

# **"WORKING – A WAY TO A FUTURE"**



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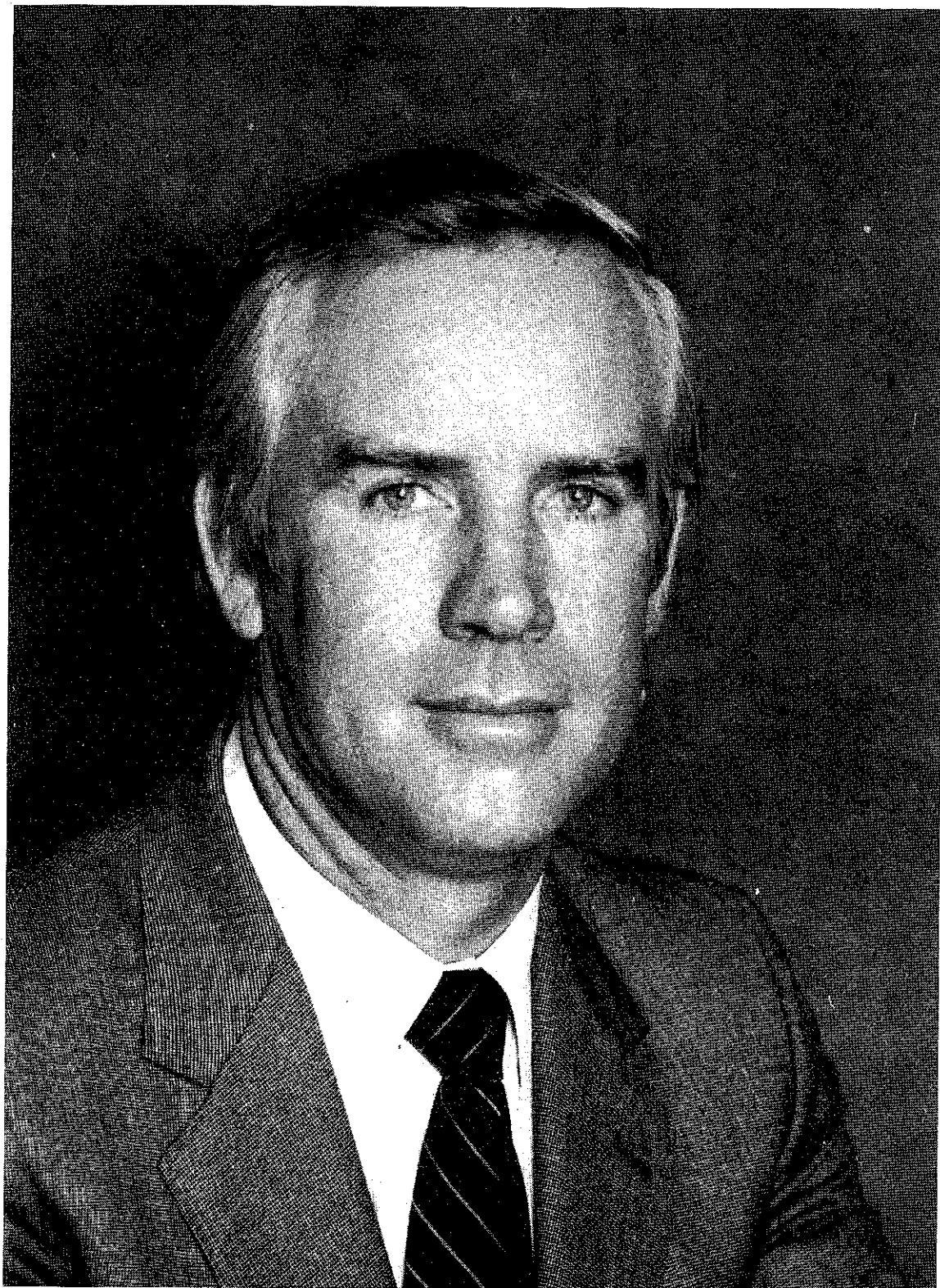
"WORKING - A WAY TO A FUTURE"

PAPERS PRESENTED AT THE CONFERENCE  
OF SENIOR ADMINISTRATIVE OFFICERS  
OF AUSTRALIAN AND REGIONAL  
PRISON INDUSTRIES  
HELD AT THE RECEPTION HALL  
SYDNEY OPERA HOUSE, 14TH APRIL, 1986

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The Honourable John Akister, M.P.,  
Minister, N.S.W. Department of Corrective Services



## INTRODUCTION

Industry generally is undergoing constant change caused by new technology, the altered requirements of society and the emergence of new nations as suppliers to the Australian market. These changes have also influenced the level of unemployed labour, emphasising the competition for jobs requiring lower skills.

In combination with the greater sophistication in the attitude of the public to conditions of imprisonment, best utilisation of the working hours of inmates has become increasingly important to society, both to impart skills suitable to improve the likelihood of employment on release and offset somewhat the costs of containment and rehabilitation.

Whatever problems occur in Industry and Agriculture, there are additional problems in using inmates, most of whom are in training, to achieve the quality, service and cost levels needed to survive in 1986.

Conferences and seminars are modern management tools used to discuss problems and share solutions: it is hoped that the Conference at which these papers were presented, and the subsequent inspections of New South Wales Prison Industry, will have the effect of opening further the lines of interstate co-operation, and will be repeated.

This book is supplied with the compliments of the N.S.W. Department of Corrective Services, in the assurance that the wisdom and experience contained in the various papers can be of benefit to all officers concerned with Prison Industries.

Ron Schliemann  
Conference Convenor





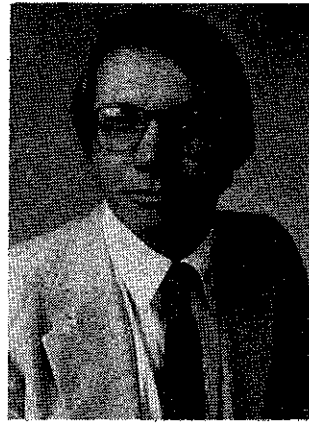
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**Mr. Clyde Mitchell**



**Dr. John Braithwaite**



**Mr. David Biles**



**Professor Syd Lovibond**



**Dr. Chris Fay**



"THE CONFLICT BETWEEN PUBLIC PERCEPTION AND  
PUBLIC RESPONSIBILITIES"

The Honourable John Akister, M.P.,  
Minister, N.S.W. Department of Corrective Services.

John Akister was born in Lancashire in 1937. Commencing his working life as an Apprentice Electrical Fitter, he resumed work as an Electrical Draughtsman after completing his National Service in Europe and the Far East.

On migrating to Australia in 1963 and settling in Sydney, he worked as a Draughtsman. He subsequently moved to Cooma and was elected as the Member for Monaro in May 1976. A family man with two children, he has been a member of several Select Committees, and was appointed as Minister in March 1984. He also represents the Minister of Agriculture in the Legislative Assembly.

A very practical man with several years experience as Minister of this Department, this paper clearly illustrates the conflict as seen from the key authoritative position.



Mr. Dalton, members of the N.S.W. Corrective Services Commission, distinguished guests, ladies and gentlemen.

it is indeed a pleasure to officially open this regional conference on prison industries.

Prison industries receive very little public and media attention, yet they make significant contribution to rehabilitation and the effective running of our jails. It is certainly one of my priorities to expand their scope, and particularly to increase their links with education and training, the other two elements of any effective offender rehabilitation programme.

The fact that prison industries are somewhat invisible reflects the general problem that all activities which occur inside penal institutions are obscured from view behind a security screen. But more importantly, it demonstrates a bias within some sections of the media towards reporting only the bad news on prisons.

Why should this be? Well, obviously strife and crime are always news, and calm and quiet efforts at rehabilitation are traditionally less news worthy. But there is also a tendency by some, but not all, politicians, media and members of the public to use offenders as universal scape goats. To fit this role they must be portrayed in purely black terms. Such a simplistic view of crime and punishment and of good and evil does not allow for the concept of rehabilitation. It does not even allow for the humanity of offenders to be recognised.

This problem of perception versus reality in prison industries exemplifies my general theme of the conflict between public perception and public responsibilities.

We find ourselves faced with a dilemma. For the safety and welfare of the community we must implement reforms to achieve a humane correctional system that will be conducive to rehabilitation and which will protect the community. On the other hand the public, if public opinion polls are to be believed, would appear to favour a far more punitive and harsh system and therefore conducive to producing more violent prisoners. Our obligation to protect the community obliges us to move in one direction, and yet our equal obligation to give effect to the will of the people draws us in the other direction.

The first thing that must be said about this conundrum is that it must be resolved by government, because it is a political problem.

What then is the public perception of jails that has led the people to such an apparently unsympathetic view of reform? I use the term "jails" advisedly because although there are far more offenders undertaking other forms of punishment, such offenders are almost invisible (especially to the media). It would seem that the public imagines a jail system which is wholly populated by desperate criminals who are invariably serving long sentences under what are (or should be) draconian conditions. There is little awareness of the reality which is that most offenders (85%) are serving short prison sentences for relatively minor offences which have not involved violence. There is even less appreciation of the philosophy of rehabilitation upon which the post-Nagle prison system is based. Perhaps most significant is the apparent failure to recognise Justice Nagle's principle that prisoners go to jail as punishment, not for punishment, and that harsh conditions serve only to reinforce anti-social behaviour and attitudes.

When the popular press calls for harsher and longer prison sentences - as it invariably does after any serious case of recidivism - it strikes a responsive chord in the popular mind. I believe that these attitudes are based on ignorance, an ignorance encouraged and assiduously cultivated by some elements of the media, but for which government is ultimately responsible. By backing reform but not making the effort to explain it and to sell it we have tended to undermine our own policies. This fact may provide us with a clue as to how the dilemma might be resolved.

Ignorance about corrective services is traditional. Jails are an unpleasant aspect of our society which has been kept out of sight and out of mind. But this has been to the detriment of the community. Before 1976, during the long years of almost complete public ignorance, some terrible things went on in our jails. The Nagle Commission lifted the lid off this system and provided the government with a blueprint for the replacement of the purely containment and coercive system with a system which provides both security and opportunity for rehabilitation.

