From the UK

PRISONS AND POLITICS

by Richard Garside

In October 1969 a short-lived stand-off between staff and prisoners in Parkhurst prison on the Isle of Wight - it lasted less an hour - left 12 prison officers and at least 35 prisoners injured. Reports of prison officer brutality were widespread. The wife of one prisoner told The Times that her husband 'had eight stitches in wounds in his head and some of his fingers were broken and bandaged'.[1] Two witnesses saw a prison officer grab a prisoner saying 'I have been waiting for this, you black bastard'.[2] At least one of the protesters, Richardson gang veteran Frankie Fraser 'took a severe beating', according to a prison medical officer [3] leaving his eyesight and sense of balance permanently damaged. [4]

During the subsequent trial of nine of the protesters, it emerged that prisoners returning to their cells were forced to run the gauntlet of prison officers lining the corridors, who beat them as they ran past.[5] In his account of life in Parkhurst in the period leading up to the 1969 disturbance, Brian Stratton detailed the many petty rules and regulations, and outright staff brutality, that contributed to the subsequent protest.

Indeed, Stratton recounts his own warning to MPs, delivered earlier in 1969, that 'there will be a riot unless you can get something done to stop the brutality'.[6] The events in Parkhurst were followed by a period of major prison disturbances. In August 1972 an estimated 10,000 prisoners across more than 30 prisons took part in a national prisoners' strike, called by the newly-established prisoners' union PROP. [7]

Further demonstrations took place later in the decade. In 1976, for instance, there were over 30 demonstrations, including a major disturbance at Hull prison. Many of these protests were put down with brutality. In the case of the Hull prison disturbance, for instance, the official Home Office inquiry noted the 'excess of zeal' of some prison officers, but otherwise exonerated the staff. Two years later, eight officers were found guilty of conspiracy to assault and beat prisoners. [8]

Prison officers too engaged in an increasingly militant campaign of disruption across the decade, 'of a type, and on a scale, 'never previously witnessed', according to an official report.[9] In 1973, for instance, the Prison Officers Association issued a work to rule instruction to its members. Unofficial action broke out across London prisons in 1975. In the same year, an editorial in Prison Service Journal argued that without urgent action, 'the prison service in this country will be placed in a situation quite disgraceful by national and international standards'.[10] A series of local disputes affected prisons in 1976 and 1977, while in late 1978 the Prison Officers Association agreed on a campaign of industrial action, to commence from November 1978.The result was what Fitzgerald and Sim described as a 'crisis of authority' in prisons. 'It has become increasingly clear that prison officers and governor grades compete for control of individual penal institutions', they wrote.[11]

These strikes and disputes within prisons were but part of a wider set of social conflicts that roiled British society during the 1970s. 'In the late 1960s the teenagers of the previous decade became militant campaigners in Britain's factories', writes Selina Todd. 'They instigated the most radical wave of industrial unrest that the country had not experienced since the 1920s'.[12] Between 1965 and 1969, nearly four million working days had been lost to strike action. This rose 14 to million between 1970 and 1974, and a further 11.6million between 1975 and 1979. [13] The struggle between organised labour, in the form of the trade union movement, on one side, and the government, employers and capital on the other, spanned the decade, with no clear winner emerging. During his four years as Prime Minister between 1970 and 1974, for instance, Edward Heath declared five states of emergency: a sign, Todd notes, 'that strikers were not to be negotiated with, but should rather be treated as enemies of the state'. [14]

In the first of two general elections in 1974, Heath's Conservatives lost to Labour, whose own turbulent period in office culminated in the 'winter of discontent' strikes of 1978-1979. Against this background of intensifying class struggle, law and order themes became increasingly prominent in party political debates. They had begun featuring in manifestos in Britain with the 1959 general election, according to David Downes and Rod Morgan. However, the 1970 general election was, in their view, the 'real watershed' moment, with all three major parties devoting 'more space than ever before in their manifestos to these issues'.[15]

From the early 1970s on, a new political consensus around the need for more authoritarian forms of government was in the process of being constructed, as Stuart Hall and colleagues described in their influential study of political and media representations of street violence.[16] As the decade progressed, law and order themes 'persisted and grew more insistent', Downes and Morgan argue, reaching 'their most polarized form in the 1979 election'.[17] Writing in late 1978, just a few months before that election, E.P. Thompson summarised the situation as he saw it:

> *'The national crisis - the State of Emergency - the deployment of armed forces - the attempt to induce panic on the national media - the identification of some out-group as a 'threat to security' - all these are becoming part of the normal repertoire of power'.*[18]

