

The Revolving Door of Penal Institutions - A Narration of Lived Experience

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Remand to prison whilst awaiting trial can be seen as a short yet indeterminate prison sentence without the judicial sanction of criminal responsibility. Given the increasing reliance on remand as a targeted strategy for crime control it would seem pertinent to consider, not just the statistics of how such a policy plays itself out at the present time, but also to take into account the lived experience of those incarcerated thereby providing a more informed understanding of the long term efficacy of such a strategy. It is not the intention of this paper to make specific policy recommendations, but only to suggest an alternative method for understanding policy implications. This paper uses an ethnographic approach to unstructured interviews with seven people who have extensive prison experience and highlights the impact remand has had, not just on themselves, but on their families as well.

Introduction

Foucault's work makes the practice of social research challenging but by no means ineffectual. That power has a capillary nature in modern times means there are as many multiple points of resistance as there are multiple points of its exercise and effect (Foucault 1979). The ethnographer, no longer a neutral or even benevolent holder of the key to reality, is 'a social actor whose conduct embodies a moral relation to the social world' where how we conceive that world is mediated constantly by our experience of the configurations of power/knowledge (Turner 1989, p.19). Thus, inquiries into the social fabric offer a position of resistance against an oppressing social world. Using this approach research should problematise all that is taken for granted and assumed, preparing the way for those experiencing subjection to take heed of their situation and resist that power that most significantly affects them (Foucault and Deleuze 1973). In this way propositions of new models and theories that promise truth serve all but those under study, and so research should resist incessant classification and categorisation, since it is through these things - punishment, cure, rehabilitation, or recuperation - that control over individuals and populations is exerted (Silverman 1985; Turner 1989).

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The most popular methods for depicting an actor's experience are participant observation, unstructured interviews and life histories, where the researcher attempts to engage the actor's world, richly detailing their perspective, in a way that social surveys and questionnaires cannot. The material for this research was collected in 1998 as part of an honors thesis in Sociology at Flinders University. The people who have contributed to this work are not representative of the prison population but they have had many years of experience in a prison environment. As career criminals, their attitude toward 'doing time' differs from that of some prisoners since their vast social network, high status and financial or drug connections mean they do their time 'easier' than most. The interview and participant observation data retain their relevance as an illustration of how participatory action research can provide a rich source of experience of an institution where the subjects most pertinently involved go largely unheard.

With the use of remand as a custodial and crime control strategy, it is essential to explore the effects of such an experience. The remand of certain individuals appears an appropriate strategy for reducing immediate criminal behaviour as well as guaranteeing a court appearance. However, this indeterminate prison sentence may have significant long term effects that are not currently factored into the decision to remand 'high risk' suspects.

In 2004, 43.5 per cent of the prison population in South Australia was on remand (Sarre, King and Bamford 2006). Only 30 per cent of those on remand went on to serve additional time in prison. Both the proportion of the prison population on remand and the post trial sentencing of individuals vary across the states and territories, with a national rate of 20.5 per cent in 2004 (Sarre, King and Bamford 2006). On average, those incarcerated on remand are twice as likely to die while in custody compared with the rest of the prison population. Suicide represents the most extreme response to the prison experience. Other negative consequences include the use of addictive drugs (often establishing debts that require payment after release), worsened mental health, violent behaviour, the extension of criminal networks and sexual assault. In terms of effective rehabilitation, Halsey (2006) explores the many and varied difficulties encountered by juveniles on conditional release through personal narratives. Establishing the gravity of the problem, he points to a Department of Correctional Services 2003 Report that 77 per cent of prisoners in South Australia have had previous experience with the juvenile justice system (Halsey 2006).

Whilst there is ample quantitative evidence of repeat offending amongst both juveniles and adults, there has been far less research focusing on the experience of detention and subsequent release (Halsey 2006). Halsey provides some insight into why this may be the case, going beyond professional suspicion about the motives, honesty and reliability of law breakers, to consider 'what to do' with narratives that fall outside of the researcher's expectations:

'In short, juveniles may have their own theories of offending and of the administration of justice but these may prove to be somewhat removed from more measured expectations about what it is strategically best to say or do about such matters. None the less, it remains critical to know something of the stories and biographies "behind" the statistics - no matter the (political) risks associated with their emergence.' (Halsey 2006, p.148).

