

PENITENTIARY SYSTEMS IN THE ERA OF INTERNET SERVICES IN THE WEST

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Over the past years, the development of penitentiary Internet services has coincided with an equally widely discussed campaign for the general improvement of government services (so-called e-government). The use of Internet technologies in the penitentiary as an aspect of “modernizing” government services has opened up a field of potential synchronic and diachronic comparisons into the relationship between punishment and the media. By posing the following questions to the two experts, the conversation *Laboratorium* would like to initiate aims to investigate in comparative perspective how new technologies and services affect the relationship between state and society in the sphere of criminal punishment.

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Q: *How would you evaluate the relationship between states, national, and multinational corporations in the development of modern penitentiary practice?*

A: Over the last two decades, crime and security have become the major battlegrounds on which political entrepreneurs have staked their hegemonic power in the UK and in many other Western nations. As a result, politically advantageous discourses of crime and incarceration have become culturally embedded, offending “folk devils” have been recast as “evil monsters,” and widespread tolerance is maintained for prisons that offer only the most basic standard of living for inmates. In the UK, the government is pursuing an oxymoronic policy of providing more prisoner places while saving money to the public purse. The only way to do this is to hand over contracts for the design, building, and management of prisons to private companies such as G4S, who runs England’s newest—and Europe’s largest—prison, HMP Oakwood, in Wolverhampton. G4S is accommodating prisoners there at a cost of £13,200 per head per year, less than half the national average for prisoners in the UK. Moreover, the architects of Oakwood have “future-proofed” it: although a category C facility (officially a low- to medium-security facility, holding those prisoners who cannot be trusted in open conditions but who are unlikely to try to escape), the prison has been built with all the security paraphernalia of a maximum-security category A institution (accommodating prisoners whose escape would be highly

dangerous to the public or to national security). The rationale for this is that, if at some point in the future, it needs to be used to accommodate maximum-security inmates, it can do so without the need for expensive retrofitting of security. Meanwhile, category C inmates, who would normally anticipate living in relatively “open” conditions as they are prepared for the minimum-security conditions of a category D facility and/or release into the community, are accommodated within high fences and walls and with locked gates every few meters, inhibiting their movement. Oakwood is being held up as a model prison by the British government, suggesting not only that they have abandoned the promised “rehabilitation revolution” and are committed to further expanding the prison estate, but also that security in the penal estate has risen to a level of prominence that eclipses every other consideration. Although frequently regarded by British penologists as another example of the UK following the United States in matters of penal policy and philosophy, even in European countries that traditionally have held relatively weak commitments to incarceration, a cultural shift is taking place, resulting in a growing and global hegemony of imprisonment (Drake 2012; Mathiesen, forthcoming).

Deborah Drake (2012) argues that the prison is a useful barometer for understanding the methods and parameters of state power and that security within the penal system has run parallel to its rise to prominence in a post 9/11, risk-attuned and retributive, society. Drake borrows Nils Christie’s (2000) terminology as she seeks to “puncture the myths” about what might be regarded as a suitable amount of pain to inflict on individuals defined in relation to cultural discourses of vengeance and punitive punishment. She suggests that in the UK transformations in penal security can be traced back to the inmate escapes from high-security prisons Whitemoor in 1994 and Parkhurst in 1995. The political inquiries that followed these embarrassing escapes ushered in a new regime of security and control, including fortified perimeters, increased use of CCTV internally as well as externally, strict volumetric control of prisoners’ property, and a dramatic reversal of policy on all privileges—including computers and Internet access—that could be presented by the popular media as inappropriately conceived indulgences to an antisocial population. With a growing political and public appetite for excessive punishment to be inflicted on the “worst of the worst,” Drake observes that the high-profile escapes that precipitated these measures were viewed politically as a fortuitous catalyst for change, ushering in countless changes to everyday procedures, practices, and activities that combined to form insidious and pervasive erosions of humanity. Against this backdrop, computer and Internet access took a significant step back.