The 1979 general election came at a moment of what Alexander Gallas, following Gramsci, describes as a 'catastrophic equilibrium… a situation in which class actors engage in their "reciprocal destruction" because both sides are strong enough to launch attacks, but neither side is capable of defeating the other'.[19] As a solution to this 'catastrophic equilibrium', Gallas argues, the Conservative party under Margaret Thatcher 'advanced the authoritarian claim that Britain faced an all encompassing social crisis, which could only be resolved by taking a hard-line approach to "law and order" issues'. He continues:

> *'Along these lines, the 1979 Conservative election manifesto lamented the "growing disrespect for the rule of law", which was described as "THE MOST DISTURBING THREAT to our freedom and security". According to the manifesto, there was an ensemble of enemies of the law, who came from all sections of society. It included "Labour", "the criminal", "violent criminals and thugs", "hooligans at junior and senior levels", "immigrants", "the young unemployed in the ethnic communities", "the government, "strike committees and pickets", "terrorism" and "convicted terrorists". All these people apparently had their part to play in creating a threat to the existence of British society'.*[20]

This presentation of a series of social and political conflicts as, at heart, law and order issues is striking; the language, divisive. It plays to what Gallas, following Bob Jessop and colleagues, describes as the Thatcherite 'two nations' strategy: dividing 'the population and, more specifically, the working class by pitting a 'productive' against a 'parasitic' section'.[21]

As Jessop and colleagues expressed it, in an article originally published in 1984, rather than conceiving of social divisions in horizontal, class terms, the Thatcherites presented 'an image of social divisions based on a single, vertical cleavage stretching from top to bottom of society which opposes the productive to the parasitic'. The division was presented as 'inherently antagonistic'. The Keynesian welfare state - organised around the mixed economy, full employment, collective bargaining and demand management - was in structural crisis and incapable of resolving these antagonisms.

Under Thatcherism, the productive - whose goods and services could be produced and marketed without state subsidies - were to be rewarded for their contribution. The parasitic - the poor and unemployed, but also those working in unprofitable public and private sector organisations - should expect to 'suffer for their failure to contribute adequately (if at all)'. [22]

This world-view found concrete expression at various points during Thatcher's period in office. During the 1984-85 miners' strike, for example, the government worked closely with the police to disrupt strike activities. Although the government had recently-strengthened trade union laws at its disposal, it preferred to rely on the criminal law to target striking miners.[23] By doing so, the government sought to depoliticise the strike: portraying it as a matter of law and order, rather than a political dispute comparable to the 'catastrophic equilibrium' class struggles of the 1970s.

Penal liberalism?

Despite its divisive and authoritarian political programme, the Thatcher governments of the 1980s are often thought of as having been relatively liberal in relation to prisons policy. According to a number of accounts, the inflection point came in the early 1990s, after Thatcher had left office, when prisons policy took a punitive turn. This notion of an early 1990s punitive turn, following decades of relative liberalism, forms part of what might be considered the dominant view within liberal reform circles, as well as among representative figures in academia and policy-making.

In earlier times, the argument broadly goes, the formation and development of prisons policy took place among expert circles, behind closed doors. Such shielding helped to protect prisons policy from the potentially corrosive effects of politicisation. As one anonymous contributor to Prison Service Journal 8 put it in the early 1970s, 'crime and punishment must be kept out of the political arena. It is far too emotive and emotional an area to allow it

to be used for political ends'.[24] Committees such as the Advisory Council on the Treatment of Offenders (established in 1944) and the Advisory Council on the Penal System (established in 1966) formed part of a network of civil servants, experts and practitioners that, in the words of one former civil servant, aided the development of 'a kind of non-party political, good thinking consensus out of which good penal policy would grow'. [25]

Politicians and opinion formers were thought to operate with 'a tacit, informal but nonetheless effective "gag rule"… treating crime and punishment as subjects so potentially explosive and emotionally charged that good governance and social cohesion require them to be kept out of the public realm'.[26]

In the early 1990s, according to this account, politics and politicians decisively breached these carefully constructed defences. These years marked the beginnings of an ongoing period of 'extreme politicisation of criminal justice policy', according to a 2010 report from the House of Commons Justice Committee.[27]

The authors of a 2014 British Academy report identify 1992 in particular as the point at which a negative spiral began, with party-political competition and mass media manipulation shifting the political consensus towards an embrace of tough sentencing and prison expansion, and away from a commitment to penal moderation.[28] 'We have experienced over 15 years of intense criminal justice hyperactivity', the report of the Commission on English Prisons Today stated in 2007. 'This intense and punitive political activity has had the effect of encouraging a more fearful and insecure population. It has raised unrealistic expectations about the role prison can play in securing a safer society'.[29]

