

RESEARCH NOTE: PRISONS, EDUCATION AND WORK: ONE STEP FORWARD, TWO STEPS BACK

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This is the story of a criminological enterprise that in many ways was a failure. What follows is an evaluation of whether an attempt to implement a research strategy combining data collection with building consensus around policy solutions was worth the candle. When I joined the Australian Institute of Criminology in 1978, I decided to do some action-oriented research which, being dependent on enthusiastic cooperation from criminal justice administrators, would be difficult at a university. The Board of Management of the Institute agreed that the target for this reforming zeal be prison industry and the vocational education of prisoners to improve their job prospects on release. Priorities for the research enterprise were largely worked out with prison administrators at a seminar at the Institute in May 1978. The research conducted during the following 12 months consisted of visits to some 30 prisons across all Australian jurisdictions and a survey of prison releasees conducted in cooperation with the Commonwealth Department of Employment and Youth Affairs.

Early Failures, Early Successes

A book, entitled *Prisons, Education and Work: Towards a National Employment Strategy for Prisoners* (1980), was duly produced. On some criteria it was an immediate failure. Financially, it was a disaster for University of Queensland Press who found that there wasn't much of a market for books on Australian prison industry. It was ignored by reviewers in international journals with the exception of one uncharitable reviewer in the *Canadian Journal of Criminology* (Parlett, 1982: 467) who, partly referring to the fact that the book fell apart on reading, and partly to the perceived poor quality of the scholarship, declared it "not even a shelveable book".

However, all of the Australian reviews were favourable. Gordon Hawkins described it in his review in the ANZJ Crim (Hawkins, 1981: 60) as "a remarkable achievement and the most impressive publication the Australian Institute of Criminology has yet produced". John Dawes, then Director of Correctional Services in Victoria, writing in *The Age* on 26 April 1980, depicted the book as "an admirable service to Australian criminology and Australian prisons services". Most other heads of Australian prisons departments, like Dawes, read the book and even though in disagreement with a deal of it, thought it a worthwhile contribution overall. Hence, even though the international criminological literature ignored the book, it might be argued that it succeeded in attracting considerable favourable attention from the 30 or so Australian prison administrators who mattered most to achieving reform. The book and its recommendations was more than once on the agenda of the Conferences of Ministers and Administrators of Prisons, Probation and Parole. At least one Minister read the book from cover to cover.

The misleading impression that the book may have succeeded was reinforced when the next stage of the enterprise was undertaken. This consisted of a seminar at the Australian Institute of Criminology attended by senior officers of prisons

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departments and the Department of Employment and Youth Affairs in April 1980. The agenda for the seminar was the 49 policy proposals in the book for reforming Australian prison industry and vocational education.

While many specific policy proposals were roundly criticized at the seminar, I was surprised that most of the senior administrators seemed to think most of the proposals were desirable and even feasible. Moreover, on leaving the seminar, many administrators indicated a strong commitment to go back to their States and introduce many of the reforms proposed. This was confirmed when a questionnaire was sent to all seminar participants with administrative responsibilities in prison industry and to heads of State prisons departments.

The Questionnaire Results

Fifteen questionnaires were completed. None was returned from Queensland. But there was a 94% response rate from seminar participants from the other jurisdictions; three heads of prisons departments personally completed questionnaires. The questionnaire simply asked respondents to indicate whether they found each policy proposal concerning prisons “not desirable”, “desirable, but not achievable at this time”, “desirable, and department should aim to achieve”, or “already achieved/present policy”. The prison administrators were not asked for responses concerning suggested policy reforms by the Commonwealth Department of Employment and Youth Affairs.

To my surprise, there was only one policy proposal that the majority of respondents felt was “not desirable” — “No further prison farms should be built in Australia. It should also be a generally accepted principle that expansion of existing prison farms not take place”. Almost half of the respondents also disagreed with the following proposals:

Prisoners should have the right to decline the opportunity to work.

The duty statement of trade instructors (industry supervisors) should include a requirement to assist prisoners to find jobs on release.

Each industry workshop should have a time clock and require the use of a time card by each prisoner. When fewer than 35 hours were worked for any reason other than sickness, pay would be reduced accordingly. When more than 35 hours were worked pay would be increased at overtime rates.

There should be no rules restricting what types of prisoners are ineligible for work release.