Nagle correctly argued that the prison system should be about correction rather than mere vengeance, and he argued this on very practical grounds. He demonstrated that the coercive model produces more crime, more alienation and reinforces socially destructive elements. Nagle pointed out that most prisoners are released into the community sooner or later. That is why the society cannot afford the jails to be universities of crime and institutes of violence. We on the outside have to live with the results.



The old system was defective instead of curing criminals, it made them worse. It turned pickpockets into bank robbers, muggers into murderers, and generally created a harsher more violent type of offender.

The jail's population is not a random cross section of society, but is composed almost entirely of young males from the lowest socio-economic strata: people who are unskilled, unemployed, poorly educated and likely to have had a disrupted or inadequate family environment. Many have previously been committed to juvenile institutions. These are people who have gained less than a fair share of what our society offers. This does not absolve them of personal responsibility for their criminal actions. But it does present compelling evidence for abandoning the simplistic individual model of crime and punishment.

It is clear that what is required is a system that gives offenders an opportunity to increase their skills, education and self esteem; the things they need to succeed in the social mainstream. We must offer them these opportunities, otherwise they will continue to find their identity and feelings of self worth in the subculture of crime.

Some journalists and editors would appear to hold the view that Corrective Services is nothing more or less than wall to wall sensation, and that jails are the ultimate, reliable source of bad news. What they portray is a world of stereotypes. Prisons are either too comfortable or too cruel; prisoners are treated too softly or too harshly; offenders are all painted with the same broad black brush and characterised as irrevocably criminal; yet, it is implied that not enough is done for rehabilitation.

If we accept that the basis of punishment dispensed by our criminal law system is the protection of the community, rather than vengeance, then the case for the rehabilitative system of corrections is a compelling one. If no efforts are made to provide offenders with the opportunity to rehabilitate themselves, then we can assume that they will continue to commit crimes. A harsh jail environment will ensure that their level of alienation and the seriousness of their crimes will escalate. This is clearly against the public interest. It is in the interests of public safety and of public expenditure for offenders to rejoin the mainstream society as soon as possible. This is not soft headed idealism but hard nosed pragmatism. It is why I argue that security and community safety are enhanced by rehabilitation and not by the draconian alternative.

The question I want to pose is this: how can we prevent public prejudice from overcoming public interest?

Mr. Justice Nagle, in his thoughtful and incisive Royal Commission Report of 1978, recognised the problem of public ignorance, seeing it as a result of a failure to communicate on the parts of both the prison system and the media. His prescription was the opening up of the prisons to the public gaze. This formula was duly implemented by the first Chairman of the new Corrective Services Commission, Dr. Tony Vinson. However, as Dr. Vinson reveals in his book Wilful Obstruction the results were not as he, and indeed Mr. Justice Nagle, had envisaged.

The tide of sensational "revelations" grew rather than receded. Perhaps the open door policy would have borne fruit in the long term.

Clearly what is required is some intermediate compromise between the closed policy of the past, and the "open door" media access tried by Dr. Vinson. The success of such a policy of general but controlled access will have two prerequisites, I believe. The first is a more pro-active public relations approach on our part.

The second prerequisite is a more constructive attitude on the part of the media. This of course is beyond our direct control, but I am attempting to influence and encourage such a development.

The prisons may not be totally accessible to the media, but there are a number of reforms which have greatly increased public scrutiny. Notable among these are the access to prisons by the State Ombudsman, and the recent appointment by myself of independent official visitors to a number of jails and soon to be extended to all jails.

So the problem we face in Corrective Services are to some extent general problems, and the remedies we must seek are also applicable in other areas. There has to be more openness, more willingness to share information, a greater allocation of resources spent on explaining and communicating our policies and activities. We have to convince the public that the rewards for taking a more thoughtful and considered view of corrections are more rewarding. To achieve this we must provide the media with more background information, and recognise the way the media works.

So if there is to be any reconciliation between public perceptions and the public interest then it must rest upon an improved communications effort. The public must learn more about the corrections system and the ideas

on which it is founded. It must become familiar with the arguments about the merits of the two systems of corrections: the harsh system and the rehabilitation system. If this occurs then I am confident that people will be persuaded that the latter offers not just a much better chance of returning prisoners to the mainstream of our society, but also a greater measure of public security and protection.

I believe that my policy of providing more access and better information to the public and the media will ultimately be the means by which the public perception and the public interest will be reconciled.

I remain optimistic. The course on which I have embarked is a difficult one. The contradiction between public perception and the public interest seems particularly sharp at this time. It is very hard to reconcile the two roles and obligations of government. But it is worth attempting because the benefits to the community are potentially very significant.

I hope that this conference on prison industries will contribute to the development of better and more relevant programmes for offenders.

Industries, along with training and educational courses, offer the best chance of rehabilitating people entrusted to the care of our penal institutions. We must maintain and increase our commitment to programmes, because mere incarceration will never meet the social objectives now demanded of our correctional systems. Only if we can maximise opportunities for meaningful and creative work, and for the acquisition of skills and educational qualifications can we hope to turn out people who feel that they have a valued place in our society.

Therefore, it is with great pleasure that I declare this conference open.



"THE OPERATING PERFORMANCE OF PRISON INDUSTRIES"

Clyde T. Mitchell

Clyde has been the Director of Industrial Services, Department of Corrective Services, since 1981 and has had extensive administrative experience in both the Public Sector in New South Wales and in the Private Sector. A native of South Australia, he is a Fellow of the Australian Institute of Management and holds a Masters Degree in Business Administration and a Bachelors Degree in Economics, both from Macquarie University.



I doubt that my talk this morning will present any ideas that are especially new or controversial. We are very fortunate to have with us several other speakers who are highly qualified in their particular areas of specialization. I simply wish to start the day by providing a back-drop for what is to follow. To gather together our thoughts on what Prison Industries are all about and how we can measure operating performance. And, if time permits, to offer a few suggestions for the future.

One of the most delightful books in the English language is Lewis Carroll's "Alice's Adventures in Wonderland", not only because of the author's remarkable linguistic ability, but also because this tale of nonsense is full of good common sense. You will recall Alice's meeting with the cat:

"Alice asked: "Would you please tell me which way to go from here?" "That depends a good deal on where you want to get to," replied the Cat.

"I don't much care where," said Alice. "Then it doesn't matter which way you go," said the Cat."

Unlike Alice, the problem confronting Correctional Services is not at all that they don't much care much where they want to get to. Quite to the contrary. A great part of our difficulties is that very many people of diverse opinions care with great dedication about where Corrections want to get to.

The one thing that continues to impress me about the Service is the large number of highly qualified people who constantly work with admirable perseverance at an often thankless task. But because talented people care so much, because so many experts focus their attention on the problems, and because the whole community is concerned and perplexed, we find ourselves like Alice surrounded by doors which may be opened, and asking: "Would you please tell me which way to go from here."

In Prison Industries it is difficult to win. If we are efficient and make a profit we are accused of grinding the faces of the unfortunate and putting honest men out of work. If we make a loss then we are just another example of typical government inefficiency. But win or lose, we have a responsibility to know in our own minds where we want Prison Industries to get to, how we propose to get there, and how we intend to monitor progress. The most effective people in management have a clear and simple understanding of what they are trying to do.

Let us spend a few minutes revising our objectives. You are all familiar with them, but it does no harm at the beginning of a day like this to pause and focus on our primary aims.

I suggest that we have four major areas of responsibility:

To our Departments:

to create work opportunities for prisoners, assist with the orderly conduct of gaols, provide essential services such as cleaning, cooking and maintenance and encourage a measure of self support.

To prisoners:

to offer useful training, an opportunity to regain self esteem, a worthwhile way to occupy time, and better post release employment prospects through the acquisition of skills and good work habits.

To the Government:

to complement the correctional system, assist in the training process, create a favourable public image, generate revenue, and provide some community services.

To the community:

to improve prisoners post release employment prospects, reduce incentives to reoffend, train those members of the community in our care, and make some contribution to the life of the community.

Having briefly mentioned the responsibilities we are trying to discharge, let us now look at the main part of this session: monitoring operating performance.

There are two equally important parts to any control system: which measures of performance are taken, and who reviews those measures.

First, which measures of performance are to be taken. In Prison Industries, the notion of performance measures must embody a large degree of compromise. If we try to adhere to conventional standards of profit and output, we will quickly become discouraged. There are just too many forces which intervene to frustrate achievement. But if we discard all attempts to measure performance, we risk falling into inefficiency and ineffectiveness.



The question is, which measures will work? To decide which measures will work we must first consider the existing constraints. We must acknowledge and accept the reality of the environment we work in. It is futile to ignore the unpalatable realities of the prison system. It may or may not be possible to change them, but we must acknowledge their existence. There are at least eight major constraints within the prison system which limit the usefulness of conventional operating performance measures:

- \* security considerations,
- \* lack of skills and work experience among prisoners,
- \* lack of motivation,
- \* limited time at the workplace,
- \* gaol routines,
- \* limited workshop space and equipment,
- \* short planning horizons,
- \* departmental priorities.

Because of these constraints, I suggest that only a few measures show a reasonable return for the effort required to make them. The large number of extraneous factors impinging on performance make many of those measures which are useful in outside industry of little value within prisons. So the task is to ruthlessly discard the inappropriate.

There are four aspects of Prison Industries performance which we need to know about because we can do something about them.

On this point, let me digress for one moment.

One of the most important responsibilities of managers is to effectively use information: to collect, sift and make good use of data. Modern technology gives us heaps of it every day. And it is all very costly to collect and store. If we attempt to absorb even one half of it, we will sink beneath the flood.

A manager must develop the ability to recognise what can be put to good use and discard the rest. This does not come naturally to the modern executive. The post world war two era of scientific management drilled us in the importance of data collection. And now we have a bonanza. All the information a modern manager could

wish for. But it can be a death trap. We have come to be so preoccupied with facts and figures that we lose sight of what is happening on the shop floor. Don't become concerned with information which you cannot act upon.

