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Relational Justice

BULLETIN

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ENTERPRISING JUSTICE

Following Paul Boateng's article in Issue 6, Ann Widdecombe explains why a relational approach to crime is part of the Conservatives' 'common sense' revolution



Conservatives are currently leading a 'common sense' revolution in the fight against crime, certain key elements of which can all be justly described as relational. These include proposals to introduce 'cops in shops', a national police cadet force, greater involvement of the local community in local policing and self-financing workshops in all prisons. This approach strikes a chord with Relational Justice because, as Sir Stephen Tumim hints in the last issue of the Relational Justice Bulletin ('Minding the Gap'; Issue 8), a relational approach to law and order is very largely a matter of common sense. There is little doubt that putting good relationships at the heart of our policing and prisons strategy can be an effective way of protecting the public in the long run. But translating this vision into practice calls for the traditionally Conservative strengths of boldness, imagination and enterprise.

As I travel around the country people often tell me that they never see a police officer and police officers tell me they spend too much of their time up to their necks in an ocean of paperwork that often keeps them in the police station for hours at a time. So why not give officers



Hannalee Grobler

"Cops in shops fosters interaction between the community and the police."

temporary bases in local shops or cafés where they can go to do their paperwork and at the same time meet and talk to members of the public about what's happening in the community? 'Cops in shops', as I call it, is a very simple initiative that I saw in Washington last year whereby, unless there are very unusual circumstances, policemen don't go back to the police station to write their reports. Instead, they stop off somewhere like a shop where they have a desk and that is where they sit and do their reports, as they would have to do anyway at the police station.

FACE TO FACE CONTACT

It is an extremely relational policy for at least three reasons. First, it fosters interaction between the community and the police. The public are more likely to report incidents if they see the police officer

face to face. You are most unlikely to flag down a police car to say to the officer: 'I think I saw something suspicious, but I'm not quite sure what'. But if you've got someone sitting there in a shop and he's obviously available then you may well pass that information onto the policeman. Face-to-face contact gives the police access to far more local knowledge and makes them better equipped to respond to local concerns. Second, visible uniformed police officers provide a sense of reassurance. People are more likely to feel safe and to go about their normal lives if they know that there is a police presence nearby on which they can rely. We have a

very high perception and consequently fear of crime in this country that sometimes outstrips the reality. Reassurance by uniformed officers is therefore a very big plus. The third advantage is straightforwardly deterrent. The presence of police officers could have a socially calming

effect. There are certain times during the day when shopkeepers feel under pressure (for example, when children come out of school) and it could be that those would be good times for the police to go round and do their paperwork.

VISIBLE POLICING

But although I call the policy 'cops in shops', I'm not signed up to the fact that it has to be in shops. It could be anywhere that is accessible and visible, like a small sub-post office or a grocery store. I've picked shops because they're very easy to understand but it could really be any public place. The great advantage with shops, however, is that that's where people are. Even if you do your big 'shop' in an out-of-town supermarket, the chances are that you are buying a lot of necessities from your local shop. Certainly, the very limited confirmation we've had from large retailers has always been entirely favourable.

'Cops in shops' also has tremendous application for rural policing. Many rural people feel isolated from the forces of law and order and hardly ever see

"My aim is to free up the regular police to get back into more visible high profile and productive policing."

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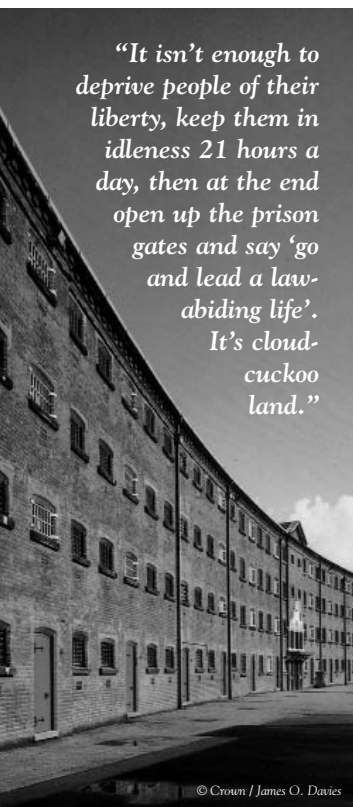
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Continued on Page 2

"It isn't enough to deprive people of their liberty, keep them in idleness 21 hours a day, then at the end open up the prison gates and say 'go and lead a law-abiding life'. It's cloud-cuckoo land."



© Crown / James O. Davies

their local bobby. Police stations in rural areas are rarely open 24 hours and police response times are often twice those of urban areas. Accordingly, residents of rural areas tell me that they often feel afraid, unprotected and under-represented by the police. There are clear benefits to having a visible police presence in either a village shop or in some other local amenity.

On my estimates, there are over 1,000 fewer police officers in rural areas today out of nearly 3,000 fewer nationwide than when the Conservatives left office in 1997. Jack Straw has announced extra funding to boost police recruitment by 5,000 extra officers over the next two years. This will not reverse the decline in police numbers and the Home Office estimates that by March 2001, police numbers will be 2,600 lower than at the 1997 general election. We have pledged to restore falling police numbers. It cannot be common sense to fight crime with fewer crimefighters. I want to see more police, but I also want the public to see more police, in both

rural and urban areas. Numbers alone are not the only answer: we must also have more visible policing. I believe there are lots of ways that we can get this. We should use retained police officers, part-time police officers and the special constabulary. We should also make more use of retired officers who have a great fund of expertise that just goes to absolute waste after they've retired. Raising the visibility of police officers in the community is not just a matter of funding but of inventive and relational deployment that maximises contact between police and public.