It is not the purpose of this paper to argue for or against any of these proposals. That has already been done in the book. The significant finding for our present purposes was that for all but one of the policy proposals, most of the 15 senior prison administrators agreed with the policy. Even the policy on award wages, which I felt sure most would reject, extracted only three responses of “not desirable”:

Each State should set itself the target of by 1990 paying award wages to all prisoners who work in industries where such wages can be paid without the industry running at a loss.

Copies of the full questionnaire results are available on request. I was ecstatic at the results. Most gratifying of all were some responses written in on the questionnaires of departmental heads — responses like “Will be implemented immediately”, “Following seminar, have issued instructions that this be done”. Perhaps policy change through criminological research was a lot easier than I had imagined.

The 1982 Follow-Up

In November-December 1982, I visited all State prisons departments except Western Australia to see how many of the good intentions of the 1980 questionnaire had begun to materialize. Western Australia refused to cooperate because Mr Bill Kidston, the Director of the Department of Corrections, was angered when I had refused to delete a small section of the chapter on Western Australia in the book which he viewed as unfair.

With the follow-up in all the other jurisdictions, I interviewed the head of the prisons department and went through the policy proposals one by one with the senior industry and educational personnel to ascertain what reform had occurred. The answer was very little.

What I collected was information from six jurisdictions concerning progress on 41 policy proposals. Of the 246(6x41) possible areas of reform, for 209 the policy or practice was exactly the same (or worse in terms of my policy proposal) as when I had visited the State in 1978. Moreover, of the 37 cases where reform had occurred, in very few did I come away with the impression that the *Prisons, Education and Work* project had much to do with the change.

Where Reform Did Occur Between 1978 and 1982

The major single reform was in Victoria where a bill was introduced at the end of 1982 to establish a Prison Industries Commission. The structure of the Commission is to be very much along the lines of the following proposal argued in *Prisons, Education and Work*.

Each State should establish a Prison Industries Corporation which has a budget and annual report in the form of a statement of profit/loss by industry both of which are independent of the prisons department budget and annual report. The corporation should have a board of directors dominated by top managers from private enterprise, but also including representatives from the prisons department, the Department of Employment and Youth Affairs, and the trade union movement.

However, the decision in principle to make this radical change in Victoria had been made before *Prisons, Education and Work* was published; the book at most added a little impetus to the reform. Moreover, the low emphasis of the training objective for the proposed Commission (Prison Industries Steering Committee 1981) is significantly at odds with the *Prisons, Education and Work* proposal, and incidentally at odds with what most Victorian prison officers, governors and overseers perceive as desirable (Kandasamy, 1982: 118,120,122).

In four States (NSW, Victoria, Queensland, the Northern Territory) there was definite reform of classification procedures to improve the extent to which the long-term vocational and educational aspirations of prisoners are elicited and/or to heighten the awareness of new admissions concerning the work and educational options available in the system.

In three States, there were moves towards standardizing accounting procedures so that the productive performance of different industries within the system could be meaningfully compared (NSW, Qld, SA).

Between 1978 and 1982, three jurisdictions (NSW, Qld, NT) adopted the policy advocated in the book concerning study release: "Study release should be available to all prisoners who wish it and who meet the same security criteria as work release." In spite of this, there has been no increase, and possibly a decrease, in the

use of study release in NSW. On the other hand, in two of the States which have not adopted the broad eligibility criteria advocated for study release (Vic and SA), there has, nevertheless, been an increase in the numbers going on study release. On balance, then, access to study release has considerably improved for Australian prisoners.

Three States had some loosening of policies precluding sales of prison industry products to private enterprise purchasers (NSW, NT, Vic). However, while policies might have changed, in practice there has been little or no change in the proportion of industry production sold privately. New South Wales and Victoria have also changed policies precluding private companies from coming into prisons to employ prison labour and sell the products manufactured on the open market. But again no private concerns have yet been successfully enticed into either system. Industry personnel in South Australia pushed to have their policies changed in this area to the point of arguing their case in front of the Premier. However, they failed.

