

Issues

In this chapter we examined life inside modern prisons in England and Wales and changes in the prison regime. In revising this material you may wish to reflect on the following issues:

1. Have prisons improved since the early 1990s? If so, in what specific ways?

Here you may wish to refer to changes in the physical conditions of prisons, changes in the management, organisation and regulation of prisons, changes in the disciplinary and complaints procedures, changes in regime, such as access to purposeful activities, privileges and issues such as overcrowding. You may wish to consider ways in which improvements may be measured, for example, against Key Performance Targets or league tables.

2. What did the Woolf Report see as the major source of conflict in prisons? Have the problems identified by Lord Woolf now been addressed and resolved?

Here you will need to consider issues of fairness, justice and legitimacy and the problem of striking a balance between justice, security and control. You may wish to focus on specific problems such as the complaints procedure and the ways of dealing with disciplinary matters at the time of the Woolf Inquiry and note subsequent changes. Are there any problems highlighted by the Woolf Report which still need attention and resolution?

3. Does the treatment of prisoners in the UK comply with the European Convention on Human Rights?

Here you may wish to focus specifically on issues arising in relation to Articles 2, 3, 5, 6, 8 and 12. You will need to identify changes made in response to findings of the Strasbourg

court as well as matters arising since the Human Rights Act 1998. You would also need to refer to the problem of striking a balance between the needs of the prison and public for security and the obligation to protect the rights of prisoners. In what areas have the courts been critical of the treatment of prisoners in the UK and what changes have been made in response to those criticisms?

4. Why has the prison population expanded in the last 10 years?

Here you will need to consider changes in sentencing law which may affect the length of sentences served. You may also consider the question of populist punitiveness, discussed earlier in Chapter 1. What is the role of public opinion? Can the change be attributed to changing patterns of crime? Did the expansion reflect the belief that 'prison works' which was popular in the 1990s?

5. What are the aims of imprisonment? What do you consider to be the best means of achieving these aims?

Here you may wish to refer to Prison Rule 3, to the Aims in the Prison Service Statement of Purpose? You would need to consider the question in relation to the key justifications of punishment, including deterrence, incapacitation, retribution and rehabilitation, and consider ways in which the experience of imprisonment can be linked more precisely to these aims. You may also wish to consider whether applying each of these principles may raise problems in practice. For example, would a strict application of the principle of less eligibility raise problems for achieving the aim of rehabilitation?