In a similar vein, Tim Newburn writes that until the late 1980s, 'there remained relatively powerful voices unwilling to endorse punitive penal policies fully'. From the early 1990s on, however, a new punitive consensus developed, which 'both the main political parties embraced… with gusto'.[30]

It is a compelling argument in some respects, one that appears to make sense of the growth in the prison population over recent decades. In the 22 years between 1970 and 1992, the prison population grew by some 15 per cent, from 39,000 to 44,700. In the subsequent 19 year period between 1993 and 2012, it nearly doubled, from 44,500 to 86,600.[31] In one single year, between 1996 and 1997, the population grew by nearly 6,000, an increase greater than

the entire growth across the 22 year period between 1970 and 1992. Since 2012, prisoner numbers have stabilised at this higher level: up a bit now, down a bit then, never straying far from a central figure of some 85,000.

Underpinning the argument is a particular historical periodisation, telling a particular story, with particular political implications. There are different versions of this periodisation. In his highly influential account, for instance, David Garland dates the beginning of the end of penal liberalism to the early 1970s.[32] Most, though, including Garland, do accord a significance the supposed early 1990s pivot. It is the story of an embedded penal liberalism (the 1950s/1960s/1970s to 1992), supplanted by a punitive turn (1993 to 2010), followed by a new era of embedded punitiveness (2010 to the present day). All in all, it presents a rather gloomy prospect, with little by way of potential for progressive, liberal change in the future.

But consider a different periodisation. In her history of the British working class, referred to earlier, Selina Todd divides the century into three periods: 1910 to 1939; 1939 to 1968, and, overlapping with the second period, 1966 to 2010. Viewing prison population changes through Todd's periodisation lens - which is to take something of a liberty as she did not develop it for this purpose - we might conclude that the most liberal penal period was 1910 to 1939; the prison population halved across those years. Todd's third period, 1966 to 2010, was far more punitive by comparison, with prison population growth of 156 per cent. The most punitive period, however, was between 1939 and 1968, when the prison population grew by 214 per cent.

We can also split Todd's final periodisation in two, to account for the post-1992 punitive turn of conventional accounts. The first mini-period - 1966 to 1992 - does then appear more liberal. The prison population grew by 35 per cent during that mini-period. During the second mini-period - 1993 to 2010 - the population grew by 90 per cent. Punitive for sure, though still less so than the 1939 to 1968 period.

If prison population trends are a measure of punitiveness - and in some respects at least they surely are - the period of penal liberalism came to an end not in 1992, nor in the early 1970s, but more than 50 years earlier, on the eve of the Second World War. On this reading, the story of the past century is one of penal liberalism until the late 1930s, followed by an extended period of relentless prison growth. In some years the trend slowed, or went temporarily into reverse. In other years it quickened. The direction

of travel was, though, remarkably consistent. Under this periodisation, the story of the past fifty years is not one of a fall from liberalism to punitiveness, but of ongoing, intensifying punitiveness, as Joe Sim has argued.[33]

From this standpoint, some developments during the Thatcher governments come more sharply into view. During this supposedly liberal decade, for instance, the prison population grew by 15 per cent; less, for sure, than the 44 per cent growth during the 1990s, but double the eight per cent growth in the 1970s. Meanwhile, prisons during the 1980s, in the words of Downes and Morgan, 'continued to fester, conditions deteriorating on virtually all fronts… locked in a logically endless drift borne of rising numbers and costs in a policy vacuum'. [34]

One consequence was ongoing prison disturbances. Between 29 April and 2 May 1986, for instance, 46 prisons in England faced widespread disturbances in what the official inquiry described as 'the worst night of violence the English prison system has ever known'.[35] Further disturbances followed in 1988 and 1989. Then, in 1990, a number of prison disturbances broke out, including the longest and most destructive prison protest in British history: at Strangeways prison in Manchester.

As the official report into the disturbances, published the following year, stated: 'prison riots cannot be dismissed as one off events, or as local disasters, or a run of bad luck. They are symptomatic of a series of serious underlying difficulties in the prison system. They will only be brought to an end if these difficulties are addressed'.[36]

This disastrous end to the decade challenges the notion that the 1980s was a period of penal liberalism. Consider, too, another example, one that to many represents something of the high water mark of depoliticised penal liberalism: the 1991 Criminal Justice Act. Some four years in the making, the Act came about following extensive consultation. The development work included a Green Paper in 1988 and a White Paper in 1990, the latter published little more than a month before the Strangeways prison disturbance.

