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Understanding from the past

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Constructing the ‘rehabilitative ideal’:

Revisiting the legacy of the 1959 prison building programme

Thomas Guiney, Lecturer in Criminology, Oxford Brookes University¹

It is now 60 years since the publication of *Penal Policy in a Changing Society*,² a landmark White Paper widely regarded as the high—water mark of the ‘rehabilitative ideal’ as an expression of official policy in England and Wales. The embrace, and subsequent decline, of this policy framework has been the subject of considerable scholarly interest, drawing attention to the interconnectedness of punishment and the emergent welfare state, the influence of professional elites and the transformational potential of criminological research.³ In contrast, we know very little about the significant investment in prison building which became the capital expression of this ethos, or how this uncertain inheritance in steel and concrete continues to shape the prison system we experience today.

Drawing upon detailed archival research, this article offers an extended historical case—study of the 1959 prison building programme, the first major capital investment of its kind in post—war Britain. It will trace the opening stages of the policy—making cycle, from the arguments marshalled within the Home Office to justify investment in new prisons, to the complex ‘geography of administration’⁴ that shaped the delivery of the 1959 prison building programme in practice. It will demonstrate how the policy ambitions first articulated by Home Office planners were gradually diluted within a system of collective decision—making predicated upon negotiation and compromise.

Context

Let’s be frank about it; most of our people have never had it so good... What is beginning to worry some of us is, ‘Is it too good to be true?’ or perhaps I should say, ‘Is it too good to last?’

Harold Macmillan, 20 July 1957

Macmillan’s famous dictum captures the many contradictions of late—1950s Britain. For a growing number, the decade represented a period of unprecedented prosperity as the country emerged from the shadow of the Second World War.⁵ A renewed sense of optimism was apparent in public discourse, and the post—war determination to build a better future was reflected in the politics of the age. After 1945, the main political parties began to converge around a settled policy framework premised upon the central institutions of the welfare state and a mixed political economy sustained by a Keynesian economic strategy.⁶ This ‘Whitehall consensus’, as it became known, would prove remarkably resilient to change, but it was by no means immune from the uncertainties of the post—war era. The Suez crisis challenged the settled narratives of the British Empire and, as the Cold War intensified, many questioned the United Kingdom’s role in a changing world.

Domestically there were also signs of strain, and nowhere was this more apparent than in relation to criminal justice. Many had believed that growing affluence would lead to a gradual diminution in the incidence of crime but, in reality the picture proved far more complex.⁷ Recorded crime—one possible measure of criminality for which we have comparable historical data—rose from approximately 460,000 offences in 1950 to nearly 745,000 offences in 1960.⁸ Driven in large part by volume property offences and the easy availability of consumer goods, the changing contours of crime in Britain’s post—industrial society had significant implications for prison administration. Records reveal that the average prison population in England and Wales increased from 20,000 at the end of 1956 to more than 25,000 by late 1958.⁹ While this headline figure may appear low by modern standards when the population regularly exceeds 80,000, in practice this placed huge pressure upon a prison estate that was simply ill—equipped to absorb a 25 per cent

1. The author is grateful to Alice Gerlach for her comments on an earlier draft of this paper.
2. Home Office. (1959a), *Penal Practice in a Changing Society: Aspects of Future Development* (England and Wales). London: HMSO.
3. See Garland, D. (1985), *Punishment and Welfare: A History of Penal Strategies*. Aldershot: Gower
4. Hennessy, P. (1989), *Whitehall*. London: Secker & Warburg.
5. Hennessy, P. (2007), *Having It So Good: Britain in the 1950s*. London: Penguin.
6. Kerr, P. (2001), *Postwar British Politics: From Conflict to Consensus*. London: Routledge.
7. Young, J. (1986), “The Failure of Criminology: The Need for Radical Realism”, in R. Matthews and J. Young (eds). *Confronting Crime*. London: Sage.
8. Home Office. (2012), *Offences recorded by the police in England and Wales by offence and police force area from 1990 to 2001/02*.
9. Home Office. (1959b), *Report of the Commissioners of Prisons for the Year 1958*. Cmnd 825. London: HMSO.

increase in the prison population over a two—year period.

