

‘Valued members of society’?
Social inclusiveness in the
characterisation of prisoners in Ireland,
Denmark, Finland and Norway

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Introduction

This paper draws on one strand of research that examined whether the rise in punitiveness in relation to imprisonment that has taken place in the USA, Britain and Ireland in recent times can be found in Denmark, Finland or Norway. Penal punitiveness can be summarised in three features: greatly increased incarceration, more restrictive prison regimes, and representation of the person in prison in negative and one-dimensional terms.¹ Using interviews with key actors, prison visits and analysis of documentation, the research sought to determine where these Nordic countries stand in relation to such criteria of punitiveness. It found that they do not follow the pattern Garland describes in *The Culture of Control* (2001), but rather restrain both the scale and the depth of imprisonment, and exhibit in particular an inclusive view of prisoners in relation to the rest of society. This paper focuses on that third criterion of punitiveness, the representation of people held in prison.

In Ireland, a 1994 policy document referred to prisoners as 'members of the community' and 'valued members of society' (Department of Justice, 1994, pp.21-22). However, by 2001 such inclusive characterisation was significantly qualified. The latter phrase re-emerges in the Irish Prison Service's Mission Statement, with a telling change: the role of the IPS now is that it 'encourages and supports prisoners in their endeavouring to live law abiding and purposeful lives as valued members of society' (Irish Prison Service, 2001, frontpiece). Since we are now

¹ Recent examples of such stereotyping from Ireland include a front-page tabloid headline which ran 'DNA tests to nail jail scum', with the term 'scum' clearly referring to the prison population as a whole; factually incorrect references by RTE journalists to Mountjoy Prison being 'full' of violent prisoners; the equation by the Minister of Justice of life-sentence prisoners with dangerousness; and the tendency of the Director General to speak of prisoners in general as 'a threat to the public', most recently when speaking of the entire population of the Dochas Women's Prison.

invited to picture prisoners *endeavouring* to become valued members of society, by implication we are not required, as before, to value them as already part of ourselves. The official view of people in prison has moved from one of unqualified inclusiveness to one that is very qualified indeed.² There have been other shifts in how prisoners are seen. Much more prevalent now is the use of the term ‘offender’ to depict the men and women (and children) held in Irish prisons, as if there were no other dimensions to their personalities and lives than that of committing an offence.

Ireland: ‘Valued members of society’?

In the 1980s and early 1990s, the representation of the person in prison in official penal policy documents in Ireland envisaged a member of society, perhaps fallen by the wayside or suffering multiple deprivation, but still part of the community, entitled to be seen holistically, and deserving of humane treatment:

Prisoners ought to be treated humanely... The loss of freedom... is the punishment and... restrictions within the prisons and places of detention should be kept to the minimum. (Department of Justice, 1984, part 2)³

‘Rehabilitation’ is conceived as far more than ceasing to commit crime:

² However, earlier inclusive attitudes remain in pockets of the prison service. This is vividly captured in the book John Lonergan, *Governor of Mountjoy Prison*, published shortly after his retirement (Lonergan, 2010). He speaks of prisoners as ‘fellow human beings who as part of life’s journey were in prison’ (p. 151). He says: ‘Our prisoners are us... prisons belong to society’ (pp. 166-7).

³ The quotations here are from *Education Policy in Prisons and Places of Detention*, issued by the Department of Justice in 1984. This had a section on ‘Prison Objectives’ which quoted extensively from an earlier unpublished document circulated in the department in June 1981, entitled ‘Prisons and Places of Detention: Survey of Objectives’, written primarily by a Principal Officer, Frank Dunne. The two quotations used here were in that earlier, 1981, document.

What about the qualitative improvement in the prisoner's approach to living, his relationships with family and friends, his involvement in community activities, his willingness to help and support others, his physical and mental well-being? (Department of Justice, 1984, part 2)

Such a broad, and perhaps realistic, concept of rehabilitation is also found in the 'Whitaker Report' (1985), a government-appointed Committee of Inquiry into the prison system. This report referred to rehabilitation as efforts to help the criminal's 'inability to cope with society'. (1985, p. 89) It states:

Many [prisoners] will have had a long history of failure at home, at school, at work and at establishing human relationships. It is unrealistic to expect that prison can achieve what better placed institutions in society have failed to do. (1985, p. 91)⁴

Whitaker recommends that this wide concept of rehabilitation should be combined with 'humane containment' and that these two ideas should shape the prison system. It describes 'humane containment' as 'based on the principles of minimum use of custody, minimum use of security, and normalisation of prison life.' (1985, p. 90) This thinking is reflected also in the European Prison Rules, which are as much a philosophy of imprisonment as a statement of rules (Council of Europe, 1987, 2006).

