Prisons, Order and the Development of Virtues

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September 2015
Penal Practice in a Changing Society
Aspects of Future Development (England and Wales)

Presented to Parliament by the Secretary of State for the Home Department by Command of Her Majesty
February 1959
John Howard’s Death Mask

Donated to the University of Cambridge, 1822.

Now in the Fitzwilliam Museum Collection.
Michael Gove’s Speech
July 17th 2015 (I)

‘As Winston Churchill argued, there should be “A constant heart searching by all charged with the duty of punishment, a desire and eagerness to rehabilitate...tireless efforts towards the discovery of curative and regenerative processes...”. Which is why in the reform programme our prisons need we must put a far greater emphasis on inculcating the [curative and regenerative] virtues.’
‘Prisons are not playing their part in rehabilitating offenders as they should...there are many good people working in our prisons today but they are working in conditions which make their commitment to rehabilitation more and more difficult to achieve.’
Overview of presentation

A. Prison as a social institution

B. The transition from prison to the community

C. The challenges of early-stage desistance
Prison as a Social Institution
‘A man is not primarily sent to prison in order that he may be reformed…

[But] it is not enough to keep the wheels going round, grinding out the slow measure of wake and wash and work and eat and work and work and sleep again…No escapes and no assaults is too often counted a record of success. It is the record of many receptions but few returns that is the triumph of a good prison administration.’

Source: S. K. Ruck (ed) Paterson on Prisons (1951), pp. 23, 29
Features of a ‘Morally Performing’ Prison Regime

- Prisoners feel safe
- Prisoners feel the regime has order and regularity
- Prisoners are treated with respect and humanity
- The regime is fair (both in terms of its decisions and its procedures)
- Senior management has a clear sense of purpose, and an ability to deliver outcomes
- Right staff/prisoner relationships
- Staff have high morale and job satisfaction

The Transition from Prison to the Community
A Classic Study of Outcomes in 46 Approved Probation Hostels for Young Adult Males

1. The ‘failure rate’ during the year of hostel residence (= reconviction or absconding) varied from less than 20% to over 50% in different hostels.

2. Differences in failure rates were mainly attributable to the characteristics of hostel staff.

3. More successful hostels had staff who combined emotional warmth with a set of clear rules.

4. Among those who successfully completed a year in the hostel, the subsequent reconviction rate did not differ significantly across different hostels. This suggested a ‘striking effect of the environment’ in which young men found themselves (p. 74).

The Challenges of Early-Stage Desistance
The Sheffield Desistance Study

- Studied 113 male recidivists born in three consecutive birth-years; average age at start of study = 20 years 9 months.
- Study sample followed up for 3-4 years with four lengthy interviews at intervals of 9-12 months; re-contact rate at 4th interview = 78%
- Mean no. of conviction occasion for standard list offences at first interview = 8.1 (proved/admitted standard list offences = 17.6)
- Binary reconviction rate = 80%
- Frequency of reoffending: before first interview, 8.2 standard list offences per annum; after interview 3, 2.6 offences per annum.

Case history – “Len”: I

First interview: Len, aged 20, was on probation. He had been convicted on eight occasions, and had served one term of 12 months in a Young Offenders’ Institution (YOI). He had been ‘sleeping rough’ (homeless), but, through the intervention of a probation officer, had been found a place in a small hostel near the city centre. He said he felt no shame or regret for his offences, because they were mostly drug-related and ‘when you’re on drugs you don’t care’. But he claimed he wants to stop because he is ‘sick of it’: ‘waking up, trying to find money, trying to find something to eat, stuff like that, day in, day out’.
Case history – “Len”: II

During the research period, Len was convicted once, for taking a car and drunk driving, with a friend; but he also self-reported several other offences. The conviction *acted as a shock*. His *relationship with his mother had been improving*, so he moved back home, to the *outsskirts of the city*. During his time at the hostel, he also met (in a café) a female teacher who then acted as *an informal counsellor* for him.

By the *fourth interview*, Len said he was completely off both drugs and alcohol, and he had stopped offending. He usually stayed at home seven nights a week. He considered it important to ‘*think first* and *avoid my old group of friends*. ’I’m more grown up about things, and *take more responsibility* for the things I do’.
A tentative model of early-stage desistance

Source: Bottoms and Shapland (2011), p. 70
Sheffield Study:  
Top six obstacles to going straight or staying straight

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<td>Opportunity for easy money</td>
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<td>Need for excitement or to relieve boredom</td>
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<td>Lack of work</td>
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<td>Having a record</td>
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<td>Taking drugs</td>
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Source: Bottoms and Shapland (2011), p. 61
Situational Self-Binding
(a type of self-control)

- Avoiding criminal friends
- Avoiding specific places
- Self-displacement (e.g. going fishing)
- Altering the structure of daily activities (e.g. only going out with trusted friends)
What is a Virtue?

‘A virtue is a good quality of character, more specifically a disposition to respond to, or acknowledge, items within its field or fields in an excellent or good enough way.’