In this context, the central institutions of the penal system, particularly the prison, became central in the 'war against crime'.¹⁰ This observation may seem axiomatic, but when viewed in comparative historical perspective, it is revealing that the dominant political response largely eschewed a punitive posture in favour of more inclusionary measures. Since the late nineteenth century, and the highly influential *Gladstone Committee Report on Prisons*¹¹, the arc of penal policy in the United Kingdom had been towards the rehabilitation of offenders. Similar trends were observed in many jurisdictions, and over time these guiding assumptions crystallised into an enduring policy framework, the American criminologist Francis Allen described as the 'rehabilitative ideal',

*... the primary purpose of penal treatment is to effect changes in the characters, attitudes, and behaviour of convicted offenders so as to strengthen social defence against unwarranted behaviour, but also to contribute to the welfare and satisfaction of offenders.*¹²

A detailed review of this policy framework, and the socio—economic context which ultimately sustained it, is beyond the scope of this paper. Rather, the key point here is that these penological assumptions were not purely ideational, but over time, came to be grounded within, and transmitted through, concrete physical spaces. In this way, detailed historical excavation allows us to peel back the layers of past penological practices and explore how these enduring totems of the 'rehabilitate ideal' shaped the everyday experiences of staff, prisoners and the wider community in the years that followed.

Building the case for investment

On the 9 January 1957, Sir Anthony Eden resigned as Prime Minister owing to ill—health and the continued political fallout from the Suez crisis. He was succeeded as Prime Minister by Harold Macmillan and Richard Austin Butler was subsequently appointed

Home Secretary. Butler was personally interested in the prison system—a policy arena he first encountered whilst Chancellor of the Exchequer—and quickly identified modernisation of Britain's ageing Victorian prison estate as a key priority for his department.¹³

Unlike cognate areas of public policy which had seen considerable capital investment, no purpose—build prison facilities had been constructed in England and Wales since 1945. In part, this reflected the easy availability of surplus military facilities, but it also spoke to the economic realities of post—war Britain. As one senior prison administrator would later note, 'for obvious reasons it was difficult to get a satisfactory prison building programme going after the war, since we could hardly argue that prisons should take priority over schools, hospitals and roads'.¹⁴ Modernisation of Britain's ageing infrastructure was now a priority and it

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was against this broader macro—economic backdrop that Butler inherited a number of capital works from his predecessors. Construction was almost complete at Everthorpe, Yorkshire and Treasury authority had been granted to build a new adult prison in Hindley, Greater Manchester as well as a secure psychiatric prison at Grendon Hall, Buckinghamshire.¹⁵ These projects, alongside a number of smaller borstal facilities, were in various stages of development

and Butler worked closely with his officials to reposition prison building as the centrepiece of a wide—ranging penal reform programme.

In July 1958 the Home Secretary wrote to Cabinet setting out his proposals for comment and approval. Marshalling his case for investment, Butler drew attention to rapid demographic change driven by the post—war baby boom, and skilfully wrapped this basic administrative problem within a penal reform narrative which drew heavily upon the reformative potential of prison to contribute to a wider civilising project,

The constructive contribution that our prisons can make is to prevent the largest possible number of those committed to their care from offending again. Since the report of the Gladstone Committee in 1895 it has been accepted, at least in principle, that this end will not be reached by a harsh and repressive

10. Home Office. (1959a) *op cit*, p.2

11. Home Office. (1895), *Report from the Departmental Committee on Prisons* (Gladstone Committee). C.7702. London: HMSO.

