

The Standard Minimum Prison of the 1970's?

Sometimes one wonders whether this is a prison at all. It may be more like a work-camp. Or prisoners may go out to work all day, perhaps in supervised groups, but perhaps individually to private employers. They may return to the prison only at night. Or they may keep on their jobs and come into prison only at weekends.

Perhaps this is carrying fantasy too far. Some offenders there will always be who need to be kept in secure conditions, for the protection of the public because of their own treatment needs. The Swedes who have progressed far in open institutions, have even suggested that some offenders need the shock of prison regime very different from what they have known at liberty.

Whatever happens, the prison of the nineteen-seventies will not go back to being the isolated institution of the nineteen-twenties. The emphasis on links with the community will remain. And for all but a few long-term prisoners, the accent will be upon preparation for release, early parole and after-care.

Concern for untried prisoners will also be greater. It will no longer be a matter of keeping them uncontaminated and allowing them a few special privileges, but of giving them a fuller life if they have to await trial for a prolonged period. The main hope in dealing with this group, lies outside the prison system, in the need to reduce procedural delays, to extend the use of bail and recognisance as alternatives to prison. But again, for those who must be held in custody pending trial the case for separate and adequate institutions is very strong.

The more it proves possible to find alternatives to prison for the great bulk of offenders who do not need confinement, the better the hope of ~~redeeming~~ reducing overcrowding and giving proper attention to the regimes required for those who must be held in custody for many years and those whose need is for intensive institutional treatment. It is these who may be the "special categories" of the future, , with special safeguard, special minimum standards of treatment, attaching to each. In treating them, some of the old ideas about segregation may be abandoned. Some younger prisoners may be better mixed with adults than corrupting each other. Prisoners of various kinds may benefit from group treatment or modifications of the "therapeutic community." The specialists in the prisons may be as much employed in giving guidance to the staff as a whole as in treating individual prisoners ~~id~~ directly.

And what about discipline? We do not want to return to corporal punishment, not to advocate long periods of total segregation. Yet the persons

are faced with the problem of determined professional criminals, with long sentences to serve and nothing to lose, who may stir up trouble wherever they are. The use of modern drugs has been discussed. Measures have proved acceptable in mental institutions as minimising the need for physical restraints and allowing patients to be discharged with comparative safety. But should we resort to them in our prison of the seventies? Are they simply a more civilised means of restraint or are they of the direct threat to human dignity and personality?

In _____ for discharge, we are moving well ahead. Should not some specific reference to the parole be included in the Rules?

Finally, if Congress agrees to recommend a Congress or Resolution to enhance the formal status of the Rules, and of individual nations accept this, the prisoner of the seventies should be given access not merely to those involved in the administration of the penal system, whether governors, inspectors or civil servants, but to a judicial authority or some kind of _____ ~~whether-~~ within one's own nation, who can investigate abuses impartially and if necessary report them to the United Nations.