MORE PUBLIC INVOLVEMENT

In the same way, I strongly believe there is scope for greater involvement of local communities in local policing. In Bracknell, volunteers from the local community take on part of the role of manning the phones at police stations. The Inspector there, Peter Carter, says that this has been a considerable success. The public receive training in dealing with emergency situations and the police officers have a direct line to be able to respond to any emergency. A similar scheme in Sandhurst involves local people manning a desk at a 'police stop'. People can go there to produce documents requested by the police or to report incidents. I am in favour of involving members of the public much more in supporting the police. The policy recalls the image on the front cover of Relational Justice wherein members of the local community join hands with professional and statutory agencies to deliver justice. Of course, I don't want members of the public to take over from regular police officers. But when there is a tension between policing the streets and manning the police stations, I believe that

the public are willing and able to help. Encouraging local people to become more involved with their local police as an additional resource is not only relational but also common sense.

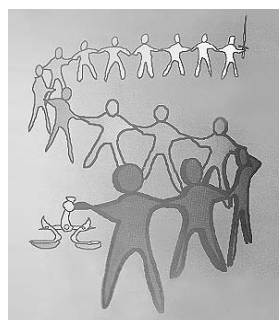
CHANGING ATTITUDES

A further example of a Conservative policy that is both relational and common sense is the proposal to reintroduce a national police cadet force for 15 to 19 year olds. We already have some voluntary equivalents of a police cadet force around the country, in Lincolnshire for example, but I believe that a national scheme would be a very big plus. It need not cost a great deal of money and it would carry out the function of keeping children interested in the police as they grow into young adults. At the moment what happens is you can have a kid of, say, 12 or 14 who's actually very interested in the police but the police won't recruit at that age and by the time the police get around to being interested in him, when he's 20 or whatever, he's no longer interested in them. A cadet force can always keep the interest going. It is a good

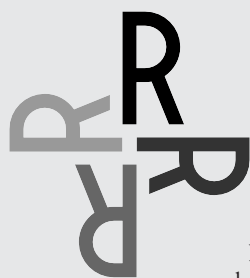
recruiting tool not only for the police but also the special constabulary for people who are interested but who don't actually want to make a career out of the police.

A cadet force can also do something even subtler which is to inform the attitudes of young people towards the police at a formative time in their lives. Even if those youngsters eventually don't join the police

the police, you can change a whole lot of perceptions while they are still at a young age. That could have big benefits in our inner cities where we know it is very hard to recruit people



WHO WE ARE

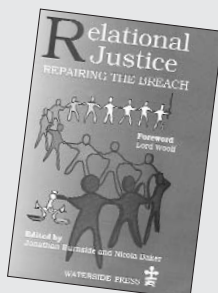


The **Relational Justice Bulletin** is a quarterly publication by the **Relationships Foundation**, a Cambridge-based charity, as part of its **Relational Justice** initiative.

Relational Justice is a fresh approach to crime and punishment.

Rather than looking at crime solely as an offence against the state, it sees it as a breakdown of relationships between offenders, victims, families and the community.

The concept was developed by the **Relationships Foundation** in the early nineties. It first gained public exposure with the publication of the book **'Relational Justice: Repairing the Breach'** (Waterside Press, 1994), which was welcomed by Lord Woolf as 'a radical new approach which anyone with any concern about the criminal justice system needs to be aware'. Since then, it has been shown to have wide implications for policy and practice.



The **Relational Justice Bulletin** has been launched as a platform for discussion of the ideas at the heart of **Relational Justice** as well as exchange of good practice across the system.

You are warmly invited to join the growing number of professionals and practitioners who are already receiving it (see subscription form on the back page) and to contribute your own ideas and experience.

The **Relationships Foundation** is a registered charity dedicated to developing new 'relationships-based' approaches to social, economic and political issues.

Your help would be welcome in publicising the Relational Justice Bulletin. Free A5 leaflets are available for your use. You can request copies on the form on the back page.

Dr Jonathan Burnside is
Editor of the Relational
Justice Bulletin



Views expressed are those of the authors and do not necessarily reflect the policies of the Relationships Foundation.

from ethnic minorities. It's also much less easy for older teenagers to be anti-police if your best mate in the pub is actually going out and doing a voluntary job with them.

Turning to prisons, my approach is very simple. It isn't enough to deprive people of their liberty, keep them in idleness 21 hours a day, then at the end open up the prison gates and say 'go and lead a law-abiding life'. It's cloud-cuckoo land. What matters is what you do with people when you've deprived them of their liberty. And what we should be doing in our prisons is addressing the underlying reason why somebody commits crime. The fact is that the people who enter our prisons come, overwhelmingly, from chaotic backgrounds. They have no idea of order

"What we should be doing in our prisons is addressing the underlying reason why somebody commits crime."

and structure and routine and if all you do is lock them up, they'll never learn any different. Under Labour, purposeful activity in prisons has decreased to just 23 hours per

week. It cannot be common sense to let prisoners sit around in idleness. Idle prisons are breeding grounds for the disease of crime. In the later years of the last Conservative Government we introduced programmes of education, work and training for qualifications so that we could have NVQs in every prison and that is what it should be about. This ensures that the time spent in custody is not simply spent learning new ways to commit crime. What counts in protecting the public in the longer run are things like work, education and addressing specific problems like addictions.

A COMPLETELY DIFFERENT PRISON SERVICE

My belief is that if I can have five years as Home Secretary we'll have a completely different Prison Service at the end of it. Protecting the public doesn't end at the prison gate. It must extend to giving prisoners the skills they need to lead a law-abiding life outside. We must concentrate on making prisons more constructive and that means stable regimes and giving prisoners a real chance to change. Everybody who comes into prison for any length of time should have to do a full working day and I don't mind if that full working day is spent in training, education or workshops. Obviously you can't do much with prisoners in a couple of months but it should be the norm for anyone who comes in for six months and certainly for a year or more. Moreover, it must be a full working day and not just two hours here and there. The rest of us don't have time on our hands for leisure activities and gym during the day and it shouldn't be a way of life for prisoners either.