Such ideas suggest certain perceptions of the person in prison. Clearly, the image of multiple failure and deprivation comes across, but there are also deliberate efforts to see the person in prison holistically and as a member of society. The Whitaker Report says:

There is simply no humane way that one human being can lock up another human being... even among the best

⁴ Paul O'Mahony's sociological and criminological profiles of prisoners in Mountjoy in 1986 and 1996 both showed widespread and severe social deprivation (O'Mahony, 1997).

motivated of professional staff, there is a tendency to see the inmate as prisoner first and as a patient, a student, an apprentice or a client second. (1985, p. 91)

The authors of that report wanted men and women in prison seen, not in stereotypical terms, but as these people would be on the outside. The repeated references in *The Management of Offenders* to those in prison as part of the community or society is congruent (notwithstanding its title) with such inclusive thinking. (Department of Justice, 1994)

Penal welfarism and the ‘culture of control’

Such attitudes – seeing prison as a last resort, wanting to minimise security and ‘normalise’ life within prison, regarding prisoners holistically and as members of society – can be seen as elements of a very broad paradigm that held sway for much of the twentieth century, known as ‘penal welfarism’. Garland (2001) states that the ‘basic axiom’ of penal welfarism was ‘that penal measures ought, where possible, to be rehabilitative interventions, rather than negative retributive punishments’. (2001, p. 34). He sees penal welfarist features as ‘part of the wider scheme of things... integral elements of the post-war welfare state and its social democratic politics’ (2001, p. 28). He says that ‘the discourses and practices that made up the penal welfare field were premised upon a few socio-political assumptions’, one of which was that *‘the state was to be an agent of reform as well as repression, of care as well as control, of welfare as well as punishment’* (Garland, 2001, p. 38, emphasis in original). The aim was ‘to bring all individuals into full social citizenship with equal rights and equal opportunities’ (Garland, 2001, p. 46). Such an outlook tended to have bipartisan political, as well as broad public, support.

In his analysis, based on the US and UK, Garland sees the foundations of penal welfarism shifting with the onset of ‘late modernity’ and the social, cultural and political changes that

came with this towards the end of the twentieth century. He refers to this new phenomenon as the 'culture of control'. There developed 'a more pronounced and widespread moral individualism... less subject to the constraining influence of group demands' (Garland, 2001, pp. 88-89). This had consequences in turn in relation to crime (for example, via increased opportunities for crime and less social control), and for the welfare state via an undermining of solidarity. The political manifestation of such changes was seen in the rise of the New Right, with its 'neo-liberal' and 'neo-conservative' elements, exemplified in particular by the coming to power of Reagan and Thatcher. These altered social relations brought with them 'a cluster of risks, insecurities, and control problems that have played a crucial role in shaping our changing response to crime' (Garland, 2001, p. viii).

These changes are the basis for what Garland calls the new 'crime control field'. He notes that it is complex and often contradictory 'and that new practices and mentalities co-exist with the residues and continuations of older arrangements' (2001, p. 167). He says: 'The institutional architecture of penal modernity remains firmly in place, as does the state apparatus of criminal justice. It is their deployment, their strategic functioning and their social significance that have been transformed' (2001, p. 168). There are changes in size and emphasis, such as the scale of imprisonment, the role of the police and 'the foregrounding of the figure of the victim' (Garland, 2001, p. 169). In particular, the 'penal mode' of penal welfarism has become 'more prominent... more punitive, more expressive, more security-minded... The welfare mode, as well as becoming more muted, has become more conditional, more offence-centred, more risk conscious' (Garland, 2001, p. 175). Those who commit crime are 'less likely to be represented in official discourse as socially deprived citizens in need of support. They are depicted instead as culpable, undeserving and somewhat dangerous' (Garland, 2001, p. 175).