The idea is not to silence what does not fit the researcher's expectations but to illustrate the sheer diversity of experiences that mitigate the individual's opportunity and intent to desist criminal behavior.

There has been research into the reasons why the rate of remand has increased, leading to suggested areas for further research and associated policy implications (Sarre, King and Bamford 2006). I am suggesting that while this research is important, participatory action research on individuals who have served time in remand will provide a clearer understanding of the impact such a practice has had on individuals. From this information we can better judge the benefits of reduced crime for a small number of individuals over a short period of time compared with the brutalising effects of the prison experience on both remand and sentenced prisoners. In the following pages I will briefly describe two studies that focus on the narratives of criminal/prison experience, illustrating some of the strengths and weaknesses of qualitative research. I will then describe the methodology used to generate the data described thereafter.

Ethnography and the criminal - a brief literature review

In 1971, in response to the perceived need for a more diverse range of sentencing options, periodic detention was introduced to the New South Wales penal policy. It was followed, in 1979, by the implementation of Community Service Orders and an expansion of periodic detention eligibility criteria and, in 1981, by an increase in the number of detention centres for that purpose (Weatherburn 1991). Such measures,

aimed at reducing the rate of imprisonment, have been statistically ineffectual; 'Whatever their stated object, non-custodial sanctions in practice seem to end up being used not as alternatives to custody but as alternatives to sanctions such as fines' (Weatherburn 1991, p. 64). Weatherburn further argued, 'within a given jurisdiction rising rates of imprisonment might be bound together with rising rates of community service orders, not because the orders are failing to divert people from jail but because, despite the diversion those who do go to jail are going there for longer periods' (1991, p. 65).

In order to understand why the judiciary has not applied non-custodial penalties as an alternative to prison sentencing, Weatherburn highlights the 'tendency among judicial officers to move repeat offenders up the sanctioning hierarchy' combined with 'a big gap between the perceived severity of custodial versus non-custodial penalties' (1991, p. 68.) Once an individual has been sentenced to prison on a prior charge, 'there is a considerable reluctance to impose a less severe penalty for a repetition of the same general kind of offense' (Weatherburn 1991, p. 68). When a prisoner is on remand and serving time awaiting trial, they are already more likely to receive a prison sentence than someone on a bail bond who remains outside of the penal system. Problems with justice systems worldwide vary by degree of severity but the issues remain fairly consistent.

Using a sample of persistent property offenders, Shover and Honaker (1995) conducted an ethnographic inquiry into criminal decision making. They felt that an improved understanding of criminal behaviour is accessed through considering how criminal activities are shaped and maintained by a typically criminal lifestyle (the 'party' lifestyle) (Shover and Honaker 1995, p. 349). The researchers discuss the way in which such a lifestyle can create a 'bounded rationality' that causes offenders to avoid considering the formal risks of breaking the law. Semi-structured interviews were conducted with 46 men, each of whom were paid \$100 at the completion of the interview. Honaker and Shover recognised some of the methodological shortcomings of the approach, particularly where respondents were recalling their decisions for crimes that occurred between one to 15 years earlier. The researchers accepted that these crimes may seem less rational to the actors than they did at the time they were committed

Unfortunately, Honaker and Shover (1995) believed that the sample's propensity for committing property crimes in the past reduced the external validity of their responses. This, of course, assumes that property offenders might also be uncooperative liars and indicates to me that the researchers may have failed to make

telling an honest account a worthwhile priority for respondents. I accept that the offer of money is a way of ensuring sample participation, though it does not establish any emotional investment in either the research process or its conclusions. The results of the study support the results of complementary research, and Honaker and Shover (1995) believed this lent strength and credibility to their sample's reports. Otherwise they might have had other serious property offenders read the summaries and evidence of the study to appraise its accuracy against their own experience and knowledge of the topic.