It was the 1990 White Paper that famously declared, in a seemingly quintessential liberal turn of phrase, that imprisonment was 'an expensive way of making bad people worse'.[37] The White Paper rejected both rehabilitation and deterrence as rationales for imprisonment. 'Nobody now regards imprisonment, in itself, as an effective means of reform for most prisoners', it stated. Deterrence, too, did not work, despite its 'immediate appeal' for many.

Yet integral to this rejection of rehabilitation and deterrence as rationales for imprisonment was a rather more authoritarian and divisive argument. It was far better, the White Paper argued, that offenders 'should exercise self-control than have controls imposed upon them'. Yet this, the White Paper argued, was precisely what was in short supply among those who ended up in the courts. Indeed '[m]any offenders have little understanding of the effect of their actions on others'. The seemingly progressive notion of prisons as 'an expensive way of making bad people worse' carried a rather more regressive implication: offenders were bad people incapable of being made better. The thinking is captured well in the following passage from the White Paper, a passage redolent with the divisive 'two nations' rhetoric of the 1979 Conservative manifesto:

> *'There are doubtless some criminals who carefully calculate the possible gains and risks. But much crime is committed on impulse, given the opportunity presented by an open window or unlocked door, and it is committed by offenders who live from moment to moment; their crimes are as impulsive as the rest of their feckless, sad or pathetic lives.'*

With potential criminals largely undeterrable, and convicted criminals largely unreformable, the White Paper placed 'public protection, denunciation and retribution' at the heart of the justification of imprisonment. These were the very themes that were to emerge, in sharpened form, a few years later when, in October 1993, the Conservative Home Secretary, Michael Howard, told his party conference that 'prison works'.

The punitive turn?

On 31 March 1990, an estimated 200,000 people gathered in central London to protest against the poll tax, due to be introduced in England and Wales the following week. The protest ended in running battles between the police and some protesters. The organisers claimed the police attacked indiscriminately. 'I think we lost it a bit', one police officer reportedly remarked. [38]

Hundreds were left injured. The following day, the 25-day Strangeways prison disturbance kicked off, the largest and longest of a number of prison disturbances to break out that month. The connection between the prison disturbances and the poll tax demonstration was remarked on at the time. A prison officer in Dartmoor, one of the other prisons where disturbances

broke out, told the official inquiry that the prison disturbances should be put in 'the context of other riots… such as … the London poll tax riot the night before the Strangeways riot... A large percentage of prisoners see themselves either unjustly imprisoned or overly oppressed while in prison'.[39]

The Labour MP Joe Ashton alleged in parliament that the government 'was happy to allow the Strangeways disturbance to continue, knocking the poll tax riot off the front pages'.[40] The unpopularity of the poll tax hastened Margaret Thatcher's downfall. She was forced out of office in November that year, replaced as Prime Minister by John Major.

Major's Conservatives went on, unexpectedly, to win the 1992 General Election, but the party was badly divided. In September 1992 the UK crashed out of the European Exchange Rate Mechanism, dealing a huge blow to the Conservatives' claim to competence in economic matters, one from which they never recovered. At the same time, the government was engaged in a bruising, year-long battle with its own MPs over the ratification of the Maastricht Treaty, intended to foster closer European integration.

The legislation was only finally passed in the summer of 1993 with the support of opposition MPs, and after the government whipped some recalcitrant backbench MPs into line by tying the vote to a confidence motion. Two years later, the party still badly divided, Major forced a Conservative leadership election, which he won, in a failed attempt to face down critics in his party. The government during this whole period gave 'the impression of being in office but not in power', as the former Chancellor, Norman Lamont, memorably said in the House of Commons in June 1993.[41]

In the face of this turmoil and division, argues the former senior Home Office civil servant David Faulkner, the Conservative party needed 'a suitable populist issue' to unite around, 'and crime and law and order were a natural choice'.[42] But if it was an attempt to foster unity, it was one based on reaffirming old divisions: between the silent, angry majority and the dangerous, criminal minority, between the law-abiding and the lawless. As the Home Secretary, Michael Howard, expressed it in his October 1993 Conservative party conference speech: 'In the last thirty years, the balance in the criminal justice system has been tilted too far in favour of the criminal and against the protection of the public. The time has come to put that right. I want to make sure that it is criminals that are frightened, not law-abiding members of the public'. And then this:

'Let us be clear. Prison works. It ensures that we are protected from murderers, muggers and rapists, and it makes many who are tempted to commit crime think twice'.

