

Do prisons act as
warehouses for the
most vulnerable?



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SUMMATIVE ESSAY

Critically examine the suggestion that prisons now act as warehouses for some of the most vulnerable people in our society

INTRODUCTION

Prisons are seen as institutions for the confinement of people convicted of criminal offenses. Throughout history, most societies have constructed places in which to hold persons accused of criminal acts pending some form of trial. With prison working as Howard (1993) states “ensuring that we are protected from murderers, muggers, and rapists” (p. 35). The most crucial time for imprisonment in prisons is the 21st century, as the early 21st century is the time for extraordinarily high rates of imprisonment across the euro western world (Irwin, 2005: p. 23), despite the move from the 1960s to the mid-1970s society which had a focus on the treatment and the belief that the prison was an outdated institution.

As the suggestion that prisons in the 21st century now act as warehouses for the most vulnerable people in society is by no means a new phenomenon. As prisons are seen to not only house vulnerable people but also as the Prison Reform Trust (Talbot, 2008) has identified, that vulnerable people such as those with learning disabilities, have become a hidden population within UK prisons, and that their own experiences and perceptions tend to be silenced as a result.

Whilst there is a clear gap in the literature regarding speaking directly with the vulnerable population in prisons, there remains continued interest in this

area of research. As theorists such as Braswell (2013), McCarthy (2005), and Pollock (2004), have and continued to contribute substantial work on the discipline's increasing focus on morality and ethics in prisons which supports research on the vulnerable population in prisons. This essay will thus critically explore the use of punishment in the UK prison system, to analyse how it affects key groups such as the most vulnerable people in our society, and the warehousing of these offenders in prisons.

ROLE OF PRISONS AND PRISON CULTURE

Over the last half-century, the Western world has been increasingly characterized as a “ risk society” (Beck, 1992) driven by the logic of neo-liberalism. The epicentre of this transformation has been the criminal justice system, as in recent years risk discourses have been deployed to justify reforming ‘ warehouse prisons’, with the state increasing diversions to probation prison releases to parole as well as declining revocation rates. So, a huge cultural and structural change is needed within our prisons, as currently in the UK the role of prisons is a place where prisoners, when warehoused, are deprived of their most fundamental rights, ‘ liberty’ to both punish offenders and protect the public. As a transformation away from offender warehousing, to disciplined and purposeful centres of reform where all prisoners get a second chance at leading a good life. However, for society to be safer the prisons must be more than criminal warehouses, they must be places of reform. So, access to stable accommodation has long been understood to be important in reducing reoffending rates in prisons. The Community Rehabilitation Companies (CRCs) already have a role in providing

pre-release support to help offenders access accommodation services for offenders.

The role of prisons has drastically changed, as the criminal justice system is no longer engaged in rehabilitation or programming efforts, but rather it is now forced to warehouse people and concentrate only on finding the next cell. So, the role of prisons has become primarily warehousing of prisoners which has largely replaced the previous role of rehabilitation. Irwin (2005) agrees with the transformation of prisons into warehousing prisons, by stating “ the creation of the new warehouse prisons, in combination with newly designed supermax prisons, has resulted in the continued subjugation of what he terms “ the new dangerous class” (p. 111). This furthers the idea that the role prisons play has become that of storing prisoners, rather than educating and teaching offenders ways to further themselves in society and challenge their criminal behaviour, due to the simple lack of rehabilitation services in prisons being replaced by warehousing and punishment.

The primary role and function of prisons are to punish each individual in prison for committing the deviant criminal activity in a society which Irwin (2005) furthers by saying that prisoners now “ endure deeply reduced mobility, activities, and involvement in prison programs and are merely stored to serve out their sentences” (p. 57). However, the role of prisons needs to be drastically changed as in most prisons the majority of offenders that are sentenced are those that suffer from mental illness and are classed as the vulnerable in our society. So, it could be said that due to the role of prisons being to just warehouse offenders, it prevents vulnerable offenders from receiving the proper and appropriate treatment they need whilst in <https://assignbuster.com/do-prisons-act-as-warehouses-for-the-most-vulnerable/>

prison. Similarly, people who suffer from self-inflicted problems such as drug addictions, also are sent to prison instead of receiving the appropriate treatment at a rehabilitation centre. Therefore, the role of prisons warehousing offenders needs to be adapted to help and provide vulnerable offenders such as those with drug problems or mental health who aren't able to adequately care for themselves, with the appropriate form of help.