The Conservatives have pledged to introduce self-financing workshops into all prisons. We want to educate and train as many prisoners as possible to re-enter the workforce after prison. My idea is that work in prison should be compulsory. Prisoners who don't work

should lose all privileges and remission and go right back down to a basic regime. Of course, this means you have to provide work for

prisoners. And it's got to be real work that is of interest to real employers, with real pay. At the moment, our prisoners make millions of pairs of socks. As far as I'm aware, there isn't a great demand for socks. Where do they go? They're not being sold to Marks and Sparks, are they? Doing real work that real employers want means that prisoners may be able to replicate that work in the outside world.

We must get away from the idea that prison work has to be heavy industrial prison workshops. It could be printing or even be telephone call centres in certain selected prisons and for selected prisoners. There are lots of things you can do in a prison if you let your imagination run widely enough.

If prisoners are carefully supervised there's no reason why we can't be inventive. If space is at a premium, then encourage in-cell work. There are ways round things if you really set your mind to it.

PRISON WORKSHOPS

Prison industries should run like a little business and, like little businesses, they should start off quite small and, as they make profits, those

profits should go back into the business. I got an agreement from Francis Maude, then Shadow Chancellor, that for the first five years of this scheme the Treasury will not take profits from prison workshops,

which is what tends to happen at the moment. At the moment, if a prison workshop is making money that's counted against the prison budget. My idea is that it shouldn't be counted against the prison budget, provided it goes back into the workshop. Conceivably, management might use the money from the workshop to buy a teacher for the prison. Over time, when the whole thing

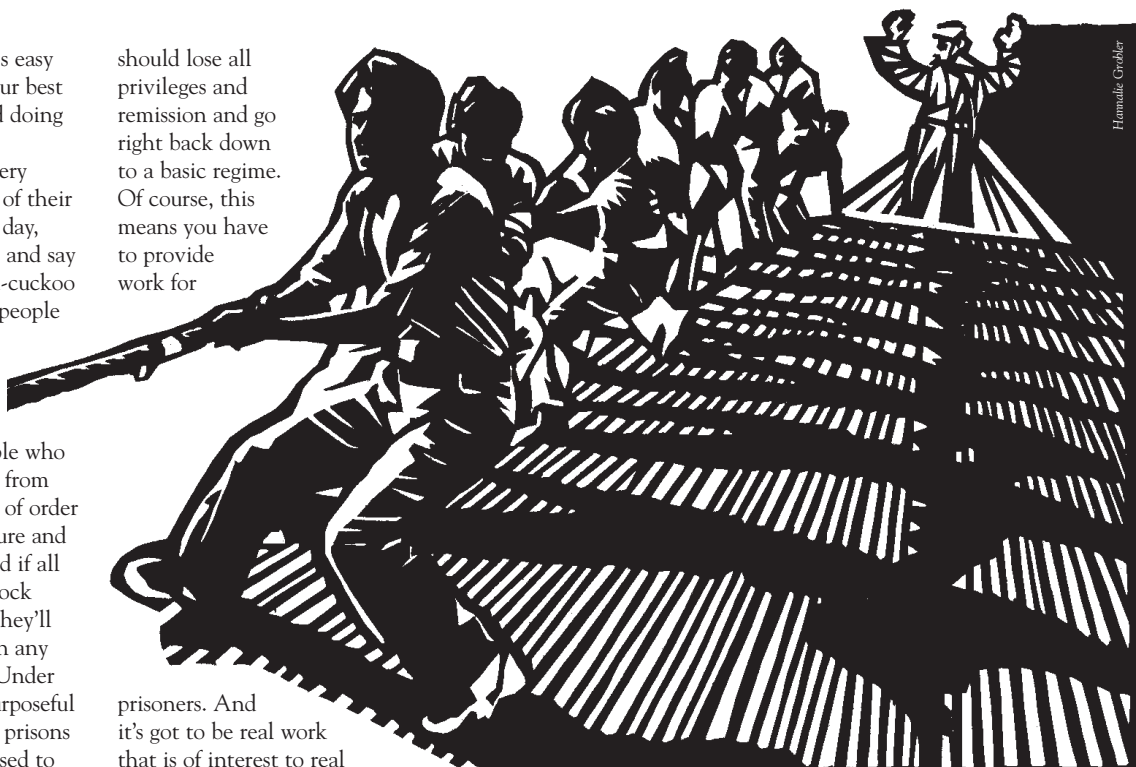
"We must concentrate on making prison regimes more constructive."

is up and running, prisoners' wages might go towards the cost of their upkeep, the support of their families, savings to give them a start when they leave prison and reparations to the victims of crime. Again, this is only possible if you start paying prisoners a proper wage and not pocket money.

I don't have any trouble with the numbers of people in our prison. There's no correlation between the level of constructive work we can provide and the number of people in prison. When I was a Prisons Minister, we had a high level of

purposeful activity and we had at the same time a rising prison population. There came a time when Richard Tilt, the then Director General of the Prison Service, said to me that with the numbers of prisoners we then had it was not realistic to have that particular target for purposeful activity and he asked if we can reduce it. And I said no, we would actually increase it. You don't give up on purposeful activity every time you have pressure on the prison service. I wanted to send out the message that purposeful activity is not an optional extra that goes to the wall when the going gets rough. I stuck very strongly to that. After all, it had already been the case that while the prison population went up by 25%, so did purposeful activity. Prisoners shouldn't be competing with the local labour force: they should be competing with imports. But there is always room for one more enterprise and that's what I want to put into place: more enterprise.

The Rt. Hon. Ann Widdecombe MP is Shadow Home Secretary and a former Minister of State at the Home Office.