Among the measures Howard announced that day, as part of a 27-point plan, was the building of six new prisons.[43]

Once inaugurated, Faulkner argues, the populism unleashed proved difficult to control, especially given the enthusiasm of the opposition Labour party - from 1994 under the leadership of Tony Blair - to go toe-to toe with the Conservatives on law and order. It was an enthusiasm vindicated, in the view of many, when Labour won a landslide victory at the 1997 general election. These crucial years, in Faulkner's view, inaugurated a change in policy direction 'probably more fundamental than any which could be associated with a change of government, for example in 1979 or 1997'.

But this surely overstates the degree of rupture, and understates the significance, at least, of the 1979 general election. Howard's predecessor but one, Kenneth Baker, had already mounted populist campaigns against 'bail bandits' and joyriders a few years earlier, while during the 1980s the government had introduced the 'short, sharp shock' in youth detention centres, among other hard-line measures.

Moreover, Howard's speech itself played to the 'two nations' tropes that had been at the heart of Conservative ideology for close on two decades. Noting these continuities, others have sought to portray the early 1990s punitive turn as a case of delayed-onset Thatcherism. According to Stephen Farrall and Colin Hay, only in the early 1990s did criminal justice policies start 'to become staunchly infused with new right thinking.

When it came, the transition was sharp, with a clear departure from the pre-existing consensus within whose terms both parties had sought to limit the size of the prison population'. [44] In Farrall and Hay's telling, the Thatcher governments of the 1980s prioritised other policy areas - economic, housing and social security policy for instance - leaving criminal justice largely untouched. During the early 1990s, and with the Thatcherites now firmly in control of the party and government, rising crime rates - themselves driven by the spill-over effects from Thatcherite social and economic policies - combined with a growing electoral threat from Labour on law and order issues, creating the conditions for the emergence of a 'hard-line "Thatcherite" approach' to law and order. [44]

For Faulkner, then, the post-1992 developments had something of the cynical political gambit about them. Stoked by the Labour opposition, prisons policy descended into an ever intensifying punitive spiral, with an energy of its own. 'No party can easily oppose a populist law and order campaign once it gathers momentum', he writes. [46] The pivot to punitiveness was driven more by expediency than necessity. For Farrall and Hay, by contrast, these developments were always a likely consequence of the Thatcherite programme, right from the start. As they write in their conclusion: 'the social and economic changes they unleashed from 1979 onwards had the net result of demanding a more punitive response to crime'.[47]

It was a question of when such policies would emerge, not if. These two divergent explanations - one seeing the post-1992 developments as contingent and unnecessary, the other as over-determined, probably inevitable - agree on the essential problem: explaining the abrupt post-1992 change of direction in prisons policy. But as the earlier discussion of periodisation sought to show, the apparent abruptness of the change is itself an artefact of the explanatory framework.

This is arguably a problem with periodisations in general, given their tendency to conceive of periods of seeming homogeneity, 'bounded on either side by inexplicable chronological metamorphoses and punctuation marks', to use Fredric Jameson's striking phrase.[48] When sharp breaks are imposed on historical accounts, we create an explanatory mountain to climb, dramatic ruptures being difficult to explain convincingly or comprehensively. We also risk blinding ourselves to the presence and coexistence of perspectives and ideologies, policies and programmes, that cut across these breaks.

The Conservative government did not dramatically switch from liberalism to punitiveness in prison policy, some time around late 1992/early 1993. Nor did the Labour opposition discover punitive instincts it had previously disavowed in the name of liberalism. As the shadow Home Secretary, Jack Straw, told BBC Radio just a few months before the 1997 general election: 'We haven't opposed a criminal justice measure since 1988'.[49]

The legacy of Thatcherism

Speaking in 2010, shortly after his appointment as Justice Secretary in the newly-formed Conservative - Liberal Democrat coalition government, Ken Clarke contrasted the prison system in 2010 with the system he recalled from his time as Home Secretary in the early 1990s:

> *'I said soon after I was appointed that I was amazed that the prison population has doubled since I was Home Secretary in the early 1990s, which is not so very long ago. It stands at more than 85,000 today. This is quite an astonishing number which I would have dismissed as an impossible and ridiculous prediction if it had been put to me as a forecast in 1992'.*[50]

The 'astonishing' prison system he referred to was the one constructed in good part by the Labour governments between 1997 and 2010, building on the work of the Major and Thatcher administrations. During Labour's years in office, the prison population grew by nearly 40 per cent, from 61,000 to 85,000. The growth was partly fuelled by factors internal to the criminal justice system: new laws and longer sentences, for instance, and the dramatic expansion of the police, which resulted in more arrests and increased criminalisation.