To return to the point at issue. There are four aspects of Prison Industries operating performance which we need to know about, because we can do something about them:

1. income/expenditure/operating surplus/  
plus some annual accounts.
2. numbers of inmates employed/unemployed,
3. output ratios,
4. time at the workplace.

Using these four measures can provide a reasonable degree of control over activities which are inherently subject to many disruptive influences.

May I comment on why these four measures are proposed, and what they achieve.

First: Income/expenditure/operating surplus/  
plus some annual accounts.

This measure is easy to compile, has a clear and direct meaning, and represents the first essential of any business, i.e. that income must exceed expenditure. A sample of the format used in New South Wales is attached in Appendix A. It should be noted that expenses include only raw materials and direct sundries, payments to prisoners, and some capital equipment costs.

Second: Numbers of inmates employed/unemployed.

This measure simply indicates the degree to which we are meeting the prime responsibility to provide useful employment. The format used in New South Wales gives this information in some detail. Refer Appendix B.

Third: Output ratios.

Ratios need to be interpreted with extreme care. They can be misleading. But if properly used, they provide a useful measure to compare similar prison workshops (both inter and intra state) and prison workshops with outside industry. However, it is important to use them as an indicator only, and in conjunction with other measures. Appendix C shows some of the output ratios used in New South Wales.

Fourth: Time at the workplace.

Loss of time at the workplace is a major cause of inefficiency in Prison Industries. Prisoners are no less innovative than the rest of us in devising ways to avoid work. This measure won't cure the problem, but it does highlight it. Unfortunately, it is difficult to collect reliable data. New South Wales is just now experimenting with a system of bar-coded prisoner I.D. cards and a computerised recording system.

Having dealt briefly with which performance measures are appropriate to Prison Industries, I wish to now comment on who should review those measures.

One of the dangers of a closed or unique enterprise is that there are many excuses available for avoiding performance comparisons. Some are valid, and some are dubious. One way of avoiding the temptation to retreat into self justification is to submit to performance reviews by external bodies. Such bodies can also provide a valuable source of favourable influence. In Prison Industries we need all the friends we can muster. Our operations in New South Wales are reviewed by three groups outside of the division responsible for Prison Industries. These are:

- \* the Department's Accounts Section,
- \* a Board of Directors of Prison Industries,
- \* the Prison Industries Consultative Council.

The Department's Accounts Section prepares annual accounts for major Prison Industries and provides monthly revenue and expenditure figures. It provides a valuable accounting based continuing review service. The Board of Directors is made up of senior executives from the State and Federal public services and private enterprise. It meets several times a year to review performance, inspect workshops and advise the Department of Corrective Services. It is particularly concerned with the operating effectiveness and efficiency of Prison Industries. The Prison Industries Consultative Council provides a valuable interface between the Department and the trade unions and private enterprise. It comprises representatives of these three sectors and also meets several times each year to review Prison Industries performance and provide a liaison with its parent groups.

We believe that by using the operating performance measures described and by seeking the advice of these external bodies of review, we have a useful system of monitoring the work of Prison Industries in New South Wales.

In conclusion, may I present some suggestions for the future.

We need to work towards improving the public's perception of what the correctional system should be trying to do, and especially the benefits which may be derived from effective Prison Industries. More sensible public attitudes towards prison sentences will not be achieved quickly. It is a subject which arouses an emotional rather than a reasonable response. Many years of careful campaigning will be needed to gain acceptance of new measures to help prisoners and improve the prison system.

As public attitudes shift towards a more constructive mode, then governments will be more willing to acknowledge the potential value to the state of efficient Prison Industries. It is strange that in a country where many of the first public works were completed by convict labour, and where we now preserve these works with pride, that we place little value on prison labour. A person's self esteem depends largely on the value the community places on that person's work. If Prison Industries received worthy recognition, then prisoners would be given an opportunity to realise a measure of self worth.

There is no doubt that correctional services everywhere have inadequate resources. In such circumstances, Prison Industries are often quite low on the list of priorities. I am not suggesting that they should be the first consideration, but I do believe that we need to work hard to justify a more useful position in the structure of our Departments.

If the two aforementioned objectives can be achieved, they will initiate the next: an improved status for prison labour. Earlier in this talk I suggested that one of the main problems confronting Prison Industries was the inmates' lack of motivation to work. A part of this must be due to the generally low status given to work within prisons, possibly a carryover from the days when prison work itself formed a part of the punishment. We need to work towards having work accepted, not as a part of the sentence, but as a way to a better future. Hence the theme of this conference:

"WORKING - A WAY TO A FUTURE".

Finally, I would like to see Prison Industries extend to the post-release area. Unemployment among ex-prisoners immediately following release is very high. In some areas it reaches 60% to 80%. Under such circumstances, the risk of reoffending is great. This point has been made by John Braithwaite and other experts in the field. If it were possible to offer prisoners guaranteed employment for a transitional period following release, then the chances of them settling into a pattern of acceptable social behaviour would be much increased.

N.S.W. DEPARTMENT OF CORRECTIVE SERVICES  
DIVISION OF INDUSTRIAL SERVICES  
O P E R A T I N G P E R F O R M A N C E A T 31/3/86

		SALES		MATERIALS/EXPENSES		BONUS		TOTAL EXPENSES		SURPLUS (DEFICIT)
		Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Actual
BATHURST	- Bookbinding	20,000	20,441	19,000	11,613	13,400	6,461	32,400	18,074	2,367
	- Upholstery	80,000	34,418	37,000	22,125	13,400	4,341	50,400	26,466	7,952
BERRIMA	- Signwriting	100,000	62,184	52,500	40,037	8,700	10,151	61,200	50,188	11,996
CESSNOCK	- Cabinet	450,000	329,112	305,000	227,948	40,000	39,055	343,000	267,003	62,109
	- Metal Shop	450,000	417,439	255,000	252,648	40,000	35,242	295,000	287,890	129,549
	- Upholstery	105,000	57,894	38,000	42,763	17,000	10,138	55,000	52,901	4,993
EMU PLAINS	- Dairy	155,000	124,348	54,000	40,802	8,000	5,235	62,000	46,037	78,311
	- Market Garden	75,000	48,263	20,000	14,416	20,000	15,272	40,000	29,688	18,575
	- Piggery	65,000	66,678	50,700	55,517	7,000	5,245	57,700	60,762	5,916
	- Poultry	252,000	244,596	204,000	225,718	15,000	13,416	219,000	239,134	5,462
GLEN INNES	- Logging/Sawmill	75,000	61,326	29,500	41,537	25,000	22,670	54,500	64,207	(2,881)
GOULBURN	- Cabinet	110,000	88,763	43,500	45,350	36,000	21,783	79,500	67,133	21,630
GRAFTON	- Bookbinding	35,000	19,701	17,400	12,171	17,000	13,493	34,400	25,664	(5,963)
MAITLAND	- Leather Shop	100,000	68,851	66,000	52,786	14,000	10,774	80,000	63,560	5,291
MANLUS	- Mixed Grazing	200,000	140,698	80,500	41,745	7,000	6,943	87,500	48,688	92,010
M.T.C.	- Bookbinding	78,000	60,702	28,000	17,813	14,000	7,595	42,000	25,438	35,294
	- Cabinet	70,000	46,808	32,000	17,547	14,000	9,008	46,000	26,555	20,253
PARKLEA	- Cabinet	120,000	95,784	62,500	79,845	27,000	14,677	89,500	94,522	1,262
	- Metal Shop	100,000	55,680	72,500	78,987	27,000	15,881	99,500	94,868	(39,188)
	- Printing	150,000	88,209	42,500	17,654	14,000	9,830	56,500	27,484	60,725
SILVERWATER	- Carpenters	30,000	22,463	21,000	17,777	8,000	4,773	29,000	22,550	(87)
S.L.E.F.		250,000	162,600	235,000	154,464	35,000	37,423	270,000	192,187	(29,587)
SILVERWATER	- Small Engine Repair	20,000	9,211	6,000	4,016	6,000	2,281	12,000	6,297	2,914
	- Refurbishing	200,000	79,440	124,000	94,201	22,000	-	146,000	94,203	(14,763)
TEXCON		3,300,000	2,513,209	2,405,000	2,172,170	227,800	156,116	2,632,800	2,328,286	184,923
MARKETING		-	-	25,000	64,294	-	-	25,000	64,294	-
	Flags	-	-	20,000	3,588	-	-	20,000	3,588	-
	Storage/Carriage	-	-	90,000	52,043	-	-	90,000	52,043	-

Copies to:

All Superintendents  
All Industrial Managers  
Commission  
Board of Directors  
All D.I.S. Officers  
Director Custodial Services  
Asst. Directors Custodial Services

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Assistant Director  
Industrial Services

N.S.W. DEPARTMENT OF CORRECTIVE SERVICES

C.

DIVISION OF INDUSTRIAL SERVICES

INSTITUTION	_____			
WORKSHOP	_____			
		<u>85/86</u>	<u>84/85</u>	<u>83/84</u>
STAFF	_____	_____	_____	_____
INMATES (PROFILE)	_____	_____	_____	_____
INMATES (ACTUAL)	_____	_____	_____	_____
INMATE/OVERSEER RATIO	_____	_____	_____	_____
SALES \$	_____	_____	_____	_____
EXPENSES \$	_____	_____	_____	_____
N.A.V. \$	_____	_____	_____	_____
N.A.V. %	_____	_____	_____	_____
REVENUE/INMATE \$	_____	_____	_____	_____
EXPENDITURE/INMATE \$	_____	_____	_____	_____
N.A.V. % PER INMATE	_____	_____	_____	_____
RATIO BONUS TO SALES	_____	_____	_____	_____
RETURN/DOLLAR EXP. \$	_____	_____	_____	_____
<u>INDIR. LABOUR COST \$</u>	_____	_____	_____	_____
MANAGER	_____	_____	_____	_____
OFFICERS	_____	_____	_____	_____

N.S.W. DEPARTMENT OF CORRECTIVE SERVICESDIVISION OF INDUSTRIAL SERVICESSILVERWATER INDUSTRIES

1. Welcome
2. Areas to be visited
3. Staffing

Manager of Industries

Supervisor/Instructors 6

Overseers 3

Workshops 5

LABOUR FIGURES FOR MARCH:

Inmate Employees 77 (Profile 98)

Hours of work available 9549 (7 hr. day)

Hours actually worked 8633

Hours Lost 916

This represents an average working day of 5.6 hrs.

