



TACKLING CORRECTIONAL CORRUPTION

An Integrity Promoting Approach

ANDREW GOLDSMITH
MARK HALSEY
ANDREW GROVES



Crime Prevention and Security Management

Series Editor

Martin Gill

Perpetuity Research

Tunbridge Wells, Kent, United Kingdom

It is widely recognized that we live in an increasingly unsafe society, but the study of security and crime prevention has lagged behind in its importance on the political agenda and has not matched the level of public concern. This exciting series aims to address these issues looking at topics such as crime control, policing, security, theft, workplace violence and crime, fear of crime, civil disorder, white collar crime and anti-social behaviour. International in perspective, providing critically and theoretically-informed work, and edited by a leading scholar in the field, this series will advance new understandings of crime prevention and security management.

More information about this series at <http://www.springer.com/series/14928>

Andrew Goldsmith • Mark Halsey • Andrew Groves

Tackling Correctional Corruption

palgrave
macmillan

Andrew Goldsmith
Flinders University
Adelaide, Australia

Mark Halsey
Flinders University
Adelaide, Australia

Andrew Groves
Deakin University
Burwood, Australia

Crime Prevention and Security Management
ISBN 978-1-137-49006-3 ISBN 978-1-137-49007-0 (eBook)
DOI 10.1057/978-1-137-49007-0

Library of Congress Control Number: 2016938831

© The Editor(s) (if applicable) and The Author(s) 2016

The author(s) has/have asserted their right(s) to be identified as the author(s) of this work in accordance with the Copyright, Designs and Patents Act 1988.

This work is subject to copyright. All rights are solely and exclusively licensed by the Publisher, whether the whole or part of the material is concerned, specifically the rights of translation, reprinting, reuse of illustrations, recitation, broadcasting, reproduction on microfilms or in any other physical way, and transmission or information storage and retrieval, electronic adaptation, computer software, or by similar or dissimilar methodology now known or hereafter developed.

The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.

The publisher, the authors and the editors are safe to assume that the advice and information in this book are believed to be true and accurate at the date of publication. Neither the publisher nor the authors or the editors give a warranty, express or implied, with respect to the material contained herein or for any errors or omissions that may have been made.

Cover illustration: © Cultura RM / Alamy Stock Photo

Printed on acid-free paper

This Palgrave Macmillan imprint is published by Springer Nature
The registered company is Macmillan Publishers Ltd. London

Series Editor's Introduction

In this book Andrew Goldsmith, Mark Halsey and Andrew Groves present and evaluate an approach to corruption called 'correctional integrity'. They argue this is 'broader and prospective' than approaches that are typically discussed in the context of tackling corruption. Though its appeal extends way beyond just this. It incorporates a range of approaches which share a commitment to 'the well-being of others and the avoidance of self-protection and self-interest'. It focuses on creating a trusting environment, one that enables prison staff to engage meaningfully with clients and supports and creates the optimal conditions to enable prisoners to re-enter society and desist from criminal activities. These same conditions also serve to prevent corruption. Clearly this can be a challenge in correctional (mainly custodial although some community) settings where conflict is easily triggered and fuelled by—amongst other things—staff shortages, crowded conditions and prisoner anxieties. That is the context in which the authors research and argue their case.

Corruption—the abuse of entrusted power for private gain—has long been an area of interest for those who have studied correctional settings, and a challenge for those who have sought to tackle abuse in institutions generally and prisons specifically. Here, so much activity is hidden and so too are the impacts of being a victim. For example, some of the harms caused by prison staff acting in a corrupt way are less tangible than purely economic consequences including activities such as supplying drugs to

prisoners, turning a blind eye to violence or intimidation, making false reports on incidents, or sexual or emotional exploitation. The authors discuss these and other consequences as well as the knock-on effects which includes: putting staff and prisoners at risk, as well as serving to undermine justice and fairness for those who are especially vulnerable and often without easy access to routes to be heard.

As you will read the authors frame their discussion around five key themes: inappropriate relationships; trafficking of contraband; unlawful assaults; the improper access and release of information; and procurement. Much of the discussion focuses on creating a culture that is both conducive to generating good practices in prisoner management and resistant to the conditions that create and enable corrupt acts. Similarly there is an extensive discussion of power relationships. You will learn about *endogenous influences* that develop inside correctional settings, usually between officers and prisoners; and *exogenous* ones that exist between those inside institutions with those outside.

The authors trace various vulnerabilities that undermine good practice and this leads them to focus on a multitude of responses. For example, understanding the nature of harms and how they arise provides guidance for action; this may include setting rules, which to be effective must include officers' input; then staff need to be trained to equip them with knowledge and skills. In a different way they note how staff feeling isolated and lonely at work can leave them open to being manipulated; while prisoners who are isolated and not engaged are more likely to be involved in illicit activities such as the trafficking goods from drugs and alcohol to mobile phones and weapons. The point is that trafficking creates vendettas, leads to violence and an environment in which corruption flourishes. It is not just about engaging each side in meaningful relationships and activities, other issues emerge as important including the design of the environment in which staff and clients interact.

The authors argue that central parts of integrity are 'upon the system's ability to project and support a vision of correctional integrity that welcomes expression of concern about present operations and finds ways of responding sensitively and concretely to those concerns'. Creating integrity needs to be a meaningful priority of leadership, and professionalisation (which is discussed throughout) is a pre-requisite and a condition for

creating conditions conducive to correctional integrity. Perhaps what is also important is that the authors raise issues in this book about correctional settings that could usefully generate ideas for preventing corruption in other sectors.

Martin Gill
October 2015

Acknowledgements

We first want to thank the Western Australian Corruption and Crime Commission for the opportunity to look into the state of knowledge around correctional corruption as part of a consultancy undertaken by the three authors for them in 2014. We also wish to thank them for permission to draw upon our unpublished report to them for this book.

In the course of turning the report into this book, we have had the opportunity to undertake more research into these matters and to expand upon the coverage as well as filling in some gaps. Inevitably we have had the chance to discuss our understanding of many of the topics with persons working in or knowledgeable of the correctional sectors in several countries, particularly the USA, the UK and Australia. Their comments, as readers will discover, have helped shaped the book. Many of them would prefer to remain anonymous so we don't propose to name them here. We thank those persons for their input. Some of the primary data presented in this book stems from a grant awarded by the Australian Research Council (FT120100284).

Contents

1	Overview and Background	1
2	The Nature of Correctional Settings	13
3	Inappropriate Relationships	29
4	Trafficking	55
5	Assaults, Use of Force and Control	83
6	Inappropriate Dealing with Client Information	101
7	Procurement, Kickbacks and Fiddles	113
8	Uncovering and Reporting Corruption	129

xii Contents

9 Promoting Correctional Integrity 143

References 159

Index 179

List of Abbreviations

AIHW	Australian Institute of Health and Welfare
ANCD	Australian National Council on Drugs
CCC	Corruption and Crime Commission
CO	Correctional Officer
CMC	Crime and Misconduct Commission
CSAC	Corrective Services Administrators' Council
CSO	Community Service Order
CCTV	Closed-Circuit Television
DCS	Department of Correctional Services
FBI	Federal Bureau of Investigation
GBP	Great British Pound
HMIP	Her Majesty's Inspectorate of Prisons
ICAC	Independent Commission Against Corruption
NPREC	National Prison Rape Elimination Commission
NSW	New South Wales
NZ	New Zealand
RUA	Random urinalysis
SA	South Australia
UK	United Kingdom
US	United States
USD	United States Dollar

1

Overview and Background

1 Introduction

While researching this book, two of the authors undertook a number of visits to correctional centres across several Australian jurisdictions, the USA and the UK, in order to personally review the settings in which the types of corruption discussed in this book occur. During these visits, we were frequently drawn into conversation with prison staff. One of the most memorable comments we heard came from a prison manager during a visit to a large metropolitan prison, who said, in effect, “Eighty percent of staff of this prison should not be working here.” This comment could not pass without our asking why this was the case. The manager replied, “Because they’re scared to come to work.” Later in the book, we will return to this point, as it aptly characterises the nature of correctional settings as both places of work and places to become drawn into workplace-related corruption.

This book began as a study of key forms of correctional corruption and of best practice for their mitigation and prevention. We quickly came to realise, partly owing to conversations such as the one just noted, that

a focus on corruption alone was too narrow in scope. Many of the key drivers that explain how corruption arises and how it is sustained are to be found within the missions given to correctional institutions, in the ways in which these institutions are resourced and managed overall, in the kinds of settings in which they occur, and in the sets of dynamic relationships in which correctional officers (COs) are enmeshed, including with managers, prisoners and other clientele, families of clients, the media, the public and politicians. In order to tackle correctional corruption, we argue, we must first understand it properly by examining it in context. In addressing the problems raised by correctional corruption, we need to consider them as outcomes of individual, institutional and environmental factors. Guiding our approach to tackling correctional corruption is the concept of *correctional integrity*. We consider the challenges within correctional settings that can undermine that integrity, and the ways in which the harms arising from its loss or degradation can be reduced or prevented.

“Correctional Integrity”

The idea of *integrity* in general reflects a normative expectation of consistency between what actors (individuals, agencies) do and the approved aims and methods of the systems that they are charged with upholding and implementing (*see* Rose and Heywood 2013). A focus on integrity is broader and prospective, compared with most anti-corruption approaches. The latter approaches are typically retrospective in orientation and focus on particular transgressions (Heywood and Rose 2015). Integrity can also be said to refer to a *wholeness of purpose* among the agency, its staff and its employees, in terms of pursuing its approved mission by appropriate means (Uhr 2005). Wholeness refers not just to the idea of individuals making correct choices in specific situations (e.g., to refuse a bribe from a prisoner), but also to the articulation and adherence at a systemic level to particular performance standards. Those standards might relate to *process* (e.g., impartiality of treatment) or to *outcomes* (e.g., rehabilitation of prisoners). In both instances, the standards are defensible by reason of their regard for the well-being of others and the avoidance of self-protection and self-interest (Rorty 1999: 105).

Correctional integrity links also to idea of institutional trustworthiness (see, e.g., Warren 1999). Institutional trustworthiness, in this case *correctional trustworthiness*, can be seen to depend on the system's ability to project an institution displaying appropriate motivations and competence to achieve the requirements of the correctional domain. A focus on the proper achievement of all aspects of its mission extends, we argue, beyond the effective and safe confinement of prisoners to include their treatment in a humane manner that also supports rehabilitation and successful re-entry into society (Liebling and Arnold 2004). Pursuit of these public purposes means there are necessary limits on the advancement of private ends (self-interest). Competence as a necessary component of trustworthiness implies a level of training and resourcing sufficient to ensure the delivery of what is required under the relevant mission. Trustworthy correctional settings exhibit a commitment to the welfare of others and have the competency to reasonably meet the expectations of their clients. Many threats to correctional integrity, we shall see, arise from an inability or unwillingness to differentiate self-interest from the public purpose, whether as a consequence of ignorance or as a deliberate evasion. An area in which this problem occurs frequently is inappropriate relationships (see Chap. 3).

The Importance of the Broader Context

Although individual behaviour and choices are important, correctional integrity, and, equally, its absence or degradation, can only be adequately understood in the light of the organisational and normative systems within which individuals work and exercise their formal responsibilities. The actions of the prison guards at Abu Ghraib, for example, can only be fully comprehended by reference to those systemic features that encouraged and/or permitted those abuses to occur (see Zimbardo 2007). Such an approach is essential, especially where it is clear that instances of corruption are not isolated or that they recur over time. A correctional integrity perspective of the kind we are putting forward seeks to understand how the so-called 'bad apples' (individuals who engage in corrupt acts) were affected by the "barrels" (the institutional settings in which those individuals work), and how both the actions of the "apples" and the "barrels" in

turn have been influenced by the “orchards” (the environments in which those “apples” and “barrels” are to be found) (on the application of this metaphor to policing, *see* Punch and Gilmour 2010).

The prison manager’s surprising comment about levels of employee fear spoke to the working conditions of correctional employees (the “barrels”), as well as wider systemic features (the “orchard”) that shape the work environment in which COs make decisions about how to act. Systemic features such as overcrowding and staff shortages have been linked to *occupational stress*, arising in part, at least, from fears held by COs of being outnumbered and assaulted (*see* Martin et al. 2012). *Boredom* in the workplace, another systemic problem, can also trigger misconduct (Bruursema et al. 2011).

