

Prisons and the problems of prison officers

KRUS, Oslo,

4 June 2014

Professor Alison Liebling

Cambridge Institute of Criminology

Prison staff and ethics

- Ethics is built not on a system of rules, but on individual human beings who possess character, judgment, and wisdom. (Jollison 2013)
- To get the description *right* — to accurately grasp the nature of the motivations at play, to see the relevant individuals in their wholeness and particularity, and to see what, morally speaking, is at stake — is to grasp the ‘shape’ of the situation (Dancy, in Jollison 2013)

Jollison, 2013:

- For Murdoch, the most crucial moral virtue was a kind of attentiveness to detail, a wise, trained capacity for vision, which could *see what was really going on in a situation and respond accordingly*. For Murdoch, what so often keeps us from acting morally is not that we fail to follow the moral rules that tell us how to act; rather, it is that we misunderstand the situation before us. When we describe the situation to ourselves, we simply get it wrong. To get the description *right* — to accurately grasp the nature of the motivations at play, to see the relevant individuals in their wholeness and particularity, and to see what, morally speaking, is at stake — is to grasp the ‘shape’ of the situation.

Sparks, R., Bottoms, A E and Hay, W
(1996) *Prisons and the Problem of Order*

- Legitimacy and order
- Mulgan, G (2006) *Good and bad power: the ideals and betrayals of government*
- Domination < recognition, visibility, courage and justice
- Rousseau and Rawls versus Hobbes and Nozick

The prison officer: 3 claims

- The competence, attitudes and behaviour of prison officers contribute disproportionately (85%?) to the perceived quality of life among prisoners in that prison, and to many of its most important effects.
- They ‘embody’ a prison’s regime.
- Prison officers are ‘figures with power’ – the *moral* power of regard and recognition, and the *instrumental* powers of access, distribution, and force.

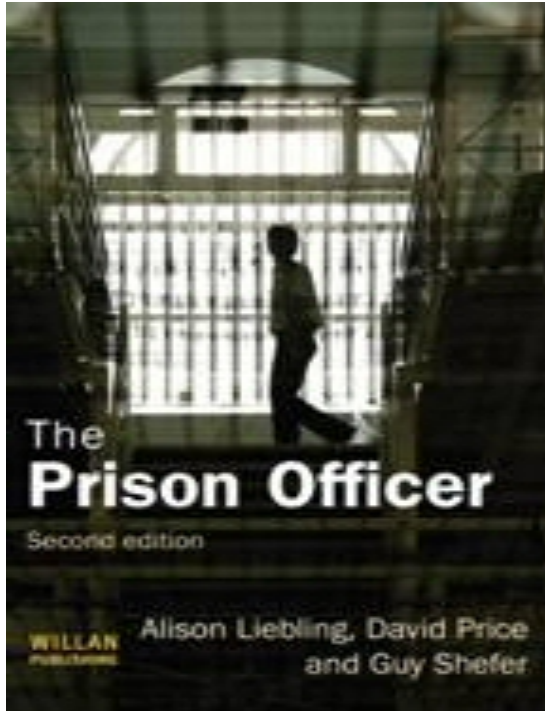
Ludema, Cooperrider and Barrett (2001) *Appreciative Inquiry: The Power of the Unconditional Positive Question*

- [W]hen groups study high human ideals and achievements, such as peak experiences, best practices and noble accomplishments, these phenomena ... tend to flourish (Ludema et al 2001: 192).
- What are the most 'life sustaining aspects' of experience?
- Adds the full range to accounts of human experience rather than focusing exclusively on problems and deficits.

AI and the *Power of the Unconditional Positive Question*, Cont.