FINANCIAL YEAR TO DATE:

Income \$320,000

Goods comp. not invoiced \$ 90,000

Total income to date \$410,000

Expenditure \$265,000

Surplus \$145,000

Income per Inmate \$ 5,324

Expenditure per Inmate \$ 3,441

Surplus per Inmate \$ 1,883

N.A.V. 24%







"WHAT MAKES A GOOD PRISON?"

David Biles

David is Deputy Director, Australian Institute of Criminology, Canberra, and is qualified as a Psychologist, holding the degrees of Master of Arts in Sociology from La Trobe University and of Bachelor of Arts and of Education from the University of Melbourne. He worked for eleven years as an Education Officer in four Victorian Prisons, giving him an understanding of the Gaol ethos. Subsequently, he was Senior Lecturer in Criminology at the University of Melbourne, has been a member of the Criminal Law Reform Committee of South Australia and of the Sentencing Alternatives Committee of Victoria, past President of the Australian and New Zealand Society of Criminology and National Vice President of the Australian Crime Prevention Council.

David has published many articles and research reports, as well as the noted book, 'Crime and Justice in Australia'.

He was awarded a Senior Fulbright Scholarship and in 1985 received an appointment to the Regents' Lectureship at the University of California.



More years ago than I care to remember, the late Alexander Russel Whatmore, then Inspector-General of Penal Establishments in Victoria, made a remark which at the time I took to be flippant. With just the slightest twinkle in his eye he said that every prison administrator knelt by his bed every night and fervently prayed, 'please God, save me from the headlines'. I chuckled at this remark, as did others in the room at the time, but Mr. Whatmore was not the sort of person who made jokes and his apparent flippancy, as I hope to be able to show, contained more than an element of deadly serious truth.

You might wonder what that introduction has got to do with the title of this address which is in the form of a question: What makes a good prison? With a bit of luck on my part, and with your indulgence, I hope that by the time I have finished the relevance will be clear.

Well, what does make a good prison? I have no doubt that many people would say one that is closed as all prisons are bad and to talk of a good prison is a contradiction in terms. The abolitionists would certainly say something like that, but I honestly believe that it is quite naive to contemplate abolishing all prisons in the immediate future. It is not naive however to aim to keep the use of imprisonment to an absolute minimum, and if that is accepted it still makes sense to try to identify the factors that make a good prison and those that make a bad one. It is a worthwhile question. Perhaps a good prison is something like a camel; it is very difficult to describe but certainly you know one when you see one! It may be very difficult to define but I think the effort to do so may be worthwhile.

When I was teaching criminology at the University of Melbourne I used to encourage my graduate students to approach the question in rather a different way. All of the students had visited a number of prisons and I would ask them to think of any two that they had seen and then to say if one was better than the other, and most importantly I would then ask why they formed that judgment. The students' answers were always a matter of profound interest, and our subsequent discussions hopefully led at least some of them to deeper insight. For example, a student might say that in his or her view the Beechworth prison was better than the Geelong prison because at Beechworth the prisoners seemed to be happier. Fair comment, you might say, but is that sufficient? Is a prison a good one because it keeps prisoners happy? Is keeping prisoners happy one of the purposes of imprisonment?

Slowly but surely most of the students would eventually come to understand that the evaluative judgments that we make about prisons must be linked to our perceptions of what prisons are for. In all human endeavour there is an inexorable link between the purposes or aims of the exercise, what is actually done to achieve those aims, and the methods that we use to assess the success of the venture. As far as prison management is concerned what we do is obviously linked to what we aim to achieve and both of these factors, the aims and the activities, are also clearly linked to how we evaluate our efforts. Thus if one suggested for example that one of the aims of prisons was rehabilitation then all sorts of training courses and treatment programs would be provided to achieve that aim and we would probably try to gauge the success or otherwise of these activities by counting the numbers of ex-prisoners who had experienced the treatment or training programs and who did or did not come back to gaol. If we were smart researchers we would probably try to compare the post-release behaviour of those prisoners with a similar group of ex-prisoners who had not been offered the programs.

That's how the theory goes, but in actual practice it is very doubtful whether any of us here would systematically try to evaluate our programs in such a demanding way. Probably the best we could do would be to say that the prisoners seem to find the programs useful and their response to them is positive. The underlying truth here is that some of the things we try to do in prisons are enormously difficult and costly to evaluate. The evaluation can easily cost more than the programs themselves. Nevertheless, it is important that we keep the real purpose of our activities in mind as it is very easy for us to delude ourselves about what we are doing and why we are doing it. For example, it is not totally unknown for people to claim that they are running prison programs that aim to facilitate rehabilitation, but when they are asked how successful they are they point to the fact that the prisoners like them and that the programs keep them occupied. If the aim is simply to keep prisoners occupied (and I think that is perfectly laudable) then it would be more honest to say just that.

Already it should be clear from what I have said so far that the aims of prisons, the work that is done to pursue those aims, and the methods that are or can be used to evaluate success are extraordinarily complex. There is no simple and easy answer to the question of what makes a good prison. The answer, if we can get one at all, will necessarily have to be a little bit long-winded.

It might be possible to grope towards an answer by trying to distinguish between the short-term, medium-term and long-term aims of prison management, but before I try to do that I must point out that I am not talking about the aims or objectives that judges have in mind when they sentence offenders to prison. It must be recognised that judges and magistrates have different priorities and different purposes to prison administrators. I will say something more about that before I finish.

The short-term aims of prison management are really quite simple. They focus essentially on control and safety. It is necessary for a good prison to provide adequate security and control. This may be achieved by the design of the buildings and the work of the security staff. If they fail, the results will be obvious and measured in terms of escapes, riots and other disturbances. (I am not suggesting that good prisons should never have escapes, simply that the number of escapes should be within acceptable limits.) Equally as important as control is the aim of keeping prisoners safe. If any prisoners are seriously injured or raped, whether by other prisoners or by staff, then the prison is failing in one of its essential purposes. Also among the short-term aims of prison management are the issues of health and hygiene, for which the evaluation is again relatively straightforward. If any prisoners are under-nourished or if they contract infectious diseases, it is obvious that basic needs or simple short-term goals are not being achieved.

The medium-term aims of prison management are noticeably more difficult to define, implement and measure. They include all of the education, training, treatment and industrial programs which, at the most modest level, will at least contribute to the maintenance of control by keeping prisoners occupied, but may also in some cases provide long-term benefits to prisoners. Also within this category of aims is the encouragement of good staff morale and a climate of acceptance and co-operation among the prisoners even if they are not exactly enthusiastic about being inside. Thus the extent to which medium-term goals are being achieved would be assessed by reference to such considerations as the numbers of prisoners who are gainfully employed in productive work, training or education and the numbers who acquire skills and attitudes which may be of use in the community after release - whether or not they have abandoned all traces of criminal behaviour. Also in this category are that complex network of factors that contribute to the 'atmosphere' of a prison. We all know of prisons that feel as if they are functioning properly,

where both the staff and prisoners seem to be reasonably content and purposeful in their activities. We probably all also know of prisons in which we get the opposite impression.

Finally, the long-term aims of prison management must be to make prisoners better rather than worse. The aim of rehabilitation is unfashionable these days, perhaps because no-one knows how to do it, but it is acceptable to speak of providing opportunities for prisoners to rehabilitate themselves if they choose. An even more cautious statement of this general aim of betterment suggests that prisons should at least try to prevent deterioration even if they cannot positively improve the people in their care. Whatever words we use for this long-term aim, it can only be evaluated by reference to the behaviour of prisoners after they are released, and this, as we have seen, is a difficult and costly business.

I have not tried to spell out all of the detail, but one might be tempted to stop at this point and say that a good prison is one that reasonably consistently achieves the short, medium and long-term aims that I have briefly outlined. But there is still something missing. In fact, there may be more than one thing that is still missing.

First, we have good reason to believe from a wide range of evidence that whether a State or nation has high or low numbers of people in prison it makes no difference to the level of crime. High imprisonment rates do not produce lower crime. (The numbers of prisoners are not controlled by prison administrators or by the managers of individual institutions, but it nevertheless follows that a good prison system and a good prison will not be overcrowded.) Second, we also know from the available research evidence that recidivism, or return to prison, rates are very similar for prison and for the alternatives to imprisonment such as probation and community service orders. If both of these statements are true, what is special about prisons? What needs do prisons satisfy that are not satisfied by the much less expensive alternatives? The answer is to be found in the public demand for retribution. The man or woman in the street, whether he or she has been a victim of crime or not, wants to see that punishment is being meted out to those who break the law. To some extent the public demand for punishment is irrational, but it is nevertheless real, as any sensitive politician will attest. Certainly, judges and magistrates when they sentence offenders to prison no doubt have the public interest in mind.



It follows therefore, that the public interest in prisons cannot be ignored, and public interest really means newspaper interest. We all know the sorts of stories that newspapers like to run on the subject of prisons. The key words that seem to keep editors happy are: riots, escapes, deaths, drugs, corruption, strikes and overcrowding. Newspapers also like to run stories which suggest that new prisons are too expensive or too much like motels, but just occasionally they will launch campaigns of the opposite kind, suggesting that prison conditions are barbaric or violating basic human rights. Examples of the latter kind will include the press coverage given to Katingle or to the Pentridge remand yards. Also, occasionally papers run feature articles on Australian prisons which invariably make the point that there is much enforced idleness as prison industries have not been able to provide enough work.

