this context, and the lived experiences of those within it, leave a profound and disruptive impact upon assumptions and presuppositions. The environment also brings with it certain contradictions and contrasts; between the unfettered, powerful and challenging nature of the conversation and an environment defined by constraint, security and limitation. In addition to the underpinning philosophy and pedagogy, Inside-Out holds to a set of ethical standards and boundaries: first names only, no identifying information and no contact beyond the classroom.

As part of the training we spent three days in Graterford, a maximum security prison in Pennsylvania that houses approximately 3,500 men. Working with the Graterford Inside-Out Think Tank, a working group of inside and outside alumni, we experienced first-hand the transformative pedagogy mentioned above. Our experience in Graterford left us with an acute sense of responsibility, aware of the challenges of achieving open and participatory dialogue across the divides of class, race, gender, life experience and prison walls. As others have noted (see Van Gundy et al., 2013), the environment, the rules of participation and the demands of inclusive dialogue can converge to make Inside-Out a challenging programme, but also one which has the potential for genuine learning, and the restitution of incarcerated men and women as subjects rather than objects of criminological knowledge.

Bringing Inside-Out to Teesside

or the undergraduate student taking a criminology course, engaging with the serving prison population rarely goes beyond the 'prison visit' or short work-related placement. While the opportunity for experiential learning, particularly with carceral tours, can be a contested issue (Piche and Walby, 2010), visits and placements do offer potential for dispelling

myths and stereotypes and encouraging critical dialogue and reflection on the use of imprisonment (Wilson et al., 2011; Ridley, 2014). In the UK context, creating learning spaces conducive to the development of more in-depth and prolonged interactive dialogue between students and those incarcerated are relatively new developments. Recent examples include Cambridge University and HMP Grendon's Learning Together programme, and the delivery of Inside-Out by Durham University working with HMP Durham and HMP Frankland. At Teesside University, carceral tours and opportunities for prison-based work experience form part of the curriculum for criminology and sociology students. Our plans to deliver Inside-Out in collaboration with local prisons in the North East of England will enable us to build upon this existing work.

University involvement in the prison sector is not new. However, this involvement has often comprised extending mainstream University courses to the prison population via distance learning or single modules. Providing education in prison forms part of the process of 'normalisation' (Easton, 2011: 86), and a course such as Inside-Out expands the portfolio of innovative, stimulating, and challenging higher education provision. Yet Inside-Out offers more in terms of bringing prison life closer to some of the positive elements of life outside the prison walls. It offers a unique opportunity for inside students to connect with the wider outside community through a shared learning experience, and the potential for healthy and positive personal growth and development (Perry, 2013; Werts, 2013). In the current climate of neoliberal penalty (Bell, 2014), mass incarceration and the over representation of African-Americans from socio-economically disadvantaged backgrounds in the US (Alexander, 2010), longer sentences in the UK and the expanding prison population (Easton and Piper, 2012), social inequalities

are vast. Courses such as Inside-Out create spaces for incarcerated men and women to participate in critical dialogue about crime and punishment alongside undergraduate students, and in doing so they promote democratic legitimacy by giving a voice to those directly affected by the administration of criminal justice policies (Bell, 2014). As such they are to be welcomed and championed as relatively new additions to higher education provision in the prison sector.

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The [Perrie Lectures](#) is an annual event which has the purpose of stimulating dialogue between criminal justice organisations, the voluntary sector and all those with an academic, legal or practical interest in offenders and their families. The next Perrie Lectures, in June 2016, will celebrate 30 years of the event.

Older prisoners

This essay by **Diete Humblet** was a Perrie Lectures essay competition 2015 winning entry

Background

For over two years, I have been pondering what makes the experiences of older prisoners distinctive. In formulating an answer to that question, one of the first things that has come to mind is that 'older prisoners' are made up of two strands, of which the former refers to becoming older, whereas the latter makes reference to the experience of imprisonment. Visualising 'older prisoners' at the intersection of two committees, as outlined above, has given impetus to question what it is that makes the experiences of older prisoners different, or similar, to that of community-dwelling older adults as well as younger prisoners. Therefore, I will touch briefly upon what is known about the distinctive processes of ageing, before dwelling on the experiences and needs of older prisoners.

Different pathways

An examination of the literature suggests that 'older prisoners' are often perceived as being disabled, ill, or infirm. Although the subjective and objective experience of ageing are very complex, variability and change constitute two key points in today's understanding of ageing (Hayslip & Panek, 1993). Firstly, it should be noted that there are different types of 'age' (cf. 'intra-individual variability'). Moreover, there is widespread acceptance that an older adult prison population is strongly characterized by heterogeneity (see among others Crawley, 2007; Goetting, 1984) due to individual pathways (cf. 'inter-individual differences'). In fact, one might even state



that if there should be a law in gerontology, it should be that with ageing variability increases, due to the overall accumulative effect of biological, psychological, environmental, and social aspects throughout the life course (cf. 'intra-individual changes') (Hayslip and Panek,

1993). In penological literature, this heterogeneity has been well-recognized in terms of incarceration history, which has resulted in the identification of 'types' of older prisoners: recidivists with prior prison experience; those who have aged in place as a result of lengthy sentences; and lastly, persons admitted late in life without prior incarceration (Goetting, 1984; Crawley and Sparks, 2005b). However, in describing the older prisoner population from a holistic perspective, it is important to identify the variability in pathways to both prison and ageing.

Social gerontologists draw on 'cumulative (dis)advantages' in old age (Dannefer, 2003), whereas penologists discuss 'added pains of imprisonment' (Mann, 2012) and 'hidden injuries' (Crawley and Sparks, 2005a) for old age prisoners. The cumulative disadvantage theory points to a cumulative deprivation of older adults in terms of, inter alia, income, housing, education, and health. According to this

theory, effects of risk factors are the result of processes that cumulate and unfold over the life course (see Crystal and Shea, 1990; Dannefer, 2003). Similarly, in penological literature, it has been advanced that prisoners are vulnerable to 'accelerated ageing', due to factors prior and during incarceration (Aday, 2003; Fazel et al., 2001; Loeb et al., 2008). The common denominator is that deprivations accruing over one's life course manifest in old age, with a significant knock-on effect in later life, and this might be fuelled by a prison environment.