12. Allen, F.A. (1981), *The Decline of the Rehabilitative Ideal*. New Haven: Yale University Press.

13. Butler, R.A. (1971), *The Art of The Possible*. London: Hamish Hamilton, p.197.

14. The National Archives (TNA): HO391-457. Home Office: Prison Building Programme.

15. TNA: T221-856. Treasury: Prisons. Building of new prisons in England and Wales.

*regime designed simply to deter through fear. The object must be in the words of that committee, to send the prisoners out 'better men and women, morally, mentally and physically, than when they came in.' For a generation past our prisons have sought increasingly to give practical effect to these conceptions.*¹⁶

Butler's hand was strengthened by a constructive relationship with the Prime Minister who granted his close political ally what is described as a 'completely free hand with my reforms of the Home Office'.¹⁷ In advance of Cabinet, Harold Macmillan, indicated his approval for the proposed reforms noting in typically phlegmatic style that, 'no doubt it will cost money, but I do not suppose the money will be spent very quickly.'¹⁸ Cabinet support duly followed, and the Home Office moved to publish a White Paper setting out its proposals for penal reform in more detail.

Penal Practice in a Changing Society

The publication of *Penal Policy in a Changing Society* was intended to provoke a 'fundamental re—examination of penal philosophy' in England and Wales on the basis of cutting—edge research and scientific knowledge. The White Paper made clear that the government's responsibility for tackling crime did not end with the powers of the police, or the sanctions available to the criminal courts, but extended through to the penal system which had a key role to play in the 'counter—attack' on crime.¹⁹ A new Institute for Criminology would be established at the University of Cambridge, and the Home Office was committed to the implementation of new evidence—based penal methods. It was in this context that the Prison Commission, a forerunner to the Prison Service, had concluded that it was faced with a prison building programme of 'formidable dimensions and urgency'. This claim rested upon two principal justifications: First, the Home Office expressed considerable scepticism about the prospects for substantive reductions in the

The object must be in the words of that committee, to send the prisoners out 'better men and women, morally, mentally and physically, than when they came in.

prison population and made clear that further growth was likely to result in 'a degree of overcrowding which cannot be tolerated and which makes effective classification and training quite impracticable'.²⁰ Second, the White Paper observed that conditions in many prisons had deteriorated to a level Prison Governors now considered a serious obstacle to the effective rehabilitation of inmates.

A largely Victorian system premised upon penance and control was ill—suited to the demands of a modern penal system and the Prison Commission was authorised to embark upon a wide—ranging prison building programme intended to deliver an additional 8,000 prison places at an expected cost of £650m over a ten—year period (2018 prices).²¹ While it was hoped that additional capital investment would contribute to the eventual alleviation of prison overcrowding, it was also accompanied by an ambitious vision to drive greater specialisation within the prison estate. New borstal institutions and secure adult prisons were identified as a priority and the White Paper set out plans for a prison building programme that would be delivered in two discreet tranches: 'Part A' would see the acceleration of existing projects approved by HM Treasury, while 'Part B' would operate as a rather more aspirational programme of rolling investment:

- A. *Present Programme*
 - 2 security prisons each for 300 men (one completed).
 - 1 psychiatric prison hospital.
 - 1 remand and observation centre.
 - 3 secure borstals each for up to 200 boys.
 - 1 secure borstal for 96 girls.
 - 4 open borstals for boys.
 - 1 borstal reception centre for 350 boys.
 - 6 detention centres for boys (four completed).
 - 1,000 new houses and modernisation of 625 houses.
- B. *Future Programme*
 - Security prisons sufficient to accommodate at least 1,800 men serving long sentences.
 - A security prison for dangerous prisoners serving long sentences.

16. TNA: T221-863. Treasury: Prisons. Papers leading up to White Paper on penal reform.

17. Butler 1971 *op cit*, p.197.

18. As cited in Windlesham, L. (1993), *Responses to Crime. Volume 2: Penal Policy in the Making*. Oxford: Clarendon Press, p.72.