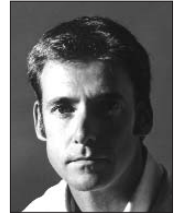
Prisoners engaging in a tug-of-war

SOFT CELL?

Allan Brodie and James O. Davies explore the secret history of the prison cell



Allan Brodie



James O. Davies



1. HMP Grendon, Buckinghamshire. Interior of Cell 1996

Although cells are simple structures that have not changed fundamentally for more than 150 years, the buildings that contain them and the way that people are expected to live in them has changed. This article explores the history of the prison and the cell from an architectural and a relational perspective. It examines how changes in the architecture of the prison sometimes reflected changing penal policies regarding how staff and prisoners should relate. Today, an architectural form that was once designed to keep prisoners in strict isolation has found to be a model for creating an appropriate environment where prisoners and staff can live and work.

The cell is at the heart of the prison experience. In the mid 1990s it was sometimes the expression of extreme individuality. Cells decorated as 'ye olde' English cottage or as a lounge with a cosy fireplace with a shotgun over it were probably the most amusing expression of the resident's personality (see 1 above). However, following the Woodcock Report in 1995 and the imposition of 'volumetric control', the amount of property prisoners are allowed in their cells has been limited. Decoration is now restricted to a notice board. The idea of the cell as someone's home is a modern one. When the cell was introduced into prisons in the 18th century, it was a cage.

SOLITARY CONFINEMENT

Before the 1840s, prisons consisted of a series of blocks containing separate accommodation for different categories of prisoner, segregated

according to their age, gender and offence. During the day, prisoners associated with other offenders of like category, but at night they slept in cells on the upper floors of the wings. Classification systems became increasingly complicated. The prison at Shrewsbury was designed for thirteen classes in 1786, but this had risen to twenty-six in 1834. The extreme example, Maidstone, had thirty-eight categories detained separately.

In the 1830s, the need for a new approach was widely recognised. Inspired by recent prisons erected in the USA, the British Government introduced a new system at Pentonville (1840-2). Prisoners were held in silent, solitary confinement for the first eighteen months of their sentence to allow them to contemplate their criminal behaviour and repent. They ate, slept and worked in their cells.

A washbasin and a toilet were included. It was a system designed to reduce human contact. Segregation extended to the exercise yards and the chapel. Individual, wedge-shaped yards were arranged in circular groups around an observation post. In the chapel, prisoners had individual pews, allowing them to see the clergyman without contact with other prisoners.

This new system required new buildings or major adaptations to existing prisons. Therefore, a design of building was developed based on American models. Pentonville had a radial layout with four cellblocks around a central hall. The wings were three storied with cells on either side of an open corridor. Cells on the upper tiers were reached from galleries. Staff on the ground floor could see throughout the wing and each wing could be observed from the centre of the prison. Nineteen radial prisons were erected in England in the 19th century.

THE PLACE OF PUNISHMENT

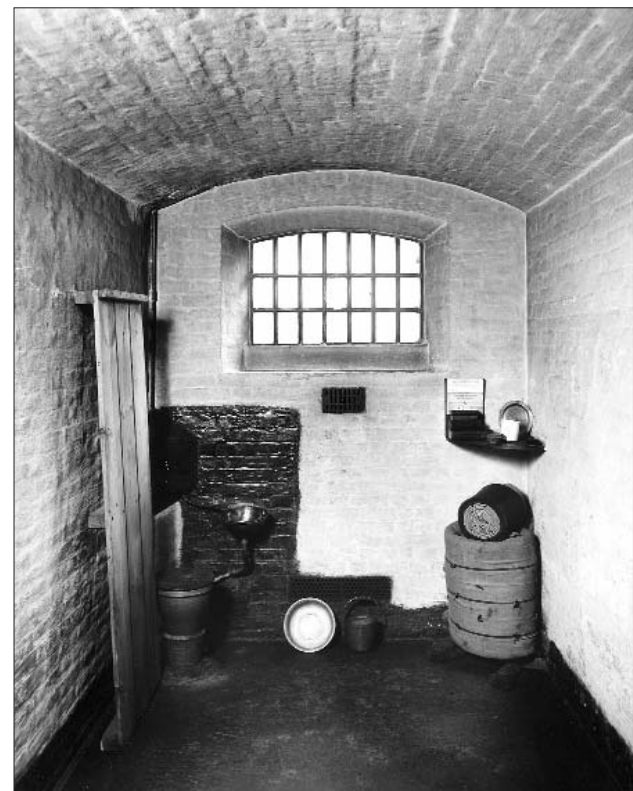
Great admiration for the architecture was mixed with doubts over whether prisoners should be held in such pleasant conditions when the populace had a poor standard of living. Many commentators also had reservations about the psychological effects of the regime. W. Hepworth-Dixon felt that silent, solitary confinement would 'cleanse them of all their former

offences', but he also recognised that this was proving too harsh: "What we want are sound minds, not quiet men in strait-jackets; good citizens, not submissive criminals in silent cells."¹