The manager’s comment also raises a fundamental feature of correctional settings that influences how systems are run, and hence how much integrity can be achieved. This is the fact that correctional managers and their staff cannot “control,” at least all the time or in all respects, the institutions in which they work and hold responsibilities (Sykes 1956, 1958). Although realities vary enormously between institutions, *there are times, and places, when it can fairly be said that prisoners, rather than staff, control the prisons* (Morris and Hawkins 1972; McEvoy 2000). Especially in (but not confined to) the larger, higher security prisons, there is frequently an unstable accommodation of power between officers and prisoners. Both groups are capable of acts of domination and resistance, producing an existential uncertainty about “who is in charge” and with respect to what aspect of institutional life. This dynamic, contingent “order” leaves room not just for *conflict* between officers and prisoners but also for *cooperation* and *compromise*. Particularly in these latter forms of accommodation, we encounter the potential for various forms of integrity breaches by officers.

Although many prison studies have examined the limits of power and control within correctional settings in relation to prison riots and prisoner misconduct, few, if any, have examined their implications for understanding different forms of corruption carried out by COs. We suggest below (in Chap. 2), that corruption needs to be seen as part of the configurations of power and the consequential “negotiated orders” (Sykes 1958; Trammell 2009) between staff and clientele in nearly every correctional setting. Our contextual approach to understanding correctional

integrity proposes to differentiate the organisational (1) *structures*, (2) *cultures* and (3) *climates* that influence and shape how officers perform their work. In brief, this framework proposes that decisions to act corruptly are made, and opportunities for corruption exist, within systems of governance and rules (structures), workplace groups (cultures) and political, social and economic conditions (climates). This framework will be developed further in Chap. 2.

Changing Correctional Scenarios

A number of contextual features and trends are of relevance. One recent change of quite broad significance in many countries has been the significant *rise in the numbers of persons incarcerated* and, hence, related costs. In terms of public expenditure, corrections continue to consume a large percentage of government expenditure, despite reductions in the official crime rates. For example, in Australia, with an annual national budget of around \$3 billion, a workforce numbering in the tens of thousands, and a clientele approaching 100,000 on any day (persons in prison and community corrections), the correctional enterprise is a substantively large, complex and expensive social system. In the USA, the annual state corrections budget is now well in excess of USD 50 billion, with the prison population growing five-fold since 1980 to more than 1.5 million incarcerates (National Association of State Budget Officers 2013). Currently, around one in eight US state government employees work for one or another correctional system (Pew Center on the States 2011: 5).

The nature of correctional clients is also changing. Prisoners, many correctional managers and employees will tell you, are different now; they are younger, tougher, more likely to be gang members and more interested in drugs and physical fitness than previously (*see, e.g., Commons 2012; Podmore 2012*). The growth in terms of younger, drug-dependent clientele alone has had an undeniable impact on the demand for contraband in prison and has created untold opportunities for trafficking. The “prison underground economy” around drugs has influenced staff–prisoner dynamics in many ways. These include the emergence of very powerful gang leaders (sometimes known as “shot-callers”) as a regular feature of prison life, who

are able to trade relative calm on the prison wings for a blind eye to their illicit trading activities (Trammell 2009; Skarbek 2014). COs in these institutions must negotiate these conditions, including opportunities (and risks) from different forms of cooperation with, and even participation in, these activities. In Chap. 4, cases in which COs have actively solicited, rather than acquiesced to, opportunities to supply clients with contraband in return for payment or other favours are discussed.

There is also ongoing uncertainty around the missions of correctional institutions. These statements of purpose in legislative or other written form also define an important part of the context. Both in philosophical and political terms, missions typically contain multiple goals; for example, for England and Wales, it is stated:

Her Majesty's Prison Service serves the public by keeping in custody those committed by the courts. Our duty is to look after them with humanity and help them lead law-abiding and useful lives in custody and after release.

This multiplicity ensures that what is expected of those institutions, and how familiar goals (e.g., security, order and rehabilitation) are interpreted by interested parties and balanced in practice, are subject to diverse responses. Given the primacy of client control within many correctional settings, there can easily be a degree of uncertainty among correctional staff about what it means to act with integrity when control can be partial or contingent. How much emphasis on “care” as opposed to “control” is an existential challenge, and a source of unresolved uncertainty, for many officers (King 2009; Halsey and Deegan forthcoming). As we will see in Chap. 3, finding the right balance within relationships in correctional settings can be fraught for many officers; without appropriate guidelines and support, the changing role of officers only makes this more challenging

Scope and Definitional Matters

The definition of corruption adopted in this book essentially is the one used by Transparency International: “the abuse of entrusted power for private gain” (quoted in Graycar and Sidebottom 2012: 384). It needs to be

added that the power in question relates to that power exercised by public officeholders, or in the case of privatised service providers, by those undertaking the delivery of a public service. This can be compared, for example, with a definition of correctional deviance as “inappropriate work-related activities in which [correctional officers] may engage” (Ross 2013: 111). A key challenge here is deciding whether to limit our understanding of threats to integrity to instances related to self-interest or private interest, or to include the equivalent of *noble cause corruption*, a concept taken from police corruption, in correctional settings. This would arise, by analogy, where correctional employees or staff deliberately breach standards of appropriateness, motivated by a desire to advance an officially approved end of the institution, such as maintaining order in the institution. We have not yet seen a similar concept explicitly raised in relation to corrections (on policing, *see* Punch and Gilmour 2010). However, this is not to say it cannot arise. Our adoption of Sykes’ (1958) notion of the inevitable corruption of officer authority, due to the limits of their practical authority over prisoner behaviour, in effect recognises a similar phenomenon—a trading off of strict formal compliance with rules for a greater benefit of some kind. This idea is explored further in Chap. 2.

Researchers and observers adopt various definitions and approaches to the study of correctional integrity. McIlwain (2004: 16–17), for example, chose in her study of non-custodial staff to distinguish “corruption,” “official misconduct” and “inappropriate relationship[s],” recognising not only variations in seriousness among integrity threats, but also the potential for inappropriate behaviours to be motivated by public as well as private gain. For the most part, however, our adoption of the “abuse of entrusted public power for private gain” definition suits the focus of this book. We have arranged our examination around *five key areas* of correctional corruption, each having a strong link to private gain or self-interest: (1) inappropriate relationships, (2) trafficking of contraband, (3) unlawful assaults, (4) the improper access and release of information and (5) procurement. Importantly, “gain” need not be seen simply as some kind of economic benefit. Instead, there may be psychological, reputational or other rewards. An archetypal example would be an officer refusing to report a prisoner-on-prisoner assault, because the officer believed the prisoner assaulted to be “deserving” of their lot. Through corrupt behaviour,

then, officers can benefit in ways that are not simply economic, but that nonetheless violate the rights of others and, indeed, put other officers and staff at risk.

Throughout the book, we make references mostly to “correctional settings,” although much of the discussion relates to custodial settings. For the most part, these settings will be physical places (e.g., particular prisons), although increasingly, digital media and the Internet mean that some matters of direct concern are taking place in virtual, rather than just physical, spaces. Although most often we will be discussing prison environments, there will also be occasion to discuss matters that arise in community corrections agencies, around probation, and in parole facilities. Where appropriate, the broader term will be used, but where discussion relates to particular environments (e.g., prisons), we will revert to more specific forms of reference. Similarly, where matters discussed have general application, we will refer to “correctional clients” or “clientele” rather than more specific terms (e.g., “prisoner”).

In referring to those working in correctional settings, we will adopt the generic term “correctional officer,” wherever the discussion lends itself to broader discussion of issues. In other words, this term can be presumed to include not only custodial staff, but also all others working in some capacity in those settings (e.g., prisoner transport officers, teachers, nurses, etc.). Again, there will be occasion to distinguish within this category to those working as custodial officers, as psychologists, as prison managers, teachers, contractors and so on. More specific references will then be used.

The Harmfulness of Correctional Corruption

Our focus on promoting correctional integrity, as well as preventing corruption, accepts the notion that there are real, tangible harms to be recognised and addressed at a broader level as well as at an individual or a single instance level. In Chap. 2 we also point to the unavoidable nature of correctional corruption, and consequently, to the impossibility of realising “absolute integrity” (Anechiarico and Jacobs 1996). This conundrum obliges us to reckon more closely with the challenge of identifying,

describing and potentially measuring the incidences, forms and degrees of harmfulness from corruption. In this book we say quite a bit about incidence and forms of corruption, but relatively little about their harmfulness. This is because there seems to have been no real attempt until now to examine this question. Although some harms are obvious (e.g., assaults), others are less tangible (e.g., supplying marijuana to a prisoner). Although much more work is needed, we do attempt to identify the less obvious harms throughout our discussion of different integrity breaches. We are obliged to do so if, as we argue, elimination of corruption is impossible because the nature of correctional systems and expectations around these systems make it so.

A fully developed framework of correctional integrity would also need to rank harms in order to prioritise and direct the measures to be taken to reduce harm. As well as being politically challenging, acknowledging the need for such ranking and selective responses also requires us to own up to the difficulty of measuring harm in this area. Given the obvious difficulties of effecting change in this direction, we suggest, as an interim measure, that there needs to be a greater public awareness of this conundrum as a prelude to greater public discussion around ways of responding to different forms of corruption. Is prisoners' access to soft illegal drugs an acceptable price if it permits a correctional institution to otherwise function smoothly and pursue rehabilitative programmes? This discussion should be informed by a broader appreciation of correctional integrity, in particular of the complexity of the correctional mission and the importance of contextual factors in explaining what occurs, and what might be done. We return to this issue in Chap. 9.

Research for this Book

The original impetus for this book was a contract brief awarded in 2013 to Flinders Centre for Crime Policy and Research by the Western Australian Corruption and Crime Commission (CCC) to examine the state of knowledge in relation to understanding and preventing four areas of correctional corruption. To those four areas, we have now added procurement. In undertaking the work for the CCC, we conducted an exhaustive

desk review of the available literature on correctional corruption in the USA, UK, New Zealand (NZ) and Australia. This literature included academic articles, books, book chapters, newspaper articles and government and non-government reports. We also liaised (in person, via phone and through email) with key contact persons in each of these jurisdictions in an effort to ensure no (substantive) stone was left unturned during the data collation stage. We contacted a mixture of senior practitioners and university-based researchers in the prisons and corrections fields. As indicated earlier, we also visited a number of correctional institutions in several different jurisdictions, in particular various Australian states and the USA.

One surprising finding was how relatively little work of direct relevance had been done. We found very little by way of research findings on correctional-related corruption, either from scholars working on corruption and public integrity, or those working on prison conditions. Conversely, in conversations the authors held with some current and past prisoners, as well as with a few ex-prison staff, it became clear that corruption in correctional settings was not unusual, and indeed, at times, it was even unremarkable. Later, in the concluding chapter, we address the fact that for many directly involved or politically responsible, correctional corruption is an *inconvenient truth* to be denied, avoided or covered up (Podmore 2012). This factor, of course, makes recognition and treatment of correctional integrity issues more difficult than it already is. It also makes the purpose of this book even more important. This point was reinforced for one author after a conversation with two senior retired correctional sector officials in which they urged the importance of writing this book, despite—and indeed because of—the official reticence towards the topic and the shortage of readily available data.

Structure of the Book

In the next chapter (Chap. 2), we examine correctional environments and the nature of correctional work in some detail. Chapter 3 looks at the nature of relationships in correctional settings, and how they can give rise to inappropriate dealings that are corrupt. Because what occurs in correctional settings is largely defined by the relationships among officers, other

staff and prisoners, as well as by physical environments, it should not be surprising that so many forms of correctional corruption have a relational dimension. In Chap. 4, we examine the trafficking of contraband of various kinds from the outside world into the world of correctional institutions. Given the deprivations associated with being locked up, the demand for such items as money, drugs, weapons and food is understandable. This demand also raises a number of security challenges, such as the effects of consumption of illicit substances on prisoners and the creation or support of an “underground” economy within institutional settings that can give rise to coercion, extortion and exploitation. Chapter 5 considers how correctional staff use force against prisoners in inappropriate ways, including directing or allowing prisoners to assault other prisoners. In Chap. 6, we examine misuses of information about correctional clients by officers. As we will find, the calculated or negligent misuse of prisoner-related information can impact negatively on prisoner prospects for release as well as on their experiences inside the prison.