It's obvious from this list of prison topics of interest to the newspapers that none of it is good news. When did you last see a headline stating: Prison does good job? Good news about prisons is of little or no interest to the papers or to the public. Mr. Whatmore was absolutely right in his prayer. A good prison administrator, a good prison system and a good prison all manage to avoid the headlines.

Before trying to tie all this together into some sort of conclusion, I would like to say a few more words specifically on the subject of prison industries. I am sure that you have all heard of the Standard Minimum Rules for the Treatment of Offenders that was developed by the United Nations. From time to time the United Nations asks all countries to complete a questionnaire which indicates the extent to which they comply with the Rules. The responses to the questionnaire may be a little suspect because it is the administrators themselves or their senior officers who make the ratings about the various aspects of their work. Nevertheless, the results are of some interest. The last questionnaire from the United Nations was circulated in 1985 and I was given the job of preparing a consolidated Australian response on the basis of the information supplied by the States and the Northern Territory. The interesting result as far as this conference is concerned is the fact that the Rule relating to prison work was one of the very few that was indicated as not being fully implemented in Australia. We gave ourselves good marks for nearly every other aspect of prison management, but did not claim that we were able to provide appropriate work for all persons in our custody. Even the administrators acknowledge that prison industries are one area where we are not yet doing as well as we should. Perhaps by the time of the next survey in 1990 we will be doing a little better.

I would like to now start to bring this address to a close by giving you my answer to the question: What makes a good prison? I believe that a good prison can be identified by a long list of positive and negative attributes and I am going to mention those that seem to me to be the most important. The list is not exhaustive and you may well want to add other items but those items on my list are all essential. Individually they are all necessary and collectively they should be sufficient to at least lay the foundations for that incredibly complex social organisation that we might call a good prison.

On the positive side a good prison must have adequate control and security to keep escapes and other disturbances to a tolerable minimum and to protect the safety of prisoners. It must also provide appropriate health care and hygiene, including food services. There also must be constructive, worthwhile and varied activities in the form of work, education training and recreational opportunities for all prisoners. These activities, not necessarily all, must be available at evenings and weekends as well as during working days.

A good prison must also have well trained staff in appropriate numbers, including professionals of all types and trade and industrial specialists. They must all be part of a team, working to the same overall goals and not competing or pulling against each other. A good staff will also have high morale and this is to be primarily achieved through appropriate selection, training and career development. There must also be reasonable prisoner morale or at least acceptance and co-operation with the system. This is difficult to achieve but it may be brought about by the full range of programs that I have mentioned above including visits, letters, telephone calls, leave, parole and early release. Grievance procedures available to prisoners are also important, but above all they must perceive that they are being treated in a manner which is fair and consistent.

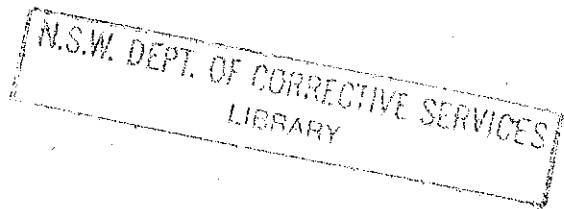
Finally, on the positive side, even though it is very hard to measure, a good prison is one which will keep recidivism to a low level. Even though recidivism is very hard to measure, a good prison will be able to supply some evidence that most of the prisoners who leave it do so with better attitudes and a wider range of skills than they had when they entered.

On the negative side a good prison has no scandals, no corruption, no riots, no escapes (or at least very few of them) and no unnecessary idleness. Above all, a good prison will not be the subject of adverse comment from newspapers and the press.

Finally, one might ask how is this Utopian dream of a good prison to be achieved. I would like to give three answers. In the first place, that prison must be a part of a good overall prison system which has a full range of institutions and which has professional assessment and sound classification. That prison system will have a sound administration and leadership which is both firm and inspiring. Secondly, that prison system must be a part of a criminal justice system which uses prison appropriately. In other words, it is a criminal justice system which does not lock up offenders unnecessarily. Thirdly and finally, that criminal justice system must have the support, both moral and financial of the government and of the public.

If all of those elements are present then perhaps Mr. Whatmore's prayer can be answered and prisons can do their job, with ever decreasing numbers of prisoners, in the interests of the wider community without being the subject of headlines in the newspapers.





"WORK AS PART OF THE PROCESS OF REHABILITATION"

Professor Syd Lovibond

Emeritus Professor of Psychology, University of New South Wales.

Member of Corrective Services (N.S.W.) Advisory Council (since its inception).

Previously Reader in Psychology, University of Adelaide for 15 years.

President, Australian Psychology Society.

Professor Lovibond has been interested in the administration of prisons for a number of years.



The development of industrial activity in our prisons, whether in the area of production or training, has always been impeded by the ambivalence that characterises community attitudes towards the penal system as a whole.

Until we are able to arrive at a clear and generally accepted view of the essential functions of our penal system, we are unlikely to develop a coherent and consistent policy concerning the role of industry in our prisons.

Four principal functions have been ascribed to our prisons at one time or another.

They are;

1. To punish the individual by deprivation of liberty.
2. To deter the individual and others from future criminal acts.
3. To protect society by taking criminals out of circulation.
4. To rehabilitate or restore the individual to a useful and constructive role in society.

To consider these functions in turn, the first - to punish by deprivation of liberty - always has been and is likely to remain, a primary function of prisons. Very importantly, it is a function that is not incompatible with the other three functions listed. Deprivation of liberty undoubtedly has a deterrent effect; it keeps a certain number of criminals out of circulation, and it is not necessarily incompatible with the development of prison regimes that are designed to maximise the probability of rehabilitation. The principal change over the years has been the reduction in emphasis on forms of deterrence other than deprivation of liberty. In the past, of course, all sorts of inhuman conditions in our prisons have been justified on the grounds of deterrence.

In 1969, the prison psychologist, Eric Price, described the essential characteristics of the typical Australian prison in these terms.

- \* A uniquely depressing physical environment.
- \* Degrading hygienic conditions.
- \* Arbitrary restriction of physical, intellectual and social activity.

- \* Isolation from normal society.
- \* Emotional starvation.
- \* Regimentation.
- \* Denial of opportunity to accept responsibility.
- \* Humiliation.

In the intervening period there has been substantial improvement in virtually all of these areas, particularly in the new prisons built during the period. All of these changes can be seen as a reflection of the gradual acceptance of the proposition that deprivation of liberty and not inhuman conditions, should be the basis of punishment and deterrence in our prisons.

Turning to the fourth function, it is very clear that there has not yet been a corresponding acceptance of the view that serious efforts directed towards rehabilitation should be a responsibility of our prisons. It is interesting to recall what the 1978 Nagle Report on Prisons in N.S.W. had to say on the matter, as this Report has been regarded in many quarters as the prison reformer's Bible, and has provided the major impetus for change in New South Wales prisons.

On page 52, the Nagle Report states:

"It is wrong to say that one purpose for which prisoners are sent to prison is to rehabilitate or cure them. They are sent to prison by the courts on behalf of society for the simple purpose of punishment."

Consistent with this basic view of the function of our prisons, the Report goes on to say that:

"The primary concern of any system of prisoner classification should be security."

There is virtually no mention in the Report of the role of professionals in our prisons, and there is virtually no mention of the background characteristics of inmates or the crimes they have committed.

Turning now specifically to the question of prison industry, what view does the Nagle Report express? Again consistent with the basic philosophy of the Report, we read on page 419:



"Prison industry, broadly speaking, serves the ends of prisoner management by providing work which keeps the prisoner occupied."

The Report recommends maintenance and servicing work, plus other "labour intensive, not capital intensive work," and it speaks approvingly of such activities as mat making. In essence, the Nagle Report recommends a continuation of what Eric Price has called the unreal work requirements of our prisons - busy work, limited resources, limited hours of work, low output expectations, and pittance pay. In all these areas, the report is consistent with its enunciated philosophy.

If the function of prisons is simply to incarcerate securely for the purposes of punishment, there is little need for information about a prisoner's educational level, his abilities or his vocational skills: a classification in terms of potential dangerousness and potential for escape is clearly the most relevant, and there is no obvious role for psychologists or indeed any other professionals.

Finally, if the function of work is merely to occupy prisoners and not to develop vocational skills and work habits of relevance to the outside world, maintenance and servicing and other labour intensive (i.e. non-costly) industry is all that is required.

As a basis for its recommendations, the Commission accepted the philosophy of "humane containment". In other words, the Commission accepted the view that nothing can be done to rehabilitate prisoners, and the best that can be hoped for is amelioration of the physical and social conditions under which prisoners serve out their sentences.

In arriving at this view, the Commission was heavily influenced by the reported failure of "rehabilitation programs" in other countries.

Several critical objections can be raised against the nihilistic position taken up by the Commission. In the first place, "humane containment" is a contradiction in terms. No human environment can be said to be humane if it does not provide the individual with both the opportunity, and the encouragement, to make steady progress towards personal goals - progress that is under the individual's own control. Such self-controlled progress is an essential part of being human. If it is not provided for, no environment will remain "humane" for long.

Secondly, as numerous authors have pointed out:

The provision of special programs of psychotherapy, education or industry is totally irrelevant unless the prison as a whole is oriented to social restoration as an organizational goal.

In fact, all of the so-called "rehabilitation programs" that have been evaluated to date have been piecemeal in character, and have been conducted in prison systems oriented essentially to the goal of secure containment.

What conditions are necessary to develop a viable prison system oriented to social restoration as an institutional goal?

The first requirement is acceptance of the principle that prisons have two basic responsibilities - to provide the conditions necessary to punish by deprivation of liberty - and to maximise the possibilities of prisoner rehabilitation.

The second requirement is to make use of the behavioural management principles developed by psychologists, and introduce a comprehensive incentive system which will provide the opportunity and the encouragement for prisoners to work towards the attainment of highly relevant personal goals. Such goals would include the acquisition of new knowledge and skills, and, more specifically would be aimed at overcoming deficiencies in behavioural resources which, if uncorrected, would be likely to make restoration of the individual to a useful and constructive role in society difficult.