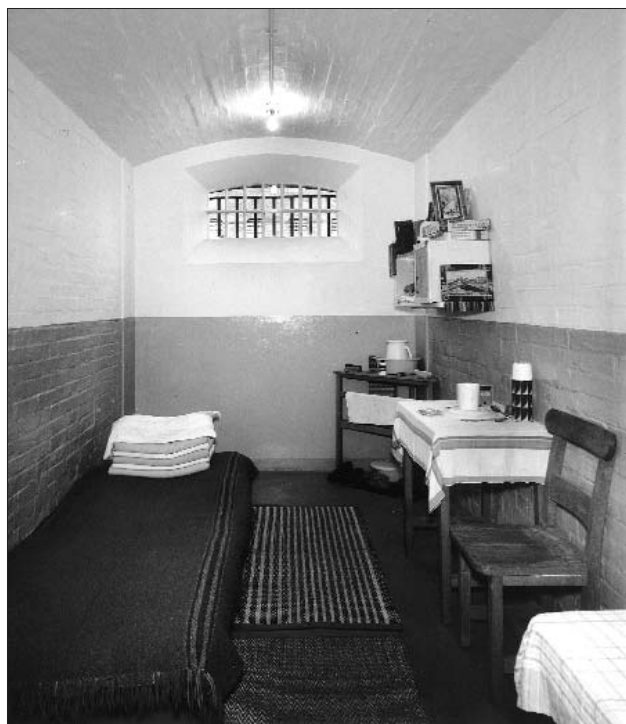
During the 1850s, some elements of the separate system were relaxed. The time spent in strict separate confinement at Pentonville was reduced to nine months and exercise rings replaced the separate yards. These reforms also took place throughout the country but following the Prison Act 1865, penal discipline again became harsher. The solid board bed replaced the hammock, which was seen as a luxury. The cell as a place for repentance was replaced by the idea of punishment and deterrence (see 2 below).

At the end of the 19th century a gradual relaxation of conditions in prison began. The treadwheel, invented in 1818, had provided unproductive, punitive labour. In 1899, new prison rules abolished unproductive labour and emphasised that industrial training should provide skills to allow prisoners to earn a living on release. The inefficient toilets and washbasins in cells were replaced by sanitary annexes in the wings or in attached towers. During the 1920s and 1930s, most of the dehumanising regulations of the Victorian penal system were removed. The

"Prisoners were segregated even in the exercise yards and the chapel."



2. Newgate Gaol, London. Interior of Cell late 19th century



3. HMP Parkhurst, Isle of Wight. Interior of Cell 1968

cropped, convict haircut was abolished, the arrows on the outside of uniforms were removed and instead of visiting boxes, with prisoners separated from their visitors by wire, prisoners were able to face their visitors across a table. New regulations were introduced in 1922, permitting conversation between prisoners at appropriate times. Other improvements included the introduction of lectures, films and radio broadcasts. Educational opportunities were also provided and by 1937 there were hundreds of courses. An earnings scheme was introduced and canteens were established to allow prisoners to purchase items for personal use (see 3 above).

NEW WAVE PRISONS

From 1878 until 1917, the prison population declined from 32,000 to 10,000 and it remained at the same level until 1940. A number of prisons were closed between the wars, though a number reopened after World War II. The interwar years saw great emphasis placed on borstal training. There was no place for the cell in this new institution, as the borstal tried to engender team spirit through communal living and activities.

After World War II, the prison population rose rapidly reaching 20,000 in 1950 and 30,000 in 1962. Difficult economic circumstances meant that former military sites opened as prisons. The first new purpose-built prison, Everthorpe (1956-8), consisted of two, three storied wings with cells opening from landings flanking an open corridor. Although the facilities were modern, the wings were still Victorian in layout. Everthorpe was the subject of heated discussions and prompted the creation of a new type of prison, the 'new wave' prison. Blundeston (1961-3), the first to open, consisted of four T-plan wings around a central service block. The wings were four storied with solid floors between

each storey. The cells were smaller than in Victorian prisons and toilets were not included as prisoners were expected to be out of their cells for most of the day. Working hours were increased and staff and prisoners were allowed to enjoy a more relaxed relationship. The aim was to sweep away the last vestiges of the separate system and replace all Victorian prisons. Only Holloway was rebuilt, creating new problems in the new building.

The optimism of the early 1960s was defeated by the inexorable rise of the prison population and was further undermined by the shortcomings of these new prisons. The cells were oppressively small and the short spurs of cells with narrow corridors made staff and prisoners feel unsafe. The new buildings

were often poorly designed and badly built. By the late 1970s, new types of prison designs were developing. In 1975, it was decided that a new Borstal and Remand Centre would be built at Feltham. The new buildings were arranged in an informal layout. The scale and irregularity of the individual blocks, as well as the trees and grassed areas were intended to disguise the penal nature of the institution. Each unit holds thirty-two trainees in two storied, triangular houseblocks with cells around an association area. Similar units were built at Erlestoke and Guys Marsh. Larger triangular houseblocks were the basis for new prisons at Lancaster Farms, Woodhill and Doncaster in the early 1990s.

MODERN IMPRISONMENT

A second theme evolved in the late 1980s. Two cellblocks at Standford Hill, completed in 1986, were the first wings since the early 1960s to employ open landings with cells opening from galleries. This led to an immediate change in the design of prisons. Although the plans continued to be derived from designs of the 1960s, the internal appearance of the wings was transformed. The new prisons Belmarsh, Whitemoor and Bullingdon were among the first of this new type, opening in 1991 and 1992. At the same time there was a major refurbishment programme of older prisons following disturbances at 46 prisons in 1986 and in April 1990. Wings were refurbished to improve the facilities and they were subdivided into units of around 50-60 cells. In-cell toilets were installed, allowing all prisoners access to sanitation at night by 1996 (see 4 opposite).

Cellblocks built in the late 1990s are two storied with the upper floor reached from a gallery. The central open area is wider than in Victorian prisons, providing more space for recreation facilities. The layout allows everyone to be seen in the central area, making staff and prisoners feel safer than in new wave prisons. Toilets have again been installed in cells. In the late 1950s, the intention was to close Victorian prisons, replacing them with 'hotel' style buildings. However, experience has shown that older buildings devised to keep prisoners and staff

apart, have provided suitable accommodation for modern imprisonment.