The Blairite political programme also fed this growth, with its tendency towards consolidating the free-market authoritarianism of the Thatcher/Major administrations, while also seeking to widen social inclusion, in particular by expanding education, training and work opportunities. But it was an inclusion with a hard edge.

As Gallas notes in relation to one of the flagship Labour policies, the New Deal for Young People, it was more inclusive than Thatcherite approaches, 'insofar as it sought to address material factors behind poverty like education, and not just attitudinal factors such as the alleged unwillingness to work. Nevertheless, it preserved the focus on the individual and the authoritarian idea that people had to be forced into wage labour for their own good'. [51]

The tendency towards compulsion was complemented by an authoritarian approach to law and order. For instance, in 2004, David Coates notes, Blair condemned 'what he called "the 1960s liberal consensus on law and order" that had focused… too heavily on offenders' rights and on miscarriages of justice, and too little on the need for parental discipline and individual responsibility'. The main targets for Labour's law and order policies during this period, Coates adds, were, in a characterisation that would not have been out of place as a description of the Thatcherite programme, 'the hardened criminal class, the anti-social lout and the migrant' [52]

While the Labour government's professed inclusion and opportunity, the material reality on the ground was somewhat different. The social and economic polarisation Labour inherited from the Thatcher and Major Administrations increased further under Blair.

> *'The proportion of children living in a family that could not afford to take a holiday away from home had risen; so too had the number of children whose parents could not afford to let them have friends round for tea. Likewise the number of children living in singleparent families without access to a car had risen… New Labour's record was more like a continuation of Thatcherism rather than something new'.* [53]

The law and order policies, including its prisons policies, emerged from, and helped to reproduce, this social and economic polarisation. Following Labour's defeat at the 2010 General Election, prison growth stabilised, in good part because austerity-driven reductions in police numbers meant fewer police chasing fewer people to criminalise.

Meanwhile, conditions in prisons continued to be grim, and in some respects deteriorated. The House of Commons Justice Committee referred to 'the ongoing and rapid deterioration in prison safety in England and Wales which began in 2012'. [54] Urgent notifications from the prisons inspectorate have become increasingly common. In 2018 the Chief Inspector of Prisons, Peter Clarke, referred to 'some of the most disturbing prison conditions we have ever seen - conditions which have no place in an advanced nation in the 21st century'. [55] A year later, he remarked on the 'deeply troubling' situation in many prisons. Far too many, he wrote, were 'plagued by drugs, violence, appalling living conditions and lack of access to meaningful rehabilitative activity'. Levels of self-harm, he added, were 'disturbingly high' while self-inflicted deaths had 'increased by nearly one fifth on the previous year'. Far too many prisoners, he also noted, were enduring 'very poor and overcrowded living conditions'. [56]

Resisting and rethinking penal policy

In 2016, once more out of government, Ken Clarke joined forces with the former Deputy Prime Minister, Nick Clegg, and another former Home Secretary, Jacqui Smith, to call for a reduction in the prison population back 'to the levels it was under Margaret Thatcher. That would mean eventually reducing prison numbers to about 45,000'.[57]

Presenting the Thatcher governments as the progressive solution to the punitive problems of the Major, Blair and Brown administrations was, to put it mildly, a counter-intuitive move. But the near doubling of the prison population between Thatcher's downfall and the defeat of Labour in 2010 does at least offer a challenge to any reflex dismissal of the proposition.

Clarke, Clegg and Smith's letter, though, had the appearance of a dispatch from a long-forgotten past. The cumulative, quantitative growth in the prison population over many years has delivered qualitative changes to the prison system, and that includes how we experience, think and feel about these institutions.

Prisons occupy a far larger footprint in society than a generation ago, both in crude numerical terms, and in relation to their cumulative impact: on prisoners, prison staff, and their families, and in the ripples of influence they exert on society more widely. With a longer view, it is possible to see the so-called punitive turn of the early-1990s as but a waymark on a much longer journey, during which the political significance of prisons in British society has only grown.