'Institutional ageism'

The lack of scientific attention to older prisoners has been identified as 'a latent form of ageism' (Wahidin, 2004: 9–10). Although the number of ageing prisoners is rising, they still remain a minority in most prisons to date. Given that prisons were never designed with older individuals in mind, it is unsurprising that these environments can be particularly challenging for them. Ageism might present itself not only in relation to the infrastructure and material conditions, but also to the prison regime that is applied to prisoners in later life. This should be framed within the concept of 'institutional thoughtlessness' – coined by Crawley and Sparks (2005a) – which refers to the degree to which prison regimes simply 'roll on' with very little or no reference to the diversity, needs, and sensibilities of older adults. In his seminal work on imprisonment, Sykes (1958) identified the five general 'pains of imprisonment' that captives must contend with, i.e. deprivation of liberty, services and goods, heterosexual relationships, personal security, and autonomy. With reference to these general pains, older prisoners have been identified as a group for whom these pains are exacerbated by 'added pains' (Mann, 2012). Notable examples include somatic health concerns (e.g. restricted food, movement and exercise), psychological distress (e.g. relocation

stress, post-trauma, victimisation), the lack of meaningful activities and roles, and/or a higher likelihood to encounter isolation (Stojkovic, 2007). As a result, it has been suggested that older prisoners do harder time than their younger counterparts (Mann, 2012). However, since old age is often accompanied by loss, older adults are liable to use strategies and coping processes to adapt to age-related changes, which, combined with previous life experiences, might benefit some older prisoners in coping with prison-related deprivations.

Making up a balance and perceived time left

In bringing all the elements as described above together, an understanding of 'time' is key. By drawing on (prison) time, O'Donnell (2014) introduced the concept of the 'pain quotient' (PQ), which refers to the ratio of 'time to be served' and 'time to be lived' (Ibid.: 202). According to him, the PQ is smallest for a prisoner who has a lot of life to live and a short period of time left to serve. Conversely, the pain quotient is the greatest for the prisoner whose life expectancy is shorter than his prison time and for whom the absence of a non-prison future must be confronted (Ibid.: 202). With a view to their biological age, older individuals are closer to reaching the end of life and are becoming more aware of their limited time left. Bearing in mind that there are adults who are liable to stay in prison until late in life, as well as individuals who are (re-)entering prison during the latest stages of their lives, ending life in prison is not unthinkable. Having said that, the confrontation with 'finitude' and the need to 'make up a balance' are important aspects in psychological theories concerning ageing, which have resulted in the development of practical measures such as reminiscence and life review techniques (Butler, 1963). According to a handful of scholars, the knowledge that 'time is running out' is what makes the experiences of elderly men different from that of men who have not

reached old age (Crawley & Sparks, 2005; Deaton, Aday, & Wahidin, 2009).

Addressing their needs

Society should gain a deeper understanding of ageing in prison before addressing the needs of prison sub-populations. Although there exists much debate on how to deal with the needs of prisoners in later life, this could be reduced to the prime question of whether we should segregate or integrate them. Good practice points to practical adaptations of the physical prison environment in terms of suitability and accessibility (e.g. appropriate seating, sleeping, and washing facilities, installing day rooms). However, the prison regime and the way older prisoners are treated by prison staff might be even more important.

There is a need to assess and systematically monitor older prisoners' health and well-being, particularly upon admission. The lack of knowledge concerning the ageing process should be addressed through training programmes, which would increase awareness and shift attitudes among staff (especially correctional officers, healthcare and custodial staff) (Williams et al., 2012). Williams et al. (Ibid.: 1477) illustrate this point clearly with an example of an older prisoner who appears to be disobeying, when he might actually have a hearing impairment.

On the one hand, we should be attentive to the biological, functional, psychological, and social needs of older prisoners. On the other hand, we must be mindful of the phenomenon of 'learned helplessness' (Seligman, 1975) in older adults as a means to cope with negative experiences, in particular with regard to individuals who are institutionalised. Learned helplessness is liable to occur when people feel they have no control to change current and future situations, and as a result, they learn to become helpless (Heaslip, 2013: 57). This can be particularly problematic for long-term prisoners and

those recalled to prison (Appleton, 2010). Therefore, it is important for older prisoners to participate in the decision-making about their lives (Dawes, 2005:127) (e.g. work, pension) in order to restore perceived control over relevant aspects of their environment (cf. learned mastery in Peterson, Maier and Seligman, 1993). This includes creating clear roles, restoring previous identities (e.g. through life review activities), and strengthening ties with the community. In addition, greater emphasis should be placed on dynamic security in prisons rather than on passive security (e.g. limited use of handcuffs).

Conclusion

The prison population is still strongly characterised by a pyramid structure, and older adults are not at the heart of prison society. Accounts of ageing individuals have identified difficulties with maintaining good health and overall well-being within prison. This reveals an imperative to take measures to reduce institutional ageism, making the lives of older prisoners more meaningful. I would like to conclude by reiterating the rights of all prisoners in the penal system, with custody as a last resort.

About the author

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What is distinctive about the experiences of older prisoners? What could be done better to address their needs?

This essay by **Madeleine Hughes** was a Perrie Lectures essay competition 2015 winning entry

Should people ever consider what an 'ordinary' prisoner looks like, they would probably visualise a young man, almost certainly they would not imagine that prisoners might be old (Wahidin, 2006: 171). However, prisoners over 50¹ are the fastest increasing demographic in Anglo-Welsh prisons, comprising 13.5 per cent of the prison population, and increasing by eight per cent over the year, against a prison population increase of only one per cent (MoJ, 2015).