WAYS IN WHICH PRISON ACTS AS A WAREHOUSE AND THE DISCRIMINATION INVOLVED

Warehoused prisons are defined as a form of prison where inmates' lives & movements are severely restricted and rule-bound, there is no pretense of rehabilitation, and punishment, incapacitation, and deterrence are the only justifications. This can be seen by the tens of thousands of prisoners located in England and Wales, that are being warehoused without any meaningful work being done to challenge their criminal behaviour (Clarke 2012: p. 2)

Several theorists have investigated the notion of 'warehoused' prisons, through challenging the concept of prisons. As Foucault (1975) described the conception of prison as a system of corrections rather than detention alone, which was philosophically inspired by the ideas of enlightenment, especially as they were manifested in the utilitarian schools of philosophy and criminology.

Theorists such as Pollock (2006), who have investigated methods of warehousing in prisons and the discrimination experienced by prisoners have found, that those who are classed as vulnerable are the majority of the prison population that are warehoused. The prison system still continues to

house vulnerable offenders, as tens of thousands of prisoners in England and Wales still continue to be “warehoused” (Travis 2012: p. 3) without any meaningful work being done to challenge their criminal behaviour. Bentham also proposed these changes for society and legal reform through trying to improve the designs, and structures of prison buildings to construct a concept of National Penitentiary that the government would develop. Bentham (1798) introduced the architecture as the so-called panopticon, a technology of incarceration that is based on principles of visibility and economy geared toward reform of the prisoner by means of; isolation, work, and an adjustment of the length of the penalty based on behavioural progress. With Bentham (1798) describing the panopticon as “a new mode of obtaining power of mind over mind, in a quantity hitherto without example” (p. 245). This links to the concept of warehousing as prisons are able to monitor and watch vulnerable prisoners, despite not preventing the continued warehousing of offenders.

Research has been able to show how the UK is simply “warehousing” offenders in prisons without preparing them for life beyond crime, and this seems to be the recurring problem in society. Brown (2018) states that “In short, warehousing has largely replaced rehabilitation,” he said, “It is small wonder that prison riots and disturbances are no longer a rarity; prisons are dangerous places” (p. 251)

This can be directly seen through many prisons that still suffer due to the lack of workshops, educational facilities and the necessary preparation for their rehabilitation and release back into society, to prevent reoffending as well as the reduction in the amount offenders that are deposited in prison. <https://assignbuster.com/do-prisons-act-as-warehouses-for-the-most-vulnerable/>

So, the criminal justice system is no longer engaged in rehabilitation or programming efforts, but rather it is forced to warehouse people and concentrate only on finding the next cell. For this reason, the government requires to concentrate on the ' prevention agenda', tackling poverty at its core in order to prevent the recurrence of social issues and crimes committed. Bird (2017: p. 34) suggested a prevention unit in Whitehall operating across health, education, social facilities, police and prison sectors. This directly helped vulnerable prisoners strive to leave prison and bettering their lives and themselves whilst reducing the number of prisoners warehoused. Therefore, rehabilitation would help tackle the continuous warehousing of vulnerable offenders directly, through educating prisoners into succeeding in society without committing crimes. Although, Meier and Geis (2006) question how crime is defined and characterized in our system, particularly the role that competing collective values play in this process.

Whether organizations are simply warehousing offenders or rehabilitating offenders, questions the strike between deterrence and rehabilitation. As Irwin argued this by stating " the growing fear of crime, a rejection of the theoretical basis of the rehabilitation ideal and internal prison turmoil provided the context for the establishment of the prison warehouses" (p. 39). As people still are continuously being locked up every day, and there is no way of letting people out with a direction that will make them productive citizens, and so this cycle needs to be corrected otherwise prisons will continue to take the easy route of just warehousing these vulnerable criminals and produce them into more vulnerable people than they once previously were. Pollock (2006) agrees with this by stating that " The use of

prison to warehouse people for their mental illness is a criminal use of our justice system, it makes ill people worse and disrupts the rehabilitative work of prisons” (p. 2).

REHABILITATION OR PUNISHMENT?

When offenders have placed in prisons the power of prison environment shapes, their behaviour often to the detriment of both prisoners and the prison workers. This is where the argument of rehabilitation and punishment arises, as in order to prevent the worsening of offenders due to the prison culture which is a concept used to discuss the values, norms, and beliefs of prisoners. Haney (1974: p. 112) conducted research in the 1970s discussing that the pessimistic ‘nothing works’ attitude toward rehabilitation that helped justify punitive prison policies in the 1970s was overstated and says “when properly implemented, work programs, education, and psychotherapy can ease prisoners’ transition to the free world”, reducing the need for punishment on vulnerable offenders. Despite this, some research such as Garland (1990) has justified the need for harsher prison sentencing in prisons on all offenders, which eventually would lead to lengthier warehousing in prisons. Garland (1990) defined punishment as “the legal process whereby violators of criminal law are condemned and sanctioned in accordance with specified legal categories and procedures” (p. 171). Prisons use different forms of punishment specifically on the vulnerable prison population, this involves such measures as isolation with the justification for this form of punishment including, retribution, deterrence, rehabilitation, and incapacitation.