19. Home Office (1959a) *op cit*, p.4

20. *ibid*, p.21

21. TNA: T221-863, *op cit*

Accommodation for women in place of Holloway. Remand and observation centres sufficient to accommodate all untried prisoners and such convicted prisoners as require observation before being classified.

6 detention centres.

Such additional borstals, open and closed, as the needs disclose.

A programme of reconstruction for the local prisons.

Reconstruction of Dartmoor prison.

2,000 new houses.²²

As Butler would later note in a memorandum to the Chancellor of the Exchequer, 'I think you should know, privately, that I attach the very greatest importance to getting on with this sort of programme'.²³ His wish was granted and following the publication of the White Paper, the translation of these commitments into a workable programme of capital investment would become a key priority for the Prison Commission.

Constructing the 'rehabilitative ideal'

Delivery of the building programme rested upon a complex network of delivery agents, both central and local. New prison establishments could be undertaken by either the Ministry of Works, a Central Government Department established during World War II, or the Home Office, who in turn vested operational responsibility in the Prison Commission. In general, the Ministry of Works were responsible for the construction of purpose—built prisons, youth offender establishments and ancillary housing. This left the Prison Commission to focus on new prison places 'where building work has to be done within the perimeter, and by the adaptation of ex—service camps, where the scheme is carried out in whole or in part by direct labour involving the use of inmates'.²⁴ Minor capital works, such as the refurbishment of existing establishments, were typically managed internally by the Prison Commission.

To promote greater coordination between these various decision—makers a 'development group', was established in 1958 with a broad terms—of—

Delivery of the building programme rested upon a complex network of delivery agents, both central and local.

reference to examine the design of penal establishments, with a view to 'improving their efficiency as an instrument of modern penal methods, and controlling their cost'. The group was chaired by Arthur Peterson, then Deputy Chairman of the Prison Commission, with representatives from the Scottish Home Department, Ministry of Works and HM Treasury.²⁵ Preparatory work was constrained by a pressing shortage of in—house real estate expertise, but this process did yield innovations in cell block planning and training facilities, many of which were incorporated into the design of HMP Blundeston.²⁶

Treasury officials initially expressed satisfaction that the design of Blundeston would deliver 300 places at a cost of just over £47,000 per place, per annum (2018 prices). However, costs began to escalate as design changes were made to the plans for Stoke Heath (£59,900 per place) and Market Harborough (£58,000).²⁷ The Home Office and HM Treasury were often at loggerheads over the desirability of bespoke and standardised design plans. While officials from the Prison Commission and Ministry of Works clashed repeatedly on everything from the location of dining facilities to the variety of tiles to be used in communal bathrooms, leading one senior Treasury official to lament that,

...it is clear enough that the Prison Commission and the Ministry of Works between them are not giving economical construction a sufficiently high place among their objectives. The Prison Commission are engaged in building new prisons for the first time for decades and they are dealing with astronomical figures far beyond their previous experience... If criticised, they retreat behind the argument that building costs are going up. The Ministry of Works have no previous experience in the building of prisons either and, when costs go up, they blame the Prison Commission for having made them conform to too elaborate requirements.²⁸

22. Home Office (1959a), *op cit*, p.22

23. TNA: T221/863 *op cit*

24. TNA: HO 391-305. Home Office: Annual Conference 1970; statement on prison building programme.

25. TNA: T227-1883. Treasury: Prison building programme: England and Wales.

26. Peterson, A.W. (1960), 'The Prison Building programme'. *British Journal of Criminology* 1(4): 307-316.

27. TNA: T221-856, *op cit*.

28. *ibid*

Despite such concerns planning work was accelerated at sites in Hindley, Ashford, Risley and Styal, however inter—agency working remained a source of considerable friction.²⁹ The programme was subject to continued delay, and the Home Office would later estimate that, on average it took four years to conclude the planning process, followed by a typical build time of approximately two to three years. By this time the demands placed upon the prison estate had changed beyond all recognition and the initial dynamism of the Prison Commission began to ossify.³⁰ Outmoded prison establishments earmarked for closure, such as HMP Dartmoor, remained open and the eventual shape of the capital programme, set out in Appendix 1, was altogether different from that envisaged in the White Paper.