What sorts of deficiencies in behavioural resources do our prison inmates have?

The Nagle Report did not tell us, but the required information is at hand. In 1974, the Bureau of Crime Statistics and Research presented a detailed statistical analysis of the backgrounds of 1,000 prisoners serving sentences of 12 months or longer in New South Wales prisons. The most recently available data suggest that the situation is little changed today.

The typical prisoner who is serving a sentence of 12 months or longer in New South Wales prisons is a male aged 20-25 years, has been convicted of some kind of robbery, has had some secondary education, is near average in intelligence, but is grossly deficient in occupational skills, work habits and social skills. More than 60 percent of our longer term prisoners are essentially unskilled, and as many as 95 percent have serious deficiencies in behavioural resources.

In 1974 one in five of the 1,000 prisoners studied had been unemployed for 3 months or more before being taken into custody. Almost all of these prisoners said that their unemployment had not been forced on them by their inability to obtain work.

Comparable figures are not available for 1986, but presumably a much higher proportion of today's prisoners would have had long periods of unemployment.

The importance of work and vocational training in any comprehensive program designed to remedy deficiencies in behavioural resources is obvious. It is clear that primary emphasis should be given to the acquisition of work habits and vocational skills.

In this connection it should be noted that some excellent industrial programs are currently operating in our prisons, but incentives are not used in any systematic fashion to encourage participation, and opportunities are limited. The result is that many prisoners are still, in large degree, idle. Considerable expansion of opportunities for work and vocational training will be required to implement fully the type of incentive system envisaged here.

Much the same considerations apply to the provision of opportunities to remedy educational deficiencies.

In the case of social skills deficiencies, application of the unit management concept will provide the conditions most favourable for the development of co-operative social behaviour and attitudes. Formal social skills training of the type developed by psychologists should be incorporated into the incentive system. Additionally, there should be increasing opportunities to interact with persons in the community as the prisoner works his way successfully through the stages of his overall incentive program.

#### The Behavioural Principles relevant to the Incentive System

The fundamental principle underlying the incentive system, is that encouragement should be given to the development of specific behaviours and skills that will increase the capacity of the individual prisoner to adopt a non-criminal life style upon release. All other behaviours should remain outside the system. In particular, the incentive system should not apply to behaviours demanded by the requirements of corporate life in the prison. The successful operation of an incentive system requires a stable and predictable social environment that is governed by a set of rational, mutually agreed, and well understood rules, but adherence

to such rules should be demanded non-contingently. In other words, there should be no rewards for "good" behaviour, but there should be clearly specified and rigidly imposed sanctions for infringement of the behavioural rules.

### Behavioural Contracts

The incentive system should be made available on the basis of individual behavioural contracts entered into by the inmates. Such a procedure ensures that the goals accord with the individual prisoner's capacities and circumstances, it personalizes the whole process, and it facilitates behavioural definition of goals.

The contract should specify in detail the target behaviours, the incentives for successful completion of sub-goals, and the negative contingencies (e.g. fines, loss of privileges) that will apply to specified undesirable behaviours.

Relevant target behaviours for the individual can be determined by an initial behavioural analysis carried out by a psychologist, followed by discussions between the inmate himself, the psychologist and officers concerned. It is critical that a suitably trained psychologist play a supervisory role, but the participation of officers directly responsible for the inmates is also essential.

Particularly in the early stages, it is imperative that goals be specified in precise behavioural i.e. objective terms, e.g. production of a specified number of acceptable articles, rather than "working industriously", or mastering a specified passage of prose, rather than "making progress with reading".

### The Incentives

Whilst it is believed that sentence remission should provide the principal incentive for the encouragement of goal-related behaviour, remissions offer a long term benefit, and, particularly in the early stages, it is psychologically sound to use medium and short term rewards in addition to remissions. For example, increased control over cash spending, additional visits, access to the specialised leisure activities, day, or weekend leave, are all incentives which could be used to complement the long-term incentive of sentence remission.

### Assessment and Recording of Incentive Entitlements

Ideally, responsibility for assessment of progress and entitlements should rest with a management team comprising

the unit manager, or other appropriate prison officers, the psychologist, the industrial officer, and the education officer. Officers close to the workplace should record elements of the prisoner's performance, participate in weekly assessments, and contribute to identification of appropriate goals to be negotiated with the prisoner.

It will be necessary to develop appropriate means of recording details of individual behavioural contracts, and the progress the prisoner makes towards achievement of his contractual goals. It will also be necessary to ensure prompt feedback of assessments to the prisoner.

#### Possible Objections to the use of an Incentive System

##### (1) Such a system is demeaning to the prisoner

It is entirely possible for incentive systems to be operated in a manner that is demeaning to the prisoner and detrimental to his long term interests. Such an outcome is particularly likely if the system is imposed uniformly on prisoners without their consent, and if the behaviours encouraged are concerned primarily with conformity, compliance and docility. In the system proposed here, individual contracts are negotiated, and the behaviours emphasized are those which increase the prisoner's competence in areas significant for his long term life chances. Furthermore, conformity to prison rules is demanded non-contingently, and does not form part of the incentive system.

##### (2) The proposed system would be inordinately costly

The principal increased costs are likely to be associated with:

- (a) the employment of additional behaviourally trained psychologists, and
- (b) the development of appropriate recording systems.

The system proposed must necessarily be introduced in stages, and, in the long term, the system outlined eventually can be expected to operate with a smaller ratio of officers to prisoners than is presently required to maintain reasonably security.

In the long term also, the operation of a comprehensive incentive system offers the prospect of improved social relations and morale within our prison system, thus reducing the likelihood of costly destructive behaviour on the part of prisoners.

- (3) The incentive programs could prepare prisoners for a life style that is likely to be denied them on release

Such an argument is likely to make reference to the difficulties many people, who are not ex-prisoners, currently experience in obtaining employment of any sort. It cannot be denied that present levels of unemployment represent a definite barrier to the satisfactory operation of the system envisaged. It is necessary to point out, however, that we are planning for the long term and cannot be constrained by present economic conditions.

- (4) Prisoners would simply "go through the motions" in meeting the requirements of the incentive system

It is certain that some prisoners, particularly in the short term, will do just that, but it is equally certain that with the acquisition of new skills and habits, many others will come to change their attitudes. In this connection it is of interest that modern psychological research has made it clear that one of the most effective ways of changing attitudes is to change behaviour appropriately. This general finding is expressed in the aphorism 'Look after the behaviour and the attitudes will look after themselves'.

- (5) Practical problems such as lack of appropriate facilities and resistance on the part of officers would render the system unworkable

We should not minimise the practical problems, but it is quite feasible for the system to be introduced in stages in one or two prisons that are favourably situated. Considerable effort will need to be expended on the initial training of the staff and the inmates concerned, and teething problems will abound. The experience in other contexts, however, has been that experience is quickly gained, and the practical problems soon assume less formidable proportions.

- (6) Irrespective of the level of involvement of prisoners in the programs, there is little likelihood that their participation would reduce the rate of recidivism

It is highly likely that many prisoners will not be diverted from criminal modes of behaviour by any form of institutional or other experience. It is contended, nevertheless, that the system recommended will produce a climate that is favourable to the acceptance of non-criminal modes of behaviour upon release. In any case, no more than "humane containment" is sought, encourage-

ment of the target behaviours outlined by an incentive system, is likely to produce a social atmosphere that is less tension charged and more livable than the current atmosphere in most of our prisons.

Finally, it is reasonable to ask what would be the future of the system described if we were ever to get serious about organized/corporate/white collar crime and begin to fill our prisons with people who are anything but deficient in educational, vocational and social skills.

Any radical change in our prison population is of course unlikely in the foreseeable future, and it is certain that we will have time to adjust to any influx of white collar criminals. While provision can undoubtedly be made for this group within a comprehensive incentive system, it is conceivable that a greater emphasis on deterrence may well be appropriate for white collar criminals.

Let me finish on a light note by making reference to a plan for reducing the incidence of the type of crime that currently is responsible for the incarceration of most of our prisoners.

The plan, which is adapted from suggestions in an article in the Los Angeles Times, might be regarded as an alternative to the incentive system I have proposed, and it touches on the question of whether the character of our prison population is likely to change radically in the near future.

"Workers in the field of corrections have just come up with the ultimate solution to violent crime. The answer is "non-violent crime". The plan is this. Instead of prisons teaching inmates so-called honest trades, a program would be initiated to teach them "white collar crimes" that pay so much better and don't get members of the public too upset. The idea would be for our schools of business administration, our law schools and other institutions of higher learning, to set up courses in our prisons to teach criminals the skills of committing "white collar crimes". The curriculum would include accounting, banking, stock market fraud, bribery, kickbacks, race fixing, tax evasion, and embezzlement. The teachers would explain the advantages of "white collar crime" over street crimes. The average take from a street crime is so low that, for the work and risk involved, it hardly pays at all.

There are other disadvantages. When a person is caught committing a street crime, he often winds up with a court appointed lawyer who couldn't care less if the defendant gets 20 years or life.

A criminal who commits a street crime is treated with contempt by the police and society in general. In fact, the smaller the take, the less respect the criminal engenders from the judge or magistrate, and therefore the heavier the sentence. But white collar criminals have the opposite effect on everyone. An officer of a large company who is involved in stock fraud is considered a pillar of the community, and is looked up to. A computer expert who uses his skills to cream off large amounts of other people's money is considered clever, and is usually forgiven before the trial. A politician who has been arrested for accepting bribes is always addressed as "sir" by the police.

Prisoners could be persuaded that the same amount of time it takes to hold up a bank, could be spent arranging for a municipal contract to be given to a corrupt builder or a bribe paying road contractor. To convince inmates to take up non-violent crime, the course would include lectures by judges who could describe the lightness of sentences meted out to the few white collar criminals who are convicted. Bus tours could be arranged to "open air" prisons where this small number of white collar criminals is sent for punishment.

There would be lectures by specialist lawyers on ways to avoid paying any tax at all on income, whether legitimate or criminal.