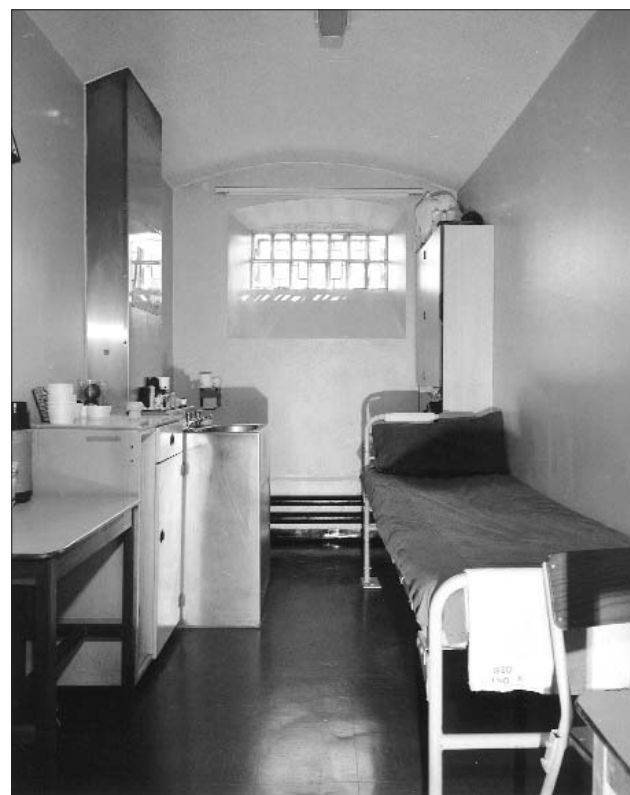
In December 2000 the idea of closing city centre Victorian prisons re-emerged, raising the prospect of providing purpose-built facilities fit for staff and prisoners in the 21st century. In form all new institutions will probably resemble their

predecessors but with improved amenities. Simply providing new bricks and mortar will not guarantee a successful prison. However, a new prison can offer an opportunity to create new, positive relationships, not just between staff and inmates, but within the community where they all live and work.

"What we want are sound minds, not quiet men in strait-jackets; good citizens, not submissive criminals in silent cells."

Allan Brodie and James O. Davies work for English Heritage and have visited every working prison in England and Wales in the course of their research. They are the authors of *Behind Bars: the Hidden Architecture of English Prisons* and *English Prisons – An Architectural History*, published by English Heritage.

1. W. Hepworth-Dixon. 1850. *The London Prisons*. 160-1
Photographs © Crown copyright



4. HMP Usk, Gwent. Interior of Cell 1998

NURSERY CRIMES

George Hosking argues that healthy relationships between parents and babies are key to reducing violence



Violence in the U.K. is growing rapidly. A rising proportion of crimes are violent crimes, up from 1.3% in 1950 to 5.6% in 1997. Every week three to four children in Britain die at their parents' hands. There are many causes of violence but the deepest roots lie in the family and begin early. This is of great relevance to Relational Justice. Putting relationships at the heart of justice forces us to consider the different ways in which dysfunctional families create antisocial tendency in children and how the breakdown of relationships in wider society translates this antisocial tendency into actual offending behaviour.¹ In this article, I consider specifically how a breakdown in the relationship between parents and babies can 'hardwire' antisocial and aggressive children who later turn to crime and abusive behaviour. The evidence is crucial to informing a relational policy agenda. If it is true that a major cause of violence is early life experience in the family and that a principal method of instilling violence is harsh or erratic parental discipline, it follows that a priority for corrective action should be to improve parenting skills, especially for parents of the very young.

There are many causes of violence including; a disrupted upbringing, situational stress, economic inequality, extreme poverty, unemployment, social isolation, overcrowding, poor housing, a culture of violence, genetics triggered by environment, diet, alcohol, the availability of firearms and a lack of moral or spiritual teaching. Amongst these factors one predictor of future violence stands out and that is harsh family discipline. A plethora of studies indicate that harsh or explosive discipline leads to violence and criminality in children² and that discipline styles typically run in families over many generations.³

PATHWAYS TO CRIME

The early years are of critical importance to the child's later social development. Pathways to crime are often laid down by ages two or three. The result can be aggressive personalities for life because studies consistently show that aggression and violence are stable character traits. The earlier aggression is established, the worse the long-term outcome tends to be. Male aggressive behaviour is highly stable as early as age two. In boys, the stability of aggression increases from middle childhood to adolescence. Children who are hard to manage at age 3 show a strong continuity of behavioural problems at ages 6, 9 and 13. Indeed, serious antisocial behaviour is highly resistant to change in school-age children and adolescents.⁴

Although antisocial tendency is a stable construct, its social expression varies with age.

At age two the antisocial child typically displays poor temperament and low empathy; at age eight conduct disorder and cruelty to animals, gravitating to shoplifting at age twelve. The antisocial offender typically commits burglary at age 15; robbery and violence at age 20 with a pattern of spouse abuse, child abuse and alcoholism occurring in the 20s and 30s.⁵ Farrington and West's seminal Cambridge Study in Delinquent Development, a prospective study of South London males from ages 8 – 32, found that adult offending could be predicted in childhood. "Anti-social children grow up to become anti-social adults who go on to raise anti-social children."⁶ Aggressive behaviour at age 8 predicts, at age 30: criminal behaviour, arrests, convictions, traffic offences (especially drunk driving), spouse abuse and punitiveness to own children.⁷

"There are many causes of violence but the deepest roots lie in the family and begin early."