Chapter 7 turns to the issue of procurement and bribery. Although less visible to the outside world, procurement corruption can be costly in terms of public revenue and institutional running costs. The machinery to support the reporting, investigation and processing of corruption incidents is the subject of Chap. 8. As relatively “closed institutions,” correctional establishments need mechanisms and processes for enabling the ready reporting and inquiry into allegations of corruption if there is to be some deterrent in place and if systemic abuses are to be detected and acted upon. The book concludes with Chap. 9, entitled “Promoting Correctional Integrity.” Here, in addition to pointing to specific situational measures, we also reiterate the need to look at the antecedents and supportive arrangements—systemic, structural and cultural—that sustain or permit the undermining of integrity.

2

The Nature of Correctional Settings

1 Introduction

This chapter considers the context for correctional corruption. In particular, it outlines an approach to analysing correctional settings that reveals key dynamics around, as well as within, correctional settings that have implications for preserving and restoring integrity.

Although there can be little doubt that correctional settings have changed considerably over the past 60 years or so since Sykes' study in this area (Sykes 1956, 1958), some constant features of those settings remain that are inherent to their mission and organisation, and therefore that have changed little, if at all. The prime example is the central importance of client containment or incapacitation. The need to maintain control over the whereabouts of clients provides the central organising principle for correctional settings. The *primacy of client control* ensures that the establishment, staffing and maintenance of correctional settings

must focus on means of restraint over clients—through architecture, formal rules, officer training and management systems.

Despite role expectations and other institutional measures geared to ensure control over clients, correctional clients individually and collectively present some fundamental challenges to the smooth functioning of correctional settings. These arise for the most part from the nature of the client population (especially their problematic histories individually in terms of abiding by the law) and the effects of various deprivations imposed by their containment or restriction under sentence of law. These factors make control of correctional clients challenging in aggregate, as well as individually. Officers are limited in the levers they can exercise over client behaviour. As Sykes (1956: 260) observed:

The guard ... is under pressure to achieve a smoothly running cellblock not with the stick but with the carrot, but here ... his stock of rewards is limited. One of the best “offers” he can make is ignoring minor offenses or making sure that he never places himself in a position to discover infractions of the rules.

Although Sykes made this observation many years ago, we suggest that the “negotiated” character of correctional relationships remains a fundamental attribute of life and conditions in correctional settings. As we will detail further, many changes in the past 60 years have made client control even more difficult; the greater dependence of many clients on illicit drugs and the prevalence of prison gangs are two important examples of changes that undermine formal controls. As Sykes suggests, officer negotiations with clients, especially in prisons, are an inevitable feature of co-existence in these settings. Features of the correctional climate, as well as of the institutional environment, in effect compromise the ability of officers to strictly enforce formal controls. As control over clients is fundamentally fluid and uncertain, officers may resort to various inducements of an informal, and indeed illegal, kind as a means of preserving or restoring control.

2 A Sociological View of Correctional Settings

This “sociological” view of how correctional settings—and particularly prisons—work, takes for granted that some measure of corruption is inescapable. The corollary, that corruption can best only be managed rather than eliminated or prevented, sits uncomfortably with what we might call the “official” view—the idea that correctional corruption is an unacceptable pathology that can and should be eliminated in its various forms. We suggest that this view sets an unattainable standard. Our view, on the other hand, should not induce a fatalism that causes the abandonment of efforts towards improved integrity.

As some corruption is inevitable, this means that measures taken to deal with corruption and build integrity will need to establish a *tolerable level of corruption*. As Sykes (1956) suggests, prison environments necessitate a degree of “give and take” among administration, staff and officers if they are to operate effectively as secure, relatively peaceful institutions. Setting priorities in terms of what is tackled first or what does not warrant immediate attention is unavoidable if the harms from unchecked corruption are to be avoided: “The practice [of corruption] is particularly insidious because, if left unchecked, it can produce a cancer-like condition that saps away the agency’s propensity to achieve any higher good” (Souryal 2009: 25). In seeking to limit the harms and promote the higher goods of corrections, any policies devised to achieve this end must also grasp the *realpolitik* of the correctional landscape, lest efforts to prevent corruption continue to fall well short of the mark.

Within the fields of criminology, penology, or social science in general, there is no comprehensive theory of correctional corruption to be found. Equally, in these areas or in the field of public administration, there is no universally accepted or widely proven set of strategies for dealing with it. One of the key sources of information on this topic is the reports of boards of inquiry into incidents and/or allegations of corruption.

In Australia, for example, the New South Wales (NSW) Independent Commission Against Corruption (ICAC) has produced a number of reports, referred to in later chapters, addressing different aspects of correctional corruption. Similar inquiries can be found in the other principal jurisdictions covered by this book: the USA, UK, Canada and (to a lesser degree) NZ. However, although sometimes yielding recommendations on prevention measures, these inquiries tend to have a forensic focus, looking ultimately to locate blame or responsibility to particular individuals or administrative entities. Although providing case history data that can throw light on drivers of correctional corruption, they tend not to explicitly adopt any theoretical perspective or offer much analysis. Their forensic focus also can be seen to be premised, at least implicitly, on the “official” view of correctional corruption mentioned earlier. In this chapter, we lay out some principles of the sociological view, and point to their utility for the goal of improving correctional integrity.

3 A Framework for Analysing Correctional Corruption

“Organisation”

The factors that explain corruption can be classified into three groups. Each puts the *organisation* (for our purposes, the prison, jail, or community corrections office) at the centre of the analysis. As Punch and Gilmour (2010: 10) contend:

[T]here are no individuals in organisations ... and people who enter them change identity. And the pressures, rationalisations, and opportunities for deviance—for or against the institution—are always related “collectively” to the social nature of the work, the diverse cultures, and the structure of the organisation.

These three groups are: (1) organisational climate, (2) organisational structure and (3) organisational culture.

The idea of a *climate* points to the wider environment in which correctional settings are located. Like the weather, correctional climates refer to largely ambient factors that are beyond the control of those who work or live in these settings. Although leadership at the departmental level falls in this category, it is largely externally focused on things such as partisan politics, budgetary measures, public expectations and media attention (Eklin 2015). Organisational *structure* refers to the formal authority mechanisms within an organisation or immediately around it that have the purpose of ensuring that staff working within that organisation work to common, officially approved purposes. Thus, the laws, regulations, directions and administrative arrangements set up to ensure perimeter security and safe dealings within correctional settings constitute important elements of that structure. Finally, *culture* refers to the informal norms and customs developed by groups within organisations that are oriented towards coping with challenges of external adaptation and internal integration that have come to be seen by those in the group as valid or legitimate in guiding their practice (Schein 1985: 9). These cultures may exist among officers and client groups, particularly prisoners.

This tripartite classification enables us to analyse correctional corruption in important, complementary ways. As well as permitting the identification of key players and influences, it also draws attention to the interactions between them. For example, certain elements of climate (e.g., available funding, political leadership) will inevitably impact life within correctional settings (aspects of culture, structure). Changes to sentencing laws, resulting in longer prison sentences, affect how officers work, as well as the conditions provided to prisoners. Our schema also fits with the schema evolved in relation to the analysis of police corruption by scholars such as Maurice Punch (2003, 2009). In advocating the need to look for explanation for organisational deviance outside the particular characteristics of individual deviants (the “bad apple” approach), Punch has indicated we need to look at both the “barrel” in which the individual officer or client is located (the organisational structure and cultures) and the “orchard” that provides the “apples” (the political and economic climate that influences how correctional settings are structured, resourced and operated).

“Power”

An additional necessary step in our sociological account of correctional settings is to acknowledge the operation of *power*, particularly its informal distribution in practice compared with its formal distribution according to law and administrative structures. The picture of relationships between prison officers and prisoners, as reflected by Sykes, is one of change, and one in which officers (and here we include prison managers and administrators) do not “hold all the cards.” As noted previously, the power of prisoners over officers can be significant to the point of having an enduring and compromising influence on the authority and practical control of staff. In order to promote greater integrity, paradoxically, we must accept Sykes’ account of the position of many officers: “[t]he guard, the dominant symbol of law-abiding society in the daily life of the prison inmate, becomes a figure to be manipulated, coerced, and hoodwinked” (Sykes 1956: 262). Locked together by circumstances on a daily or regular basis, “[g]uards and prisoners become involved in a complex pattern of social relationships in which the authority of the guard is subject to a number of corrupting influences” (Sykes 1956: 258).

Power relations in correctional settings reflect what has been described as the “informalisation’ of prison governance” (Garces et al. 2013: 26). On this view, clients exercise certain forms of power over officers and vice versa; not all power is formal, and can be personal or situational (*see* Jones 2014). Power can be psychological as well as physical in nature (Crewe 2011b), arising again from both formal arrangements and personal and situational factors. In interactions between officers and clients, it is possible to distinguish the operation of both “hard” and “soft” power. These concepts in effect reflect Sykes’ references to “sticks” and “carrots,” except we extend this idea by suggesting that clients as well as officers have access to both tools. Examples of hard power may be the enforcement of infractions committed by clients, or the assault of an officer by a group of prisoners. Soft power might take the form of an officer granting a sought-after privilege to a client (e.g., extra telephone time) or in the case of clients, offering an officer an inducement to bring drugs into the prison. It is also the case that not all exercises of power will be overt or visible. As will be seen in Chap. 6, officer control over client files and information

can take the form of making false reports or releasing personal information. These covert acts can result in quite significant outcomes, such as a prejudicial classification decision based on false information placed on a client's file.

Thus, correctional settings, in addition to being shaped by climate, provide situations of normative complexity, conflict, friction and tension. Official rules (organisational structure) can compete and clash with the informal norms (organisational cultures) of prison staff and prisoners. And wider influences (leadership, politics, etc.) can undermine the structures (including the philosophies of corrections) and clash with organisational cultures (Lerman and Page 2015). In these dynamic settings, culture can often predominate over structures and thwart expectations of politicians, senior prison officials and indeed the public (climate) by shaping outcomes of particular policies or decisions. Many officers find that the “general culture of the [prison],” in particular, overrides the good intentions of officers (Haney 2005: 75).

4 Organisational Culture

Correctional work has perhaps two unique aspects that shape the kinds of relationships possible in the workplace. *Firstly*, the core responsibility is to securely house or control a segment of the population that has not chosen freely to be subjected to being controlled or incapacitated—what we termed earlier the primacy of client control. *Secondly*, those controlled or contained have been adjudicated for, or held on suspicion of, having committed crimes warranting imprisonment or detention. In many instances, those in their charge will have committed very serious crimes including murder, rape and violent assault. By assuming responsibility for such a stigmatised group, some analysts have described the work of prison officers as a clear example of “dirty work” (Hughes 1951), and have observed that their occupation is “tainted” as a result. One aspect of the work rendering it “dirty” is the risk to officers posed by their environments. A US Department of Justice study (Marie Garcia 2008) reported that prison officers face the second highest risk of non-fatal injury from their work of any occupation, exceeded only by the risk to police officers.

Given the relatively low pay they receive in many jurisdictions, it should not be surprising that officers performing this work sense the low esteem associated with it. Perceptions of this kind held by officers can undermine job satisfaction and their commitment to their work (*see* Vickovic and Griffin 2014: 719).

In order to identify the implications of workplace culture for correctional corruption, it is important to try to identify elements of those cultures in correctional settings that either encourage or facilitate forms of corruption. In part, the normative complexity present in correctional settings reflects the norms of these cultures. As Sykes, Punch and other observers of workplace culture have noted, these cultures: (a) are often quite powerful, insofar as they can block or distort other relevant norms (e.g., management directives, regulations); and (b) have norms that support or tolerate in some way decisions and actions that amount to corruption.

Workplace cultures as sources or repertoires of countervailing or unofficial norms influencing how officers think and behave needs further explanation. The idea of culture implies both continuity over time, albeit not complete immutability, and the transmission of particular values and work-related knowledge. The question we need to ask is: What are the values, tacit knowledge and techniques being communicated by officers to each other that influence how they perform their work? Some of the answers will emerge in subsequent chapters where data relating to particular forms of correctional corruption is presented and discussed. In summary, however—again advancing our sociological perspective—these cultures serve as both *socialisation agents* and as *sources of rationalisations*. As staff members are recruited and gain experience in particular work settings, they are inevitably exposed to the values, attitudes and approaches of their more established fellow workers. Part of what is transmitted is rationalisations for particular courses of action that do not strictly comply with formal requirements or stipulations of responsibility, including those that justify or excuse acts of corruption.