Nordic countries: the larger social context

However, the penal welfare paradigm remains the dominant one in Nordic countries, where key penal policy documents reflect strong inclusive thinking, prisoners being seen as citizens, as members of the larger society. It is recognised that prison has ‘detrimental effects’, damaging bonds with the wider community, and so should be used as ‘a last resort’. Furthermore, prison regimes should be ‘normalised’ and there should be ‘openness’ to the wider world.⁵

A sense of the prisoner’s larger social context is generally kept to the fore in Nordic countries. In other words, not *all* responsibility for change is heaped on the shoulders of the individual, as it tends to be in the US and UK; there is usually an awareness of contributory social factors to crime, and to reform. Generally, in Nordic countries, it is *not* seen as simply a matter of personal choice whether a person in prison will commit crime again or not. In the literature and among those spoken to for the research, the social context and conditions to be faced on the outside are regarded as very important factors in the future outcome.

This awareness of social background is well captured in the following Finnish prison authority statement:

Among the prisoners there are more and more offenders who have consciously chosen a criminal career and who are reluctant to quit it in the short term. However, *the bulk of the prison population still consists of persons who have drifted into crime and who are socially maladjusted*. Alcohol and other drug problems would seem to be major factors in current crime in Finland. (Ministry of Justice, 1999, p. 6, emphasis added)

⁵ Such thinking is central to a Danish document setting out the principles for prison and probation work (Ministry of Justice, 1994), the 2006 Prisons Act in Finland and the 2008 White Paper on prisons in Norway, and broadly resonates with Council of Europe (1987, 2006) policy. These documents will be discussed below.

The same document gives as a goal for the prison and probation system 'supporting and encouraging the convicts in leading a life without crime', but also sets a goal of 'influencing society as a whole in order to make work with this orientation possible'. (Ministry of Justice, 1999, p. 7). So, in this thinking, society as well as the prisoner needs to be worked on and changed – presumably so as to be more helpful and supportive of people from prison.

The Governor of Oslo Prison put this perspective pithily when he said of those held in his prison: '*80 per cent of them need help*'.⁶ Nilsson's (2003) research on social exclusion and recidivism among prisoners in Sweden found that problems of employment, education, housing and finance (in that order) were significantly associated with recidivism. In addition, 'time spent in prison serves to reduce the chances of living a conventional life – with a legitimate income – and thereby contributes to marginalisation and social exclusion' (Nilsson, 2003, p. 80). There is recognition here of 'the detrimental effects of imprisonment', that prison itself is criminogenic. Skardhamar (2003) found similar results in a survey of Norwegian prisoners, for whom housing, money and work were major problems. He says: 'Inadequate living conditions should not necessarily be considered a cause of crime, but as a narrowed opportunity structure where other choices are limited' (Skardhamar, 2003, p. 39).

Denmark: Principles for prison and probation work

This 'societal perspective' on penal policy is very evident in Nordic countries. A clear and widely-accepted philosophy throughout the Danish Prison and Probation Service remains resilient, even if somewhat buffeted by different attitudes and approaches coming from some politicians. This 'philosophy' is perhaps best expressed in *A Programme of Principles* (Ministry of Justice, 1994), a statement of six principles which begin:

⁶ Quotations in italics denote that they were made in interview during the author's research project.

1. *Normalisation.*

The daily activities of the Prison and Probation Service shall in general...be related to normal life in the general community...

2. *Openness.*

Prison and probation work shall be organised so that the offender is offered good opportunities to make and maintain contact with the ongoing life of the community...

3. *Exercise of Responsibility.*

Prison and probation work shall be so organised that the offender has the opportunity to develop a sense of responsibility, self-respect and self-confidence and become motivated to actively strive for a crime-free life...

These three principles have been referred to as the 'three cornerstones' of Danish penal policy (Rentzmann, 1992). Denmark's prison service uniquely regards open prisons as the norm, the place where the majority of those sentenced should serve their time, and this practice reflects such principles. Open prisons incorporate a greater degree of normalisation, enable prisoners to have more interaction with the outside community and take responsibility for more of their own lives than closed prisons.

There are several indicators of positive perception of people in prison in Denmark, at least within the prison system. A strong human rights approach is one. The representation of the prisoner in the *Principles* document (Ministry of Justice, 1994) suggests a normal citizen, a member of the community, one who can be trusted to a considerable extent. Prisoners' citizenship is also acknowledged in Denmark via their rights to vote, appeal to the ombudsman and form representative groups.