The beauty of the plan is it does not ask a criminal to give up his calling. All it does is teach the convict socially acceptable ways of committing crimes.

When the typical prison inmate discovers how much money there is in white collar crime, and how little risk there is of getting punished, we can expect a dramatic drop in street crime, which is the only type that seems to annoy the public."







"MEETING THE CHALLENGE OF THE LATE EIGHTIES"

Dr. Chris Fay

Chris holds a Master of Science degree from the University of Sydney and a Doctor of Philosophy in Applied Mathematics from Oxford University.

He has spent ten years in Senior Management positions in the Private Sector, and from 1982 to 1986 was an advisor to the Victorian Ministers for Industry/Commerce.

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Before moving directly to the theme of this paper which is the challenge of the late 1980's, I wish to spend some time explaining the philosophies behind and the reasons for the existence of those challenges.

The optimism and aspirations of rehabilitation programmes have proved to be based more on hope than reality. The demise of these programmes has led to the re-emergence of the "Old School" of corrections, albeit in a new guise. Whilst lip service is paid to a range of programmes, the principal effort of the corrections system is towards control and management of prisoners with a view to avoiding the political embarrassment of escapes. The system is deeply cynical and embittered, obsessed with personal power and control, and strongly resistant to change. It is also a fact that the common course of corrections has not stemmed our crime rate.

To quote Warren E. Burger, Chief Justice of the United States, in a recently published paper:

"I continue to adhere to the proposition that when we place a person behind walls and bars, we have an obligation - a moral obligation, not a constitutional one - to take reasonable steps to change that person before he or she returns to free society."

Burger further poses the question:

"Are we going to build more expensive human "Warehouses", or should we change our thinking and move towards factories with fences around them, where inmates can acquire education and vocational training and then produce marketable goods?"

Early this decade, the Victorian Government decided to closely examine the potential inherent in developing prison industries into a major programme.

To this end, the then Government set up a Steering Committee which reported late in 1981. The new Government adopted the broad recommendations of that Steering Committee by resolving to establish a Prison Industries Commission. To continue the chronology, the Cain Government established in 1982, an Implementation Committee for the Commission.

The Act establishing the Commission was passed in late 1983 and the Commission was vested on 4th July, 1984. The Commission comprises a Chairman and seven other Commissioners from a wide variety of backgrounds. These

include a Director-General of the Office of Corrections, the Chairman of the State Tender Board, a representative of the Tafe Board, a nominee of Trades Hall Council, a person with wide experience in the Finance and Securities Industry and a Director of a large manufacturing operation. The Commission has strong commercial and industrial experience and the Commission's Senior Management is very strongly biased towards commercial experience.

The Commission inherited a ramshackle collection of industries run under very poor conditions, with largely obsolete equipment, lack of financial control and almost total administrative chaos.

There are a number of good reasons for the establishment of a Statutory Commission to run Prison Industries rather than developing industries within the corrective system.

Philosophical reasons include the difference in fundamental nature between the corrective functions and the efficient running of Prison Industries; the need to take a positive view of industries rather than regarding them as a dumping ground for prisoners during daylight hours; and the opportunity to inject fresh ideas of the overall prison regime which is afforded by the ability to attract outside talent to a Commission which would not be attracted to a Public Service organisation.

There is a need to introduce private sector techniques of marketing, financing, manufacturing and organisation development.

The effective development of Prison Industries requires a flexibility of operation which would be difficult to achieve under Public Service guidelines.

Having said that, the Commission must also be established in such a way that it uses private industry management techniques and methods within the public sector. It must be accountable to the Government and the Parliament through the Minister. The Act attempts the very difficult task of establishing what is essentially a Private Sector oriented operation within the Public Account.

An early problem which needed to be tackled was the traditional problem of objections from the private sector and Trade Union movement based on the argument that the use of so called cheap prison labour provides unfair competition. This problem will never be fully overcome so long as prisoners are not paid award wages. However, I wish to say two things in connection with this problem:

- (1) Despite the fact that prisoners in Victoria are paid about a quarter of award wages, the inefficiencies inherent in Prison Systems are such that the cost of production in Prison is, on average, no less than that in the private sector. A largely unskilled labour force, very high turnover rates, low productivity and the fact that one Supervisor is required to approximately ten workers, all combine to ensure that unit costs of production in Prison are not merely a reflection of low wages paid to Prisoners.
- (2) Secondly, in order to circumvent this problem as far as possible, the Victorian Prison Industries Commission has a policy that wherever possible, new industries will replace imports rather than compete head on with local industry. This policy, of course, creates further problems which I will address later in this paper.

The foregoing establishes the position we have reached in the mid 1980's. We have established the philosophies and we have established the structure necessary to implement them.

The challenge of the late 1980's is to make it work.

The objectives of the Commission are:

- (a) Consistent with United Nations minimum standard rules concerning Prison Work (Rules 71-76), to make Prison Industries and Farms profitable;
- (b) To train prisoners to achieve work habits and skills under conditions which are as close as possible to those applying in similar industries outside prisons;
- (c) To maximise work opportunities in Prison Industries and Farms;
- (d) To allow prisoners to earn money for the following purposes:
  - (i) As a motivation to work;
  - (ii) To contribute to the maintenance of their families;
  - (iii) To contribute to the cost of their imprisonment;
  - (iv) To purchase personal items; and
  - (v) To accumulate savings, which will become due on a prisoner's release; and

- (e) To supply as much as is economically viable of the goods and services required by the Department of Community Welfare Services.

The functions of the Commission are:

- (a) To manage, in an effective and economical manner, sites and farms subject to and in accordance with this Act;
- (b) To provide work for prisoners and trainees;
- (c) To set prisoners and trainees to work in accordance with this Act; and
- (d) The functions conferred on it by or under this or any other Act.

Introducing a structure which is completely new into a system which has evolved over 150 years is no easy task. We have experienced a number of problems, some of which are worth mentioning here.

Possibly the largest problem has been the management of change. This is of course a classical management problem of the 1980's. It is not unique to the Prison Industries Commission, but, given the entrenched nature of the prison system and its para military organisation, is perhaps more difficult for our Commission than it is in most organisations, we live within the prison system and co-operate fully with it. However, the difficulties involved in inducting civilians with private sector backgrounds into the system cannot be underestimated.

Nor indeed can the problems associated with Public Servants having to cope with new ideas and new techniques introduced from the private sector.

Significant inter-organisation problems have developed between the Commission and the Office of Corrections. While solutions to these problems are approached with goodwill by both organisations at the senior level, such matters as demarcation of authority between Prison Governors and employees of the Commission remain significant. I have no doubt that they will be solved, given time.

A further problem which again will only be overcome in time is the need to raise skill levels of the inherited industry staff. It needs to be emphasised that progress is made by the Commission pushing rather than the corrections system pulling.



The broad strategy adopted for Prison Industries by the Commission is that economies of scale must be sought by carrying out a small number of industries on a much larger scale than before, and carrying them out over a number of prisons. We have made significant progress towards this in wood working, metal working, printing/silk screening and tailoring industries. In all of these areas we have developed products which will compete with imported goods rather than locally manufactured items. We have a \$4.6m factory complex nearing completion in Ararat and a further \$10m expenditure in new factories in other prisons. These factories will operate on a scale never previously seen in Australia. Very importantly, we have a policy of using only modern equipment to ensure efficient production and relevant work skill training.

Our competitive products, which come mainly from Asia, are no longer the result of cheap labour but are the result of use of modern equipment and well trained personnel. It is most important that we be competitive in price and quality.

We believe we can be, but only by introducing ranges of products new to prison manufacture and implementing control techniques never previously tried in Australian Prisons.

The working day in prison was, until recently, approximately four hours. With a great deal of co-operation from the Office of Corrections, we are currently implementing a six hour working day and have an immediate objective of extending this to eight hours. Under the Master Plan for Corrections, several new prisons are in the planning and construction stages and some of these are now closely examining the possibility of a two eight hour shift operation.

The importance of full working day is not just that it enhances productivity. For many, if not the vast majority of prisoners, working in Prison Industries will be their first experience of employment. If the habit of getting up in the morning and going to work is the least of the attributes we establish in a prison, then perhaps we have achieved something of significance.

Training will be a very important factor if the Commission is to meet the challenge of the next few years. This training must cover all levels of the system of the prison through supervisors to the senior staff of the Commission and indeed of the Office of Corrections. Training is fundamental to the effective introduction of change.

First we must provide prisoners the best possible opportunity of training in tasks transferable to useful employment upon release. Secondly, we emphasise the training of Industry Supervisors to be the Trainers of Prisoners. In this way our training investment remains within the system and can be constantly recycled.

Basically, tenets of our training policy are:

- (1) That the conditions under which prisoners are to work and train are to resemble as closely as possible those of a modern workshop environment. Particular attention is directed to hours of work, observance of industrial safety principles, technological standards of equipment, methods and schedules of production.
- (2) We insist that any training courses adopted must be recognised by the relevant industry authorities outside.
- (3) Accreditation is of paramount importance. Certificates of completion, competency, etc. are issued to prisoners by the relevant trade training authorities.
- (4) It is observed that short training programmes are of greater benefit to prisoners, for this reason courses are modularised if possible.

We endeavour to indulge the prisoners' need for immediate gratification by causing certificates to be issued on the satisfactory completion of each course module.

Modularised certification also facilitates the mobility of prisoners either out of the system or through the system.

- (5) Priority is given to training which directly assists the establishment and maintenance of a prison industry.
- (6) Prisoner eligibility for training programmes is determined by considering his vocational interests, aptitudes, educational and industrial backgrounds.

In 1986-87 Prisoner Training Programmes will be conducted in welding, wood machining, printing/silk screening, fork lift driving, sewing machines, word processing and upholstery.

The evolution of the Prison Industry Commission into an efficient self-funding body is the principle challenge of the late 80's. The Commission also needs to be sensitive to changes in Corrections Policies, for instance, there may be a need in the future to develop factories outside Prisons to employ minor offenders whose sentence is work within these factories rather than Prison itself.