Denial of computers and Internet to prisoners is thus part of a wider picture and serves a broader purpose than might be immediately suggested. Viewed within a raft of increasingly punitive practices of punishment which are legislated by states, administered by private corporations, and justified by political and media rhetoric, the framing of Internet use in prisons as a privilege that undeserving offenders have no entitlement to perpetuates a broader discourse about prisoners being subhuman “others.” It encourages the public to accept increasingly repressive forms of social control and convinces them of the need for harsh penitentiary systems. As Signorielli

notes: “fearful people are more dependent, more easily manipulated ... more susceptible to deceptively simple, strong, tough measures and hard-line postures ... they may accept and even welcome repression if it promises to relieve their insecurities and other anxieties” (1990:102).

Q: *What difference does the (restricted) use of Internet services by inmates and members of their families make to the system of penitentiary controls by the government and society at large?*

A: Unsurprisingly, many prisoners believe that the restricted access they have to communication technologies and, in particular, the absence of computers and Internet access in most prisons is a form of censure that renders them second-class citizens in the Information Age. They feel impoverished by their lack of technological hardware and by their inability to exchange information in ways that have become commonplace for the rest of us. Prisoners are also largely immune from the transformations of time and space that have arisen from media technologies. While most of us are acclimatized to a world where time is speeded up, slowed down, suspended, repackaged, reordered, and reexperienced through digital and satellite technologies, most prison inmates experience time in a more traditional, chronological sense and exist through time in a much more linear fashion, almost as if in a pre-media age. These obstacles render prisoners, especially those serving long sentences, in Robert Johnson’s (2005:263) memorable phrase, “cavemen in an era of speed-of-light technology” and might be regarded as a distinctive pain of modern imprisonment.

Separation from family and friends is one of the greatest pains faced by most prisoners and is felt especially acutely by young prisoners for whom family is a vital form of support. Loss of contact with families and, in particular, damaged or severed relationships with children is a high-risk factor in suicidal behavior and self-harm and has also been identified as one of the primary factors in recidivism. In this context, computer-mediated communications could be an immensely valuable tool in allowing prisoners to sustain relationships with family and friends as well as tutors and lawyers. They would permit parents in prison to stay in touch with their children via email or social networking sites such as Facebook and would give children and young people in custody a familiar cyberspace. As is, the disruption of family relationships and employment opportunities that even short periods of confinement can entail creates feelings of being “held back” and can act as a breeding ground for future criminality (Farrall 2008). Relatedly, many prisoners are incarcerated a long way from their family homes and consequently receive few or no visits. Letter writing frequently involves delays and does not come easily to all prisoners, given that 80 percent of prisoners in the UK have writing skills at or below the level of an eleven-year-old child (Social Exclusion Unit 2002). Giving prisoners access to the Internet and email would diminish all these problems and allow them a form of communication that, unlike letter writing, is instantaneous, interactive, and part of most young people’s everyday lives.

In addition, computers and the Internet could be an immensely valuable tool for prison authorities in providing prisons with a wider range of resources for delivering

effective education and training courses, offering prisoners (and, for that matter, staff) opportunities for the acquisition of new skills. Such access would also allow users in prison to interact with potential employers, public sector organizations that might help with particular issues such as housing prior to release, and increased contact with tutors, lawyers, and family. In my view, the potential benefits of computer-mediated communications to prisoners are incalculable. However, as far as society at large is concerned, it is understandable that public opinion might be set against prisoners having access to computers and the Internet, especially as the vast majority of media reporting about the subject is dominated by a single concern—security. Official attempts to thwart Internet access may be underpinned by entirely different motives and considerations, but political justifications are founded on perceptions of the technology's inherent insecurity, a rationalization that is difficult to counter within a system of governance characterized by audit, accountability, and assessments of risk. Specifically, official resistance to prison Internet access centers primarily on the possibility that it will be used by prisoners to view pornography, contact victims, intimidate witnesses, and plot escapes.

To this extent, then, “knowledge” about the Internet in prisons is compartmentalized and essentialized through selective promotion of those opinions supportive of official depictions of risk and the necessary strategies for its governance. Meanwhile other voices are silenced, such as those of security experts with the knowledge and skills to suggest how Internet use in prisons *could* be managed and utilized. Alternative constructions of Internet access—which might include a humanitarian approach underpinned by the belief that prisoners possess human rights that must be respected or, alternatively, that it is a profoundly important matter of rehabilitation and resettlement—are absent from mainstream political and media discourse.