The legacy of the 1959 Prison Building Programme

In many respects the events described in this paper foreshadow the challenges, tensions and conflicts that have come to define the construction of new prisons in England and Wales.³¹ First, the events documented in this paper offer an early example of what has come to be known as ‘penal momentum’³²; a policy posture defined by a belief that prison population growth was inevitable, and the primary function of the prison service was to meet that demand. From the point of view of a spending department such as the Home Office this was an understandable position. The annual Public Expenditure Survey has always provided powerful institutional incentives for policy—makers to inflate the benefits of capital investment. However extant records indicate that by the early—1960s, HM Treasury had also concluded that the 1959 prison building programme would not provide a definitive solution to the problem of prison overcrowding. In March 1961, the Financial Secretary, Sir Edward Boyle, wrote to the then Home Secretary to express his concern at recent growth in the prison population and the financial implications of accelerating Tranche 2 of the prison building programme. In response, a joint Treasury and Prison Commission ‘working party’ was set up in April 1961, under the chairmanship a senior Treasury knight. The group reached the ‘unhappy conclusion’ that more, rather than less penal expansion was required and additional requests for capital investment quickly followed from the Prison Commission. While the HM Treasury is often characterised as institutionally hostile towards new spending initiatives, internally it conceded that:

*... we must consider further the question of this continually growing expenditure, before we can approve the full long—term proposal which is now before us. On the other hand, it seems hopeless to expect, given the increase in crime, that we can avoid having to approve a considerable part of this programme, in the long run.*³³

Second, the arguments marshalled within the Home Office to justify additional capital investment should counsel against an overly reductive analysis of prison building programmes. While the overall capacity of the prison estate was a significant motivating factor for many prison administrators, it was by no means the only consideration. From a financial standpoint the construction of larger generic prisons was attractive to the Exchequer, but as Butler would later remind his Cabinet colleagues, the prison building programme was not simply designed to achieve human containment. Penal policy was increasingly orientated towards the demands of rehabilitation, therapeutic treatment and the personalisation of punishment, and this demanded a modern, functionally adaptive prison estate, offering greater specialisation in the following areas:

- a) adequate facilities for the examination of prisoners charged with offences, ‘so that the courts may be properly advised on the choice of treatment, combined with adequate arrangements for examination and classification after sentence’;
- b) adequate facilities for providing the treatment ordered by the courts, and;
- c) a specialised system of treatment for all young offenders ‘based on a re—assessment of the present systems provided by law, i.e., detention centres, imprisonment and borstal training.’³⁴

This is not to promote an overly nostalgic reading of recent British penal history. As these records should make clear, the ‘rehabilitative ideal’ was a fundamentally coercive system underpinned by a series of deeply problematic penological assumptions. However, it is to suggest that it is impossible to understand the repeated clashes over finance, design and construction that defined the 1959 prison building programme without some reference to this overarching policy vision.

29. TNA: T221-859. Treasury. Prisons: Building Programme.

30. TNA: HO391-457 *op cit*

31. See Guiney, T. (forthcoming), *Solid foundations? Towards a historical sociology of prison building programmes in England and Wales, 1958-2015. Howard Journal of Crime and Justice.*

32. Home Office. (1979), *Report of the Committee of Inquiry into the United Kingdom Prison Services (May Committee)*. London: HMSO.