The bounded decision making of property offenders had much to do with the partying lifestyle that requires substantial funding and yet is contradictory to attempts at legitimate financing. By focusing only on the pleasure pursuits of partying, Shover and Honaker (1995) ignore the social and temporal conditions of some drug use. For example, alcoholics need not hold up a bank to fulfill their 'need' for the drug, though cocaine or heroin addicts might. It is not clear from reading the study how Honaker and Shover reached some of their conclusions. To say 'feelings of shame and self disgust are not uncommon' might be a liberal interpretation of what was actually told to them. They conclude that persistent property offenders do not follow the decision making model supported by rational choice theories. Instead, their situation and potential reward for certain actions is more salient. Such a conclusion brings into question the utility of penal institutions as a method of deterring criminal behaviour, since deterrence relies on the same rationality and assumptions used by rational choice theories. Their study also highlights some of the inherent weaknesses of qualitative research where data are heavily subject to interpretation by the researcher.

The relationship between Cohen and Taylor (1972), as teachers, and the prisoners of Durham prison in England developed as a result of social science classes in 1967. Opting for a purely qualitative methodology, the purpose of the study was to enable the prisoners to consider critically the public and private context of the situation in which they found themselves. In so doing, they provide material that may be helpful to others in similar circumstances. Reflexive statements by the researchers make clear to participants and readers alike that their intention was to co-author a work that could serve as 'a handbook for psychological survival' by anyone finding themselves in extreme and adverse predicaments (Cohen and Taylor 1972, p.10). As with any well executed participatory action research, Cohen and Taylor (1972) are able to enrich and affect change, to a limited degree, in the lives of the prisoners through the interaction of the research.

On entering the wing, Cohen and Taylor (1972) report being acutely aware of the absence of doors, enabling official surveillance of most activities. Initially, a prison officer remained outside the doorway of the two to two and half-hour classes. The intention was not only to provide reassurance of security but also to ensure a measure of control over what would be discussed by the prisoners. The research in this case grew out of a situation where those most affected by the research problem identified it as such. Of the 50 men who at various times took part in the class, 10 became intimate participants and the researchers knew another 10 almost as well. Mutual participation was the best strategy for men who 'were able to gain social advantages from wearing their public images in a bland way' (Cohen and Taylor 1972, p. 33). Participants told of manipulating responses to standard tests in order to gain concessions, such as outdoor work during summer. Surveys and structured interviews limit the responses available in unstructured interviews where the participant is allowed to tell a story. Though they had learnt a lot about the men and their environment they could not possibly assume to be conscious of all the important cultural categories and assumptions the study could deal with. Cohen and Taylor (1972) instead described themselves as 'cultural mapmakers'. The participants explicitly identified, as significant long term imprisonment effects, the passing of time, fears of deterioration, the 'making and breaking of friends', the loss of identity and the role of self-consciousness (Cohen and Taylor 1972, p.39).

While conducting their study in the prison was constraining in numerous ways, had they not found themselves working in the prison as teachers, Cohen and Taylor (1972) might never have begun the research. Despite most of the work already being complete, the Home Office eventually rejected applications to continue research and refused their requests to visit men who had been moved to other prisons. The few letters that did get through were heavily censored (Cohen and Taylor 1972). The reasons for this are many, in particular the Home Office's devotion to scientific research and concerns over the potentially unfavourable portrayal of 'their' institution. They were interested in large sample sizes, control groups and objective instruments that distanced the researcher from 'subjects.' Cohen and Taylor's (1972) study was not well financed and it was not directed at academics, politicians or bureaucrats. No hypotheses were tested, theoretical and methodological issues were not clearly separated from the results, and they avoided the standard conclusion of the need for more of the same research.