Examples of occupationally oriented justifications include denial of responsibility (“I had no choice”), denial of injury (“no real harm was done”), social weighting (“they deserve it, they are prisoners after all”) and sense of entitlement (“I deserve it on account of all I’ve done for the

organization”) (Anand et al. 2004). A part of understanding the power of countervailing norms of this kind is appreciating their embedded position within work groups, displacing loyalty and conformity to formal organisational structures. These groups can resemble “social cocoons,” “seek[ing] to compartmentalize themselves from external influences” (Anand et al. 2004: 46).

Although the problems faced by COs are typically chronic (e.g., overcrowding, unstable populations) rather than acute in nature (e.g., prison riots), officers of course face both kinds of workplace challenge over time. Linked by chronic workplace challenges, they can be viewed as *communities of shared risk*, if not also of *fate*, by reason of connecting concerns about personal safety, job security and lack of institutional support (see Eklin 2015). There is some evidence of shared rationalisations within correctional work groups that is of relevance to integrity issues. Scott (2008) describes a range of distinct moral perspectives based on his interview-based study of UK prison officers. In some cases, officers revealed belief in higher loyalties (e.g., to victims), and believed that prisoners “deserved what they got” in prison. These kinds of beliefs enable a relaxation of moral standards in the treatment of prisoners that can cause suffering to prisoners; again, the Abu Ghraib example comes to mind. Such beliefs, or similar beliefs, among officers could also potentially result in approval of or at least acquiescence to forms of corruption such as trafficking contraband or engaging in staff/inmate relationships, though there does not appear to be much research yet to confirm this picture.

Another lens on workplace group culture and vulnerability to corruption is provided by the literature on *organisational justice*. This notion is seen to consist of employee perceptions in two key facets: (1) fairness (procedural justice) and (2) equity (distributive justice). In part, the issue of fairness reflects how employees are consulted and heard by their employers (reflecting the operation of organisational structures), whereas matters of equity implicate not just organisational structures, but also cultural and climate issues. These perceptions can have real negative organisational consequences, including reduced job satisfaction and feelings of work-related stress. As Taxman and Gordon (2009: 697) observed, “In a prison environment, the lack of organisational justice increases work hazards and unsafe facilities in which violence is more

likely to occur.” Politicisation of correctional issues (a climate factor), for example on prison budgets or numbers of prisoners, can contribute to reduced CO satisfaction in their jobs (Lerman and Page 2015), posing risks in turn to correctional integrity. A workplace setting seen as unfair or inequitable is more likely to face retention problems as well as reduced organisational loyalty and job commitment from employees who stay on, making fiddles and other integrity breaches more likely.

High staff turnover can pose complementary risks from inadequate positive peer socialisation and monitoring. Inadequate orientation and monitoring of new officers can result in their vulnerability to clients, as well as a sense of isolation within the organisation. A sense of grievance among officers, whatever the cause, is likely to undermine their organisational commitment and provide a pretext for neutralisations such as “there was no harm done,” or “the prisoner/prison administration deserved it.”

5 Organisational Structures

Correctional settings are formally constituted by a series of official norms comprising the principles, rules and guidance relating to the mission; the authority structures that govern that setting; and the tasks and responsibilities of those who work within those settings. *These are the key organisational structures that need to be considered in examining what amounts to integrity breaches*—deviations from compliance with those norms in some way, and what prospective and retrospective mechanisms are in place to try to promote integrity and deal with any breaches that may occur. Prospective measures include the setting of standards of operation for the prison or other correctional setting; procedures for selection, recruitment and training of officers; and ongoing supervision and monitoring of officer performance in the workplace. Retrospective mechanisms include disciplinary codes and enforcement of those codes, including dismissal and even criminal prosecution.

Strict compliance with structural norms is challenged by features of both culture and climate. Compliance can be frustrated by a lack of detail or clarity in the rules and principles established. Rules that are unclear can permit variable application. If they are viewed as excessively harsh, they

may be subverted or ignored. As we argue below, having clear rules and standards is important if officers are to be effectively trained, guided and evaluated. It is also important to note that organisational structures can be viewed as bundles of tools of control over clients as well as staff. This is apposite in prisons where prison regulations become *resources* for officers to assert control over prisoners. As regulations are not self-executing, they depend on officer discretion to a large degree in terms of when, and how, they are applied. As numerous studies of prison life confirm (e.g., Liebling and Arnold 2004), abuse of officer discretion is a major source of grievance within prisons, and amounts to a clear breach of integrity in many instances. In other words, the exercise of structural power can itself threaten correctional integrity.

More will be said about the limitations of organisational structures in the context of discussion of substantive areas of integrity risk. For example, in Chap. 8, where we deal with uncovering and reporting corruption, the adequacy of rules and supportive mechanisms in that area is examined. In Chap. 3, we will also look at the lack of rule-based structural clarity around inappropriate relationships.

6 Organisational Climate

Although managers can set the tone for officer/client interactions, and although officers have hard and soft power tools at their disposal, the daily operation of correctional settings is also influenced by a number of factors external to those environments. As Lerman and Page (2012: 504) state, “[P]rison and prison officers are embedded in particular penal fields—relatively bounded social spaces with unique historical and cultural traditions.” All penal fields are shaped (and reshaped) by the politico-social conversations of particular jurisdictions concerning crime and punishment. Sometimes these conversations help produce demonstrably positive outcomes (such as an expansion of mental health beds or of non-custodial-based therapeutic communities). More often, though, crime-talk—what to do about crime and criminality—connects with calls for tougher and swifter penalties, and with the survival of one political party or another.

The climate of corrections also contains other supra-setting features. The *funding provided to the correctional sector* (for the operation and upkeep of current facilities), the *number and type of prisoners* supervised (both in the community and behind custodial walls), the *conditions of employment* (hours, annual leave, sickness benefits), the degree to which correctional personnel are permitted/encouraged to “think outside the box” in order to perhaps generate better outcomes among their clientele, and, relatedly, the *extent to which correctional sectors are situated in highly punitive states or regions*, all impact in fundamental ways on the organisational climate of correctional institutions.

These factors are imposed on the sector, not chosen. Any discussion of corrections—specifically, correctional integrity—must come to grips with the major climate pressure points likely to compromise the work of the “ideal” officer. Perhaps the most crucial of these factors include:

1. *Legislative changes* that permit, for example, either new offences or longer sentences, which lead to sharp increases in prisoner numbers; or (more rarely) alternatives to custody, which lead to a diminution of prison populations.

2. *Changes in policing, prosecution and court practices*, which lead to greater arrest and conviction rates for specific offender categories and/or fewer arrests, convictions and custodial time for other offences.

3. *Changes in political priorities* that tilt the balance, for example, in favour of a purely classical understanding of why people commit crime (crime as choice) and what should happen to them (deterrence through pain of punishment), over positivist understandings of human behaviour (crime as conditioned by a complex array of psychological, social and economic factors) and welfarist approaches to penalty (a focus on rehabilitation and reintegration).

Taking a broad systemic perspective, we would suspect that the single greatest threat to correctional integrity is to grow the prison estate in sharp and prolonged fashion without correlative growth in infrastructure, in operational staff, in professional staff (e.g., psychologists) or in additional training for officers who find themselves having to deal constantly and suddenly with the next “new breed” of prisoner.

Climate features threaten the moral as well as operational performance of correctional settings. Correctional corruption—particularly, but not

solely, at the officer level—will likely be highest: (1) where overcrowding is intolerably high; (2) where staff morale is generally low; and (3) where officers witness time and again the return of “their” prisoners to custody (suggesting at least some level of institutional failure and, by default, some sense that the officer role is making little or no difference to most people’s rehabilitative prospects). This last point, as we will show, is apt to spawn a tide of fatalism among frontline staff, making any illicit gains (monetary, sexual and reputational) far more attractive to employees than would probably otherwise be the case (*see* Halsey & Deegan in press).

The threat to moral performance with regard to correctional integrity in practice emerges as much from that which is ignored as it does from statements and deliberate policies. Silence, inaction and habitual behaviours can each contribute to poor correctional integrity. It can be asked, rhetorically: What’s wrong with cutting corners (on a prisoner risk assessment) or turning a blind eye (to particular types of drug use) in a system that, in a much larger sense, appears to be in disarray? Where is the integrity in locking up the mentally ill or in denying prisoners a brief visit with their family due to space issues? Where is the integrity in a system that releases large numbers of prisoners to a state of homelessness? And where is the integrity in keeping prisoners locked up well beyond their parole date because the mandated rehabilitation programmes are not available for completion? Why not “retreat” and look after “number one?” Or perhaps take a kickback here and there (such as supplying a phone or bottle of liquor to a prisoner) as recompense for the stress of the role and the largely unrecognised nature of such? Riots, physical and verbal assaults, needle stick injuries, suicide attempts and psychotic episodes are just a few of the threats faced by officers. In addition, these factors tend to be made worse by the political machinations (e.g., “get tough on crime” or “three strikes and you’re out,” approaches) and judicial decisions (declarations of persons as “serious repeat offenders” or as “sexual predators”), resulting in more offenders being sent to prison. It is unsurprising, then, that a recent Canadian study showed that roughly two-thirds of officers reported that their work life affected their home life in a relatively permanent fashion (*see* Inspector of Custodial Services 2014: 14). Although the causes are commonly direct and proximate, they can also be found in the wider organisational climate (Lerman and Page

2015). Disengagement, cynicism and self-interest among officers can, in turn, lead to a focus on self-preservation and diminished support for the ends of correctional integrity.

Although changing organisational climates is difficult, variation across jurisdictions offers some hope (Lerman and Page 2015). Jonathan Simon has written extensively on the way various political and social climates impact prison populations. In his latest work, *Mass Incarceration On Trial* (Simon 2014), Simon shows how punitive political climates in the USA, in particular, and elsewhere more broadly, have ensured extremely high prison numbers, despite successive years of declining rates of crime (including violent crime). But the really decisive factor driving high incarceration rates and all the associated problems such as overcrowding, prison violence, drug-dependent prison populations and poor rehabilitation outcomes, is “partisan competition” for the high ground on crime and punishment (Simon 2014). Using this thesis, tough and austere correctional climates—or, indeed, rising prisoner numbers—are not the exclusive domain of *either* right (conservative) *or* left (liberal) political manifestos. Instead, both (all) sides of politics (in the USA, UK, Australia, Canada, etc.) have at one time or another immersed themselves in the business of law-and-order electioneering. This helps explain why governments that perceive themselves as socially progressive can “happily” preside over rising prison numbers and worsening custodial conditions *even* when reported crime rates are falling.

An excellent case in point is the current Labor government in South Australia (SA), which came to power in 2002. As an ostensibly left-of-centre government, it has nonetheless also overseen the largest expansion of the prison population since settlement in 1836. In fact, the prison population roughly doubled in the decade from 2004 to 2014, outstripping the general population growth by a factor of seven to one. The race to incarcerate (getting tough on crime at the expense of getting tough, as originally mooted in the UK, on the causes of crime) reached fever pitch in mid-2008, when the then Treasurer infamously remarked that the government would “Rack ‘em, pack ‘em and stack ‘em [convicted criminals] if that’s what it takes to keep our streets safe” (ABC News 2008). Within just five months of that statement, prisoners staged a riot in the State’s second largest prison. They were trying to draw attention

to their overcrowded, poorly ventilated and mundane living conditions where out-of-cell hours had been markedly reduced due to rising prisoner numbers. The night before these riots took place, one of the authors completed an interview with a prisoner who said he had been sleeping on the floor of his cell (with his head pushed up against the toilet) with two other prisoners. More recently, an inability to fund prison expansion has led to interest by the government in intensive community-based supervision orders. Time will tell whether this climate shift will result in fewer prisoners or, indeed, less restrictive, more positive, modes of punishment.

7 Conclusion

Clearly, there is a multitude of jurisdictions with similar problems that place often chronic and oppressive pressures on officers working in such facilities, as well as on clients. Our point is that such conditions have been fashioned from without, chiefly from short-term and/or partisan political posturing, rather than from within, but that these conditions leave real and lasting effects on the behaviour of clients (particularly those in custody) and those who work in and around the sector. Such circumstances can (and later will be) contrasted against the correctional organisational climates prevailing in, for example, Scandinavia (*see* Pratt and Eriksson 2013). There, the extent of correctional corruption and prison unrest appears largely absent—although that might be changing as the pall of law-and-order politics starts to assume more of a grip in that part of the world.