At the time of writing, prisons policy appears locked in inertia. The government estimates the cost of the backlog on estate maintenance and repairs at close to £1 billion; it has committed less than a fifth of this total to doing the work. 'I am not going to pretend that it is enough', the Justice Secretary, Robert Buckland, sheepishly told the House of Commons in 2019.[58]

The Commons Justice Committee argued a few months earlier that 'ploughing funding into building prisons to accommodate prison projects is not a sustainable approach in the medium or long-term' and called for the government to explore alternatives.[59] The government has since reaffirmed its commitment to expanding the prison estate by more than 13,000 additional places.[60]

Various campaigners and advocates, parliamentarians and inspectors, staff bodies and practitioner groups make regular representations to improve conditions, to reduce unnecessary imprisonment, to close dilapidated prisons, to develop alternatives. Ministers smile and express sympathy, and the caravan moves on. The COVID-19 crisis, which continues to unfold at the time of writing, has the potential to shake-up this inertia, to prompt a rethink of some basic assumptions about prisons: their purpose, size and scale, their present operations and future development. There are, though, few signs currently of this happening.

Fredric Jameson once wrote that the 'ideological dimension is intrinsically embedded within the reality, which secretes it as a necessary feature of its own structure'.[61] Prisons create the conditions of their own existence, just as the societies that build prisons secrete the ideologies that sustain them. Untangling the web of politics and ideology, social antagonisms and division, that gives rise to and sustains the prison system; charting a path beyond the confines prisons impose our beliefs and practises, so that we might do something genuinely new and innovative; these are worthy and necessary tasks for the coming years.

References

1. The Times (1969) 'Tension growing at Parkhurst'. The Times,29 October.
2. Borrell, C. (1970) 'Parkhurst wives seek inquiry'. The Times,11 November.
3. The Times (1970), 'Prisoner "got a beating"'. The Times,20 February.
4. Stratton, B. (1973), Who Guards the Guards?London: North London PROP, 142; Fitzgerald, M. (1977), Prisoners in Revolt.Harmondsworth: Penguin, 134.
5. Borrell, C. (1970) 'Prisoners beaten as they "ran gauntlet"'. The Times, 30 May.
6. Stratton, Who Guards the Guards?,135.
7. Fitzgerald, Prisoners in Revolt,150-161.
8. Fitzgerald, M. and J. Sim (1982) British Prisons.Second Edition. Oxford: Basil Blackwell, 9.
9. May Committee (1979) Report of the Committee of Inquiry into the United Kingdom Prison Services.Cm 7673. London: HMStationery Office, 233.
10. Quoted in Fitzgerald and Sim, British Prisons,4.
11. Fitzgerald and Sim, British Prisons,14.
12. Todd, S. (2014) The People: The Rise and Fall of the Working Class 1910-2010.London: John Murray, 275.
13. Brown, W. (2004) 'Industrial relations and the economy'. In R. Floud and P. Johnson, The Cambridge Economic History of Modern Britain. Volume III. Cambridge: Cambridge University Press, 403, Table 15.4.
14. Todd, The People, 301.
15. Downes, D. and R. Morgan (1997) 'Dumping the "Hostages to Fortune"? The Politics of Law and Order in Post-War Britain'. In M.Maguire, R. Morgan and R. Reiner (Eds) The Oxford Handbook of Criminology. Second Edition. Oxford: Oxford University Press, 90.
16. Hall, S., C. Critcher, T. Jefferson, J. Clarke, B. Roberts (1978) Policing the Crisis: Mugging, the State and Law and Order. Houndmills:Macmillan.
17. Downes and Morgan, 'Hostages to Fortune', 91, 93.
18. Thompson, E. P. (1978) 'Introduction'. In State Research, Review of Security and the State 1978. London: Julian Friedmann Books, ix.