Despite this burgeoning status there is a paradox surrounding the care provided for older prisoners. Currently, despite repeated urgings from academics, penal reform groups and government agencies, the Government has declined to implement a national strategy, detailing the standards of care older prisoners can expect to receive (Crawley and Sparks, 2005; 2006; HMIP, 2004; 2008; HoC, 2013; Howse, 2003; Mann, 2012; Prison Reform Trust (PRT), 2008; Wahidin, 2004), stating:

[A] blanket categorisation of prisoners by age is unhelpful. For this reason our approach for managing older prisoners will focus on addressing their individual needs. A generic 'older prisoner strategy' is not in our view an appropriate way forward. (MoJ, 2013: 17)

The National Offender Management Service (NOMS) therefore does not categorise older prisoners separately, believing they are a heterogeneous group with varying needs and offering no specialised provision for any additional requirements they may have. However, as this essay will explore, older prisoners face distinct challenges while imprisoned as a result of their advancing years. By not providing guidelines for their



care, ironically NOMS is treating older prisoners as a homogenous group, expecting them to function in a generic way, irrespective of age or physical ability (Mann, 2012: 43). This essay will explore the difficulties those

prisoners face and, by addressing the paradox surrounding their care, offer solutions to address their needs.

It has been suggested that being in prison accelerates the ageing process and prisoners have the physical health characteristics of someone 10 years above their biological age (HoC, 2013: 8). Older prisoners typically suffer with health problems; one study found that 85 per cent had at least one major illness in their medical records (Fazel et al., 2001: 403). These problems are exacerbated by delays in receiving medical records in prison, which can engend additional health problems until the required medication is provided (HoC, 2013: 3). Furthermore these health problems may present barriers to older prisoners progressing through the secure estate as some institutions do not provide 24-hour healthcare facilities and cannot take prisoners with increased medical and health requirements (HMIP, 2004: x).

Moreover many older prisoners experience mobility and social care issues, prevalent in an ageing population (Mann, 2012: 49–50; PRT, 2008: 5). Social care is sparsely provided within prisons and these issues can assume a particular significance for serving prisoners, who may require assistance with bathing and dressing or have incontinence problems. Prison officers are not employed to provide this type of

assistance and older prisoners must depend on the goodwill of staff or other prisoners for support. Some prisons pay able-bodied prisoners to work as aids; but there are limits to the level of personal care that can be provided (HoC, 2013: 30–31).

The Care Act, passed in May 2014, made local authorities responsible for assessing and providing prisoners with care. However, the absence of national guidelines means there is no stipulation regarding the levels of care to be received. Furthermore the estimated costs of caring for these prisoners, three to eight times more than for younger prisoners (Senior et al., 2013: 3), means local authorities containing more prisons will experience increased funding pressures, now they are responsible for the provision of this care (HoC, 2013: 31–33). While this Act may prove to be a positive step towards addressing prisoner's needs it is, as yet, too soon to assess the impact of this policy.

Prisons and their regime are designed for able-bodied men (HMIP, 2004: vii) but 37 per cent of older prisoners have a disability (HoC, 2013: 12). The Disability Discrimination Act (2005) requires establishments be adapted to meet the needs of those with restricted mobility, but there are few disabled cells or showering facilities and some prisons cannot be modified to meet these requirements (MoJ, 2013: 5). Even if provided with mobility aids, such as wheelchairs, prisoners are reliant on other prisoners to move them around, or restricted as doorframes are too narrow to allow wheelchair access. Indeed some Victorian prisons are built over several floors leaving prisoners stranded in a single area, resulting in isolation and exclusion from activities (Mann, 2012: 44–45).

The regime and resettlement programmes can also be unsatisfactory. Ostensibly all prisoners' resettlement needs should be taken into account (HMPS, 2009), but the prison regimes' primary objective is to educate and train for employment post-

release. This target is often incompatible with the goals of older prisoners, who may be incapable of working due to old age, disability or ill-health (Codd and Bramhall, 2002: 32). More pressing issues for this group relate to finding accommodation and securing transportation for their release, given their lack of mobility and financial resources (Crawley and Sparks, 2006: 73). Many older prisoners have been imprisoned for significant proportions of their lives and for them independent living courses might prove more beneficial (HMIP, 2004: 41–44).

Some prisons have developed initiatives locally and are providing age specific courses. Others have formed links with charities such as RECOOP and Age Concern and are working to resolve the isolation that some older prisoners experience (HoC, 2013: 19–20). However, charities like RECOOP are small and are currently only able to provide courses in 10 prisons (RECOOP, 2015). This reliance on the third sector, combined with the absence of national guidelines, results in an unequal provision of services throughout the secure estate.

Once released many older former prisoners experience difficulties re-assimilating into society. Those imprisoned for extended sentences may have allowed external relationships to lapse, either deliberately, as their sentence is easier to endure without concerns over family outside (Crawley and Sparks, 2006: 69), or accidentally, given their lack of control over the location of the institution they reside in. However, the corollary of this is they have no support network to rely on after release and are often overwhelmed by these issues and find resettlement difficult (ibid.,: 75).

Given these distinct issues faced by older prisoners it is worth considering whether prison is the correct place for them. Potentially these people require a level of social care that cannot be provided in prison, not least because prison officers are neither paid nor trained to provide the

personal care required by some. The United States has a larger penal population and in 2010 had 246,600 older prisoners (American Civil Liberties Union, 2012: i). The size of this population has transformed the way these prisoners are housed. Most states have some segregated secure provision, either a hospital or care-home within the prison setting, providing nursing and social care (Aday, 2003: 153–164).

If NOMS categorised older prisoners separately, one way of addressing these needs could be through segregated care facilities. Many older prisoners, as their health and mobility declines, feel intimidated by younger more aggressive prisoners, and there have been reports of bullying occurring (PRT, 2008: 8). Prisons are loud, noisy environments and research has highlighted how older prisoners find the noise levels difficult to bear (Crawley and Sparks, 2005; 2006; HMIP, 2004; 2008), complaining that it is obtrusive and unnerving, increasing their feelings of vulnerability (Mann, 2012: 42). Segregated units would be quieter, allowing the formation of cohesive peer networks within these separate groups (Aday, 2006: 215), reducing the risk of victimisation for older more vulnerable prisoners. By holding them in a secure-care facility, NOMS would be able to provide them with the correct medical and social care they require while also producing economies of scale, as the supply of care could be focused in specific locations not dispersed throughout the estate (HoC, 2013: 21).