33. TNA: T227-1883, *op cit*

34. TNA: T227-1883 *op cit*

Conclusion

In keeping with the historical focus of this volume, this article has offered a detailed case—study of the 1959 prison building programme. It has situated penal policy—making at this time within a broader socio—economic context associated with the ‘rehabilitative ideal’ and demonstrated how the policy commitments set out in *Penal Practice in a Changing Society* were gradually mediated through the complex ‘geography of administration’ which continues to characterise the British machinery of government. In this respect, the 1959 prison building programme fell short of the lofty ideals espoused by the Home Office. Many establishments from this period have now been

decommissioned, and it is perhaps ironic that a prison building programme designed to modernise the existing Victorian custodial estate, would itself present serious operational challenges to a future generation of prison administrators.³⁵ And yet, despite its many failings, the events described in this paper should remind us that public scrutiny of prison building cannot be reduced to headline capacity figures alone. At a time when prison building is once again high on the policy agenda, it is surely desirable that new capital expenditure decisions flow from a broader strategic debate about the overarching objectives of the penal system and the internal culture and configuration of the prison estate required to realise these policy ambitions.

Appendix 1: Delivery of the 1959 Prison Building Programme³⁶

Location	Projected Capacity	Establishment Type	Estimated Date Completion	Approximate Completion Date (If known)
Hindley, Lancashire	300	Secure prison (male)	End—1961	1961
Blundeston, Suffolk	300	Secure prison (male)	End—1962	1963
Shroud Heath, Shropshire	300	Secure prison (male)	Early—1963	/
Market Harborough, Leicestershire	300	Secure prison (male)	TBC	1965
Grendon, Buckinghamshire	350	Secure prison hospital	Early—1962	1962
Thorp Arch, Yorkshire	250	Open prison (male)	April 1959	1965
Ford, Sussex	600	Open prison (male)	March 1960	1960
Kirkham, Lancashire	450	Open prison (male)	End—1961	1962
Appleton Thorn, Cheshire	300	Open prison (male)	Mid—1960	/
Ashford, Kent	350	Secure borstal (boys)	Early—1961	/
Swinfen, Staffordshire	180	Secure borstal (boys)	Early—1962	1963
Wellingborough, Northamptonshire	340	Secure borstal (boys)	/	1963
Barby, Northamptonshire	250	Secure borstal (boys)	/	1968
Everthorpe, Yorkshire	300	Open borstal (boys)	1958	1958
Finnamore Wood, Buckinghamshire	80	Open borstal (boys)	Mid—1961	1961
Shaftsbury, Dorset	250	Open borstal (boys)	Early—1962	1960
Risley, Lancashire,	610	Remand and Observation Centre	Early—1963	1964
Low Newton, County Durham	/	Remand and Observation Centre	/	/
	300	Remand and Observation Centre	1963	1965
	/	Observation Centre	/	/
Styal, Cheshire	225	Semi—secure prison (women)	End—1961	1962
Thornwood, Essex	250	Semi—secure prison (women)	TBC	/
Bullwood, Essex	96	Secure borstal (girls)	Early—1962	/
Moor Court, Staffordshire	25	Detention Centre (women)	Mid—1962	/
New Hall, Yorkshire	75	Detention Centre	End—1960	1961
Medomsley, County Durham	75	Detention Centre	End—1960	/
Aylesbury, Buckinghamshire	275	Detention Centre	End—1960	1961
Kirklevington Grange, Yorkshire	75	Detention Centre	TBC	1965
Erlestoke, Wiltshire	75	Detention Centre	Early—1962	1960
Aldington, Kent	75	Detention Centre	Early—1962	1961
Haslar, Hampshire	75	Detention Centre	Early—1962	1962
East Clandon, Surrey	/	Detention Centre	TBC	/

35. Fairweather, L. and McConville, S. (eds). (2000), ‘Prison Architecture: Policy, Design, and Experience’. Oxford: Architectural Press.

36. TNA: T227-1883. Approximate completion dates are based upon Ministry of Justice webpages and Inspectorate Reports.

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