3

Inappropriate Relationships

1 Introduction

An understanding of the concept of *inappropriate relationships* is fundamental to making sense of many different forms of correctional corruption. As the NSW ICAC observed:

The Commission has been involved in a number of previous investigations into corrupt conduct by DCS [Department of Correctional Services] officers. In each case the Commission found that the *corrupt conduct occurred due to inappropriate relationships with inmates* affecting the correctional officer's exercise of their official functions. (ICAC 2004: 7, emphasis added)

The potential platform for inappropriate relationships to develop in correctional settings arises from the necessary interactions between staff and clients (prisoners, parolees, those on community service orders [CSOs], etc.). Staff and prisoners must interact with each other regularly, typically many times each day. Dealings between staff and prisoners amount to “compulsory sociality” (Galanek 2014: 118) around ensuring

the security of the institution and the safety and well-being of staff and prisoners. Proximity and necessity inevitably lead to familiarity between staff and individual prisoners and to opportunities for *voluntary* as well as compulsory sociality.

Spending time with a prisoner can amount to an acceptable exercise of an officer's discretionary time, for example when engaged in providing reassurance to a prisoner with known mental health problems (Galanek 2014). In circumstances in which custodial staff assume greater responsibility for prisoner welfare, the opportunities for staff/prisoner contact on an individual level become more frequent. There is of course also the potential for greater *intensity* as well as *frequency*. Many of such relationships will be "appropriate" because they are consistent with policy and are conducted publicly and professionally. However, relationships that are clandestine and, in particular, offend institutional and professional regulations regarding the conduct of proper interactions between officers and prisoners, will generally be deemed to be inappropriate. The rationale behind such restrictions, as we will see, is firmly based in potential security breaches.

In understanding what makes relationships "inappropriate," it is important to consider the elements of *power* and *purpose*. Relationships may form or arise for one or more purposes that may also change during the life of the relationship. Changing purposes within a relationship is relevant to the idea of the "slippery slope" discussed in the literature on staff/inmate and professional/patient relations, whereby a small, apparently innocuous exchange may lay the foundation for subsequent, more compromising exchanges (Jones 2013; Elliott 2006). For example, disclosure of personal information by an officer to a prisoner of financial difficulties may encourage that prisoner to offer the staff member a way of earning extra money through bringing in contraband or, where a disclosure of marital problems has been made, by providing some kind of intimate comfort.

Relationships in correctional settings are also dynamic, in that they form part of the "negotiated order" (Sykes 1958), in which COs exchange some positional authority with prisoners at times to achieve the overarching goals of security and safety in the institution. COs may be said to hold *structural/positional* power (power to give orders, etc.), whereas clients can hold *situational* power that resides, in part, in their ability to

cooperate (or not) in response to an officer's request or direction. Given the high prisoner/officer ratios in many correctional settings, the successful exercise of structural power will frequently depend on the compliance or non-obstructiveness at least of other prisoners, that is, their exercise of situational power. This dependency, in effect, establishes a potential "line of credit" to those who cooperate in such circumstances that can later be drawn upon to seek various favours from staff.

In the context of inappropriate relationships, it is clear that client power over officers may be *personall/existential* in nature, reflecting characteristics of both the officer and client involved. In the case of prisoners, personal power may stem from their physical strength, knowledge of the institution, physical attractiveness, or some personality trait. Although officers may possess similar attributes that are personally empowering, there is the added consideration, as we will see, of personal vulnerability that can render them vulnerable to the approaches of clients for improper purposes. As we will see shortly, personal factors, such as feelings of loneliness, isolation at work or a strong need to be liked or to assist others, can be detected by correctional clients and used to manipulate those officers for illegal or otherwise inappropriate purposes.

In staff, these vulnerabilities can enable a shift of power from the officer to the prisoner, once the prisoner becomes aware of them and acts on them to his or her advantage. In short, *vulnerability* and *exploitation*, two features of many inappropriate relationships, may also apply in the case of individual officers. In making this point, we are not advocating that staff involvement in inappropriate relationships can be justified or excused on this ground. Rather, we need to acknowledge that this kind of vulnerability exists and to find ways to mitigate its incidence and the harms that can arise from it.

2 What Are Inappropriate Relationships?

The term "inappropriate relationships" can be taken to refer to a range of relationships presenting integrity risks within, and/or associated with, correctional environments. The principal objections to these relationships

arise mainly from the potential for exploitation of one individual by another, and/or the risks to good order from actual or perceived favouritism. The motivations for these relationships, it will be seen, are typically either instrumental or sexual/emotional in nature. In correctional settings, unfortunately, it is not unusual for each party to relationships to have different, rather than common, motives for entering or maintaining the relationship. The mixed motives contribute both to their instability and to likelihood of harm to the parties, as well as to adverse effects on other staff and the management of the institution.

Boundary Violations

Inappropriate relationships can take a wide variety of forms. Implicit or explicit in virtually every discussion of inappropriate relationships is some concept of *boundary violation*—the breach of a notional line between acceptable and unacceptable behaviour within a relationship (Jones 2013; Faulkner and Regehr 2011). We shall see that, frequently, the demarcation between the two is not clearly expressed or well-understood by the parties affected. In other instances, as we have suggested, the intervention of other motives and emotions means that these boundaries are ignored. The blurring between security and welfare functions that can occur, or is even encouraged, sets the scene for this lack of clarity in the minds of many officers. In the complexities of human relationships, there are inevitably degrees of inappropriateness, reflected more often in the workplace culture than in the formal regulations and policies (structures). The officer who confides in a prisoner as a friend might be seen as committing a *boundary crossing*; however, this could also be seen as a justifiable attempt by the officer to establish trust with the prisoner. On the other hand, the prison psychologist or custodial officer who embarks on a sexual relationship with a prisoner crosses a boundary as well, but one that, by comparison, lacks any professional (e.g., therapeutic or security) rationale, and therefore commits a boundary violation.

What Is “Inappropriate”?

Inappropriate relationships can arise across the full range of relationships and human interactions within correctional settings and environments. They can occur not only between regular officers and clients, but also between visiting service providers and clients. However, in addition to inappropriate relationships that form in these settings, there is another category—what we call *exogenous* relationships—that can form. Exogenous relationships involve parties outside the correctional setting, typically with friends or associates of prisoners. These relationships are discussed in greater detail later in this chapter.

There is no clear consensus in the academic literature on the scope of this term. In what is most likely the leading study in this area, Marquart et al. (2001) outline three categories of exogenous relationships:

1. General blurring of roles (e.g., accepting small gifts [e.g., food or drink] from prisoners, writing letters to prisoners already known to them)
2. Dual or overlapping relationships (e.g. discussing personal information with prisoners, putting money into prisoner trust funds, providing contraband [e.g., a mobile phone], contacting prisoner’s family to relay information)
3. Sexual contact

In her Australian study, McIlwain (2004: 102) examined a wide range of professional misconduct under the category “inappropriate behavior” that encompassed “inappropriate treatment,” “inappropriate behaviour (general),” “sexual relationships” and “inappropriate relationships.” Although inappropriate relationships may not be sexual in nature, in the context of correctional settings sexual relationships normally would be considered a subset of inappropriate relationships, and will be treated as such in this chapter.

In summary, these terms (“inappropriate relationships,” “boundary violations”) generally can refer to *any interaction in or linked in some material way to correctional settings that occurs or relationship that develops in breach of defined role responsibilities* applicable to the various categories of correctional employees.

Categorising Inappropriate Relationships

Inappropriate relationships in correctional settings can be classified for present purposes as falling into one or other of two kinds: (1) endogenous—those that develop inside correctional settings, typically between officers and clients; and (2) exogenous—those that exist among officers, clients and persons located outside those settings. The distinction is material in terms of separating the different contextual factors and drivers applying to each type of relationship.

Endogenous relationships emerge and take their principal significance within the correctional environment; a sexual relationship between an officer and a prisoner is a clear example. By comparison, in exogenous relationships the significant relationship usually exists between the prisoner and an outside associate (colleague, relative, family member, etc.), in which the staff member plays a significant *third-party* role by facilitating the conduct of that relationship in some way. In this scenario, a prison officer is engaging in an exogenous relationship when arranging with a prisoner to meet one of the prisoner’s associates outside the prison in order to receive contraband to bring in for the prisoner.

Clearly inappropriate exogenous relationships may also arise directly between an officer and someone else; for example, relationships between COs and members of the media in which confidential information about prisoners is exchanged for cash payments is a phenomenon that has been seen repeatedly in the UK in recent years. In this case, the CO does not play a third-party role. COs who engage in inappropriate exogenous relationships can also be classified as examples of “trusted insiders”—persons with legitimate access to an organisation who engage in the “unauthorized access, use or disclosure of privileged information, techniques, technology, assets or premises by an individual” (Commonwealth Attorney-General’s Department’s 2014: 2).

Endogenous Relationships

Endogenous relationships almost certainly are the most common kind of inappropriate relationship in correctional settings; they also present the greatest challenges from an integrity-assurance perspective. Their high incidence is attributable to opportunities arising from the *compulsory sociality* element, noted earlier in this chapter, that characterises custodial correctional settings and that does not depend on or involve anyone outside the institution. In terms of prevention or mitigation, these relationships will also be those over which correctional managers will have the clearest opportunity, as well as formal responsibility, to exercise influence, given that they involve officers and individual clients in their charge and that these relationships take place on correctional premises.

The inevitable interdependency between officers and correctional clients, especially prisoners, provides innumerable opportunities for staff/prisoner relationships to develop. If compromises of authority are inevitable to some degree (Sykes 1958), then some level of corruption (including “inappropriateness”) is inescapable. In such relatively intimate relationships (Crawley and Crawley 2008), there are frequent opportunities for officers to exercise discretion, for example by providing extra access to prison facilities or to personal phone calls (Liebling and Arnold 2004). It also means that prisoners in particular, who share the same environments with officers for many hours each day, often participate in interactions and relationships of a less transactional or self-interested nature. These might include listening to staff talking about their personal problems or simply discussing common interests and hobbies. One effect of the inescapable familiarity facilitated by such shared settings can be perceptions among officers of prisoners as persons not unlike themselves who happen to have committed crimes (“there but for the grace of God go I” type thinking).

Although this view can reduce distance between officer and client, it can also set the scene for more troubling forms of liaison, including assisting prisoners to escape (Yakas 2015). As a telling instance, there is the recent case of Joyce Mitchell, a prison officer at the Clinton Correctional Center in New York State. Mitchell, a supervisor in the prison tailoring shop, had developed close friendships with two prisoners who worked in

that area of the prison. As well as having a sexual relationship with one of them, she later assisted them in escaping by bringing in hacksaw blades and other escape tools, as well as by failing to report their preparations for tunnelling out of their cells (Yakas 2015). In a statement to police, Mitchell admitted: “I believe I helped [the two prisoners] escape because I was caught up in the fantasy. I enjoyed the attention, the feeling both gave to me, and the thought of a different life.” As another statement to police makes clear, Mitchell’s actions over a period of time leading up to the escape indicate a pattern of conduct involving undertaking a range of favours for the two prisoners, including passing messages between them and persons on the outside.

Inappropriate relationships, we noted earlier, can also occur between clients and non-custodial staff members, such as teachers and instructors, health workers and psychologists. These relationships are typically less security-focused, instead having a *therapeutic* or *rehabilitative* focus. These distinct professional foci imply a client-centredness in many cases. One-on-one contact under conditions of aural and often visual privacy (e.g., meeting in a private consultation room) is acceptable in many of these relationships. Although justifiable on professional and client privacy grounds, the removal of these interactions from scrutiny inevitably poses risks in terms of security, officer safety and prisoner welfare. As with custodial officers, non-custodial staff posted to work in more remote or secluded parts of prisons are more vulnerable to manipulation by prisoners (“grooming”) as well as having opportunities for inappropriate dealings with prisoners.

Frequent contact and the establishment of some degree of interpersonal familiarity provides the opportunity for the exploitation of personal information provided to clients by officers. For example, personal information can be used by prisoners to cultivate and manipulate staff to grant favours (e.g., extra phone calls) or to turn a blind eye to various security violations (e.g., selling items to other prisoners). Officers can also exploit the information of clients for various purposes (*see* Chap. 6). These actions by COs can be considered “soft” rather than “hard” power (*see* Crewe 2011a). Inappropriate relationships, of course, can also arise in the context of parole, probation and community corrections, but because there is little available data or systematic examination of relationships in these extra-mural environments, we say nothing further specifically about them.