The aim of rehabilitation is to help offenders “ re-join society, as useful and law-abiding members of the community” (House of Lords, 2004: p. 12) thus also being the aim for vulnerable offenders in-order to reintegrate them into society. Whilst also the other majority of offenders that aren’t in the vulnerable class of prisoners, will be housed in prisons with no expectation of ever being released so instead are just warehoused. There are three key ideas of restorative justice on prisoners, these are the three most important; ‘ restorative justice processes’ which have been used in this country are victim/offender mediation, conferencing and citizen panels. Although rehabilitation in prisons is said to be limited when it comes to at-risk and vulnerable groups, as the government has consistently stated that the proportion of prisoners who re-offend upon release from prisons in England and Wales, is too high. As in 2013 (HOL: 2014), the Ministry of Justice argued that reoffending not only created more victims from the offenders that are at risk but also generated major economic and social costs for the community. Consequently, there are concerns remaining regarding both, the effectiveness and the scope of the provisions regarding rehabilitation.

Previously, the rehabilitative ideal had become a broken promise, as the prison system became a place where vulnerable offenders who have been failed in various ways by families, churches, schools and other institutions are warehoused. During this time of introspection, we were arguing without considering the classically traditional, and the mutually exclusive goals of imprisonment. As mental health treatment has also a big problem in prisons, which can be seen by the statistics on mental health care in prisons as its been found that 70% of people who died from self-inflicted means whilst in

prison had already been identified as having mental health needs. Consequently, more mentally ill were put out on the streets, as a consequence of deinstitutionalization and now these people are in our jails being warehoused. Whether institutions are merely a warehouse or rehabilitation centre is that they are probably both if you are looking to strike a balance between deterrence and rehabilitation. For most rehabilitation, however, the conventional wisdom has long been that 'prison doesn't work' in reforming offenders, and so cannot be justified in these terms.

EXPLORATION OF THE VULNERABILITY WITHIN THE PRISON POPULATION

In Europe, the United Kingdom in 2018 was ranked as the third country with a high prison population total, with the population being 82, 773 people (WPB: 2018). With the most recent study conducted on prison populations in the UK, showing that there is an average of 179 prisoners per 100, 000 of the prison population in England and Wales in 2017 (HC: 2018). This figure has come from statistics on sentencing length, age of prisoners, nationality, ethnicity, and religion, and overcrowding. This leads researchers to question if the population of offenders being housed in prisons is increasing, or does it appear to be increasing although it is due to the increasing number of offenders that are lacking help for rehabilitation which causes offenders to just re-offend, and then returns to prison shortly after release. When looking at statistics to support that reoffending rates are increasing, the number of people that are recalled back to custody has increased, particularly amongst women, as 8, 825 people serving a sentence of fewer than 12 months were recalled to prison in the year of December 2017 (PRT: 2018).

Statistics have also been able to show that people serving mandatory life sentences are spending more of their sentence in prison. On average they spend 17 years in custody, up from 13 years in 2001 (PRT: 2018). For more serious indictable offenses, the average prison sentence now in 2018 is 57. 1 months, which is 25 and a half months longer than 10 years ago (PRT: 2018). These offenders who serve long custody are particularly vulnerable to mental illness before, during, and after being placed into the criminal justice system, with some groups being particularly at risk. As mental health care for at-risk offenders is low, in 2016-17 the Prison Reform Trust (PRT: 2018) found that 70% of people who died from self-inflicted causes whilst in custody, had previously been labelled as having mental health issues. With statistics showing that up to 3/4 of male prisoners having two or more mental disorders, including a 1/10 have a functional psychosis and more than 3, 000 at any time, requiring urgent transfer to secure NHS facilities (Pollock: 2006; p. 85).

Cain (2003) found that most situations with vulnerable people suffering from mental health issues are worsened, as their situation may be overlooked, he stated “ in some cases, it’s not even recognized as mental health as support services think someone is high” (p. 34). This is shown by the Prisons and Probation Ombudsman (PPO), which showed that concerns about mental illness had only been flagged on entry to the prison for just over half of these people, meaning no care was given from a mental health professional in prison this towards the end of each individual prisoners sentence will resultantly affect their rehabilitation. So, mental illness should be neither a cause nor a result, of contact with the Criminal Justice System in London.

ANALYSIS (STRANGE SUB FOR AN ESSAY)

Research that has been conducted on prisons and the mode in which studies gather information has predominately some strengths and weaknesses, not only regarding the prisoners involved in the research, but also the researchers carrying out the study with the most dominant research method in prison research being survey methodology. This form of research is contributing majorly the literature on prisons roles on vulnerable prisoners, with a strength of this type of research study being that it allows researchers to base their research solely on analyse of dangerous and at risk prisoners, and in this case looking at ways in which prisons act as warehouses.

