

The poverty of N.S.W. penal practice revealed at its starkest. Such unlawful violence against prisoners is conducive only to the production of a deep-seated bitterness and hatred. This bitterness and hatred is directed in the first instance against the immediate perpetrators of such brutality, the prison officers. (See, for example, the evidence of Maxwell Williams of his plans to murder prison officers on release) And at a more general level, the bitterness and hatred as directed at society in general for its monumental hypocrisy in condoning sustained official brutality that makes the misdeeds of even the minority of 'violent' prisoners pale into significance.

Summary

In this section we have attempted to outline some of the major mechanisms by which the totalitarian and repressive nature of prisons in this state is maintained. The mechanisms were grouped under the two general heads of secrecy, fear, and within these headings, we have examined a range of aspects, namely:

A) Secrecy

- i) General.
- ii) Exclusion and harassment of critics.
- iii) The Department's lack of good faith, untrustworthiness, "dirty tricks" etc.
- iv) Use of prison rules to enforce secrecy and prohibit the flow of information.
- v) The structuring of a hierarchy of institutions and the shanghaing of prisoners.
- vi) Physical violence.

In the following section we examine briefly some of the effects of such practices.

4. The Effects of N.S.W. Penal Practices

Rehabilitation? In an important and major study, carefully and thoroughly conducted, Professor Robert Martinson and his colleagues recently reviewed all published English language research reports on attempts at rehabilitation from 1945 to 1967 concluding that:

"With few and isolated exceptions, the rehabilitation efforts that have been reported so far have had no appreciable effect on recidivism." (Martinson, 1974:25)

Their analysis included studies of educational and vocational training, individual counselling, group counselling, milieu therapy, medical treatment, efforts of sentencing, decarceration, psychotherapy in community settings, and parole and probation versus incarceration.

Regarding community corrections specifically they state that (Martinson, 1974:39):

"In sum, even in the case of treatment programs administered outside penal institutions, we simply cannot say that this treatment in itself has an appreciable effect on offender behaviour. On the other hand, there is one encouraging set of findings that emerges from these studies. For from many there flows the strong suggestion that even if we can't 'treat' offenders so as to make them do better, a great many programs designed to rehabilitate them at least did not make them do worse... It is cheaper and doesn't impose increased danger to the community..."

Later in the report they went on to say:

"It is just possible that some of our treatment programs are working to some extent, but that our research is so bad that it is incapable of telling.

Having entered this very serious caveat, I am bound to say that these data, involving over two hundred studies and hundreds of thousands of individuals as they do are the best available and give us very little reason to hope that we have in fact found a sure way of reducing recidivism through rehabilitation. This is not to say that we found no instances of success or partial success; it is only to say that these instances have been isolated, producing no clear pattern to indicate the efficacy of any particular method of treatment. And neither is this to say that factors outside the realm of rehabilitation may not be working to reduce recidivism - factors such as the tendency for recidivism to be lower in offenders over the age of 30; it is only to say that such factors seem to have little connection with any of the treatment methods now at our disposal".

Despite the fact that we have tried to reform prisons, since their creation we have failed to find a prison environment or programme that will "rehabilitate" prisoners.

What effect does prison have on prisoners?

The evidence suggests overwhelmingly that while we have been looking for ways of "helping" prisoners we have in fact been harming them.

"The prison kills all qualities in a man which make him best adapted to community life. It makes him the kind of person who will inevitably return to prison to end his days in one of those tombs over which is engraved - "House of Detention and Correction".

In prisons we have created a "foreign" sub-community completely alienated from "normal" society, and it is in this foreign land that we claim to attempt to rehabilitate its inhabitants to fit into the "normal" society.

"The best influence to which a prisoner could be subjected, the only one which could bring him a ray of light, a softer element in his life - the relationship with his kin - is systematically prevented. In the sombre life of the prisoner which flows by without passion or emotion, all the finer sentiments rapidly become atrophied. The skilled workers who loved their trade lose their taste for work. Bodily energy slowly disappears. The mind no longer has the energy for sustained attention; thought is less rapid, and in any case less persistent. It loses depth."

Kroptkin is describing what N.S.W. prisoners call "Boob Happiness", the state of mindlessness that the routine of prison creates, the loss of personal identification that the forced conformity, lack of decision making and the dehumanising effects of our brutal prison system inflicts on all prisoners. (See Appendix for Darcy Dugan's description of his fight against Boob Happiness).

The mere fact that prisons are an isolated community produces a mass of problems which outweigh any possible beneficial aspects of prison life. (Assuming there any any).

The isolation of prison has the obvious detrimental effect of building a void between the prisoner and normal society. To suggest that "rehabilitation" (whatever that means) can take place under such conditions is mere fantasy.

In effect, even if it is not stated anywhere, the N.S.W. Prison system is designed to brutalize and dehumanize men and women prisoners to the point that they will provide the least amount of difficulty from a "prison routine", management and control point of view. In other words every attempt be made to produce a nameless group of people who will conform with any instruction without question.

The obvious effect of this policy is to generate a dependence on the prison on the part of the prisoners, a classic example of this policy can be seen at the Maximum Security Unit, Katingal. As the prisoner shows acceptance of and loyalty to the system treats are offered in the form of privileges.