In NSW, Victoria and South Australia action has been or is currently being taken on the recommendation that States "invest in senior managerial, marketing, and industrial design personnel who have experience in outside industry". These are significant changes which may lay the groundwork for many of the other policy proposals which have been ignored. In NSW, investment has been made in all three areas of expertise (managerial, marketing and industrial design) and the former Chairman of the Corrective Services Commission, Professor Tony Vinson, said when interviewed at the time of his resignation that the book and seminar had something to do with the changes:

Dr Braithwaite might even claim some credit for this because the attempts to extract from the industries branch of the Department some of the goals implicit in these various statements put so much pressure on the staff that they left and it gave us a chance to try and invest in senior people in the fields mentioned here.

Finally, below is a list of the policy proposals on which two States evidenced significant reform with the reforming States in brackets:

Capital investment in prison industry should not be constrained by a process of application to Treasury for funds. Industry profits should go into an industry account and from there be invested in industry expansion (Vic, NT). Industry supervisors should be periodically pulled out of the artificial situation of the prison workshop and sent to familiarize themselves with new production, supervisory, quality control and training techniques in private enterprise (Qld, SA).

Normal practice in Australian prisons should be that prisoners are not pulled off production for interviews and other interruptions. Such matters should be attended to outside working hours (NSW, SA).

Except on grounds of cost, prisoners should not be denied access to any publication which is legally available in the general community (Vic, NT). Every prisons department should facilitate prisoners going outside the prison without escort to look for jobs during their last month of sentence (Vic, NT). The Industries and Training Divisions of all prisons departments should place themselves on the mailing list and use in their planning the publication *Employment Prospects by Industry and Occupation: A Labour Market Analysis* (Vic, NT).

All States should consider the feasibility of reorganizing their prisons bureaucracy to ensure cooperative planning between training-education and industry (NSW, SA).

The latter were critical reforms in terms of the blueprint for change in *Prisons, Education and Work*. Even though there has been no change to the structure of the prisons bureaucracy in Victoria to improve joint planning between those responsible for industry and those responsible for training, I was told that perhaps the most significant impact of the book in Victoria was in getting prison teachers, TAFE, the Commonwealth Employment Service and prison industry personnel to more effectively interface. I would still argue that Victoria has had, and probably will continue to have under the Prison Industries Commission, a structure that effects too much separation between industry and training; but at least greater communication efforts have been made to make the defective structure work better. The interview with Professor Vinson also made it clear that the reform in NSW was significantly related to the *Prisons, Education and Work* project:

I think the most self-conscious adoption of the recommendations of the conference was probably by convening meeting after meeting of the two branches of the Department which had previously kept quite separate from one another — namely the training side and the industry side.

Areas of Regress

The Financial Position of Prisoners

Over the 1978-82 period, the financial remuneration of prisoners for work generally fell further behind inflation. Victoria and NSW are exceptions where pay increases have kept slightly ahead of inflation. The successful incentive payment scheme in Victoria has been extended, at no cost to the government because of increased productivity, from three industries to five (Cowan, 1982; Prison Industries Steering Committee, 1982: 80-81). A slight expansion in the use of incentive payments has also occurred in NSW after case was argued all the way up to the Premier. There has been an increase in South Australia, but one less than the Consumer Price Index increase for the period. Tasmania, the Northern Territory and Queensland had no increase during the four years. In Queensland the top rate of pay remains a staggering 40 cents a day.

No State has increased the gate money it pays to prisoners on release, if it pays any. In NSW there was an attempt to do so, but the proposal was rejected by Treasury.

No other State has followed the lead of the Northern Territory by reaching an arrangement with the Department of Social Security to make the special one week welfare benefit for prison releasees payable in cash at the prison. Again, NSW seriously attempted to implement this proposal from the book, but Social Security in that State refused to come to the party.

Work Opportunities

If anything, the proportion of prisoners in Australia working in a meaningful prison industry job fell rather than rose between 1978 and 1982. Tasmania is certainly an exception. There now exists in Tasmania the remarkable situation of shortage of prison labour. There is particular difficulty in finding enough prisoners to do all the jobs that have to be done at the Hayes Prison Farm. This, however, is not because of any industry investment on the part of the Tasmanian Prisons Department, but is simply because the prison population in Tasmania has declined, leaving fewer prisoners to fill the same number of industry jobs.