Methodology

I take the position that there is no definitive reality accessible to my methods of data collection – there can only be interpretations from the moment the phenomena in question are no longer actually present. The researcher's presence affects these interpretations in ways they can never accurately identify, though by presenting myself as a 'cultural novice' I hope to have reduced the impact of researcher bias on both material and participants. My role is one of collator – acting as a 'medium' for several experts who have substantial experience within prisons. In focusing on the individual as the primary reference point, this study considers subjects as prefabricated and standardised participants at a transient point of their lives, 'constructed as specific social subjects within particular communication structures' (Silverman 1985, p.35). Participant observation is typically a covert and unstructured method for collecting data grounded in the ethnographic tradition of accessing the culture of those on whom the research is focused. The basic assumption of this approach is that 'any description and explanation of such institutions, communities and groups should proceed by seeking to apprehend the culture of their participants' (Jupp 1989, p. 57). As with most methodological traditions, ethnography makes some assumptions that appear to be poorly based, though its flexibility and avoidance of fixed protocols allow for alternative strategies for data collection to that which may have been conceived at the outset of the study. It is this flexible style and concentration on qualitative methods of data collection that seemed most appropriate to the research aims of documenting the lived experience of ex-prisoners.

Given the diverse lifestyles and security concerns of people associated with the criminal culture, I have had to adapt methods to individuals. Interviews with seven ex-prisoners were arranged around the participants' timetable and conducted at their convenience. While most people were very comfortable talking with me about their experiences and thoughts on crime and punishment, I encountered great resistance from those who were put off, either by the tape recording of interviews or the perception of a formal interview. For this reason, I have relied extensively on participant observation as a method of data collection.

I found acceptance based on a long relationship with someone who owns a small gardening retail and plant shop. The enthusiasm of Colin, as an active aid as well as participant, greatly facilitated my point of entry for this research as he has a long and solid reputation in the criminal subculture. Colin's assistance enhanced my ability to write about the experiences of a small group of people with whom I have

had only limited contact. His extensive experience in prisons and his friendly communication has reduced problems of cultural assumptions and misunderstandings. This is not an attempt at quantitative validity by substantiating what is told to me by others. Rather, it is a check on my ability to piece together disparate, though similar, stories in such a way that the text could be read by another ex-prisoner who could identify with the stories recounted herein.

Marshall and Rossman (1989) suggest qualitative interviews provide access to moral realities of individuals, which can be located in particular cultural contexts, though statements do not necessarily correspond to the 'real' world. With little of interest to do in the prison, prisoners tend to group together and talk. The stories they tell one another are often exaggerated, though based on real events. I am less interested in participant observation as a way of describing a particular group of people and their culture than as a strategy of detailing the thoughts and experiences of those with an expert knowledge of the crime and punishment system. For me, it was not enough to simply observe and reflect, and yet it seemed too much to interpret the actions and interactions of those around me. Tacit assumptions are possibly the greatest threat to unstructured interviews and this weakness was reduced substantially by the help of Colin (Denzin 1978). On sensitive topics, particularly of a sexual nature, a long-standing rapport might be a pre-condition for high quality responses, so I have chosen to avoid such topics except where we discussed the situation or experience of another person. The interest the researcher takes in the participant, as well as their expression of the study purposes, can largely determine the quality of the research relationship.

Research

'I believe everyone should go to jail, do them good to find out who their friends are and so forth, but no I believe if you want jail can make you a stronger person, a patient person. It's just time out, sit back and relax...'
(Rob, August, 1998).

Developing Criminal Behaviour and Networks

According to Rick, the greatest school of knowledge he knows of is reform school. Unlike a normal school, Rick graduated from eight months detention with the expertise of several delinquents, a car thief and safebreaker, with all the tips and scams necessary to exist off criminal enterprises. There are many who are not

deterred by imprisonment. The trend among these people is very early contact with the authorities and detention in juvenile facilities. That is not to say boys in reform school are destined to flout and disrespect the law; nor does it mean that people deal with the prison experience in the same way. Some prisoners will take their time as it comes, doing anything to keep from becoming bored and pushing the limits of the system where possible. Then there are those who know the system so well that they use anything they can to their advantage and prepare for their next exploit. For example, Rob made a substantial amount of money selling drugs in prison and upon release, invested in a legitimate business to cover the income from his criminal activities.

Colin has spent a substantial amount of time in prisons all over the country. His first lessons, after primary training in criminality at reform school, came during an early stay at Pentridge Prison. By his own reckoning he has led a particularly unsavoury life, committing many violent crimes. Well away from the environment that taught him everything he knows and away from old friends, Colin is very much like anyone else – only the ‘jail tats’ give his past away. When we speak about prison Colin feels as though he is contributing to a worthwhile project, providing insightful information about a closed subculture.