Institutionalisation

The end result of this policy is the phenomenon known as institutionalisation. Part of this institutionalisation process is described by an American prison visitor:-

"What will he do? He will petition his M.P., Governor, visiting V.I.P.'s, everybody in sight, he will worry over time, food, the tannoy system, read books for hours and then not remember a single page or title, he will discuss and follow with the fanaticism of the single-minded any newspaper report or television programme or radio newsreel on any aspect that remotely concerns his condition - parole systems, hostel systems, visits, projected reconsiderations of new laws; his hair will fall out, his teeth go and maybe his eyes, he will have visiting parties and concerts yet not go to them; he will distrust the prison visitor but eventually ask for one - and then, sometimes with dignity, sometimes like a leech, he will come to depend overwhelmingly on them; he will seek a trade and find a million reasons or excuses for changing or dropping it. He will masturbate and possibly flirt with homosexuality. He will, through the bush telegraph of the prison world, know and follow touchingly the fate of those who have 'gone down' and left while he stays on; he will be tired; occasionally he will refuse work, indeed lose precious 'remission' - all because he wants to withdraw from all contact with men - even his fellow prisoners; he will develop an acute sense of smell because prisoners don't smoke to excess or drink; the 'outside' will be bizarre, the 'inside' normal; elation will only come when he's given a date - the date of his release. All else is waste."

Sol Chaneles, head of the U.S. Presidential Task Force on Prisons is of the view that:-

"Very soon we must close our prisons down, because, if we are truly a people who cherish liberty and the sanctity of life, we cannot maintain prisons for any reason. Barbarity and the subversion of the human spirit are the only things that can be generated in prisons."

A.J.W. Taylor, psychologist with the Justice Department of New Zealand, has had close first hand experience with the phenomena of the institutionalisation which he described in his article in British Journal of Criminology (1960), Vol. 1 No. 1, titled "Effects of Imprisonment":

"Some inmates become institutionalised, like the recidivist who said: 'Your punishment does not start in prison: it starts when you get out. You feel like a stranger in a strange world - you are dazed and confused. Prison is home to me, everyone knows about me and I have nothing to hide.'"

In addition to the factors that have been mentioned briefly so far are those generalised feelings that make up the mood of a prison. These feelings are of dependence, unworthiness, boredom, despair, futility and apathy. Many of these feelings are crystallised by the following quotation on the notice board in the Wellington Prison:

'My purse, my person, my extremest means lie all unlock'd to your occasions...'

Merchant of Venice, Act 1, Sc. 1.

Inmates spend much of their days waiting by grilles, waiting for visits and fretting for letters. The enforced dependence on other people and the inability to take an active role in one's personal affairs was thought by the writer to be an explanation for feelings of sterility that some inmates mentioned to him. The majority of prisoners are waiting for their release.

Boredom, despair, futility and apathy are common feelings among prisoners. They are aware themselves of the symptoms of withdrawal from life and in New Zealand prisoners use the term 'boob happy' to describe this clinical state. The writer has been approached by inmates who feel that they are becoming full automatons with their emotional sensibility blunted and their cognitive efficiency impaired by imprisonment. One recent admission described his fellow prisoners as 'grey faces with grey suits in a grey world' and he took every opportunity of attending meetings conducted by outside speakers and of playing games with visiting teams 'to see the sparkle in the eyes of the citizens, because they live'. If the withdrawal persists and intensifies it leads to personality deterioration that indicates a wastage of human material which, although an unintended by-product of a reformatory policy, could be compared with the consequence of imprisonment when retribution was the paramount theme in penal treatment.

In all the literature about men in captivity one of the constantly recurring themes is that of personality deterioration. Fox says 'It is the fight against the physical and mental deterioration almost inseparable from a long prison sentence that is the hardest part of the duty laid on the prison authorities.' In Grunhut says that most prisoners suffer from a mental vacuity, and that this is reflected in a dwindling memory, a strange obliviousness and a tendency to illusion and self-deception. The Royal Commission on Capital Punishment was also concerned with evidence relating to deterioration and it seems clear that there is no experimental backing to support any of the widely different opinions that were given. Prisoners writing of their own experience refer to 'prison rot... mental inertia and inability to concentrate... being no longer capable of fending for themselves' and 'living in the organic sense'.

Deterioration in prisoners might be linked with the hitherto unrelated factor of perceptual isolation. Scott's work at McGill showed conclusively that perceptual isolation produced behaviour deterioration of a kind that is identical with the symptoms that we have listed above. A similar lowered test performance and motivational attenuation in prison subjects may well result from the same variables. Perceptual isolation would be an even more important variable if it were linked also with the loss of ambition and normal motivation that is noted in some discharged prisoners.

Scott took elaborate precautions with an experimental group to reduce the variation of sensory environment. In the cognitive sphere he found significant differences between the results of the batteries of tests taken before and after extreme isolation. His subjects also complained of being unable to perform familiar tasks, of being unable to concentrate on matters that were important to them, of being confused, and lacking direction and drive. Scott gave the name 'habituation syndrome' to this clinical picture.

The apparent consequence confinement fit into three categories:

- (1) changes due to initial adjustment to prison life;
- (2) changes due to losing touch with the outside world;
- (3) changes due to deterioration.

These changes appear to be linked in progressive stages and the longer a person is in prison the more likely is he to reach the