However, not all older prisoners have the same requirements. In society it is common for all ages to live together and many able-bodied older prisoners would prefer to remain in the general population. Separating on the basis of age could result in prisoners feeling stigmatised (PRT, 2008: 7). Also, the relatively small number of older prisoners could lead to them being held some distance from their families and intended resettlement location, engendering

further problems upon release (HMIP, 2004: x). Furthermore, older prisoners are thought to have a calming influence on the prison population which is beneficial to the regime (HoC, 2013: 22).

Sykes (2007) suggests all prisoners suffer from 'pains of imprisonment' as a result of the deprivations they endure whilst incarcerated. However, it has been posited that, due to their deteriorating health and physical abilities, older prisoners experience a greater number of pains (Crawley and Sparks, 2005; 2006; Mann, 2012; Wahidin, 2004). NOMS's failure to establish national guidelines and acknowledge older prisoners as a distinct group assumes these prisoners all have the same capabilities as their younger counterparts, irrespective of their physical ability. This 'institutional thoughtlessness' perpetuates disadvantage and excludes older prisoners with additional physical and social needs (Crawley and Sparks, 2005: 352).

It is worth remembering that despite the crimes these older prisoners have committed their imprisonment is their punishment, not their ill-health (Jaques, 2006: 194). Civilised societies have a responsibility to the health needs of their prisoners and the age and health of many of these older prisoners raises moral questions about their method of punishment. Do prisoners who cannot walk still pose a threat to society? Is it morally defensible that people whose minds are diseased with Alzheimer's, who no longer understand where they are, or what they have done, should be kept in prison (Crawley and Sparks, 2006: 71)?

Given the physical and mental difficulties faced by some prisoners, secure-care facilities could provide a more civilized approach to their incarceration. They could be restricted to prisoners whose physical and social needs would require admission to a care-home in mainstream society and could be applied for when they felt unable to cope in general population. Such facilities

could manage the health needs of those prisoners whilst keeping the public safe. Alternatively, as people over the age of 60 who have offended are less likely to reoffend, with recidivism rates of 4.8 per cent (HoC, 2013: 41), an increased use of Home Detention Curfews, or the use of community punishments could also be considered. In the US the Project for Older Prisoners was set up in 1989 and advocates for the early release of older prisoners who are assessed as a low risk to society and whose victims or victims' families agree to their release. Between 1989 and 2006 the project arranged the early release of about 500 prisoners, none of whom have been returned to the prison system (Aday and Krabill, 2013: 224).

For all prisoners, their punishment is the deprivation of liberty and the removal of their autonomy, but this essay has highlighted how the distinct difficulties faced by older prisoners mean they suffer additionally as their health and mobility deteriorates. Further, this essay has exposed the paradox surrounding the care of older prisoners: how the refusal to implement national guidelines for older prisoner, on the grounds they have heterogeneous needs, ironically treats them as though they were a homogeneous group. Without specific provisions for their care, older prisoners are at the mercy of other's benevolence, often in unsuitable environments, and not receiving the most basic level of help.

Undoubtedly the care of older prisoners is an emotive issue. NOMS must balance the older person's position as a prisoner against their care requirements (Jaques, 2006: 198), but this essay argues that NOMS should institute national guidelines outlining the care older prisoners can expect to receive. This would remove the paradox surrounding their care and create a more equal provision throughout the estate. However, this essay also questions whether prison is the best place

for older prisoners. Given their age and recidivism risk a case could be made for some to be released under a home detention curfew; and for those deemed unsuitable for release a secure-care facility, within a prison setting, could provide the assistance required. Without addressing the distinctive needs of these older prisoners, that arise as they age, their time in prison becomes increasingly difficult, and they face a 'harder time' because of it (Mann, 2012).

¹ To explore the distinct experiences of older prisoners, and in line with most literature on this subject, this essay will consider older prisoners to be anyone over 50 (Wahidin, 2006: 171).

About the author

Madeleine Hughes has just completed her BA (Hons) in Criminal Justice and Criminology at the University of Kent, where she is also about to embark upon her postgraduate studies having been awarded an ESRC 1+3 studentship to undertake her research. Her PhD will investigate the needs of older offenders in British prisons.

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***The Howard Journal of Crime and Justice* – new title, new editor, new direction**

The Howard League for Penal Reform is very pleased to announce that its journal will be relaunched in 2016. It will have a new title, *The Howard Journal of Crime and Justice*, with a new editor – Professor Ian Loader, from the University of Oxford.

The journal's title better reflects the scope of the publication which, as an international peer-reviewed journal, seeks to publish high-quality theory, research and debate on all aspects of the relationship between crime and justice across the globe. It will be a leading forum for conversation between academic theory and research and the cultures, policies and practices of the range of institutions concerned with harm, security and justice.



Professor Ian Loader

Anita Dockley, Research Director of the Howard League for Penal Reform and Managing Editor of the journal, said: “The Howard League has a proud history in publishing an academic journal which supports and develops thinking in the area of crime and penal reform.

“The charity is really excited about the potential that the newly established *Howard Journal of Crime and Justice* presents under the leadership of Ian Loader.

“We are seeking to develop the level of debate about crime and justice among academics as well as those interested in crime and penal policy, drawing on the best scholarship from around the world.”

Professor Ian Loader, the journal's incoming Editor-in-Chief, said: ‘This is an exciting and unique opportunity to develop *The Howard Journal of Crime and Justice* into an influential international journal at the forefront of thinking about ideas and issues that impact on crime and justice globally.

“There is a sense that this is the time to reconsider how we approach crime and justice, not just in the UK but around the world, in the wake of austerity and diminishing justice budgets as well as the implications of the reduced rates of crime.

“This journal has the capacity to be at the forefront developing, rethinking and challenging the basis of future ideas.”