Q: *How would you compare the role of the Internet with that of television in transforming the modern penitentiary system?*

A: To some extent, the fears around security and the Internet have previously been rehearsed in relation to other communication technologies, including television. When in-cell television was first mooted, anxieties were voiced because it is difficult and impractical to try to censor TV content on personal sets. Concern focused on the possibilities that individuals sentenced for violent and/or sexual offenses would be able to view violent and/or sexual material and that TV images might reinforce and even legitimate prisoners' criminal identities (Jewkes 2002). Nevertheless, most prison governors viewed its potential drawbacks as relatively insignificant within the broader picture of prisoners' rights to enjoy the same entertainment as the rest of society, and in-cell television was rolled out across the UK prison estate in the late 1990s.

The importance that most prisoners assign to television is immense. Whatever meanings we all attach to television—to entertain us, learn something new, fill time, relieve boredom, evoke memories, or simply to “tune out” of our everyday lives—are

magnified in prison. In places where everyday life is sometimes described in terms of its “thinness,” access to media provides richness, color, and texture that are, in some ways, comparable to life outside. According to research in the UK (Jewkes 2002), popular shows among prisoners include nature documentaries for their vivid colors and sounds and countryside/farming programs for the verdant, expansive landscapes, and feelings of fresh air and freedom they bring to stale, airless cells painted an institutional gray. Television also reinforces a sense of humanity, uniting the prison population with the wider society in common experience. When prisoners watch a big sporting occasion or other major TV event, they have a sense of us all being “under the same big sky,” diminishing their feelings of marginalization (Jewkes 2002). With its capacity to connect to others anywhere in the world, the Internet clearly has significantly greater potential in this regard.

Indeed, for many of us in the “free” world, new technologies such as tablets are making televisions and computers increasingly obsolete; we communicate with friends, family, and colleagues (and sometimes with people we do not know and are never likely to meet), play games, watch TV and movies, listen to music, read newspapers and magazines, do our shopping, book our holidays, write academic papers, check the weather forecast, and countless other things besides, on a single, highly portable gadget. Consequently, even allowing prisoners Internet access and email, which are likely to be subject to heavy restrictions and monitoring, seems like a timid move; a step that most of us took so long ago that we can barely remember life without it.

Prisons are thus not only places of isolation; the gulf between prisons and society—to which the vast majority of prisoners will at some stage return—is growing. As Johnson (2002, 2005) has argued, the pace of change in society, powered and driven by technology, has far outstripped any change remotely possible in today’s prisons; settings in which communications technologies have largely been ignored, rejected, or deployed to maintain control rather than promote change, innovation, or connection to others.

Q: *How would you interpret constructions of masculinity and femininity in the mediated image of the modern prison?*

A: I have recently written about the prison as hell (Jewkes, forthcoming). Using images and metaphors from Dante’s *Inferno* and media texts that employ Dante’s visions and lexicon, I have suggested that it is not simply that prisons can be understood through Dantean metaphors of light and dark, heaven and hell, but also that these metaphors justify and authorize the prison as hellhole. My particular aim was to illustrate the intertextuality and cultural potency of the prison/hell metaphor, the extent to which it permeates (auto)biographical, scholarly, and lay understandings of incarceration and the ways in which mass imprisonment links the prison/hell metaphor to broader discursive practices of “othering.” My focus was on the mass incarceration of young black and Asian men, but I think the prison/hell metaphor is equally applicable to women who may be “othered” by the media in different ways.

Indeed, when it comes to constructing “evil monsters” and generating public acquiescence for subterranean, tomb-like penal hellholes as the most fitting repositories for the “worst” miscreants, women are frequently demonized to a much greater extent than men and not only are subject to media scrutiny concerning their offenses but are also judged on their physical attractiveness, sexual histories, maternal capabilities, mental capacities, and so on (Jewkes 2011). For those women who commit—or permit—acts of sexual abuse or murder, particularly against children, no circle of hell is deep or unpleasant enough.