Most research conducted in the study of anything associated with prisons, is that a collaborative research relationship is developed with each prisoner classed as being vulnerable, with another strength of investigation in prisons being that most prisoners/inmates in prisons are very open and willing to cooperate and provide information. This is due to the simple fact that prisoners believe they are treated wrongly by the system and by providing information they are hoping that the treatment will change and improve as involvement in the prison as a prison guard, an insider, is a viable and needed form of participant observation. Approaches that have also been found to be helpful to facilitate the research process are; the development of collaborative relationships, the establishment of prison contacts, and the implementation of rigorous research methods. Greifinger (2007) states that this is helpful as “ researchers having increasingly combined a mix of data sources to achieves their goals” (p. 365).

Although there are positives of carrying research out, there are still great weaknesses' to studying vulnerable prisoners in prison. As prisons are unique, restricted, and have unpredictable environments that operate as secure settings where each group has a well-defined discrete role. So, to successfully carry out prison research, it is very vital that collegial relationships within the prison system are built in order to establish a positive rapport with the four distinct groups of personnel located in the prison, which are: administrative staff, health care staff, security staff, and inmates. Although the concept of reactivity arises as well as the Hawthorne effect, as the research subject in this case the prisoner, will alter their behaviour as a consequence of the researcher's presence, and so the true behaviour of the prisoner is not observed. Therefore, the common use of participation observation for prisoners, contained many weaknesses which will affect the research gained. (DOESN'T HELP ANSWER QUESTION)

CONCLUSION

After decades of ' progressive' reform, conditions for the average prisoner who remained in closed prisons arguably not only stopped improving but became worse, as the level of rehabilitation that actually occurs in the UK's prisons drastically reduced due to the lack of funding for these programmes and prison overcrowding which has hampered the effective delivery of many schemes. This had resulted in the prison population containing more and more long-term offenders. So, movements are primarily important for the move from warehousing of prisoners, to the rehabilitation of offenders. As we still remain in a transitional period, in the future prisons will still be used as the ultimate form of punishment and deterrence for the existing very wide

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range of offenders. However, some changes may add to the numbers in prison, however without change or adaption to the current warehousing of prisoners Goffman (1961) found that the experience of confinement through the inherently and degrading environment of the total institution inmates will experience “ mortification of the self” (p. 34).

It could be said that a great deal of job is required to reform our prisons, which involves a basic rethink of the purpose of imprisonment and the hope for success by sending distinct kinds of individuals to jails. As it would benefit society if those inmates such as those with mental disorders that are classed as the vulnerable population in prisons, who have committed less serious offenses, were to be diverted to interventions that would facilitate their rehabilitation. Health services will then need to help move relevant offenders away from often ineffective short-term custodial sentences, and towards treatment that seeks to address the root cause of their crime. Therefore, to help the vulnerable people in prisons that are being warehoused, the solution needed is not investing in more prisons, but fixing the gaps in mental health care, drug treatment, and diversion from police stations and courts to treatment before safety in prisons deteriorates rapidly as prisons need to be more than criminal warehouses but places for offenders to reform so they can be released back into society.

REFERENCE LIST (A LOT OF SOURCES ARE MISSING)

- Cohen, J. (2007). Book Reviews: Irwin, J. (2005). The Warehouse Prison: Disposal of the New Dangerous Class. Los Angeles: Roxbury. Criminal Justice Policy Review, 18(1), pp. 111-116.

- Craig, S. (2004). Rehabilitation versus Control: An Organizational Theory of Prison Management. *The Prison Journal*, 84, pp. 92-114.
- Egger, S. (1994). Victimisation, Moral Panics and the Distortion of Criminal Justice Policy: A Reply to Richard Harding. *Current Issues in Criminal Justice*, 6(1), pp. 43-53.
- Fisher Kane, F. (1938). Pennsylvania Prison Society President's Report. *The Prison Journal*, 18(1), pp. 399-401.
- Irwin, J. (2007). *Warehouse prison*. New York: Oxford University Press. Pp. 7-245.
- Prendergast, M., Farabee, D. and Cartier, J. (2001). The Impact of In-Prison Therapeutic Community Programs on Prison Management. *Journal of Offender Rehabilitation*, 32(3), pp. 63-78.
- Prisonstudies. org. (2019). World Prison Brief data | World Prison Brief. [online] Available at: <http://prisonstudies.org/world-prison-brief-data>.
- The Opportunity Warehouse. (2013). *Anthropology Now*, 5(2), pp. 10-18.