This overall picture is confirmed by the Dunedin study which followed a cohort of children born in 1972 through until age 21. At the age of three, nurses were able to identify an 'at risk' group of males and these were compared with the rest of the group at age 21. Compared to the lower risk group it was found that the 'at risk' group had more than

twice as many people with two or more criminal convictions and three times as many people with anti-social personality. Moreover, over half (55%) of the at-risk group had committed violent offences compared to nearly a fifth (18%) of the others, whose crimes were much milder. Those of the 'at risk' group included robbery, rape and homicide. Furthermore, nearly half of the at-risk group (47%) abused their partners, compared to nearly a tenth (9.5%) of the others. The authors conclude: "Immature mothers with no strong parenting skills, and violent partners, have already borne the next generation of 'at risk' children."⁸

SCULPTING THE INFANT BRAIN

Understanding the infant brain reveals why. Recent neurological research suggests that an infant's brain may be permanently altered if the child is brought up in an environment where it experiences intense stress, emotional neglect, chronic parental depression and abuse. At birth

there are 100 billion neurons (brain cells) and 50 trillion synapses (connections). By age three, remarkably, the number of synapses increases to 1,000 trillion. This is too large a number to be specified by genes alone and it is thought that the new synapses are formed by experience.⁹ Flexibility in sculpting the infant brain has enormous survival value and enables the infant to adapt to its environment.¹⁰ Certainly, infants are very sensitive to environmental experience. They have an innate drive to learn and they actively seek out human faces within half an hour of birth. Synapses are also 'hard-wired' or protected by repeated use, which implies very rapid learning via early life experience. It also makes the learned behaviour resistant to change.

Significantly, there are critical windows of time during which learning takes place and the brain hones particular skills or functions. The size of the window is different depending on the skill. In babies, synapse formation in the visual cortex peaks at three months and is finished at age two whilst an infant's auditory map is formed by twelve months. If the chance to practice a skill is missed during the window, a child may either never learn it, or its learning may be impaired.¹¹ The window for emotional development may occur from eight to 18 months and is shaped by a mother's interaction style.

The wrong style can have disastrous results.

EMOTIONAL DEFICITS

In primates, neuro-endocrine systems are 'tuned' by caregiver-infant interaction. Such systems emerge as a result of 'give and take' between mother and child. Babies become

socially dysfunctional if mothers are unresponsive to their needs.¹² Human babies thrive on warm, responsive, early care. Premature babies who are touched and held on a regular basis gain weight more quickly, make greater gains in head circumference and show greater overall improvement. Infants that receive early care experience fewer behavioural problems at elementary school. They also have higher 'emotional intelligence', that is a higher emotional self-awareness and the ability to identify their feelings. Their interaction with others tends to be positive, healthy, mutually productive and crucially, non-violent. Emotional development begins at home in the process of 'attunement' with the parent. Attunement is



where the parent and child are emotionally functioning in tune with each other and where the child learns from the parent that its emotional needs for love, acceptance and security are met and reciprocated. Alan Schore, following a ten-year immersion in thousands of scientific papers in neurobiology, psychology and infant development, concludes: *"The child's first relationship, the one with the mother, acts as a template... [it] permanently moulds the individual's capacity to enter into all later emotional relationships."*¹³

By contrast, failure to meet the baby's needs for love, belonging, empathy, acceptance and security results in emotional deficits and 'mis-tuned' babies.¹⁴

"Negative stimuli effectively gives babies a skewed control-panel in the brain."

Maternal depression impedes brain development¹⁵ whilst maternal hostility and abuse at three and a half years of age predict aggression in elementary school.¹⁶ Infants of severely

depressed mothers show reduced left lobe activity (associated with being happy, joyful or interested) and increased right lobe activity (associated with negative feelings).¹⁷ These emotional deficits become harder to overcome once the crucial 'window' has passed.

Studies have found that low maternal responsiveness at 10-12 months predicts aggression, non-compliance and temper tantrums at eighteen months, lower compliance, attention getting and hitting at two years; problems with other children at three years and fighting and stealing at six years.¹⁸ Interestingly, low maternal responsiveness at eighteen months did not seem to have this effect.¹⁹ This is consistent with the hypothesis that there are 'windows' for emotional development and that the timing of the deprivation is important.

INCUBATED IN TERROR

In this way, it seems as though the seeds of violence may be sown during nine months' gestation and the first two years of life. Babies who do not receive the positive stimuli that make them feel securely cared for and safe in attaching themselves to their mother or primary carer effectively end up with a skewed control-panel in their brains. Babies brought up in violent families are incubated in terror and their brains may be permanently damaged. The brains of abused children are significantly smaller than those of non-abused children. The limbic system (which governs emotions) is 20-30% smaller and tends to have fewer synapses. Similarly, the hippocampus (responsible for memory) is also smaller in abused children. There is also increased activity in the locus coeruleus (responsible for hair-trigger alert), as one might expect in violent families.²⁰

This has significant implications for the level of violent crime in society. A baby that is healthily attached to its carer can regulate its emotions as it grows older because the cortex, the part of the brain that exercises rational thought and control, has developed properly. But in the case of the child whose life has been badly impacted, the cortex is underdeveloped. The damaged child lacks an 'emotional guardian.' The result is unblocked violence in many people that emerges as domestic violence and child abuse in later life.

How do we alter the disposition of children whose lives are being primed in the nursery for future violent

behaviour? A key step in achieving this goal is to improve parenting, especially among the very young in 'at risk' families. Parent training can reverse the damage and very early intervention can prevent it. Early intervention in parent-child interaction is the most effective: for example, in the first year of the first child when parental behaviour has not yet been established. Craig Ramey of the University of Alabama sums up the research literature: *"The results are clear: to make a difference, you have to intervene early."*²¹

THE NEED FOR EARLY INTERVENTION

Changes in parental discipline can lead to significant reductions in antisocial behaviour. Studies have found reduced conflict and child irritability when mothers are trained to respond appropriately to infant cues²² whilst others report dramatic reductions in child neglect, abuse, pregnancies and maternal arrests following home visits for 'at risk' mothers.²³ Parent training is highly cost-effective according to a study by the Rand corporation²⁴ whilst Browne and Herbert conclude: *"parent training programmes are our main hope... in families with highly aggressive children."*²⁵ Something can be done to prevent the lifelong damage inflicted in babyhood. My hope is that the framework of Relational Justice will help us to take collective responsibility for caring about the circumstances that predispose children to delinquency.