Justice and Penal Reform: Re-shaping the penal landscape

International 3-day conference, 16–18 March 2016, Keble College Oxford

Call for papers

This conference forms part of the *What is Justice? Re-imagining penal policy* symposium. Western societies are grappling with how to manage social institutions, not least those impacting on the penal system, in a time of austerity. The same jurisdictions are also experiencing the potentially conflicting phenomenon of *crime drops* while supporting policies of penal expansion. This conference will enable consideration of the prospects and possibilities of creating social and penal institutions that can contribute to the realisation of a safer and more cohesive society at this time.

The conference will also form part of the Howard League's 150th anniversary celebrations.

The Howard League is looking for papers from academics, policy makers, practitioners, PhD students and researchers from within the criminological and legal disciplines, however we are also keen to include contributions from fields of study including philosophy, geography, political science and economics. We will consider theoretical, policy and practice-based contributions around a wide range of issues that encompass the broad theme of What is justice? as well as papers on the themes of:

- Local justice and participation
- Social justice, human rights and penal policy
- The role of the state
- Penal reform strategies
- Learning from history
- Relationship between social policy and penal policy



Abstract guidelines

Proposals should be titled clearly and should not exceed 250 words. Please include the proposer's name, contact details and job title or role

Please submit abstracts via email to: marie.franklin@howardleague.org

Closing date: **5 October 2015**. Decisions will be made by end of October 2015

More information about What is Justice? and how to attend the conference can be found at www.howardleague.org/justice-and-penal-reform/

What happens after submitting?

If accepted, you will receive further details concerning the conference and any other information required. The decision of the Howard League on the acceptance of a paper is final and the Howard League is unable to enter into correspondence on the subject.

Best PhD Paper Prize

The conference seeks to promote the work of early career academics through awarding a prize for the best PhD paper. Entrants will need to complete the application form and submit this by **5 October 2015**. For application forms please contact Catryn.Yousefi@howardleague.org

The prize-winners will be decided by the conference committee and the winning papers will be announced at the conference.

Conference fees: All conference participants, whether presenting a paper or not, are expected to pay conference fees. The Howard League is a registered charity which receives no statutory funding. A limited number of bursaries are anticipated. Information will be posted shortly.



UNIVERSITY OF
CAMBRIDGE

Institute of Criminology

the Howard League for Penal Reform

*Living among sex offenders:
Identity, safety and
relationships in prison*



Alice levins

PhD candidate at the

Institute of Criminology, University of Cambridge

Tuesday 27 October 2015, 6-8pm

Room B3, Institute of Criminology,

Sidgwick Avenue, Cambridge, CB3 9DA

Sunley Prize winner Alice levins will be talking about the social experiences of sex offenders in prison, following on from her Sunley Prize winning dissertation which has been published by the Howard League for Penal Reform.

Dr Victoria Lavis, Senior Lecturer in Psychology at the University of Bradford and **Lynn Saunders**, Governor, HMP Whatton will join Alice to give their perspectives on sex offenders in the criminal justice system.

The event will be chaired by **Nicky Padfield**, Reader in Criminal and Penal Justice at the Law Faculty, University of Cambridge.

To book a place please email: research@howardleague.org

Image: Public sector information licensed under the Open Government Licence v2.0

This seminar is free, and is open to all interested in attending, with no ticket required.

If you wish to be added to the seminar mailing list, please contact: Joanne Garner, on: jf225@cam.ac.uk

For full listing of IoC Seminars: <http://www.crim.cam.ac.uk/> For directions: <http://map.cam.ac.uk/>

What if we abolished imprisonment for women?

23 June 2015, The King's Fund, London

reviewed by Serena Wright

On 23 June 2015, the eighth seminar in the Howard League's 'What If...?' series was held at the London School of Economics, with Professor Michele Burman (University of Glasgow and Co-Director of Scottish Centre for Crime and Justice Research) proposing: '*What if... women's imprisonment were abolished?*'

Frances Crook (Chief Executive, the Howard League for Penal Reform) opened the evening, which was chaired by Professor Jennifer Brown (LSE). The session's invited discussants were Baroness Jean Corston, member of the House of Lords and author of '*The Corston Report: a review of women with particular vulnerabilities in the criminal justice system*', and Siân James, a former Labour MP for Swansea East, with a strong track record of advocating for the rights of women in prison.

Professor Burman began by outlining the key concerns regarding women's imprisonment: that too many women are in prison, and that these numbers have risen "dramatically" in recent years (yet without a commensurate rise in women's offending); that most women are in prison for the "wrong reasons"; that most women present a low risk in terms of the seriousness of their offending, but evidence levels of high need in terms of what is required for them to escape the cycle of re-criminalisation and re-incarceration.

In light of these ongoing concerns, Professor Burman asked the audience to reflect on the following question: What exactly is the purpose of imprisonment for women? There was, she continued, "no lack of unanimity" among the recent plethora of reports and inquiries into these issues, including Baroness Corston's seminal review. All conclude that custodial sentences for women frequently serve only



Professor Michele Burman presenting

to "exacerbate" and further entrench those "harms" which most commonly set women on the pathway to prison in the first instance (for example, poverty, substance addiction, limited life opportunities, backgrounds of abuse, and mental health). Professor Burman argued that prosecuting and imprisoning such individuals was less represented by the concept of 'criminal justice' than it was the "criminalisation of distress".

It was on the basis of this evidence that Professor Burman asked 'What if... alternatives to custody' became the default penological response for the majority of women coming into contact with the criminal justice system. This was an issue, she added, that was underpinned by concerns for social (rather than strictly 'criminal') justice. Her argument was not abolitionist, in the sense that custodial sentences would remain an option, but only for the very small number of women whose offences or risk of harm level warranted it. However, in such instances "intense justification" for imprisonment would still be required, rather than imprisonment remaining the prevailing criminal justice response.