Power, Authority and Intimidation

The contemporary prison system utilises subtle practices of control through intimidation and the encouragement of blind obedience. Body searches are a common and unquestioned practice, justified by the suspicion that any prisoner could be hiding drugs or some other contraband item. The participants believed the purpose of body searches were for their intimidation effect rather than the eradication of drugs from prisons.

‘...you could be in a line up coming through say from one yard to the next and they’re sitting there picking out people. Well, they’re going to pick out people they don’t like for strips, and not necessarily the people who they suspect might have something, just the people they don’t like ... if they don’t take a liking to you they’ll use their authority against you in any way they can. They don’t like the people who think for themselves’ (Colin, August, 1998)

Colin described the humiliation felt by prisoners early in their sentence when, at any time, an officer could demand they remove their clothing. After persistent intimidation and harassment, people find new ways of coping with this physical and

emotional intrusion by simply 'turning off'. Colin refers to this as a significant point, when the prisoner becomes the 'animal' prison officers expect. Of course, every other aspect of the prison experience encourages this same development - minds and bodies under state control. Eventually Colin ceased to care whether he was degraded in front of others and, during his first sentence at Pentridge, established a heroin addiction that would dominate the next 30 years of his life.

Assistance versus Opportunity

Generally, prisoners do not see a lot of help emanating from the professionals of the system but an occasional worker may offer some hope. These are most commonly found on the work crews or in the garden. They offer leniency and help where they deem it appropriate. This may mean getting extra letters through the system or bringing food and drugs past security. Some professionals are simply trying to help a prisoner in a 'bit of a fix'; others profit from the relationship just as the prisoner they are helping profits from the exchange. People with whom I spoke were fairly cynical of those prison officers who enter the system with a reformist attitude, since most become disillusioned by the situation. The system makes an empathetic and caring attitude from officers very difficult - most of the prison officers expect homogeneity and obedience from prisoners.

'They just don't care, it's just a wage that's all it is. You know you go there and you want a door open and you stand there for half an hour and you've got four prison officers sitting in a room and not one of them will move, 'yeah, when I'm ready.' It's just a job; the less they got to do the better'. (Rob, August, 1998)

In groups these officers are intimidating to those with a kinder approach, who additionally risk being informed on by prisoners aware of their security breaches.

'Some of them do care, but I think they are fighting a losing battle, I mean some of them, I think some of them probably try to care too much because, I think, I believe even with prison officers, if they show that they care, the others turn against them...' (Rob, August, 1998)

A lack of information about the prison system is perhaps intentionally unnerving, increasing the power of prison officers. When combined with strip searches, urine checks, violence (against the self and perpetrated by another) and drug use (illegal and prescribed.) Hampton argues that 'Prisons are the ultimate manifestations of social control ... Survival requires a 'cutting off' and 'turning in' that become the

largest obstacles to settling into the community when the inmate is released' (Hampton 1994, p.13).

Rick refers to the people paid to care for prisoners, in particular, social workers, as 'mirror people', reflecting what the prisoner wants to hear without a deep commitment to act on requests for help. When a prisoner has a problem and seeks the assistance of a professional, the typical response is 'we'll look into it', which for them is as good as done. Something as simple as an extra phone call to a wife for a wedding anniversary will invite a 'we'll look into it' response, and no further action. Complaints, personal and family problems, legal and administrative concerns are all being 'looked into', and the prisoners joke about this consistency in response. As Colin reiterated, social workers within prisons are generally unable to get things done for the prisoners but influential prisoners like Rob are still able to take advantage of their existence to improve the quality of their time.

'You tell them what they want to hear. I've used it to my advantage; tell them what they want to hear and you go places...tell them you had an alcohol problem and that your, you know, you've been going to drug and alcohol [programs] and all of this, even if you weren't, it looks good. It's a good report for you whether you need it or not. Oh yeah, he's rehabilitated, he's kicked his alcohol problem he never even had.' (Rob, August 1998).

Meanwhile, very real concerns about family and personal security go unaddressed. As for the benefit of therapy and counselling, these are rarely utilised in the way authorities expect. They offer avenues to improved sentence conditions but offer little relief, as professionals cannot guarantee the privacy and confidentiality of their notes and reports.