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REPARATION ORDERS FOR YOUNG OFFENDERS: COERCED APOLOGIES?

Brian Williams considers the relational implications of making reparation orders compulsory



Reparation orders were introduced by the Crime and Disorder Act 1998 and have been available to courts across England and Wales from June 2000. At one level, this innovation seems to have been inspired by the success of reparation schemes in other countries. Yet in a major departure from the traditional, voluntary, use of reparation the Government decided to make its new reparation order compulsory. In relational terms, this is a major departure and one that raises a number of questions. What were the reasons for this change of emphasis and how does it affect the relational dynamic at the heart of the reparation order? This article reviews the experience to date of the British experiment in mandated reparation.

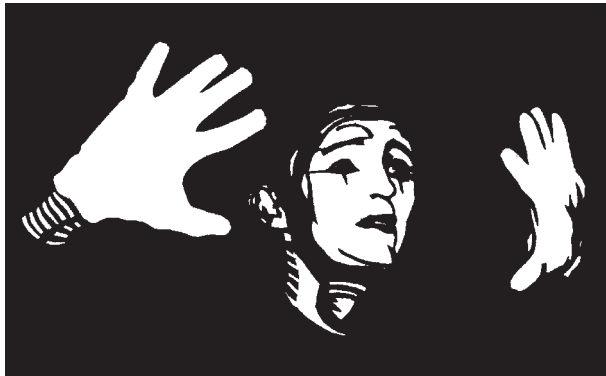
Voluntary involvement by offenders has been central to the philosophies of victim-offender reparation schemes in other countries such as Austria and New Zealand.¹ For more than a decade, the basis for delivering reparation has been mutual consent between victims and offenders. It is generally agreed that successful and meaningful reparation depends upon the consent of all the parties concerned.² So why did the Government make the orders compulsory? The motive seems to have been fear that public and media would interpret voluntary involvement on the part of the young offenders as a 'soft' approach. The new court orders were not really needed in order to extend the use of reparation. However, by making sanctions available for young people who breach them, the orders introduce a new set of punitive 'teeth'.³

The Act retains the principle that direct reparation can only take place if the victim consents. Where victims do not consent, offenders must undertake 'reparation to the community at large'.⁴ This means that reparation orders are voluntary for the victim but compulsory for the offender, an imbalance that may reflect greater deference towards the rights of victims.

A ROUTINE RESPONSE?

There are a number of problems with making reparation orders compulsory. First, where an apology is one element of reparation, it is important to victims that this be given willingly and wholeheartedly. Otherwise there is a danger that letters of apology become simply a routine response. This is of no value to either the victim or the offender. Under the Crime and Disorder Act 1998, it is easy for very brief, ambiguous, or self-justificatory letters of apology to be delivered to victims which would in turn be experienced by recipients as a form of secondary victimisation. At the very least, the sincerity of some apologies is likely to come under suspicion.

Second, even more seriously, courts can order direct, personal apologies. This may lead to grudging or insolent attitudes being displayed by young offenders when they meet their victims.⁵ In other countries, an essential part of reparation is the involvement of an impartial mediator who decides whether reparation should be used in a particular case. Under the Crime and Disorder Act 1998, on the other hand, Youth Offending Team (YOT) members make a judgement about when and in what circumstances reparation



should be made – but they are only allowed to do so if they are given leave by the court. In addition, the court has the power to specify exactly what form the reparation takes, even though in practice the court will leave this to the YOT. Moreover, the court also has the power to order reparation without knowing the young offender's attitude or seeking his or her agreement.

Third, concern has also been expressed about how offenders will perceive reparation when it is coerced. Dignan speculates that the compulsory nature of the reparation order may "undermine the salutary and therapeutic benefits for offenders that have been associated with voluntary schemes."⁶

JUNIOR COMMUNITY SERVICE?

Fourth, victims too may perceive the reparation order less favourably. Participating victims under voluntary schemes commonly want to protect other potential victims by showing the offender the harm caused by the offence. It seems highly likely that the element of coercion will deter some victims from taking part.

Fifth, the nature of some of the activities organised as part of reparation orders has also raised some disquiet. There is a strong emphasis in certain parts of the country, on practical tasks such as litter collection or conservation work. While these might have their place in a repertoire of reparative opportunities it is hard to see how they benefit individual victims. There is a danger that such 'reparation' schemes are devised simply as the line of least resistance by

hard-pressed YOTs anxious to get young people through reparation orders as quickly as possible. Some of those interviewed for the evaluation of the pilot reparation projects described such activities as "a form of junior community service with minimal reparative benefits."⁷

Finally, some observers have raised questions about the likely implications for young offenders who are reconvicted after being sentenced to reparation. Will they be treated more harshly if they are perceived to have failed to benefit from the opportunity of making reparation?⁸

HOPEFUL SIGNS

The practical experience of reparation orders in England and Wales are currently being evaluated on behalf of the Youth Justice Board by a large number of local researchers. Their findings have not yet been made public and it is too soon to draw any firm conclusions. However, there is evidence that some of the dangers identified above have been experienced in practice.

Some of the lessons have already been learned. For example, letters of apology are now 'rehearsed' by some YOTs and either not sent to victims at all, or not sent until they are seen to express unqualified regret. Direct contact between young offenders and victims takes place only after careful assessment interviews with both parties, addressing their suitability and

willingness to take part. In practice, many victims decline to become involved and the courts generally respect their decision. Victim Support has been appointed to provide a national programme of training to YOT staff working with victims of crime, and the level of victim

awareness among criminal justice staff new to this area of work is increasing rapidly. To conclude, there are hopeful signs that the relational dynamic at the heart of the reparation order can be made to work in England and Wales, although the balance between offender-focused and victim-centred concerns needs to be kept under continued scrutiny.

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