Professor Burman went on to outline her vision for a future where women's imprisonment was the exception rather than the rule. She argued that this would require "dramatic improvements" in the existing infrastructure, particularly in terms of community-based alternative to custody. This would include developing a national network of women's centres to provide specialist woman-centred support, and an increase in community sentencing options. This would be underpinned by a "whole system approach" where services and support teams worked in line with a wide focus on ameliorating social harms, replacing the current narrow concern for preventing future re-offending. Such "wrap-around" support services would be gender, age, and trauma-informed, and focused on positive outcomes for women. Within this, localised strategies and partnership working would represent a cornerstone.

Professor Burman's vision was based both on existing research evidence, as well as taking lessons from the recent restructuring of penological responses to youth offending in Scotland, in accordance with a "starving strategy". This requires every criminal justice agency - starting with the police - to "think very hard" about whether they need to formally engage with the person who has offended and/or refer them up to the next level of the criminal justice process. The core features of the 'starving strategy' as relates to women offenders would be: 1) that prevention is better than cure, with an emphasis on not arresting/drawing women into the CJS in the first instance; 2) that diversion from/offering alternatives to prosecution is the favoured response if an arrest must be made; 3) that where prosecution is unavoidable, that sentencing strategies should be underpinned by the motto "punish with parsimony" (for example requiring practitioners to be more patient with regard to women offenders who breach their probation orders, and responding instead



Discussant Baroness Corston

with referral to an appropriate service); and 4) to avoid handing down custodial sentences, instead favouring sentences involving community-based provision.

While acknowledging that such an approach was not a silver bullet for reducing the harms of the criminal justice system, Professor Burman reported successes in relation to the adoption of this model for Scotland's young offenders. This approach had created thousands of pounds' worth of justice savings, which had then been reinvested into more appropriate community-based sentencing options for young people in addition to reducing potential future harms caused by entry into the justice system and repeat criminalisation. Professor Burman envisaged similar outcomes should a similar approach be adopted for women and the criminal justice system.

In response, Baroness Corston began by stating that while the female prison population across England and Wales has fallen from 4,400 to 3,900 since the time of her report in 2007, there remained far too many women in prison. With regard to the existence of alternatives to custody, Baroness Corston noted that there are now 51 Women's Centres/Corston one-stop shops providing support to women in the criminal justice system. These are, however, constantly under threat of closure owing to lack of funding. We must, Baroness



Discussant Siân James

Corston stated, be “eternally vigilant” in the fight against accepting imprisonment as the normative response to women’s offending.

Siân James added a Welsh perspective on the matter, highlighting the pains of imprisonment for women in her constituency and stating clearly her personal view that “prison isn’t working for women”. As she saw it, the most devastating impact of women’s imprisonment was the “loss of children [and] the “constant battle” to regain and retain the status of primary carer. This was of more concern to the women James had met than, for example, the loss of home, and of dignity, that frequently characterises the experience of being sent to prison. James drew attention to the importance of timing and quality of service in helping women “step off the merry-go-round”, identifying support with addiction mental health, and domestic abuse and violence as most important in this.

Responding to a related question from the audience, Professor Burman agreed that it was the “right support at the right time” that was most important in the re-imagining of justice services for women, noting that there was “a dearth of robust

community sentencing options for women”, and the likelihood of a women receiving an appropriate and timely alternative to prison was currently a “lottery”. This was an issue that was identified by an audience member from AGENDA as particularly relevant and of concern in light of the recent Transforming Rehabilitation agenda, and the ways in which it had already negatively impacting on justice services for women. Baroness Corston noted that there were, “beacons of hope”, but we must be ready to fight to retain these.

As Professor Burman noted, substantial barriers exist to the wholesale criminal justice reform envisaged both by herself and the discussants. Chief among these was the absence of political will to engage in such a radical shift in penal thinking within the prevailing neo-conservative climate. The judiciary (as an institution) were also identified as existing at the heart of the problem, in terms of sentencing decisions and a lack of will to engage in training about gender-responsive approaches. Professor Burman urged however that such barriers should not mean we resign ourselves to the current situation of women offenders vis-à-vis prison and punishment as “inevitable” – it is a “social and political *choice*”, and one which underscores the desperate need for Western nations to “wean [them]selves from the addiction to incarceration”, particularly in relation to women.

Serena Wright is a Research Associate at the Prisons Research Centre, Institute of Criminology, University of Cambridge; and a member of ECAN.

Research Update

Takes one to know one? An evaluation of peer mentoring in the drug dependency treatment sector

Update by Yasmine Svan, Howard League Research Intern

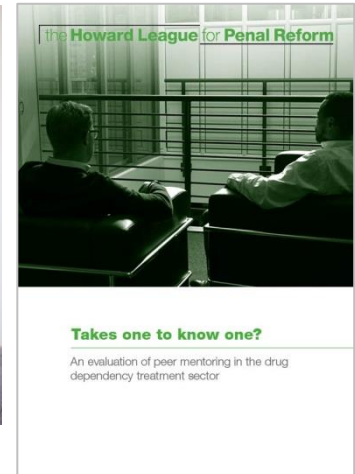
Takes one to know one is an evaluation of peer mentoring in the drug dependency treatment sector by Janet Bright, Restorative Justice Facilitator and Visiting Lecturer at Birmingham City University. The study builds upon existing research into peer mentoring by looking at the benefits and drawbacks of the intervention as perceived by the peer mentors and service providers. Using data gathered from face-to-face interviews with peer mentors and staff members from two organisations delivering treatment to individuals recovering from substance abuse, the report attempts to answer the following questions:

- What are the benefits of peer mentoring as perceived by the mentor and service providers?
- What are the drawbacks of peer mentoring as perceived by the mentor and service providers?
- What added benefit does a peer mentor bring, as opposed to a nonpeer mentor?
- Why do the parties involved think that mentoring is beneficial?

The study found that both peer mentors and mentees reported increased self-esteem, empowerment and confidence from participating. There was also a sense of atonement on the part of the peer mentors by helping not only the mentee but also the family and friends of the mentee. As one respondent put it: "I'm a giving person, just because I've had a lot of bad experiences, I can put them to good use." Peer mentoring was also found to provide opportunities for the mentors in terms of training and volunteering, which in turn can improve their chances to find paid employment.