'Social workers – well I believe they care but they're just fighting a losing battle. You know, they can only help so much, it's still up to the individual in the end, whether they, you know, you tell the social worker what they want to hear and they'll leave you alone, easy' (Rick, August, 1998).

There is an abundance of professionals ready to listen to the prisoner's deepest secrets and most troubling social and emotional problems, but they are rarely trusted. Most people keep everything that might indicate a weakness, vulnerability or embarrassment quietly to themselves. Colin describes a very strong desire to discuss these issues in a safe environment with a trusted person so those problems can be worked through. Ideally, this would be with a spouse or partner. Realistically, visitation times are too short to discuss issues at depth before the conversation is abruptly ended. In addition, the environment is open, noisy and distracting and

there is no privacy for couples from other prisoners, visitors, officers or wandering children. Sometimes, talking with someone, explaining the situation or context and how you see things going, can help to clarify thoughts as you are forced to make them coherent for another to understand them. Relationships are inadequately maintained by regular visits, since the setting is so artificial and prisoners are often on their guard against showing weakness and vulnerability in the presence of other prisoners and officers. Such behaviour protects visitors from the nightmare of prison and so some visitors never know just how rarely the prisoner may have the opportunity to air their grievances (Hampton 1994). When all a prisoner has left to anchor them to society is their family, it would seem prudent to facilitate and support those relationships to the greatest degree possible.

Post Release Blues

Roger's first prison sentence began when he was just 19 years of age. He became well known for his crime, nicknamed and taunted for the embarrassing aspects of that early mistake, the details of which would make Roger potentially identifiable. After many years of enduring a particular nickname, Roger escaped from prison and proceeded to hold-up several banks, armed with a gun and wearing no disguise. Needless to say, he was soon returned to prison, where he hoped he would be known for his armed robbery exploits and not his original crime. Curiously, he is still referred to by the nickname that came from his first major offence.

For someone like Roger incarceration is not punishment sufficient or more accurately, the punishment intended, to keep some individuals from committing more crimes. It seems the motivation to do so can emanate from social pressure within the prison, just as it does outside of the prison.

'...Prison's not acting as a deterrent, definitely not, definitely not. I believe there's not enough to do for people in prison, they're all just shoved in there and there's not enough, well there's boredom. So even in prison people get into trouble in prison through boredom' (Roger, August, 1998).

Even while in prison, the threat of a considerably longer sentence is not a deterrent to those who are going to be there for a long time. Like Colin's earlier release, Roger will have a very difficult time coping with a life on the outside. Colin could not cope when he was released from a long period of detention, committing a major offence simply to return 'home'. Once there he realised that what he wanted was not to be in prison but to be somewhere safe and secure.

'I remember going to jail years ago and doing four years and getting out without even being, like a visit and, I sort of locked myself indoors for two weeks. But now they've got the work release, home detention and you can get leave and this type of thing. I suppose that prepares you, you notice the difference' (Rob, August, 1998).

Colin's most recent release went more smoothly as he set about establishing a home and life on the outside. Now he has resettled and particularly with his age, in his early fifties, Colin is keen to keep from returning. This turn-around in behavior has much to do with the difficulty of maintaining a powerful position in prison with an aging body. Unfortunately his long association with criminals and his drug history ensure this process of 'fitting in' with society is a constant and challenging one.

As if it were not difficult enough for prisoners to make the transition from prison cell to normal life outside, the parole system manages to create just enough obstacles to keep the system well stocked. A person could be in the final six months of a very long parole sentence, be charged with a violation and return to prison, only to begin another parole period many years after their first release. A parole violation may be as serious as an armed robbery, but more often it involves something simple, like conspiring with a known criminal (chatting to an old mate) or smoking a relatively 'mild' drug like marijuana. Even though many participants reported that smoking marijuana reduced aggression and despite the decriminalised status of that drug in some states and territories, a paroled prisoner risks return to prison for smoking 'pot'. Colin has said that smoking marijuana, more than anything else, keeps him from reaching the levels of hostility and aggression that in the past saw him harm others. Despite his successful efforts to be generally law abiding and respectful of others, his reports of the benefit he gains from smoking a small amount of marijuana each day is ignored.