Exogenous Relationships

Correctional staff, particularly those working in custodial roles, have long exercised significant power over the ability of prisoners to form new relationships, and maintain existing relationships, with persons in the outside world. Controls over visitors, telephones and letters have been the main levers in their power. However, factors relating to how prisoners deal with the deprivations of imprisonment, as well as to changes in the organisational climate, including the prevalence of illicit drug consumption and trafficking outside the prison, mean that exogenous relationships can take on even greater importance in the lives of prisoners, and therefore, inevitably, affect the working lives of staff. COs, as noted earlier, are well-placed to connect the outside world's ability and willingness to meet these demands with those on the inside making the demands.

The exogenous relationships of main concern in this book are those involving correctional staff as third parties between prisoners and their associates outside the prison. Their structural position, and the situational opportunities that the position grants them, makes them potentially highly valuable links or facilitators in relation to a range of illegal exchanges by prisoners and their associates. In inappropriate exogenous relationships, staff members serve as conduits or bridges for these exchanges or, alternatively, facilitate and cover for others (e.g., visitors) who can play this role. As demand for various goods on the inside of prisons increases or remains steady (for whatever reason), there will be incentives for both prisoners and their associates outside to cultivate and form relationships with correctional staff.

It is clear that the presence of gangs in prisons means that COs working in these environments can be particularly vulnerable to becoming drawn into these kinds of relationships. Gang members doing time will nearly always have criminal associates or potential accomplices in the outside world. The recent study by Skarbek (2011, 2014) confirms the capacity of imprisoned leaders of gangs and other crime groups to continue to "direct traffic" from inside prison. In California, the Mexican Mafia, a longstanding prison gang, effectively exercises control over a host of Southern California street gangs from within various facilities (Skarbek 2014). Officers must contend with the power of these prisoners and their outside connections, rendering

it more difficult for many officers to resist inducements or threats drawing them into facilitatory roles, particularly in relation to the importation of contraband (*see* Chap. 4).

In addition to forming such relationships after an officer has encountered a client in the system, officers may bring their relationships with them to the job. In other words, they may have links with persons in the outside world, made before joining as a CO or developed in their outside lives, that subsequently poses risks when these connections either become clients of the system, or when friends, families or associates of these connections become correctional clients. In the language of “insider attacks,” this is the distinction between “volunteer/self-initiated” insiders, those who opportunistically exploit their position as an officer, and “deliberate insiders,” those who “obtain employment with the deliberate intent of abusing their access” (CPNI 2013: 9).

There are cases of persons joining correctional services without first declaring their links to clients already in the system or to persons who later become clients in the institutions in which those officers are working. In 2012, a female prison officer in London was sentenced to one year in prison for offences related to conducting inappropriate relationships with four serving prisoners. In the course of the investigation and trial, it emerged that she had joined the prison service just 12 days after her father had been sent to prison, without disclosing this information, or the fact that her boyfriend at the time was also serving a prison sentence (Fernandez 2012).

The deliberate placement of “insiders” in prisons or other correctional settings obviously requires some forethought and planning and therefore is likely to be less common, but nonetheless poses a substantial threat to integrity. Self-initiated insiders are likely to be more opportunistic, forming their intentions to act corruptly after joining the correctional service, and therefore are more common. This statement is consistent with the fact that most crime tends to be opportunistic rather than planned (Felson and Clarke 1998). A UK study of insiders in a range of organisational settings confirms that the majority (around three-quarters), of “insiders” fall into the “self-initiated” category whereas only 6 % could be considered the result of deliberate infiltration (CPNI 2013). Both forms constitute distinct risks to correctional integrity, raising for urgent consideration the adequacy of recruitment and selection vetting procedures as

well as of monitoring of systems whereby officers are expected to declare their association (*see also* Podmore 2012: 142, on the case of prison officer “Mr. Roberts”).

We mentioned earlier in this chapter that personal vulnerabilities of officers are elements of risk in the formation of inappropriate relationships; it is also important to recognise the phenomenon of *grooming* or cultivation that can occur by outside associates of prisoners as well as by prisoners in the pursuit of criminal objectives. Not all relationships with officers will begin as deliberate attempts to cultivate links in order to manipulate them for improper purposes (e.g., trafficking of contraband). In some cases, relationships can arise through, for instance, attending the same gym, or having a shared interest such as martial arts or tattoos (IBAC 2015). It is only later that these social links may develop a transactional or instrumental component, and thus threaten correctional integrity.

As an example, a recent press report from Western Australia disclosed details from a leaked intelligence report that listed the names of several senior serving prison officers who were believed to be associates of a particular outlaw motorcycle gang leader and a convicted drug trafficker. In this case, it appeared that one of the prison officers named in the leaked report as being connected to outlaw motorcycle groups had made no secret of his associations with these groups. However, there had been no examination of these associations by his employer until the officer himself brought the matter to their attention (Adshead 2013a). In this case, there was no apparent evidence that the relationship had resulted in any active facilitation of an illegal or inappropriate kind, but obviously links between officers and members of major crime groups could potentially pose a major risk to security and safety of prisons, other staff and persons in the community.

Frequency of Inappropriate Relationships

It is difficult to state with confidence how common inappropriate relationships are, because so little data exists on their frequency. There are a few studies (CMC 2009; McIlwain 2004) that describe the incidence of this behaviour, particularly in settings in which the focus has been on what we term “endogenous relationships.” There appears to be very

little examination of exogenous relationships that would be considered inappropriate. However, a media search of prison-related matters would provide the impression that problematic endogenous relationships are quite common, even disturbingly so, in many places, including Australia, the USA and UK. In 2012, English Ministry of Justice figures revealed that 126 prison workers had been found to have conducted inappropriate relationships over a 30-month period; in other words, nearly one a week (Alleyne 2012). This impression is confirmed for anyone taking the time to read the autobiographies of ex-COs (Rene West 2004; Heyward 2011; Commons 2012; Podmore 2012) or ex-prisoners (e.g., Fraser 2007).

One of the largest studies in this area was conducted in the USA by Worley et al. (2003). They reported on a study of the occurrence and nature of inappropriate relationships in the Texas prison system between 1995 and 1998. Under the Texas system, inappropriate relationships were defined as “personal relationships between employees and inmates/clients ... behaviour that is usually sexual or economic in nature and has the potential to jeopardize the security of a prison institution or compromise the integrity of a correctional employee” (Worley et al. 2003: 179). In a system that employed more than 41,000 persons, 508 employees had been formally disciplined for such behaviour during that 4-year period; that is, approximately one in 80 employees was deemed to have had an inappropriate relationship, and was punished for acting inappropriately, during that time period. Given the difficulties commonly faced by prisoners or officers reporting these matters, it is probable that the actual frequency of relationships is much higher than these numbers indicate.

The types of inappropriate relationships these employees participated in varied: of the 508 employees sanctioned for this activity, 8 % had committed general boundary violations, 12 % committed sexual violations and the vast majority (80 %) of these prisoners were involved in what was termed *dual relationships*—relationships that have more than one dimension. In these cases, the primary relationship arises from interactions associated with the performance of roles in the correctional setting. The secondary relationships referred to here were not sexual, given that there was a separate category for them. They related to officers undertaking additional roles for prisoners, such as socialising with prisoners, dating

and pursuing joint hobbies. Female officers were more likely than males to commit a violation of these kinds, with women officers implicated in 80 % of the non-sexual dual relationships.

In relation to non-custodial staff members, McIlwain's (2004) doctoral research on professional misconduct involving officers and prisoners in the Australian state of Queensland examined 68 investigation files held by (what was then known as) the Criminal Justice Commission (later the Crime and Misconduct Commission [CMC]), a state anti-corruption body. These 68 files related to the period 1998–2002; among them were 18 cases of “inappropriate behavior” (26 % of all cases), subdivided into inappropriate treatment (5), inappropriate behaviour (general) (2), sexual relationship (8) and inappropriate relationship (3).

The Queensland CMC later conducted a study of custodial officer perceptions of misconduct in correctional institutions in that state (CMC 2009). One of the challenges in counting inappropriate relationships as a category is the fact that, although their formation and subsistence in and of itself constitutes a form of misconduct, as noted by the NSW ICAC (ICAC 2004), these relationships are often the *contexts for a variety of other kinds of misconduct*; in other words, they are incidents of the relationship in action. In these circumstances, the focus can sometimes be more on the “substantive” act of corruption—for example, bringing in contraband—than the “incidental” relationship that facilitated the smuggling of contraband. The issue of contraband is dealt with in detail in Chap. 4.

The CMC survey reported on 30 examples of misconduct in correctional settings. The focus was on those types of misconduct that were reported by custodial staff as occurring at least “sometimes.” Many of the examples listed by this survey could fit readily within the context of inappropriate relationships. Although there is one category, “unethical relationship,” that was recognised as occurring at least sometimes by at least a quarter of those surveyed, “disclosure of confidential information” (up to 40 %), “smuggling drugs,” “bringing in contraband,” “sex during work time,” and “unauthorised supply of medication” (CMC 2009: 16) were also found to be significant. In relation to these categories, it is generally reasonable to infer that these other kinds of misconduct occurred in the context of an inappropriate relationship.

Given the lack of clarity noted earlier around the boundaries between appropriate and inappropriate behaviour, as well as the competing and/or conflicting roles that correctional staff can be called on or choose to play, it is quite likely that the recorded cases for inappropriate conduct and inappropriate relationships in particular represent the small tip of a potentially very large iceberg. This conclusion is supported anecdotally by the autobiographical accounts of several former COs, as well as ex-prisoners (e.g., Fraser 2010).

3 Main Drivers

As noted earlier, the literature largely converges on two motivations on the part of officers as well as prisoners: *sexual/emotional* and *economic*. In many instances, there is an overlap between the two; for example, where an officer exchanges contraband for sexual favours from the prisoner. As well as considering the opportunities sought and exploited for sexual or material gratification, we must also examine those normative factors operating within correctional settings that encourage officers to (try to) justify, excuse or acquiesce in the formation and maintenance of inappropriate relationships.

Prisoner-Related Factors

The “pains” or deprivations of imprisonment are well-documented (Sykes 1958). The desire for additional or different goods (e.g., foodstuffs, cigarettes, drugs) not provided by the correctional setting or provided in insufficient quantities can motivate prisoners to seek out correctional staff to assist them in meeting these demands. Access to such goods signifies power within the prisoner community, and enables the meeting of personal needs and requirements. Those prisoners seeking to benefit from the amelioration of other prisoners’ deprivations may also enlist staff to assist them in this purpose.

Prisoners are known to develop relationships with staff to meet a variety of needs. In order to do so, they need to identify and cultivate

relationships with staff members who they view as likely accomplices. The process of cultivation described here is widely known as “grooming” (Liebling et al. 2011; McAlinden 2012). The idea itself points to staff vulnerability to flattery and seduction at the hands of prisoners to a point where they are willing to compromise their obligations as custodial or non-custodial staff. This practice provides further evidence of how power relations in correctional settings can be contrary to expectations and perverse in their effects (*see also* Faulkner and Regehr 2011). As Worley and colleagues’ study (Worley et al. 2003) points out, for some prisoners, seeking out staff for relationships is an important and deliberate activity, often following a *step by step process*. Information provided to prisoners by staff members can provide an entrée into deeper conversations and the formation of relationships. Disclosures by officers to prisoners of crises or unhappiness in their personal lives are widely acknowledged as common thresholds or tipping points in the deepening of inappropriate relationships. The “slippery-slope” metaphor is used by many scholars and observers to describe the process whereby grooming takes place and the deepening level of compromise of staff who are implicated (e.g., Jones 2013).

In one small study ($n = 32$) of prisoners who admitted to manipulating prison staff, it was found that prisoners were “much more likely than staff members to initiate inappropriate relationships” (Worley et al. 2003: 192). This finding provides telling confirmation of the complex nature of correctional-based relationships in which prisoners can sometimes wield considerable power over individual staff members. Worley et al. (2003) describe three categories of “turners,” or prisoners who initiated relationships with prison staff. These were: (1) heart-breakers, (2) exploiters and (3) hell-raisers. Fifty per cent were classified as *exploiters*; their friendship and/or sexual favours primarily related to their desire for contraband (*see also* Chap. 4 of this book), but occasionally were undertaken principally for fun or excitement. This finding suggests the strong weight of material considerations in motivating many prisoners to form inappropriate relationships with staff.