Janet Bright



However, Bright also found a drawback associated with peer mentoring; the issue of lapse into drug use. Peer mentors have to be resilient in order to cope with this frequently occurring feature of recovery and the findings highlight the importance of ensuring that mentors are at the appropriate stage of their own recovery. Too early in the recovery process and he or she might be at risk of lapse, too late and they might no longer be considered a true peer by the mentee. Organisations have to effectively manage the relationship between peer mentor and mentee, explicitly discuss boundaries of confidentiality and be prepared to manage the impact of lapse on both mentors and mentees and the organisation.

Peer mentoring can inspire the mentee to believe that recovery is possible - as one respondent stated: "So when you meet someone who says well I've been a drug addict and now I'm not because of this, that and the other, it gives you hope. It gives you some form of ... you know what, maybe I can get out of this, maybe there is a different life for me." Peer mentors also believed the relationship brought about

positive change for the mentees, in the sense that they support the mentees to take responsibility for activities such as getting up and making it to an appointment on time. These changes are often the first steps for many mentees towards taking responsibility for their own lives and moving away from dependency.

Bright argues that while peer mentoring seems to have many important benefits, there is still a place for interventions delivered by professionals, and

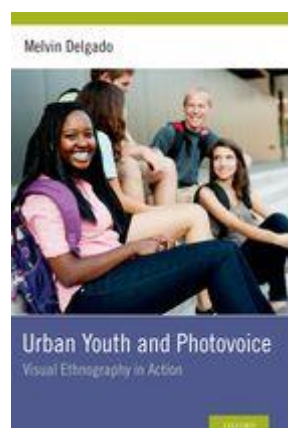
advocates for the two to complement each other. Recognising the current political climate, Bright calls for further research into the costs of input and outcomes in order to determine whether peer mentoring offers value for money. However, because peer mentoring by definition is a complex intervention, there are benefits which are not easily quantifiable.

The report is available to download from the [Howard League website](#).

Book reviews

Urban Youth and Photovoice: Visual ethnography in action by Melvin Delgado (Oxford University Press, 2015)

reviewed by Professor Wendy Fitzgibbon, London Metropolitan University



The starting point for Delgado's topical and accessible discussion is what is often called 'action research'. In other words that the generation of knowledge about social conditions and communities is intimately tied up with active intervention

aimed at change. Knowledge gained through qualitative research and purposeful social action are two aspects of a single integrated project. The particular theme to which this perspective is applied here is the role of visual ethnography, manifested in the techniques of Photovoice, in enabling marginalised and stigmatised social groups and cultures to develop self-awareness, reflexivity and, ultimately, become active participators in social change. For local communities visual ethnography can provide new ways of conveying lived realities while at the same time appealing to wider international supportive agencies and publics.

Delgado explains how the technique known as Photovoice starts from an arts-based methodology which articulates the visual rather than the verbal or textual as vehicles for awareness of both self and environment: key preconditions for social change. Through numerous examples he shows how Photovoice projects have empowered groups, particularly involving young people, to articulate and challenge problems and obstacles.

The book is structured in three sections. The first section elaborates the basic perspectives on qualitative research, ethnography and arts-based visual methods. The emphasis throughout is on the value of these methods when working with young people. The second section focuses in greater depth on the methodologies of Photovoice, the various types of sensitivities necessary in working with young people, the issues involved in the analysis of visual data as well as preparatory issues such as the importance of prior ethical approval, funding issues and time considerations. The third section, *Voices from the Field* is devoted to a detailed case study, CAMP CAMERA, which took place in Minneapolis, Minnesota and attempts to integrate the perspectives developed throughout the book and examine some of the rewards and challenges associated with visual ethnography and young people. The final section reflects on the lessons learned and suggests some possible future developments.

Delgado's basic aim is to show that photographs, as one of the most popular art forms, can facilitate the development and sharing of a story that previously has either been ignored or rejected because it cannot be readily articulated through verbal or textual media. Photovoice can deal with the messy complexities of the lives of young people. Visual ethnography should not however be seen as a method to be deployed when others fail. It has positive benefits. Taking pictures is fun and can tap into latent creativity. It is easy to learn to use a camera and this enables a wide range of people with different abilities to participate fully. Photographs are a method of conveying a physical situation and

emotions. The data and emotions are accessible and communicate well across different cultures, languages, and degrees of literacy etc.

Photographs can communicate and alter perceptions of social and physical context and it is harder for policymakers and practitioners to deny the lived reality depicted by visual representations. The stories and photographs that emanate from such visual methodology can be made available to local and national exhibitions in libraries, community centres, schools, colleges and other institutions. These exhibitions can disseminate the findings of Photovoice projects and give a direct visibility to the experiences of marginalised social groups. The makers of the photographs are the experts on their own lives. Young people in particular can use Photovoice as a bridge to the social capital that they previously lacked within communities that are fragmented and where youth feel isolated and detached from positive adult-youth relationships. Delgado characterises Photovoice as a vehicle for *community listening*.

There are, as Delgado notes, some challenges emanating from technical aspects of Photovoice, for example the potential for loss of high-value cameras. There are issues of time restrictions especially when developing new group relationships involved in projects. Young people may distrust adults and some may not be open to sharing their views via the photographs taken. Although the method is

cost-effective there is still the issue of how to find adequate funding. Additionally, when working with young people there is the important issue of parental consent.

Another challenge is that photography has been used for surveillance and social control of many of the marginalised groups now being approached to undertake Photovoice. There is a fear that this may mean that the knowledge gained through photographs is subjugated and used inappropriately. This challenge has to be faced but is not insurmountable.

Delgado's exploration of all these issues is insightful and extremely useful for those considering undertaking a Photovoice project. However, the one disappointing element of this book is the fact that there is only one chapter devoted to a practical exploration of a Photovoice project (the Minneapolis project mentioned above). One wonders why the photographs from this section of the book were not used to emphasise and demonstrate the methodology throughout the book. Maybe the prohibitive nature of reproducing photographs in a book of this kind meant the number of photographs had to be limited. Nevertheless the photographic chapter makes this topic come alive and the creativity of the participants is clearly visible.