All those interviewed in Denmark regarded punitive initiatives from the political field in recent years as in tension with, maybe even in conflict with, core principles of the prison system. Hans Jurgen Engbo, a Governor and also a teacher of human rights at

university, was the most vehement in pointing this out. Of the idea that ‘the deprivation of liberty is a punishment in itself’,⁷ he said:

The principle of normality is expressed indirectly in this way... if you take... freedom of movement from a person, then all other personal rights and life conditions should be normal. That should be our ambition. But there is a punitive thinking that doesn't allow this to happen. So people would say, if the prisoners have a normal life, where's the punishment? ... Politicians do not accept that the deprivation of liberty is the punishment in itself. It's not enough in people's minds.

He was pessimistic about what he saw as long-term decline in adherence to principles he and others held dearly when he began work in the 1970s:

Less use of prisons, many reforms, human rights... prisoners are citizens and not slaves of the state... In the 1970s, all over Western Europe, the prisoners got the status of normal citizens who had rights – to join the elections. They had normal rights – the normalisation principle.

No doubt there has been some decline in the perception of the prisoner in Denmark, especially in the political sphere, but the evidence does not suggest the radical swing from penal welfarism to a culture of control that Garland describes (2001). Inclusive concepts, in particular, still persist, such as the acceptance and positive view of the prisoner inherent in the ‘*principle of acknowledgement*’⁸ at Moglekaer open prison. The Head of Employment at this prison gave striking examples of what he means by this: he said a paedophile can be moral in other respects; a thief can be a good parent. The approach here is to find the positive qualities in prisoners, to acknowledge these and to try to motivate them accordingly. Even outside the prison

⁷ This phrase is from the *European Prison Rules* (Council of Europe, 1987, p.20).

⁸ This is reported to be based on the thinking of the German writer, Axel Honneth.

system, the fact that employers will seek out prisoners for training and employment is revealing. Several interviewees made this point, one noting that *'the factories are screaming for more [prisoners]'*.

Finland: Prisoners as members of society

For all but a few years in recent decades, the prison population has been falling in Finland;⁹ prison conditions have also been improving, even if slowly. As in Denmark, the representation of the prisoner can be examined by probing principles, practices and attitudes to gauge whether those in prison are seen primarily as citizens and members of society, or in stereotypical terms and as 'other' as is so often the case in the culture of control. Analysis suggests the inclusive is the dominant approach.

The 2006 Prison Act, which is the primary framework for penal policy in Finland, stresses that prisoners retain basic rights. A substantial focus on resettlement, and seeing criminal policy as part of social policy, are attempts at full reintegration of prisoners as members of society, helping them in relation to practical social issues such as work, housing and addiction. This is far more than rehabilitation efforts that focus narrowly on 'addressing offender behaviour', which would reflect a one-dimensional view of the prisoner.¹⁰ A course at Kerava Prison, for example, seeks 'the holistic rehabilitation of the client', recognising the social dimension in a way offence-focused programmes seldom do. A brochure describes this course:

During the time in prison the projectworkers and the networkers in communities aim to assure [the] following things for every prisoner:

- Housing; supported housing is primary

⁹ Finland now has the lowest rate of incarceration in Europe, at 60 per 100,000 of the general population, excluding very small countries such as Iceland and Liechtenstein (www.prisonstudies.org, on 7/9/10).

¹⁰ Such narrow and one-dimensional views of the prisoner are challenged in Warner (2007) and Costelloe and Warner (2008).

- Income
- Something meaningful to do; education, practical training, work etc
- At least outpatient care for substance and/or mental disorders in clients' home communities
- Securing the long continuum of rehabilitation.

The goal 'is to support the client to find new contents for life and reinforce the experience of meaningful life'.

That wider perspective is evident also in the manual for the assessment and allocation of prisoners, and in their involvement in the formation of their sentence plans (Criminal Sanctions Agency, 2004a). These processes look for strengths as well as weaknesses, and it is expected staff must listen to and collaborate with prisoners. When asked if prisoners can vote, the Governor of Helsinki Open Prison seemed very surprised by the question, replying '*of course*'. The Nordic welfare state is a critical factor in underpinning such inclusive approaches.