One senior US correctional psychologist has argued, however, that the motivation for many prisoners is to achieve a “sense of dominion over others and absolute control over his or her environment” (Elliott 2006: 45). This

may or may not relate directly to material considerations, though it is clear that prisoners with access to various valued goods in the prison economy have greater situational power than prisoners who do not have similar access. The relative ability of prisoners, compared with many correctional staff, to engage in manipulative behaviour can be understood partly in terms of the amount of time they have to think about and practise these behaviours, and in relation to how much is at stake for them if they can successfully do so. Prison, it has been noted, “socializes inmates to *hyper-calculative behavior*” [emphasis added] by setting the stakes high. “A smart move can takes years off one’s sentence, secure better access to resources, prevent one from being raped or otherwise humiliated” (Kaminski 2004: 183).

Staff-Related Factors

In many instances, the motivations on the part of staff are not very different from those prompting prisoners to seek out relationships with staff members. Prison supervisors and managers need to better understand the structural, situational and existential features of staff members’ lives that render them vulnerable to forming these relationships. In addition to the familiar drives of need, greed and love, we need to attend to the features of the work environment and how employees view their identity in the workplace. Feelings of being isolated at work, and situational factors such as type and location of job postings, and limited availability of monitoring and debriefing, can lead to higher incidences of inappropriate relationships (Jones 2013).

The increased *feminisation of correctional work* in recent decades is a relevant consideration here. As women have taken up more custodial roles, especially involving the supervision of male prisoners, the opportunities for romantic and sexual relationships have expanded. In many correctional systems, women now constitute a quarter or more of custodial staff, whereas prison populations commonly have 10 % or fewer women. Inevitably, this means that prisoners are more likely to interact with female officers than they had previously (community corrections, health and educational staff have always been predominantly female by comparison).

This change in the workforce has been linked by several observers to an apparent increase in the level of female officer/male prisoner relationships of an intimate and/or sexual nature (*see* Jones 2013; Faulkner and Regehr 2011). There are certainly many stories in the press in the USA, UK and elsewhere, describing cases in which female prison officers, often middle-aged and recently divorced or separated, have entered into sexual relationships with often much-younger male prisoners, resulting in a range of breaches of prison rules and security.

The factors that drive female COs to form relationships with male prisoners, which in turn make them vulnerable to corruption, remain a significant and under-researched topic. There is a limited literature on *hybristophilia*: “a fixation on a partner with a history of such crimes as rapes, murder or armed robbery” (Money 2008: 32). Clearly, many women are drawn to men behind bars, for various reasons. As well as the celebrity attached to some male prisoners, there is an issue of control that women can exercise because the men are under lock and key, and highly dependent on others. Meeting emotional, rather than material, need is the objective in many instances, reflecting desires for attachment and emotional closeness (Faulkner and Regehr 2011), or for recognition (CPNI 2013).

In many reports, female officers who have been found to have become involved in such relationships admit to loneliness in their personal lives. In their Texas study, Marquart et al. (2001: 900) found “no evidence that female employees used sex as a mechanism . . . to exploit inmates for personal gain.” Instead, the overwhelming majority (75 %) of cases of female officers disciplined for inappropriate relationships were classified by Marquart and his colleagues (Marquart et al. 2001: 901) as involving lovesickness.” Additional material (mainly press reports) from other jurisdictions provides some corroboration for this proposition. In these reports, female staff members who had been disciplined were reported as having sought romance, and had hopes of a permanent relationship. In a major corruption scandal at the Baltimore City Detention Center, in Baltimore, Maryland, it was established that one male prisoner, Tavon White, in addition to impregnating four female guards in the one facility, had provided gifts of diamond rings and luxury cars to those female officers with whom he had conducted liaisons (Zoukis 2015).

Although it is mostly female custodial officers who get involved in these types of relationships, there are also many reported instances of female non-custodial staff (e.g., psychologists, counsellors, nurses teachers) also forming relationships (McIlwain 2004; Faulkner and Regehr 2011). The formation of this kind of relationship can also be facilitated by a female officer sensing that she does not belong to the male-dominated staff culture in the workplace. A failure by management to recognise this and to deal with sexual harassment issues in the workplace was observed in one study (Faulkner and Regehr 2011).

Male COs are not immune to romance with prisoners. However, typically it seems that the motives are more mixed. Romance, as well as sex, appears to motivate some male officers to form relationships. There are cases in a number of jurisdictions in which male officers have subsequently lived with or married the female prisoner with whom they have had a sexual relationship while in prison (Marquart et al. 2001: 904). As in inappropriate relationships in general, the relationships formed “often involve [...] a mixture of situations, behaviors, emotions, needs, and human desires” (Marquart et al. 2001: 904).

The intensity and variability of human relationships in correctional settings renders simple prescriptions by way of regulation or prevention quite difficult. Although there are limits to how much one can regulate adult consensual relationships (including rights to a private life), there is also need for greater awareness at all levels of correctional settings of the needs and vulnerabilities that officers bring to work, so that appropriate risk management can occur. Rules should clearly express the proscriptions applicable to such relationships and provide clear rationales for limitations imposed (Simonian and Smith 2006).

Inappropriate relationships can arise from financial distress, as well as from greed (CPNI 2013). In some US studies, the low pay scale for correctional staff is mentioned as providing a real temptation to get involved in inappropriate relationships where contraband is involved. Greed can be prompted by unparalleled access to extra income-earning opportunities. The opportunities around drug trafficking, mentioned earlier, mean that staff seeking to make extra income are well-placed to do so. Worley et al. (2003: 188) cite one prisoner pointing out that cocaine trafficked into prison went up 50 times its street price once it got inside the facility.

Podmore (2012: 166–169) quotes at length a prisoner describing how some prison officers were eager to facilitate trafficking, approaching prisoners to see if they could bring contraband into the prison in exchange for cash. This theme is discussed in greater detail in Chap. 4.

Workplace-based grievances of various kinds can sometimes lead employees to seek to “set the ledger straight” by using their position in some way for personal enrichment (Sabau 2013; Australian Institute of Criminology and Pricewaterhouse Coopers 2003), as well as for revenge and recognition (CPNI 2013). When employees feel undervalued financially, regard their employment situation as uncertain and feel unsupported by management, studies confirm it is much easier for employees to drift into various forms of misconduct (Eklin 2015). Subjective perceptions that they are not being dealt with fairly by their employer—in essence, feelings of *organisational injustice*—provide a foundation for rationalisations of different kinds of misconduct (Lambert et al. 2007; Griffin and Hepburn 2005). A recent UK study of “insider threats” found that whereas revenge only featured as a primary motive in 6 % of cases, “general disaffection with the employing organization” was a “contributing factor in many of the [other] cases” (CPNI 2013: np).

In one Australian example, a prison officer who later engaged in corrupt as well as criminal behaviour after forming links with members of an outlaw motorcycle gang, reportedly had felt abandoned and mistreated by his correctional colleagues and employer after being badly assaulted in his work as a custodial officer. His subsequent formation of relationships with and association with criminals outside led to his involvement in corrupt activities related to the performance of his custodial duties (informal communication, former prison officer 2015).

The “Slippery-Slope” Phenomenon

As in the case of the previous example, a “slippery-slope” process, suggesting movement from boundary crossings to boundary violations, or a slide from “appropriate” to “inappropriate” relationships, is well-supported in the literature (Marquart et al. 2001: 901; McIlwain 2004). McIlwain’s Queensland-based study provides support for the slippery-slope thesis, concluding that

“relationships that develop inappropriately eventually become sexualised or alternatively are not considered serious enough before they reach the stage of becoming sexual” (McIlwain 2004: 118). She offers the term “soft capture” to refer to the combination of circumstances that result in the compromise of staff authority, being, firstly, the commission of minor breaches often for altruistic motives and, secondly, the failure of the workplace culture in which these interactions occur to detect and take appropriate action to check such behaviours (McIlwain 2004: 258). Similar accounts have also been reported in US and Canadian studies (Jones 2013; Faulkner and Regehr 2011).

Early detection of these kinds of trajectories is important in order to minimise the potential for more serious and damaging forms of misconduct to emerge. As officer/prisoner relationships deepen emotionally and/or financially, the mutual dependence is strengthened, enabling the manipulating party (in many instances, as we have noted, the prisoner) to leverage his or her position in order to achieve various goals, including movement of contraband into the prison or extraction of confidential information. One barrier to effective early interventions is a general reluctance among COs to acknowledge, discuss or raise this issue (Jones 2013). As with other highly masculinised environments, admitting to personal fallibility in relation to dealings at work is infrequent and counter to the organisational culture.

The Settings for Inappropriate Relationships

Certain places and spaces within correctional environments pose additional risks in terms of the formation and conduct of inappropriate relationships. These settings are primarily physical, although, as discussed briefly below, social media also provides another setting that can be significant in the emergence and maintenance of relationships.

For the purposes of conducting inappropriate relationships, rooms within the facility that have restricted access (e.g., teaching rooms, libraries, storage areas) provide discreet environments where sexual liaisons or contraband exchanges can be conducted (Marquart et al. 2001: 902). Heightened risk is also associated with the particular job responsibilities and workplace location

of officers. Prison officers working alone, often in relatively remote locations where there is little or no prospect of surveillance by fellow officers, are particularly at risk of developing these relationships and engaging in proscribed conduct (Jones 2013). Prisoners with particular responsibilities in the prison work system that provide legitimate access to these areas (e.g., cleaners) are well-placed to initiate contacts with staff members (Worley et al. 2003).

The following personal anecdote was provided to the first two authors by a prisoner. As well as confirming the opportunities associated with particular work positions in prison, it reveals a level of staff cooperation in facilitating inappropriate relationships between an officer and a prisoner:

In this division, I was a cleaner. This was the [mid 1990s] Everybody left here in the morning ... and there would only be me and the one officer. ... She had another female officer that was assisting [our] relationship. ... And if it looked like anyone was coming around she'd just press the intercom and go, "Got time for a cuppa". And we knew somebody was on their way [back to the wing].So if anyone came in we were dressed, we weren't naked, and I was cleaning or doing something.

Natural and/or artificial surveillance provide sources of deterrence from the formation and conduct of inappropriate relationships in correctional settings (Wortley 2002: 109). In an era of closed-circuit television (CCTV), it seems probable that the numbers of places within prisons not subject to regular surveillance have declined compared with a few decades ago. However, those familiar with these environments will, if motivated to do so, work out those "blind spots" where the risk of discovery of unauthorised activities is considerably reduced. This means that artificial surveillance needs to be supported by natural surveillance, both in the form of architectural changes and human oversight.

Social Media

Increasingly, relationships are being formed through the Internet. Social media such as Facebook enables friends to communicate online. At the

same time, it provides a platform for strangers to identify and learn about persons working in areas such as corrections. The information found online can facilitate encounters online or in real life. Although most prisoners will not have access to such sites while held in custodial facilities, correctional staff members have a presence on these sites, exposing them to the risk of being contacted or befriended by associates of prisoners. This may in turn leave the officer open to manipulation (“grooming”) for the purposes of facilitating communication with, or transfer of goods to, prisoners. From a supervisory perspective, in most instances the conduct of relationships online makes them difficult for employers to monitor. As with any other apparently covert or discreet places, the opportunity for inappropriate conduct through the use of social media increases.

In one recent UK case, a prison officer, Nathan Singh, was “friended” on Facebook by a number of former and current prisoners from the prison where he worked. Although it would appear that no improper advantage had been taken by prisoners or ex-prisoners from this online “friendship,” the officer was disciplined and dismissed for gross misconduct, having acted contrary to prison rules that prohibited associations with past and present inmates (Goldsmith 2015). It was only because he was being investigated for another matter that his use of Facebook in this way came to light. Having clear social media policies for correctional staff is important for a variety of purposes, including reducing exposure to potential corruption risks through being publicly identified and targeted for “grooming” by associates of prisoners.

Private Prisons and Public Expenditure Cutbacks

Any correctional setting, public or private, in which there is minimal staff training, supervision and support in how to recognise and prevent the formation of inappropriate relationships poses a greater integrity risk. Where privatisation or public austerity measures result in reduced salaries, diminished recruitment standards, reduced staffing and collegial support, additional vulnerabilities from these relationships should be anticipated (*see* Eklin 2015). This point has recently been raised in the UK context by a retired prison governor (Podmore 2012). Any decrease in condi-

tions supporting the professionalisation of correctional staff (e.g., reduced job security, high turnover, absent or ineffective integrity training) may potentially undermine the ability of some officers in those prisons to anticipate and counter attempts to manipulate them through the formation of inappropriate relationships.