After two years of being 'clean' from heroin and working as a volunteer for a church, Jack was called to see the Parole Board on a charge of conspiring with a known criminal. The police attempted to charge him with selling heroin to an informer (an addict known to be unreliable) but had to use a lesser charge of conspiring with a known criminal to get his parole revoked. Jack returned to prison for only three months before the drug charges laid by the police were finally dropped. He was released with a fresh heroin habit and, according to his wife, had developed such bitterness that he was never the same again. Their relationship did not survive the last separation. For this family the message was not so much 'you will never beat the system' but 'you will never escape it'.

Boredom and Unemployment

Issues related to boredom dominated descriptions of time spent in prison and were related to drug use and information exchange or gossip. Employment is immensely difficult to secure for ex-prisoners, who are legally obliged to inform prospective employers of their criminal status. Rob felt that bitterness toward society is the result of the boredom of prison life, where the only thing that some people have to do is think about what they have lost and who, other than themselves, are responsible for their situation. He believes employment is the key to breaking the boredom experienced by newly released prisoners, saying

‘Get a job, get a job. Get a job and kill the boredom’ (Rob, August, 1998).

Prisoners who have a purpose and their time occupied are less likely to waste energy on thinking about people and systems that have ‘done them wrong’, less time to think about material objects they do not have and good times long passed. There is also the satisfaction many people derive from working and the resulting financial elevation away from the poverty line. For most, and particularly so for those who owe money and favours because of their sentence, life outside is extremely tough. Society has every right to be concerned about the release of prisoners who may pose a risk to their security. However, it is the prisoner who, after many years in prison, is firstly, let down by the system because of its failure to correct the personal effect of institutionalisation and secondly, by their lack of employment prospects once released.

Greg’s Story

Of all the conversations I have had with people who have been to prison, only one individual reported having personally benefited from the experience and, at the time, I knew nothing about his life before going to prison. Greg felt that, given his crime, an accidental fatal shooting when he was just 17 years old, he deserved the punishment he received. In my enthusiasm over having found a comparatively positive appraisal of the prison experience, I was told of Greg's pre-prison circumstance. Greg and his brother had suffered a lifetime of sexual abuse at the hands of their father. I can only imagine his state was one of desperation when he shot someone, not meaning to kill them. His brother had already broken the law and successfully escaped to prison, and Greg, now alone with an abusing parent, followed suit. His comparatively positive appraisal of prison turned out to be relative to the home life he had endured before the shooting.

While in prison Greg and his brother were, at times, subjected to cruel verbal abuse from others who knew of their family history. Such taunting often resulted in the most violent reactions from Greg and his brother. How is it that other prisoners knew of their private backgrounds despite the 'no talk' tendency of abused people in prison? It is probable that a reference to childhood abuse appeared in their files, most likely the result of therapy or counselling. Prisoners, of course, are not privy to the contents of their own files, let alone the files of other prisoners, but in a place like prison information is power. Prison workers may have an opportunity to 'browse' through prisoners' files and their lack of empathy can lead to the most sensitive details of people's lives being spread around the prison as 'gossip'. This potentially devastating experience can affect the trust of prisoners, who guard their secrets from a prying system (Hampton 1994). Not only are they perpetually under surveillance, but their most sensitive experiences must be well hidden so that no-one may take advantage of their weakness. Prison can be like a play ground of school children, cruelly teasing the child who does not fit in or who lacks skills of self defense and popular support. The boredom, the gossip and an unwavering interest in the personal lives of other prisoners is fertile ground for power plays between prisoners.

