

# Reviews

**Moyle, Paul (2000) *Profiting from Punishment: Private Prisons in Australia: Reform or Regression?* Pluto Press, Sydney. 461 pp. ISBN 1 86403 096 8. Rrp \$45.**

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Profiting from Punishment, Paul Moyle's new study of private prisons in Australia, is an excellent, groundbreaking and stimulating piece of research and analysis. Moreover, it has international importance and should be read by anyone seriously interested in the growth and implications of the prison-industrial complex. In this brief review, I will elaborate on each of these qualities, but first I'll summarize the volume's contents.

Dr. Moyle, a Senior Lecturer in Law at the University of Western Australia and, recently, a senior external consultant to the Commissioner of Inquiry into Queensland Corrective Services, uses a creative blend of qualitative and quantitative methods to investigate the operations of private prisons, with a special emphasis aimed at the Borallon Correctional Centre, a facility located outside of Brisbane and owned by the United States-based Corrections Corporation of America (CCA).

Both methodological approaches are important, especially in combination, but Moyle's qualitative approach is more noteworthy because rarely do social scientists gain admittance to, or go behind, the scenes of corporate activity, decision-making and operational management. In this sense, Moyle's investigation is a good example what years ago would have been called 'guerilla research,' but now it is probably safer and wiser to call simply good social science research.

Moyle's research project stretched from 1988 to 1993, with his field work starting in 1991. The field work was carried out at the Borallon Correctional Centre, the Queensland Corrective Services Commission (QCSC), CCA, Lotus Glen Correctional Centre, the Prisoners' Legal Service, and the Public Services Union. The Lotus Glen Correctional Centre was used a public sector 'control group.' He conducted tape-recorded interviews with a broad array of prison-related informants, including inmates, prison officers, middle level managers, program and professional staff, and trade and technical staff. He also consulted governmental documents and the private prison literature, including materials provided by such lobby groups as Penal Reform International, Prison Reform Trust, and the Howard League. Thus, Dr Moyle's search for data was far-ranging and thorough.

The first six chapters of *Profiting from Punishment* set the context for the empirical research and analysis that comes in the last three of the volume's nine chapters. These initial chapters describe the political and ideological climate in which private prisons were introduced in Australia, the various arguments made for private sector involvement in corrections, the place of Borallon within this larger framework, different claims made by critics of private sector involvement in corrections, and an exploration into the internal and external factors associated with reforms such as private prisons and into the 'distinction between allocating and administering punishment' (p 4). The later chapters describe the study's methods, findings, and conclusions.

Among the chief findings of this study are the following:

- Management styles, the availability of rehabilitation programs, and the implementation of case management were more successful in the public sector prison (Lotus Glen) than in the private sector prison (Borallon);
- CCA operations at Borallon were unsuccessful in integrating QCSC policies and procedures that required information accountability, access for purposes of research, and obligations to foster community input; and
- Public-private arrangements for contracting discipline, classification and coercive penal functions resulted in excessive, quasi-judicial and sociopolitical delegation of power to a corporate rather than a governmental entity.

The findings of this study, Moyle says, 'strongly suggest that private contract management was not *essential* to introduce reform in either an internal or external sense. To the contrary, unless careful attention is devoted to establishing and monitoring regulatory standards which are both contract and legislatively based, inmates may be exploited for commercial purposes through the use of contract labour work. This work offers few opportunities to gain relevant work skills. It is established that a 'profit motive' will, if not carefully counterbalanced, have a negative impact upon the quality of programs, management styles and the level of quality control within a corrections system. Regulatory arrangements need to use a combination of fines, bonuses and external evaluation to be effective in aligning public duty with corporate interest' (emphasis in original, p 2).

Overall, then, Moyle found that any advantages of private prison management were relatively unimportant and the disadvantages were much more ominous for improvements in correctional practice. Moyle found that commercial interests prompted an environment of secrecy and stymied many traditional prison practices, resulting in 'an attack on reducing reoffending as a legitimate objective of incarceration, and, correspondingly, a reaffirmation of the 'confinement model'. The confinement model was promoted because it is easier to satisfy in terms of measuring operational standards' (p 334).

Key chapters in this fine account are Chapter Seven which describes the 'veil of secrecy' that CCA attempted to impose in order to shroud, if not stop, research access and evaluation, and Chapter Eight which details the differences between Borallon and Lotus Glen. It is important to understand, Moyle states, that the desired reforms that brought private sector involvement into Queensland corrections were generally available through an already existing public sector model of incarceration. This model, the study shows, was ignored for political reasons.

In conclusion, as I suggested at the start of this review, I believe that this study is a major contribution to the prison management, prison policy and prison reform literature. Reform advocates frequently rely too heavily on good-hearted but inadequately conceived notions of social change. International arguments against the use of private prisons have always struck a responsive chord for me. However, I frequently have had to give pause concerning the unexamined assumptions of many of these arguments. With Moyle's study, however, the arguments against private prisons are strengthened by empirical research (always a helpful matter).

Still, as Moyle suggests, arguments against private prisons are not necessarily arguments in support of public ones. The debate over 'public versus private prisons' may indeed be based upon a wrong set of oppositions. If Borallon's failures are simply those of management, then they can be remedied, replacing a 'bad private prison' with a 'good private prison.' The real opposition concerns the overall and relative use of prisons in the first place. By now, at least in the U.S. and I suspect in Australia as well, ample evidence exists that private prison operations are influential in expanding the use of prisons and are becoming an increasingly effective aspect of the growing prison-industrial complex. Despite myriad scandals in private prisons, and evidence of improper or even illegal practices throughout the history of public prisons, rarely maligned is the concept of private profit derived from the penal confinement of mainly poor people, a disproportionate portion of whom are from cultural, ethnic or racial 'minority' groups.

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