The recognition that imprisonment weakens the bond with wider society is at the heart of Finnish penal policy:

The prison sentence shall be enforced so that the punishment will involve only deprivation of liberty. The harmful effects caused by the loss of liberty shall, as far as possible, be mitigated. The punishment shall be enforced so as not to unduly render difficulties, but rather *facilitate, the readjustment to society*. The conditions in penal institutions shall, as far as possible, be arranged to correspond to those prevailing in the society. (Ministry of Justice, 1994, 1.4, emphasis added)

Such awareness of social context contrasts with Anglo-American approaches which place all responsibility on to the individual 'offender'. The goals of the Finnish Prison and Probation Service are 'to contribute to the reducing of recidivism and to the preventing of the development of *social exclusion which maintains*

criminality.' (Criminal Sanctions Agency, 2004b, p. 4, emphasis added) In contrast also to Anglo-American depictions of prisoners in general as 'career criminals', the Finns are emphatic in keeping the social dimension of crime to the fore: 'the bulk of the prison population still consists of persons who have drifted into crime and who are socially maladjusted' (Ministry of Justice, 1999, p. 6).

The idea that those in their charge are mainly '*members of the community*' in need of help is part of a deep and long tradition in Finnish penology, exemplified by K.J.Lang, an earlier Director General of the prison system. Lang described the prisoner as 'our principal customer' and translated the Finnish term for the prison service, 'Vankeinhoito', as 'care of prisoners' (Lang, 1993, p. 65). He noted that most prisoners are 'socially and psychologically disabled...deprived of all chances to develop and use what we can call their stronger parts' (Lang, 1993, p. 66). They have, he said,

...very low expectations of success. They (or a majority of them) experience domestic and street violence in their childhood, often as victims. They have also been exposed to violence in their later life and experienced circumstances and...environments where a high risk of social, physical and mental damage was present...they are poorly educated and unskilled and have been unemployed for long periods or all of their lives. (Lang, 1993, p. 66)

Asking 'what are the needs of our customers?', Lang made what many might regard as a remarkable statement from a Prison Service Director General:

First of all prisoners/clients need to improve their self-confidence. Therefore all our efforts when organising correctional services should be analysed as to their ability to support, uphold and redress the self-esteem of the prisoner. (1993, p. 67)

He stressed the need to provide work, training, education and 'medico-social treatment' in such efforts (1993, p. 67). He added a further need of prisoners, which he called 'the need for shelters': since 'our customers...have been mistreated and abused both inside and outside the institutions we put them in', they should be offered in prison 'shelter and protection in time, space and social environment' (1993, p. 67). It would be hard to find more welfarist statements from the leader of any prison system. It is also clear that this philosophy continues to be a core part of the outlook of those running the prison system in Finland; the culture of control has made few inroads there, least of all in relation to the representation of the prisoner.

Norway: Reasserting the social dimension

The representation of those in prison, within a society or its prison system, tends to be dynamic rather than fixed. There can be changes of emphasis over time, and the perception can become narrower, more negative or less inclusive. At other times, it may revert to being more holistic and inclusive. Something of this pattern occurred in Norway. A 1998 White Paper speaks of a capacity in the prison system to switch 'from normal to high-security level regimes', this being necessary to deal with 'increasingly tough and professional criminals' (Kriminalomsorgen, 2002, p. 7). There is a narrowing of focus from 'the whole person' to the 'offender'. The major emphasis of this White Paper is: 'more focus on the personal responsibility of the offender himself' (Kriminalomsorgen, 2002, p. 2 and p. 4).¹¹ A brochure on the Norwegian Correctional Service from this period gives as one of the 'main goals' of the sentence: 'to enable the offender, *through his/her own initiative*, to change their own criminal behaviour' (Kriminalomsorgen, 2003a, p. 2, emphasis added).

¹¹ Some of the 'values' and 'principles' set out in the 1998 White Paper do reflect what might be seen as traditional Nordic penal thinking: humane enforcement, human rights and equality, satisfactory living conditions and activities, and regard for 'the needs and the total life situation of the convicted person' (Kriminalomsorgen, 2002, p. 3). However, it is the focus on individual responsibility which is emphasised in that earlier White Paper.

The implication is that *all* responsibility for change lies with the individual.

That different emphasis, and narrower focus, is also evident in the law which set out the purpose of sentences:

A sentence shall be executed in a manner that takes into account the purpose of the sentence; that serves to prevent the commission of new criminal acts, *that reassures society*, and that within this framework ensures satisfactory conditions for prisoners (Kriminalomsorgen, 2003b, p. 1, emphasis added).