The largest prison industry in Australia, the Parramatta Linen Service, which employed over 2000 prisoners, has been shut down and the plant handed over to the NSW Health Commission. For several years more than half the NSW prison industries revenue came from this single operation. The number of other industries

which have been shut down in NSW is not matched by the new industries which have opened up. The closure of motor mechanical repair shops in seven prisons is very much contrary to the conclusions of *Prisons, Education and Work*; Australian data were reviewed showing that this is the kind of work which prisoners most prefer and which benefits them enormously because of its training potential (see also Prison Industries Steering Committee, 1982: 170). The reason NSW gives for abandoning motor and mechanical repairs is that the industries are too costly in supervision time.

Given a couple more years, one would hope that the institution of the Prison Industries Commission would see many new jobs created in Victorian prisons. However, between 1978 and 1982 the situation if anything also became worse in Victoria, partly because management has been holding off on new industry investment until the Commission gets underway. New workshops at Sale prison which had been on the drawing board for over seven years have finally been built, and a few minor new industries have been commenced. Equally, a few others have closed down. The number of prisoners working in an industry at Pentridge dropped slightly from 222 to 215.

The Review of the South Australian Department of Correctional Services by Touche Ross (1981 : 86) found that industry receipts had declined in real terms over the previous five years. This situation should change dramatically by late 1983 with the opening of the new industries complex to employ over 200 inmates at Yatala prison. This will become the most outstanding prison industry complex in Australia. Unemployed prisoners will apply for jobs just as in the outside labour market; there will be sick pay, on-job and off-job training, and scheduling to minimize interruptions by professional visits. In short, it will come reasonably close to a real-life work environment. Union opposition to taking staff away from existing stations to man the new complex has held up its opening.

For Queensland, I was unable to obtain figures which would indicate whether things have got better or worse. But certainly there have been no significant new workshops opened in the State.

The only jurisdiction which has had a clear improvement in the availability of prison industry positions since 1978 is the Northern Territory. This is a result of the replacement of the old Fannie Bay maximum security prison, which had no provision for industry, with the new Darwin prison which incorporates modest workshops. The industries vote in the Northern Territory prisons budget has increased several-fold and the number of overseers approximately doubled.

There are perhaps half a dozen individual prisons around the country where the hours worked in industry have been significantly increased. However, in no State has there been a significant system-wide movement towards a 35-hour week for prisoners.

Work Release

The Northern Territory, South Australia, Victoria and Tasmania continue to have no work release programme while the Queensland programme continues to be tiny — having about a dozen prisoners. However, a work release hostel has been opened in Brisbane; this is an important precondition for future expansion of the programme.

In NSW the work release programme continued to be in a depressed state. The programme which at one time boasted 110 inmates declined to an average of 56

during 1981 and at the time of my visit to NSW in December 1982 was running at between 30 and 40 prisoners. Work release for women prisoners has all but disappeared.

Overview

To the broad failure of reform in prisoners' remuneration, job opportunities, hours worked and work release, many many more specific failures could be added. For example, in the entire Queensland Prisons Department it continues to be the case that no full-time teacher is employed, reliance being placed on part-timers and volunteers. They had one for a while but he left and had not been replaced at the time of writing. Prisoners are still not allowed the educational resource of reading newspapers. By and large, the areas where there has been a failure of reform are more fundamental in their importance than the areas where there has been the progress outlined in the previous section.

State-by-State Reaction to the Project

To better understand why the *Prisons, Education and Work* project failed to elicit significant reform, it is instructive to summarize the reaction to the book and seminars in the different jurisdictions. In Western Australia the reaction was aggressive rejection of the project by top management even though some more junior officers were sympathetic. In Queensland, Tasmania and the Northern Territory top management were fairly indifferent to the project, being perhaps mildly interested and supportive but showing no enthusiasm for reform. New South Wales, Victoria and, to a lesser extent, South Australia were the States where there was enthusiasm for reform. In NSW the reformist zeal has produced little in the way of tangible dividends. This is also true of Victoria and South Australia, though the latter two States are poised on the verge of major new initiatives (the Prison Industries Commission and the Yatala industries complex) which should bring in their wake quite a deal of the promised reform.