- A collaborative and respectful form of engagement ... invoking sentiments.
- Identifies ‘the positive core’ and the values (‘ultimate concerns’) underlying experience.
- The language of the inquiry has important outcomes’ embedded in it.
- Asking such questions can ‘significantly influence the destiny of ... our social theory’ (Ludema et al 2001: 189).
- ... Ignites ‘transformative dialogue and action’

Talk, peacekeeping, and the using of discretion



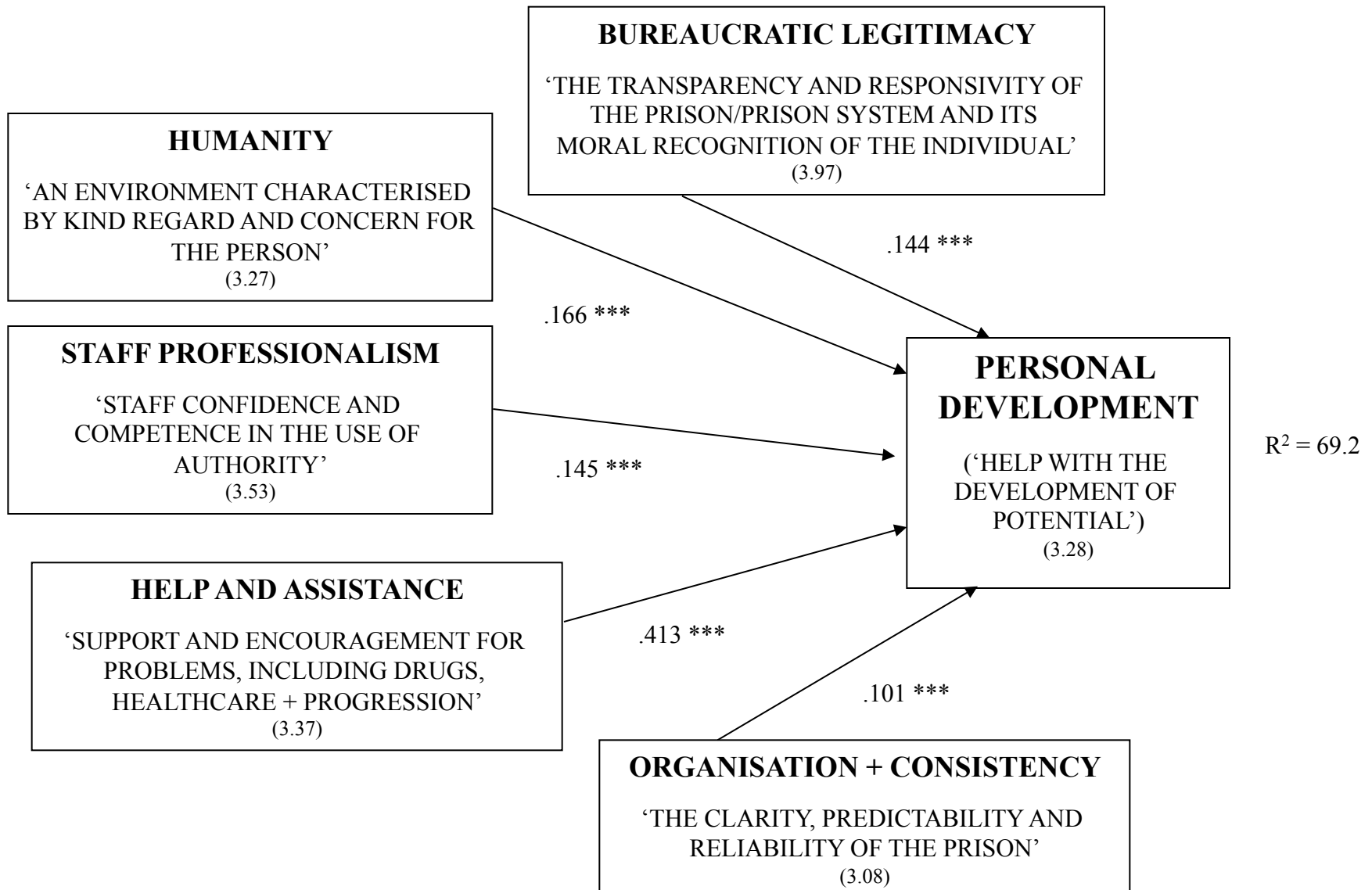
Four problems prison officers face

- Competition, privatisation, and benchmarking
- Changes to the prisoner population (and growth)
- The organisation of information about risk
- A punitive policy climate: the problem of punishment in society

Can prisons be legitimate?