The 'Regulations' to this Act refer to this purpose:

As far as is compatible with due regard for the security of society and *the general sense of justice*, suitable arrangements shall be made for enabling the convicted person to amend his way of life and to prevent recidivism. (Kriminalomsorgen, 2003c, p. 1, emphasis added)

Prioritising 'the security of society' or preventing new criminal acts does not preclude recognition of the social dimension. What smacks of 'new punitiveness' or a 'culture of control' in the statements above are phrases like 'reassuring society' and 'the general sense of justice'. These are inexact concepts, susceptible to multiple interpretations, and they open the door to the kind of irrational impulses and emotional reactions, such as revenge, associated with penal populism.

As was seen above in discussion of Finland, keeping an awareness of the social causes of crime and the social dimension to a prisoner's life is perfectly compatible with efforts to help the person in prison mend his or her ways. However, this perspective recognises that one cannot realistically achieve the latter without addressing the social barriers and difficulties in the way of a person's progress. It cannot all, or even mainly, be left to 'personal responsibility'. The Finns have acknowledged this in their dual statement of purpose, which provides an image of their

attempting to change *both* the person in prison *and* society itself. Such sentiments about society's responsibility are missing from the Norwegian statements of purpose given above, which could sit easily within recent American or British penal policy documents.

However, the social dimension has been strongly reasserted in Norwegian penal policy and practice more recently, for example in the strengthening of what is called the 'import model' – whereby services, such as health, housing, social work or education, are provided in prison by the same agencies as in the community, on 'normalising' grounds and in recognition of the prisoner's citizenship. Such rebalancing in penal discourse is most clearly reflected in the new 2008 White Paper on the future of prisons.

The idea of the prisoner as part of society, but someone in need of help, is brought out strongly in this new (2008) White Paper. In interview just before the White Paper was issued, the Deputy Minister for Justice, Terje Moland Pedersen, spoke about how the welfare state was a factor in shaping the debate he wanted. He explained the Nordic welfare state model as '*about how everyone is going to carry for everyone*', and this meant '*that it is possible for us to have another kind of discussion about how we use prison and how we sentence people than I think it can be in some other countries*'. It was not a good sign for Europe, he said, that prison populations were rising – '*There should be a little bit of concern. Because you can't lock up your people, that's not possible.*' For Terje Moland Pedersen the key issue, something he said he was '*deeply engaged in*', was '*the people who really need help*'. He added: '*I think it's about humanity and it's about [whether] you succeed in handling poverty*'. These are strongly penal welfarist statements.

This most recent White Paper is entitled, in its 'English summary' form, *Punishment that works – less crime – a safer society* (Norwegian Ministry of Justice and the Police, 2008). It suggests that fewer should be in prison, that more of those who become

prisoners should have lower security prison, that regimes should be improved in many ways, and it clearly speaks of prisoners as members of society who must be facilitated in reintegration. This White Paper is unquestionably penal welfarist and socially inclusive in outlook, with its focus on rehabilitation and its recognition of the social dimension to crime, even if it speaks of strict regimes for a minority and in places (such as in the title) cloaks discussion in the language of the culture of control.

A liberal or penal welfarist perspective is evident in some of the core thinking:

The smaller the difference between life inside and outside prison, the easier the transition from prison to freedom. The normality principle is therefore a loadstar for penal implementation policy. It is also in accordance with the principle that deprivation of liberty is the actual penalty and that the stay in prison shall not be more onerous than security considerations demand... Strengthening the normality principle means organising a daily routine in prison that as far as possible reflects the society outside the walls. (Part 3)

'A competition between pictures'

The Deputy Governor at Oslo Prison pointed to a tabloid headline translated as 'Blitz at Oslo emergency ward: PRISONER SHOT FREE by masked gang',¹² but stressed that he thought only about 10 per cent of prisoners were dangerous in this manner. Most inmates, he said, '*are the poor guys*'. An issue in Britain and the USA is that 'the dangerous guys' come to be seen as typical of prisoners, rather than as a small minority, and this is a basis for vengeful and punitive attitudes; public discourse presents 'stereotypical depictions of unruly youth, dangerous predators and incorrigible career criminals' (Garland, 2001, p. 10).

¹² The newspaper was *VG* on 7/9/03.