In *Media and Crime* (Jewkes 2011) I have written about Myra Hindley who, with her partner Ian Brady, was convicted in 1966 of her part in the abduction, torture, and murders of two children. Until her reported death in prison in November 2002, Hindley was Britain’s longest-serving inmate and was a regular figure in the pages of the popular press, who waged a systematic and profoundly retributive campaign that culminated with front-page copy on the day after her death announcing that the “devil” had gone to hell “where she belonged.” So successful was this campaign to keep her in prison that it became all but impossible for any British home secretary—relying as they do on public mandate—to authorize the release of Hindley. Her status in the collective psyche as the country’s number one folk devil was augmented by a media that has inflicted her with almost every derogatory and damaging stereotype that can be ascribed to women, and she became the focus of society’s most profound anxieties, a reminder of the depths to which human depravity can sink. Although her crimes were not unique, far less uniquely evil, she remains—even in death—the archetypal “she-devil,” a monstrous, mythical murderess who defies all our conscious and unconscious beliefs about womanhood.

On the whole though, and in relation to the prison population in general as opposed to those individuals deemed the “worst of the worst,” mediated constructions of masculinity and femininity still tend to take on exaggerated forms in relation to the prison. A certain kind of hegemonic masculinity, a macho persona with a degree of “controlled aggression” is viewed as the most fitting identity with which to survive the psychological and physical rigors of imprisonment for men. For women, although the need to “prove” one’s “womanhood” does not exist in the way that some males deem it necessary to prove their manhood, there does occur an “emphasised femininity” (Connell 1987:185), constructed around compliance and subordination and organized at an individual level around the accommodation of the interests and desires of others. In single-sex prisons, these “ideal types” can become blurred and can coexist. Not all men can live up to a hegemonic, hypermasculine role, and some become, for want of a better word, “feminized” and subjugated (Jewkes 2002, 2005). In research on women’s prisons, quick-witted, domineering gang leaders, highly sexualized provocateurs, and butch lesbians (the latter pertaining to prison officers as well as inmates) are often foregrounded. In both cases, these gendered representations are employed and exaggerated for entertainment, particularly in television and cinematic portrayals.

To return briefly to the heaven and hell metaphor, Eleanor Novek (2005) describes the ways in which female inmate journalists on a newspaper in a US penal facility,

which has a minimum-security wing, a maximum-security wing, and a treatment wing, create a rhetorical vision of “heaven, hell, and here” in their writing. For those inmates who experience incarceration as a living hell, prison is a dreadful place with no redeeming potential, and for women with children, the pain of separation may be especially unbearable, particularly for those who are forced to relinquish their babies just a few days after giving birth. But other inmates report that the prison seems to represent a site of salvation, a place of transformation and transcendence. Novek comments:

The penitentiary is seen as a kind of hard-knocks boot camp experience of tough love that rescues a woman from her weaker self and sets her on the path to righteousness and hope. Articles referring to this theme suggest that being locked up actually offers a troubled woman opportunities for personal development, temporary respite from her vulnerability on the street, an ideal of female solidarity, and the possibility of religious or spiritual enlightenment. (2005:293)

It is impossible to know if these writings can be taken at face value; there may be an element of self-serving pragmatism if the women concerned believe that their published testimonies of prison as salvation will be looked on favorably to those writing reports on their attitudes and behavior, perhaps to put before a parole board. Nonetheless, their expressions that prison may be “one of the best places to make a positive change in one’s life” and that prison “has given me a new understanding of what freedom means. I was rescued from self-destruction” (quoted in Novek 2005:293) seem overtly and surprisingly compliant and might be indicative of gendered norms within prison culture and, indeed, the cultural backgrounds from which many of these women come.