The disappointment in NSW was part of a wider failure of reform which the Chairman of the Corrective Services Commission for most of the period, Professor Tony Vinson, has documented in absorbing detail elsewhere (Vinson, 1982). Vinson was enthusiastic in his support for the *Prisons, Education and Work* project and undoubtedly devoted more energy than any other department head to attempting to get policies from the book implemented. Some of these reform efforts were vetoed by his Minister, or where they involved substantial expenditure, by Treasury. But there was resistance from below as well. The following extracts from the interview with Vinson at the time of his resignation illustrate:

. . . there was a lot of preaching as a sequel to the conference, and in fact in reading your book of the importance of following up the training within the institutions and trying to make sure that people got jobs that were extensions of that training, but I don't think we achieved very much at all in that regard. It's a case of written instructions having been given and then delegating to others the responsibility for making sure they meant something, and I don't think we achieved anything at all. . . . Obviously we were not totally successful, in that we haven't generated enough jobs, but we obliged the Industries Branch to report back to us periodically on new job generation which was an expression of this commitment. They for their part . . . Well, in fact we applied so much pressure that several of the top people in the Branch left, deciding that we were unreasonable people.

In short, in one State any failure of reform could be interpreted as a result of hostile rejection of the reform effort, in three others to indifference to reform, and in one to a good faith commitment to reform frustrated by bureaucratic and political obstruction. As for the other two States where blueprints for reform have not yet been implemented — Victoria and South Australia — we will have to wait and see.

Conclusion

There were a lot of little improvements to prison industry and vocational education in Australian prisons between 1978 and 1982. Various other worthwhile little innovations could have been mentioned — from a Commonwealth funded Education Program for Unemployed Youth to prepare releasees for outside employment at Risdon prison in Tasmania, to the use of prisoner tutors as an educational resource in NSW, to opening up the possibility of making products to stock in prisons in preparation for the demands of foreign disaster relief (an idea first raised at the seminar), to experimental cropping with the CSIRO in the Northern Territory so that prison farms can serve the community by discovering which crops can and cannot be grown in the far North.

But these are all bits of icing on a cake that has basically been allowed to collapse. On all the fundamentals, Australian prison industry is among the most inefficient and unbeneficial for inmates in the world, and it is getting worse.

But the important conclusion here is whether it was all worth it, this arduous paradigm of formulating the research in consultation with those one desires to influence, conducting the research, bringing them back to criticize and express commitments to policy proposals after publication, and follow-up to see if anything changes. Little did change, and not much of the change had anything to do with the project.

I could tell myself the project was worth it by saying that the one step forward may have been a little shorter without my efforts and the two steps back a little longer. But since others might challenge my conception of what constitutes forward and backward movement, readers need not be persuaded by this.

Ultimately I think it was worth it because it would be arrogant of an outside researcher ever to expect to have significant impacts on large public policy issues. Public policy is a mess of forces moulded by interested parties in which reasoned analysis by uninfluential outsiders counts for little. But is it not better to follow research paradigms which participate in impotent little ways in that messy process than to do criminological research and simply put it on library shelves. We can justify the latter approach by saying that we are interested in knowledge for knowledge's sake. But if scholars are really just doing research because it is interesting, they would never publish anything on the dry topics which fill the pages of the *Australian and New Zealand Journal of Criminology*.

Then we might justify a simple paradigm of doing research and putting it on the library shelf by contending that while we want to do socially useful research, it is good enough to assume that those unknown persons who take the publication off the shelf will use it for good rather than ill. What a silly assumption. Surely it is better to be goal-directed, if relatively impotent, than to delude ourselves into believing that mysterious forces will come in the night and use our work to good effect.

Public policy is a complex puzzle and it would be improper and surprising to expect academics to significantly change it. But public policy will ultimately be that bit better when researchers, with all the disagreements they harbour, enter into the maze rather than treat it as a black box which will soak research findings through its walls by some sort of osmosis. It's rather like the reasons most of us believe that a participatory democracy is better than a society in which we expect a benevolent dictator to soak up all our individual views and decide what is the greatest good for the greatest number. We hold to this view even though an analysis

of the impact of our individual activism on the democracy shows it to be trivial and often more than counterbalanced by other individuals pulling in the opposite direction.

In spite of the obvious failures of *Prisons, Education and Work*, I still cling to the view that participatory research will ultimately make for better public policy than detached research, just as a participatory citizenry ultimately makes for a healthier polity than a detached citizenry. After all, who am I to say that *Prisons, Education and Work* did not deserve to fail.

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