Wendy Fitzgibbon is Professor of Criminology and Programme Leader for MSc Criminology at London Metropolitan University.

RAG member profile

Nicola Padfield

My main job is as a Reader in Criminal and Penal Justice at the University of Cambridge, but I am also hugely busy as Master of Fitzwilliam College, Cambridge, a large and wonderful Cambridge College. Although I am a criminal lawyer (barrister) and keep up to date on that by writing a popular and regularly updated textbook (*Criminal Law*, published by OUP), I have always been more interested in sentencing law and practice than substantive criminal law (definitions of crimes and so on). I also teach criminal procedure and evidence, and have another textbook on *Criminal Justice Process: Text and Materials*. Criminal law is not easily understood without exploring its wider social and legal context. Similarly, in relation to sentencing law, it makes little sense to focus only on the judge or magistrates' sentencing decision: to understand the meaning of 'sentencing' you have to look at how it is implemented. In terms of research, I write on all sorts of issues relating to sentencing, particularly the implementation of sentences in prison and in the community: [parole](#), [recall](#), MAPPA and so on. I have always chosen to research those areas which are least researched: I try to cast some light on areas which should not remain hidden from public examination.

There is much in our criminal justice system which is deeply shocking: prisons are often used as warehouses for deeply disadvantaged people, many of whom find it immensely difficult to access legal advice or practical support for when they are released. I have also been involved with a number of European research projects: we can learn a lot about how our own system works, and how it ought to work, by considering how they do it in other European jurisdictions. It is always worth being reminded that there is nothing inevitable or even normal about our



criminal justice system. I sat as a part-time judge in the Crown Court for twelve years, and that re-enforced my awareness of the fact that the human face of justice is often missing from legislation and policy guidelines, and that we need to think much more seriously

about the meaning of justice in our society.

The gap between law in books and law in practice is often huge: I have recently revisited the work Lorraine Gelsthorpe, Jake Phillips and I did in 2011 for the Howard League on the apparent lack of institutional interest in deaths of offenders on license and on probation (available [here](#)).

Investigations into deaths of offenders in prison are astonishingly different from the investigations of those who die on license in the community. Why is this? The failure to join up sentences, and to make sure that the support that prisoners need on release is initiated in prison, is deeply depressing.

Another example: if you look at the flood of cases being heard in the Court of Appeal and in the Supreme Court on prison law or on sentence calculation, you'll see that the judges find it hard to get to grips with the complexity of the law. Unsurprising then, that prisoners and prison staff can't understand the law and its processes. That is shocking, both because it is morally wrong, but it is also dangerously short-sighted: people can't respect a system which appears to be unfair and simply too complicated to understand. So: I am a criminal lawyer, but one interested in the big picture as well as the detail, exploring the gaps between theory, law and practice, and keen to help shine a spot light on injustice. The Howard League is a wonderful organisation with very similar values.

ECAN member profile

David Honeywell

I am a part-time Lecturer in Criminology at Leeds Beckett University and Associate at the University of York where I teach crime and deviance to undergraduate students and adult education for the Centre of Lifelong Learning. I am also a visiting lecturer where I tour the country giving guest talks to university students, prisoners, and in the past psychiatric patients and college students. I am currently a PhD candidate looking at under-explored processes of education and its relationship to prisoners desisting from crime. The focus is on education and its relationship to desistance/self-change, such as how education can facilitate self-change. My research also identifies other negative or obstructive factors such as personal constraints (for example self-esteem/self-concept) and how this impinges on progress.

While the prison population in the UK continually increases, there is also an increasing demand for access to higher education from prisoners and ex-prisoners. However, although there is a growing trend of more ex-prisoners entering higher education and gaining degrees; there is no knowledge of the demographics or the experiences they have moving into/through higher education and into employment.

This is an area I became interested in pursuing after joining the Convict Criminology organisation in 2011, when I realised I was able to draw on personal experience to inform my research which I have been able to nurture through auto ethnographic writing. I wrote my autobiography *Never Ending Circles* in 2012



which was about my personal journey from prisoner to criminologist and the impact higher education had on my own identity change. I was inspired to write my book after the 2011 London riots that gripped the nation and subsequently highlighted many

societal problems that echoed my own experiences 30 years earlier. Rather than being the usual criminal biography, it explains the devastating effects crime can have on one's life as well as others. I talk about the pitfalls of getting a [criminal record](#), how I dealt with bouts of depression and the effects a criminal life can have on young people who offend.

After publication of my book, I began giving guest lectures around universities which I continue to do. This led me to reintegrate with academic culture and take up my PhD study. Desistance is a growing area of research interest and one I feel passionate about because of my own journey. Coming from an insider perspective gave me incredible leverage with my PhD fieldwork. I had expected to find it difficult recruiting a sample of 26 participants all with criminal backgrounds; all of who had graduated with degrees and all willing to talk about their journeys. But within nine weeks I had interviewed 26, and travelled the breadth and width of the United Kingdom to meet them all and hear their fascinating stories.

I joined ECAN because I learned very early in my academic career how essential networking is and also because I am keen to publish regularly.

Guidelines for submissions

Style

Text should be readable and interesting. It should, as far as possible, be jargon-free, with minimal use of references. Of course, non-racist and non-sexist language is expected. References should be put at the end of the article. We reserve the right to edit where necessary.

Illustrations

We always welcome photographs, graphic or illustrations to accompany your article.

Authorship

Please append your name to the end of the article, together with your job description and any other relevant information (e.g. other voluntary roles, or publications etc.).

Publication

Even where articles have been commissioned by the Howard League for Penal Reform, we cannot guarantee publication. An article may be held over until the next issue.

Format

Please send your submission by email to anita.dockley@howardleague.org

Please note

Views expressed are those of the author and do not reflect Howard League for Penal Reform policy unless explicitly stated.