Q: *How does the reevaluation of an inmate’s status as that of a consumer figure in the theoretical and sociological reconceptualization of the penitentiary systems? How can it affect broader social beliefs about justice?*

A: In prisons in England and Wales, there is not much evidence of inmates as consumers, with all the connotations of choice and autonomy that the term implies. Indeed, in comparison to many other countries in Europe, there is little acknowledgement even of the prisoner as citizen. For example, in 2004, following 140 years of disenfranchising prisoners, a case brought by an English prisoner (*Hirst v. UK*) went before the European Court of Human Rights, which deemed the British government’s stance unlawful. (Following the 2010 case of *Frodl v. Austria*, the European Court of Human Rights also ruled unlawful Austria’s disenfranchisement of all prisoners serving a sentence in excess of a year.) Greeting the news with less than enthusiasm, a British Ministry of Justice spokesman declared that “some degree of voting being extended to some serving prisoners is legally unavoidable,” but even the proposal to grant this right of citizenship only to those prisoners serving less than a year was considered so controversial that one newspaper speculated that the ministry had deliberately timed the announcement to coincide with the Easter

parliamentary recess so as to draw minimum attention to it (Winnett and Whitehead 2009, emphases added). British Prime Minister David Cameron's response to the idea that prisoners should be allowed to vote was melodramatic; it made him, he said, "feel physically sick."

The notion of the prisoner as a consumer, on the surface at least, might be seen as mitigating against the denial of prisoner as citizen. Certainly, in prisons in the UK, inmates are consumers to the extent that they can purchase goods and services; from their "canteen" (food, tobacco, confectionary, phone cards, toiletries, etc.) to clothing, CDs, DVDs, and so on. But while this looks like a convivial and humane arrangement, prisoners complain about the fact that they can make purchases only from a single authorized provider—Argos, a large, general merchandise retail chain which sells from catalogues, hence its suitability for consumers behind bars—which, many prisoners claim, charges higher prices than what they could pay for the same goods, or even goods of better quality, elsewhere. The arrangement between the Prison Service (and private companies running prisons) and Argos goes back more than a decade, and in an earlier study one prisoner summed up the dissatisfaction of many when complaining about having to buy his television from this retailer:

It's a two-tier situation here. We're being bullied, intimidated and dictated to about what we can spend our money on. Jobs are scarce here and if you're unemployed, you're on £2.50 a week. They're saying we have to pay £1 of that for TVs. Well, I'm not having one. I've refused to pay.... It costs them £44 a set, so in the first year they've already made £12 out of me.... Argos have made money out of this, this prison will make a fortune from it.... They won't give me a bill of sale for it, so I'm taking them to court (Billy, quoted in Jewkes 2002).

Additionally, privately run prisons usually provide fewer items of clothing to inmates than state-run prisons (for obvious economic reasons), which can place a burden on family members to provide extra clothes for their loved ones inside. Not only are clothes required, but very often, and especially among younger prisoners, they must be the right sort of clothes. Symbols of conspicuous consumption are intrinsic to rituals of performance, and although prisoners earn only around £12 a week, for those inmates who are assigned a level of privileges that allows them to wear their own clothes rather than prison uniforms, it is important to wear the "right" designer labels if their adequacy as a man is to be upheld (Jewkes 2002). In many prisons the influences of consumer commodification can be seen in a variety of prisoners' possessions and material aspirations and, arguably, become increasingly significant under conditions of severe material constraint. In *Captive Audience* (Jewkes 2002) I observed that a notable indicator of lifestyle aspirations, combined with a requirement to conform to the hegemonic masculine culture and a need to signal to the group something of one's pre-prison identity, is footwear. At one high-security prison where I conducted research, most participants were young and streetwise, and they literally wore their masculine credentials on their feet. Their new and expensive designer-label trainers indicated a desire to fit in with the dominant norms—and yet also suggested a degree of competitiveness: for some

inmates it seemed important not to get left behind in the rapidly moving worlds of fashion and footwear technology.

Ironically, it may be within the private sector that advances are made with respect to consumer choice, including Internet access, though not for any humanitarian benefit but for reasons of cost. Some privately run prisons in the UK now permit inmates not only in-cell televisions and game consoles but also private telephones (preprogrammed to allow calls only to certain numbers). Such “perks” might be regarded merely as pacifying sops for inmates afforded very few rights. They infuriate media reporters and are frequently the topic of scathing critique in the popular press (along the lines of indulging “pampered” offenders in “soft” jails), but they remain attractive to the corporations who run these prisons and to the Prison Service because they sugar the pill of extended periods of confinement with minimum staffing required.

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