19. Gallas, A. (2016) The Thatcherite Offensive: A Neo-Poulantzasian Analysis. Chicago: Haymarket Books, 75.
20. Gallas, The Thatcherite Offensive, 121.
21. Gallas, The Thatcherite Offensive, 19.
22. Jessop, B., K. Bonnett, S. Bromley and T. Ling (1988) Thatcherism: A Tale of Two Nations. Cambridge: Polity Press, 88, emphasis original.
23. See Gallas, The Thatcherite Offensive, 182.
24. Quoted in Ryan, M. (2003) Penal Policy and Political Culture in England and Wales. Winchester: Waterside, 59.
25. Quoted in Loader, I. (2006) 'Fall of the "Platonic guardians": Liberalism, Criminology and Political Responses to Crime in England and Wales'. British Journal of Criminology 46: 561-586, 566.
26. Loader, 'Platonic guardians', 569.
27. House of Commons Justice Committee (2010) Cutting crime: the case for justice reinvestment. HC 94-I. London: The Stationery Office, 94.
28. Allen, R., A. Ashworth, R. Cotterrell, A. Coyle, A. Duff, N. Lacey, A. Liebling, R. Morgan (2014) A Presumption Against Imprisonment: Social Order and Social Values. London: British Academy.
29. Commission on English Prisons Today (2009) Do Better Do Less: The report of the Commission on English Prisons Today. London: The Howard League for Penal Reform, 6.
30. Newburn, T. (2007) '"Tough on crime": Penal Policy in England and Wales'. Crime and Justice 36: 425-470, 455.
31. Calculated from House of Commons Library (2019), UK Prison Population Statistics. Supporting documents. Available at: http://researchbriefings.files.parliament.uk/documents/SN04334/CBP-04334-PUBLIC.xlsx .
32. Garland, D. (2001) The Culture of Control: Crime and Social Order in Contemporary Society. Oxford: Oxford University Press 33. Sim, J. (2009) Punishment and Prisons: Power and the Carceral State. London: Sage.
34. Downes and Morgan, 'Hostages to Fortune', 123.
35. Quoted in Adams, R. (1994) Prison Riots in Britain and the USA. Second Edition. Houndmills: MacMillan, 161.
36. Lord Justice Woolf (1991) Prison Disturbances April 1990: Report of an Inquiry. Cm 1456. London: HM Stationery Office, 16.
37. Home Office (1990) Crime, Justice and Protecting The Public. Cm 965. London: HM Stationery Office. This and subsequent quotes are from page 6
38. Carvel, J. And D. Sharrock (1990) 'MPs unite against poll tax rioters'. The Guardian, 2 April.
39. Woolf, Prison Disturbances, 505.
40. The Guardian (1990) 'The day in brief'. The Guardian, 28 June.
41. HC Deb, 9 June 1993, c281. Available at: https://publications.parliament.uk/pa/cm199293/cmhansrd/1993-06-09/Debate- 1.html .

42. Faulkner, D. (2006) Crime, State and Citizen: A Field Full of Folk. Winchester: Waterside, 122.
43. Brown, C. (1993) 'Howard seeks to placate "angry majority"'. The Independent, 7
44. Farrall, S. and C. Hay (2010) 'Not So Tough On Crime? Why Weren't the Thatcher Governments More Radical in Reforming the Criminal Justice System?'. British Journal of Criminology 50: 550-569, 552.
45. Farrall and Hay, 'Not So Tough On Crime?', 563.
46. Faulkner, Crime, State and Citizen, 122.
47. Farrall and Hay, 'Not So Tough On Crime?', 566.
48. Jameson, F (1991) Postmodernism, or, The Cultural Logic of Late Capitalism. London: Verso, 4.
49. Quoted in Anderson, P. and N. Mann (1997) Safety First: The Making of New Labour. London: Granta, 269.
50. Clarke, K. (2010) 'The government's vision for criminal justice reform'. [ONLINE] Available at: https://www.crimeandjustice.org.uk/resources/governments-vision-criminal-justice-reform [Accessed 19 April 2020].
51. Gallas, Thatcherite Offensive, 282.
52. Coates, D. (2005) Prolonged Labour: The Slow Birth of New Labour Britain. Houndmills: Palgrave Macmillan, 153, 154.
53. Dorling, D. (2014) 'Mapping the Thatcherite legacy: the human geography of social inequality in Britain since the 1970s'. In S. Farrall and C. Hay (Eds.) The Legacy of Thatcherism: Assessing and exploring Thatcherite social and economic policies. Oxford: Oxford University Press, 240-272, 264.
54. House of Commons Justice Committee (2016) Prison safety. HC 625. London: The Stationery Office, 3.
55. Clarke, P. (2018) HM Chief Inspector of Prisons for England and Wales Annual Report 2017-18. HC 1245. London: House of Commons, 7.
56. Clarke. P (2019) HM Chief Inspector of Prisons for England and Wales Annual Report 2018-19. HC 2469. London: House of Commons, 7, 11.
57. Clegg, N., K. Clarke, J. Smith (2016) 'Call to halve the prison population'. The Times, 22 December.
58. House of Commons Justice Committee (2019) 'Oral evidence: The work of the Lord Chancellor'. HC 41. 16 October. [ONLINE] Available at: https://www.parliament.uk/business/committees/committees-a-z/commons-select/justice-committee/inquiries/parliament- 2019/copy-this-page-inquiry-name-17-19/publications/ [Accessed 17 May 2020].
59. House of Commons Justice Committee (2019) Prison population 2022: planning for the future. HC 483. London: House of Commons, 20.
60. Garside, R., R. Grimshaw, M. Ford, N. Hickey, H. Mills (2020) UK Justice Policy Review: Volume 9. London: Centre for Crime and Justice Studies, 28.
61. Jameson, Postmodernism, 262.

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