"Making it happen" is a daunting challenge and one that will provide much stimulation to the Commission and its staff during the late 80's.

I would like to end this paper by thanking the General Manager of the Commission, Mr. Edwin J. Buck, and his Senior Management Team for all their assistance in this preparation.



"PRISON INDUSTRY: THE KEY POLICY DILEMMAS"

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It is popular for criminologists to be rather nihilistic these days, particularly when it comes to rehabilitation. The evidence is clear that prisons do not rehabilitate criminals, and so the conventional wisdom is that rehabilitation should not be a goal of imprisonment.

This seems to me to take too aggregated a view of the impact of prison on people. There are a lot of things that go on in prisons which worsen prospects of re-offending; yet there may also be things which occur which have a rehabilitative impact. It is just that the former bad things outweigh the latter good things. The danger of a total rejection of any rehabilitative aspirations for prisons is that prisons will become even worse in their impact on people because more of the bad things will be tolerated and fewer of the desirable things will be attempted.

This dilemma is, I think, particularly clear when one considers work and education in prison. Unfortunately, prisoners learn a lot of illegitimate job skills in prison. They learn technical skills like how to disable an alarm system, but most importantly they acquire networks of criminal contacts which can be used to move into a new area of crime like heroin distribution. In addition to learning how to engage in profitable illegitimate work, they tend to unlearn whatever commitments they had to legitimate work. This can occur as a result of deterioration of work habits in prisons where industry jobs are not available, or as a result of the oppressive nature of prison industry work undermining commitment to legitimate job aspirations. Thomas Mott Osborne has expressed the dilemma as follows:

"When men are placed at work, usually without consulting their preferences or capacities, are held at work only by dread of punishment, and receive no pay - or very inadequate pay ... [they] ... come to associate work with prison and so desire to escape it altogether ... Any one of us, after years of that sort of labor and 'discipline' would find burglary a most refreshing contrast."

My view then is that both the options of enforced idleness and enforced drudgery that one finds in Australian prisons are features of prison life which can reduce the attractions of legitimate work and increase the temptations of illegitimate work. I believe the goals of prison administration should include the providing of opportunities for rewarding legitimate work, encouraging habits of work and habits of constantly seeking new vocational skills, and assisting with the placement of prisoners in rewarding jobs on release.

If the rejection of the rehabilitative ideal means we are against bothering with such goals, then I am for a return to the rehabilitative ideal. If the only rationales for prison industry are keeping idle hands out of mischief and having prisoners contribute toward the cost of their upkeep, then the kinds of enforced drudgery we see in most Australian prison industries is good enough and certainly better than enforced idleness. You will not bother with work placement policies which give prisoners an opportunity to express their interests and perceived aptitudes; you will not bother with integrating vocational training policies and industry policies with pre-release job placement programs.

But if you have the view that enforced drudgery runs a risk of undermining commitment to legitimate work on release, then you have a very different ideal of prison industry. When I was researching Prisons, Education and Work in 1978, I came across my ideal for how a prison industry ought to operate in the most ironical of places, one of the worst institutions in this country, Adelaide Gaol. Joe White has retired now, but he was the bakery instructor at Adelaide Gaol. Joe supervised an industry of only six offenders who produced commodities which saved the Department an enormous amount of money - bread, cakes, etc.

Not all of the men who came into the bakery had an aptitude and an interest in bakery. But for the considerable number who did, Joe made sure that they obtained experience in the whole range of types of baking. Sometimes this diversity of experience would be ensured by soliciting jobs to cater for parties for the children of prison officers. On other occasions the bakery might cooperate with the kitchen to make pasties for the prisoners' meals.

Every man who was truly interested in bakery and who spent a reasonable time working at Adelaide came out with a range of skills which equipped him to work in any country or provincial city bakery which must produce a wide range of goods. The baker trained in the more specialised city bakeries could not match the breadth of experience of one of the bakers trained by Joe White. The union realised this, and Joe had been careful to cultivate a good relationship with the union. Consequently, the union was willing to issue a ticket to any of his trainees. Joe did not feel that the responsibility for his prisoners ended when they left gaol. For every one of his trainees who indicated that they would like a job in the baking trade Joe found them a job. They came out of prison into a relatively lucrative, secure job which was varied and creative.



Thus, I argued in Prisons, Education and Work that:

1. The duty statements of trade instructors (or industry supervisors) should include a requirement to assist prisoners to find jobs upon release.
2. The number of known cases of job placements from a prison workshop to outside employment in the same industry upon release should be recorded for each workshop.
3. Workshops with a good job placement record should be given preferential treatment in applications for capital investment, while industries with no evidence of job placement after a reasonable trial period should not be considered for further investment.

An explicit system of financial incentives to foster a job placement linkage with industry would have the complementary advantage of providing an incentive for improved classification of prisoners. Trade instructors would become keen to ensure that classification procedures gave them a good chance of getting prisoners for their shop who were genuinely interested in the type of work offered.

The possibility of linkages being made between prison industry and job placement on release is also the reason why we must pursue more vigorously opportunities to bring private employers into the prison to run industries, to train workers in areas where they are experiencing labour shortages and to place some of those workers in outside jobs with the company on release. The private enterprise in prison approach is not something unique to the Singaporean model of successful prison industry. I do not know of any country where prison industry administrators have been less willing to experiment with bringing in private employers than in Australia

Linkages between prison work and job placement on release is also one reason why work release is superior to prison industry work whenever prisoner classification permits it.

As each year passes, the old excuse that worthwhile vocational training in prison is impossible because most prisoners are not in for long enough becomes more feeble. One reason why Australia is falling behind so many other countries in economic performance is that we continue to cling to the idea that vocational training and education is something that you acquire at the beginning of a lifetime to give yourself a qualification which will stand you in good stead for the rest of your life. In a world

of rapidly changing technology, new skills must be learnt to replace superseded skills constantly throughout a work lifetime. Instead of a workforce of people who have served three year apprenticeships, we need people who are constantly doing three week courses to acquire skills which are currently relevant.

As important an attribute for employability as the work habit, therefore, is the habit of seeking to acquire new vocational skills. There is no good reason why prison industry should not aspire to establish or re-establish both types of habit. Industries do not need to have prisoners for years in order to get prisoners involved and motivated in vocational development.

Prisoners as a group have not enjoyed their fair share of the enormous public money directed at education and vocational development. The majority were unemployed at the time of their arrest; 90 per cent of them have benefited from fewer than 10 years of State funded education. Not only are prisoners a group which have received less than their fair share of educational resources; they are a group where there are some special reasons for fearing that if they do not find a niche in the world of legitimate work, they will return to illegitimate work.

So I would suggest that someone should take the initiative to put on the agenda of the Conference of Ministers and Administrators of Prisons, Probation and Parole a plan to put a case to the Commonwealth Minister for Employment and Industrial Relations on why a special funding program for the vocational development of prisoners is in the national interest. The Commonwealth already has a strong commitment to generous funding of training programs; any program which can promise concentration on individuals who have been disproportionately excluded from vocational development in the past has to be looked at seriously.

There is no necessary incompatibility between the goals of prison industry productivity and vocational training. On the contrary, there is a necessary complementarity between the two. How many times have Australian prisons attempted to run crash training courses in areas such as bricklaying, only to find that their graduates cannot hold down a job in the trade because they find the pace and the duration of work as a commercial bricklayer beyond them? In prison they have learnt only the basic skills; they have not learnt how to apply them in a realistic work situation. If they are given the opportunity to follow up their bricklaying training with prison work as a bricklayer at all, it will be only for a couple of hours at a stretch, with no deadlines to meet, no requirements that certain strict quality and quantity standards be met within a time limit. Skills are no use to an employer unless they can be applied efficiently in practice.

The contention of Prisons, Education and Work is that on one hand prison industry can be made more productive by being able to call on a more skilled workforce, and on the other hand programs to develop vocational skills can be made more effective by establishing a link with prison industry to enable the skills to be applied in a realistic work situation. Quite apart from the sheer practical necessity of the latter, psychological commitment to trade training will be increased if the prisoner can immediately move into a situation where he can use his skills to make something of practical value.

Unfortunately, however, prison administrators have tended to opt for administrative structures which segregate industry from vocational education. The suggestion I am still attracted to for dealing with this problem is to have a prison industry investment policy which forces interface with other critical domains of prison administration by requiring that seven questions be asked of any potential prison industry. If the answer to any one of the first five of these questions is 'No', the prison industry should not go ahead:

1. Does the industry avoid the creation of insurmountable security problems?
2. Will the jobs provided by the industry be intrinsically rewarding to most prisoners employed?
3. Will a substantial proportion of the prisoners involved learn vocational skills which will enable them to fill labour market vacancies upon release?
4. Can markets be found for the products which would be produced?
5. Can the industry make a profit?
6. What would be the return on capital investment?
7. What would be the ratio of prisoners employed to capital invested?

### Conclusion

Prison industry in Australia is more backward than in any English speaking country, and more backward than in many third world countries in our Asian and Pacific region. It is more backward in the level of up-front capital investment involved, in the willingness to bring private

enterprise into the prison, in the determination to approximate realistic working environments outside, in the creativity of marketing.

One reason Australian prison industry is so moribund is a failure of top prison administrators to have a vision of what prison industry could be about. Of course the experience of visionary prison reform proposals is that they cost a lot of money, draw a lot of public flack, and do not change anything much. The nice thing about a visionary proposal to upgrade prison industry and vocational training is that it can afford to fail to change anything much without costing the taxpayer a cent, and while giving the taxpayer evidence that something is being done to recover from the prisoner some of the costs he has imposed on society. More importantly, investment in prisoner education, whether vocational or for its own sake, can fail to impact recidivism while being a totally defensible expenditure on equity grounds. Groups in the community, like prisoners, who have received least support for education during adolescence have a just claim for priority with adult education expenditure.

To sell visionary prison industry reform, as has happened in other countries, one must appeal to more than cost-saving and averting the disorder that arises from idleness. You need to fire political imaginations over the right of the prisoner for an opportunity to discover how legitimate work can be as rewarding as illegitimate work.





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