- What forms of the exercise of penal power, by whom, are preferable to others?

Figure 4. Personal Development: An in-prison model ¹



¹ Controlling for function, + public/private ownership/management

MQPL Dimensions with the **most significant variation** between prisons

Staff professionalism (p)	2.62 - 3.53	.91
Organisation and consistency) (p)	2.23 - 3.08	.85
Staff-prisoner relationships (h)	2.74 - 3.45	.71
Fairness (p)	2.46 - 3.15	.69
Decency (h)	2.72 - 3.38	.66
Help and assistance (h)	2.74 - 3.37	.63
Bureaucratic legitimacy (p)	2.35 - 3.97	.62
Well being (w)	2.57 - 3.19	.62
Personal development (w)	2.69 - 3.28	.59

Examples of links with outcomes

- Recently in Manchester prison: ‘*Where did you get these questions from? Every one of them is spot on!*’ (Prisoner, October 2013).
- **Suicides** (Liebling et al 2005); distress (Liebling et al 2005)
- **Disorder** – (Holme House, in Liebling, with Arnold 2004),
- **Escapes** (Doncaster, in Liebling, with Arnold 2004)
- **A hostage taking?** (Full Sutton, March 2013)/The **conditions for radicalisation** (Liebling et al 2011)
- **Torture**: Dubrava prison, Kosovo: high correlation between low MQPL scores and exposure to physical and psychological violence among prisoners <http://dignityinstitute.org/programmes>). (August 2013).
- **Personal development/reconviction**
- ‘MQPL data might act as a kind of *barometer*, exposing underlying tensions and poor practices (akin to the ‘conditions for a revolutionary situation’, in prisons, and on some wings in particular. Whilst not strictly predictive, such data, properly interpreted, can warn of such conditions and explain their significance, as well as suggest ameliorative action’ (Liebling, in press).

Three important omissions in prisons research

- (i) any emphasis on the dangers of laxity or under-uses of power
- (ii) the self-perceived legitimacy of prison staff under different working and cultural conditions
- (iii) a better understanding of the outstanding uses of authority, through relationships, and their impact.



Further reading

- Liebling, A and Price, D (2001) *The Prison Officer*, Waterstones. (2nd edition 2010).
- Liebling, A; Elliot, C and Price, D (1999) 'Appreciative Inquiry and Relationships in Prison', *Punishment and Society: The International Journal of Penology* 1(1) pp 71-98.
- Liebling, A (2011) 'Distinctions and distinctiveness in the work of prison officers: Legitimacy and authority revisited', *European Journal of Criminology* 8(6): 484-499.
- Liebling, A; assisted by Arnold, H (2004) *Prisons and their Moral Performance: A Study of Values, Quality and Prison Life* Oxford: Clarendon Press.
- Liebling, A., Hulley, S. and Crewe, B. (2011), 'Conceptualising and Measuring the Quality of Prison Life', in Gadd, D., Karstedt, S. and Messner, S. (eds.) *The Sage Handbook of Criminological Research Methods*. London: Sage.
- Crewe, B., Liebling, A. and Hulley, S. (2011) 'Staff culture, the use of authority, and prisoner outcomes in public and private prisons' *Australia and New Zealand Journal of Criminology* 44(1) 94–115.
- Liebling, A Tait, S (2005) 'Revisiting prison suicide: the role of fairness and distress', in A Liebling and S Maruna (eds) *The Effects of Imprisonment* Cullompton, Devon: Willan Publishing.
- Wachtel, T., and McCold, P. (2000). 'Restorative justice in everyday life', in J. Braithwaite and H. Strang (eds.), *Restorative Justice in Civil Society*, New York: Cambridge University Press, pp.117-125.

HEAVY/LIGHT ABSENT-PRESENT

traditional - cynical

Heavy

Oppressive

US supermax

Albany (public)

Garth (public)

Whitemoor 2009-10

Bullington (public)

Whitemoor late 90s (public)

Absent

Present

Long Lartin (public)

professional - powerless

Altcourse (private)

traditional - professional

Lowdham Grange (private)

Dovegate/Rye Hill (private)

naïve - permissive

Insecure

Light