The criminologist Nils Christie, strongly critical of presentations of prisoners as 'monsters', said: *'The danger is now that these very physical famous criminals shall in a way cover the picture. So we think they are the prisoners. It's even competition between pictures now'*. One senses, however, that in Norway the negative stereotypes have not won this 'competition between pictures' and the entire prison system has not been moulded in response to the minority.

It is in the representation of prisoners that the 2008 White Paper goes most strongly against the grain of the 'new punitiveness'. Throughout the document, the image conveyed of prisoners is as members of society who 'enjoy the same rights as everyone else', if not always the same access (Part 4). Social services are obliged to provide for them 'in the same way as to other citizens' (Part 4). It is noted that many prisoners 'belong to the poorest and most alienated sectors of our society' (Part 4). The report lays great stress on the government's 'return to society guarantee', which is declared to be 'a public responsibility' and services geared towards reintegration are to be fully engaged from the beginning of the sentence (Part 4).

In this inclusive view of prisoners, it is the explicit ruling out of stereotyping that is most striking. The White Paper says of prisoners that 'it is only a minority that constitute a threat to public or individual safety' and it specifically warns against the 'demonising' of individuals or groups (Part 2).¹³ The White Paper quotes directly from the input of the social science class in a secondary school who were consulted. They said that the school curriculum should promote the understanding 'that inmates can perfectly well be quite ordinary people so that we can to some extent remove unintended elements of the penalty such as prejudice and stigmatisation' (Part 5). In Norway, the pendulum has swung back in a penal welfarist direction, abandoning thinking associated with the culture of control. The

¹³ In similar calming vein, the report states that 'policy must not be based on individual incidents' (Part 1).

perception of the person held in prison among the public, politicians and especially the prison administration, is for the most part holistic and inclusive.¹⁴

Conclusion: the overarching welfare state

Kautto et al (1999) cite Esping-Andersen and Korpi (1987) as specifying the three main characteristics of the Nordic welfare state as comprehensive social security, social rights and solidarity. The first of these, comprehensive social security, is clearly important in supporting prisoners, for example in help with housing, health and finance, especially upon release. However, in discussing the influence of the welfare state on prisons and prisoners in Nordic countries, it is the other two aspects – social rights and solidarity – which are probably the most important. Essentially, the importance to penal policy of the thinking inherent in the universal welfare state characteristic of Nordic countries is its *inclusive* nature, the way in which prisoners tend to be seen, not as ‘others’, but as citizens with rights and as part of the larger community. In Denmark, that inclusive thinking is at the core of key principles such as ‘normalisation’ and ‘openness’ which govern the way prisons are run. In Norway, it is inherent in the ‘import model’, based on the assumption that services should be delivered to people in prison by the same public bodies that provide them on the outside, a view strongly asserted by the Director General. The same attitude is reflected in the Finnish view that criminal policy is but a part of social policy (and, indeed, as their Director General asserted, of economic policy also).

Prisoners’ citizenship is validated in voting and in the delivery of public services, but also in other ways. For example, the Ombudsman’s remit in Finland includes prisoners, and prisoners also have representative associations in every prison called

¹⁴ Prisoners’ input was also sought for the White Paper: ‘In six prisons dialogue conferences were held in which both inmates and staff participated and discussed what a good day in prison would look like for them’ (Part 5).

Toverikunta. As we saw, penal policy documents in these three Nordic countries reflect strongly inclusive views of prisoners and seek to minimise and counteract their separation from the rest of society. Overwhelmingly, interviewees for this research saw prisoners as part of society, as part of the welfare state. It is unlikely that any of the others interviewed would disagree with Nils Christie's assertion: 'I am not in doubt that the one basic condition for having a low prison population is to have a functioning welfare state' (See also Pratt, 2008).

As indicated already, recent penal discourse in Ireland demonises and excludes the people held in prison to a considerable extent. There has been a departure, in official thinking, from concepts that prevailed up to the mid-1990s, and a break with a strong European tradition as expressed via the Council of Europe. Nordic countries show us, even today, how inclusive and holistic representations of imprisoned men and women can prevail and underpin restrained and progressive penal policy and practice. However, in the wider social policy debate in Ireland, there are more inclusive concepts at play than those now found in the Irish penal sphere. For example, the National Economic and Social Council's report, *The Developmental Welfare State* (NESCC, 2005), while making only fleeting direct reference to prisoners, clearly includes them in the vision of 'a successful society', and regards them as one of the vulnerable groups that must be brought within the fold in building the economy and society.

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