During his many years at Yatala Greg met someone with a great deal more experience and resourcefulness than him, who chose to 'look out' for him. Upon final release Rob, active and powerful in the criminal subculture, provided friends and employment for Greg. Greg's first parole release, as with many like him, began with a drinking binge in the City. A fight developed and before the weekend was over he was 'locked up' with his parole revoked. After so many years in prison, released prisoners may rush at the opportunity to do the things not allowed in prison but which form a legitimate role in society; alcohol and sexual relations not surprisingly top the list. From the age of 17 to 28, when most people are socialising and developing the skills necessary for adult life, Greg could only know what others had experienced. Several participants described Greg and his brother as typically institutionalised prisoners. Despite this, Greg utilised programs to improve his prospects but he was unable to complete a diploma in community services because the exams were not conducted on the premises. By the time Greg was released he lacked the study skills to revise for the exam and had lost interest in the course. Greg's second release was more successful because of the social networking established from within the prison, though this inevitably means re-entry into the subculture that will most likely see him break parole conditions. In addition, his much reduced employment opportunities will keep him financially poor if he does not supplement his income with illegal activities.

Imprisonment is the 'ultimate form of social control in our culture' and serves as protection for the community (Hampton 1994, p.21). As such, Hampton argues penal institutions should deal with the expectations of the community, their public accountability, rehabilitation of prisoners and post release responsibilities to both ex-prisoners and the community. Very few people seem to consider the disruption caused by even short periods of detention. Suspects on remand know well the effect a short sentence can have since this is the most vulnerable time for committing or attempting suicide while in custody (Hampton 1994). Each individual experiences the world differently, though the similarity of the prison experience means that if one person does not experience some particular factor, they at least know others who have. In this way, I have heard the recounting of the same practices and events from different sources. In many cases, these recollections are, to some extent, based on hearsay. I do not believe this detracts from the value of our conversations; it simply represents the closed community of criminals, both inside and outside of prison and is inevitable in an environment so reliant on information/gossip for entertainment and stimulation.

Conclusion

Weatherburn (1991) reported that with each new conviction the likelihood of accumulating further convictions grows. Due to the difficulty of finding lawful employment after release, new convictions ensure the prison experience becomes an inextricable aspect of some prisoners' lives (Hampton 1994, p.14). Upon release from prison, social rules are learnt as these become obvious, while life's necessities, like food and accommodation, must be addressed. The frustration and depression of life outside is not eased as prison life can be, by the hopes and dreams of release. It only takes a day or two before the post release pleasure fades and the second class status of being an ex-prisoner settles. Typical problems include a lack of money, difficulty finding and maintaining accommodation, troubled relationships and probation conditions that impose restrictions on seeing 'known criminals,' despite a lack of other social opportunities. Justice Nagle, speaking to a Royal Commission into NSW prisons over 20 years ago said: 'The greatest cause of recidivism is the release of prisoners without support, accommodation or enough money into the same environment which prompted them to turn to crime in the first place' (Hampton 1994, p.15). Hampton offered three options for dealing with recidivism: keep inmates in prison until their deaths; give them what is necessary to escape into

another kind of life; and/or change the environment they come from (assuming that environment is the only factor in their criminality).

No researcher can escape the exercise of power that exists in the formulation of knowledge, since power does not exist simply at the level of human interest or intentions, but within and through discourses that purport to produce truth (Foucault and Deleuze 1973; Foucault 1979; Silverman and Gubrium 1989). I cannot free myself from this bind of knowledge and power, though participatory action research has reduced the impact of my position on the material collected. The task of research in light of post-structuralist theory is eased by researchers being clear about their hopes and intentions for the project and how they can contribute positively to the lives of participants and others like them.

Considering the lived experience of those who have spent time in prison, particularly in remand, is essential to assessing the viability of remand as a crime control strategy. It may well be that these short-term periods of detention create conditions for further encounters with the criminal justice system over the lifetime of the individual. I believe qualitative studies provide a rich and valuable resource for the development of policy and the implementation of targeted programs, for the reasons offered by Halsey:

'... being in possession of, and devising programmes around, such aggregated information [statistical] is very different to knowing how individual offenders make sense of their own lives and attempt to negotiate future pathways for desistance in light of custodial and post release experiences which are simultaneously common and unique. It may be, in short, that what is missing from attempts to reduce recidivism and repeat incarceration (especially that which results in the transition of persons from juvenile to adult facilities) is the voice of participants themselves narrating why they do what they do even where various levels of familial, financial, cultural, pedagogical and social support are extant' (Halsey 2006, p.173).

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