4 Tackling Inappropriate Relationships

The clearest message to be drawn from the various empirical studies in this area is the importance of *establishing clear definitions of what is inappropriate*. McIlwain (2004: 16) found from her Australian survey of non-custodial staff misconduct cases that “there [was] no clear delineation between what is considered inappropriate or appropriate.” She offers the observation made by several prominent white-collar crime scholars that the incidence of proscribed behaviours in the workplace tends to increase if there is a lack of explicit, succinct guidance on what constitutes corruption or official misconduct. Standards and training in this area need to be conscious of the “slippery-slope” phenomenon.

A better understanding of the principles behind correctional integrity can, and should, set the scene for standards development and training, but vague general policies need to be avoided. In the findings of the Victorian Ombudsman’s review of the death of Carl Williams at HM Barwon Prison, the Ombudsman noted a failure by staff to build rapport with prisoners. Many officers were casually employed and had been recruited with no prior correctional experience. Despite a policy instructing employees to “maintain appropriate professional boundaries,” the Ombudsman found “uncertainty among prison officers regarding what constitutes appropriate “rapport” with prisoners” (Victorian Ombudsman 2012: 117). The report called for ongoing specialist training in order to establish officer competence in building and maintaining appropriate relationships.

Finding the right approach here is by no means easy. The Ombudsman’s report shows how *insufficient familiarity* with prisoners, as well as too much familiarity, can give rise to inappropriate relationships and dealings with prisoners. Crewe (2011b: 517) reports on prisoners who complain

that the psychological services they received were too narrow, resulting in limited “opportunities to explore personal issues outside the boundaries of institutional power.” The implication here is that psychologists and other non-custodial professions, as well as officers, need to find ways of engaging with clients that reflect client needs, but that also preserve sufficient boundaries between themselves and clients.

As noted in the previous section, once explicit guidelines are in place, attention can then turn to *training and supervision* of staff, as well as ensuring enforcement of behavioural standards among staff. More will be said in Chap. 9 regarding enforcement and the problem of staff recognising and responding to breaches of various kinds, including the formation and conduct of inappropriate relationships. In order to intervene or report an officer, prison management and supervisors must ensure that staff can recognise these behaviours, and that, once a matter is drawn to their attention, commensurate action is taken to reduce its incidence and harms arising from it (*see Elliott 2006*). That action may take one or more forms, including counselling, staff movements (i.e., rotation to other posts), formal performance monitoring, disciplinary action and, in serious cases, dismissal.

One of the problems noted earlier, namely officer reluctance to speak about or support each other in relation to interactions with clients in which they felt they were being manipulated, needs to be addressed, in part through awareness of the common challenges officers face in this regard. Other suggestions for dealing with this issue are discussed in Chap. 8. An integrity-promoting perspective, as advocated in this book, would prioritise clear standard-setting, training, monitoring and counselling as necessary and outline logical prior steps before relying on formal performance evaluation and disciplinary procedures.

The threat from pre-existing relationships—when an officer and a client who are known to each other are located in the same setting—points to the importance of thorough background checks and vetting at the recruitment and selection stages (*see CPNI 2013*). Ongoing vetting during the course of an officer’s career is also necessary to counter the deliberate targeting of officers by outsiders and to detect those officers who, for various reasons (greed, financial problems, workplace disaffection, etc.), “go bad” by forming relationships with members of organised

crime groups (CPNI 2013; IBAC 2015). The risks arising from inappropriate exogenous relationships is a matter requiring close attention, through specific training in how to identify and deal with these risks, requirements on officers to declare potentially improper associations and management audits of officer personal social media pages.

5 Conclusion

Inappropriate relationships present a myriad of challenges for correctional integrity. It is clear that in addition to the timeless foibles of human beings in proximity to each other, there are structural, cultural and climate factors that influence the frequency, forms and harms from these relationships. Although many relationships of concern are endogenous in nature, the heightened linkages between life inside and outside the prison walls (through new communication devices [e.g., mobile phones] as well as the churn of clients) means that efforts to alleviate the pains of imprisonment will likely involve officers forming improper relationships with outsiders as well as insiders (the clients). It is difficult to dismiss the prospect that the influence of organised crime will put pressures not only on officers to cooperate in illicit activities, but also on recruitment and selection through sponsoring individuals to join the correctional services who later can provide information and facilitate trafficking.

At the level of structures, the key challenge lies in establishing a clear understanding of what constitutes inappropriate relationships before the problem can be addressed, either through prevention (selection, training, supervision) or remediation (discipline, performance management). We have argued that these relationships can arise in both endogenous and exogenous forms. The latter are more difficult to monitor by prison management because they are typically less visible. In the workplace, the simultaneous pursuit of security and welfare objectives inevitably makes the setting of the bright lines (boundaries) between what is acceptable, and what is not, challenging. Part of developing an effective response lies in identifying what the harms are, grasping how the dynamics of correctional environments contribute to their formation and how they frustrate

efforts to regulate them. Engaging officers in these deliberations as part of devising rules in this area is sensible.

Culturally, ongoing supervision and monitoring of all staff to enhance awareness and support strategies for managing risk are necessary. Risk assessment of particular settings that considers working arrangements as well as physical features of the correctional setting can help to identify circumstances likely to give rise to opportunities and enable mitigation strategies to be put in place. However, this type of situational analysis needs to complement, rather than replace, training and supervision arrangements. As noted, effective measures to identify potentially problematic pre-existing relationships of officers and new recruits are also crucial.

4

Trafficking

1 Introduction

On 6 June 2015, two convicted murderers escaped from Clinton Correctional Facility in Dannemora, located in upstate New York. They were on the run for 3 weeks until one was shot dead and the other wounded and recaptured. One male prison guard (Gene Palmer, age 57) and one female prison worker (Joyce Mitchell, age 51, of civilian status) were charged with aiding and abetting their escape, and a further 11 officers were suspended from duty pending further investigation. A new superintendent was appointed to the facility with the specific remit of enhancing security. It was quickly determined that Mitchell (as mentioned in Chap. 3), while stationed in the tailor shop, had smuggled hacksaw blades into the prison inside “raw meat” (NBC News 2015). It has been established that her plan was to meet up with the men immediately following their escape. Palmer reputedly turned a blind eye to contraband provided to the pair of escapees and had been receiving goods (paintings) from them. It is alleged that he supplied tools to the pair in the form of a screwdriver and pliers, and in return the escapees fed the guard “intelligence” about

other prisoners' misdeeds and/or emerging issues apt to unsettle or spark violence within the prison. Legal documents suggest Palmer had developed a "complicated and mutually beneficial relationship with the two escapees" (Tangel and King 2015). The items supplied to the prisoners enabled them to make their way into the bowels of the prison infrastructure and to freedom through underground piping (somewhat reminiscent of the scene in *Shawshank Redemption*).

Mitchell was sentenced to 7 years' imprisonment for her involvement in these events (at the time of this writing, Palmer was still on trial). This situation illustrates in graphic fashion how inappropriate relationships can open the way to (further) corrupt conduct (trafficking contraband), which in turn can spill over into real threats to public safety. Precisely what makes guards turn to trafficking (or facilitating such) is a complex question. But some clue to Palmer's actions probably resides in comments he made, coincidentally (if not prophetically), to a radio station a decade prior to his arrest. In the context of trying to communicate to the audience what it was like to work as a prison officer, he remarked, "With the money they pay you'll go bald, you'll have high blood pressure, you'll become an alcoholic, you'll divorce and then you'll kill yourself." He described Clinton Correctional Facility at that time as a "negative" place (Demola 2015). This sentiment neatly fits with our view that corruption is as much an environmentally structured event as an individually chosen activity—a theme we return to throughout the book.

2 What Is Trafficking?

Trafficking, according to the Oxford dictionary, is "to deal or trade in something illegal." Perhaps with the exception of non-prescription drugs (heroin, methamphetamine, etc.), in the correctional context (especially, in custodial facilities), this definition does not quite pass muster. Alcohol, cigarettes, paint, glue, radios, mobile phones, knives, food, cash, prescription medicines and photographs (especially pornographic images) are all examples of *licit* commodities that are very likely to be considered *illicit* in most prison environments. Indeed, their passage into prisons can cause real threats to prisoner and staff well-being

alike (as evidenced above). In our work, trafficking is commensurate with *the movement of items deemed prohibited by correctional authorities into correctional settings*. This definition places no restriction on the range of actors involved in the contraband trade, and permits examination of custodial and community milieus—although the main focal point of this chapter is prisons.

Most jurisdictions have rules and procedures for detecting “unauthorised articles” in custodial environments, as well as sanctions for those found to (knowingly) introduce prohibited items within such contexts and/or who turn a blind eye to their occurrence. Prisoners can expect a loss of privileges (e.g., visits, TV and yard time), placement in a stricter security rating and/or time in segregation for such transgressions. Correctional staff can expect to be put on probation and/or to face suspension or dismissal from their place of employ. In SA, any person (including officers) can be sentenced to up to 5 years imprisonment for “deliver[ing] to a prisoner, or introduc[ing] into a correctional institution without the permission of the [Chief Executive], any item prohibited by the regulations” (Correctional Services Act 1982, s51).

But while staff can be prosecuted and punished, few facilities consistently and rigorously search and/or drug test those who work in custodial environments. By contrast, the procedures for stopping and searching *visitors* wishing to enter custodial facilities tend to be far more extensive and more frequently operationalised. This tilting of the detection and enforcement ledger towards visitors (e.g., families of prisoners at visit time) is an issue we will return to later in this chapter, and in the concluding section of the book. At the very least, the situation should lead us to question the assumptions made by law-makers, correctional authorities and others about the nature of contraband trafficking in prisons.

The extent to which COs may be involved in trafficking of contraband is a difficult question to answer. But to more fully comprehend the relationship between contraband and possible corruption of staff, it is essential first to understand the following three dimensions: (1) the types of contraband trafficked into prisons and how this occurs, (2) the quantities trafficked and (3) the consequences of such trafficking for the security and operation of custodial facilities and those working in them.

Methods of Trafficking and Types of Contraband

The *Los Angeles Times* recently reported that arrests by the Federal Bureau of Investigation (FBI) of federal prison officers for corruption—primarily for trafficking contraband—have increased nearly 90 % over the last decade (Vaughn 2011). There is no single method for trafficking items into prison, with techniques tending to be influenced by the security level of the facility. Generally speaking, lower security prisons exhibit a heavier reliance on visitors as “mules” for various goods (food, drugs, alcohol, etc.) since surveillance and the probability of being searched is reduced. Goods are typically passed either during contact visits (hand to hand, mouth to mouth, etc.) or, on rarer occasions, given to an officer/overseer of visits by pre-arrangement. One account of the techniques involved runs thus:

An experienced and well-organised smuggler will wrap the drugs in as small a package as possible, sealing them in clingfilm. They may spray the package with perfume to make detection by the drug dog difficult. They will then conceal the package, usually either in underwear or internally in the vagina, rectum or back of the throat. On occasions, drugs will be concealed in babies' clothes or nappies. The visitor must hold their nerve past the drug dogs and the signs detailing the punishment for bringing drugs or other prohibited materials into Her Majesty's Prisons. There may also be copies of local press cuttings giving the length of custodial sentence received by a visitor apprehended at the prison. The visitor must then keep the drugs concealed when being searched on arrival at the visit. After passing through the search and going into the visits area, the visitor must retrieve the package and pass it to the prisoner without being observed by CCTV or prison officers supervising the visits hall. The retrieval is easier if there are toilets within the visits area. Drugs are normally passed either mouth to mouth by kissing, or in food and drink purchased in the visits hall. The prisoner must then conceal the drugs, usually internally, to avoid them being detected on a post-visit search. Once again, prison staff may be monitoring the visits holding area. (Penfold et al. 2005: 15–16)

In higher-security prisons, corrupt correctional staff are just as likely as visitors to deliver prohibited items. Very little, however, is known

about the precise ways in which contraband finds its way into custodial facilities. As Chambers (2010: 21) remarks with regard to the UK, “Apart from [one study], there has been no other attempt to examine different smuggling routes.” Very similar situations exist in relation to Australia, NZ and the USA.

Beyond media coverage, only a handful of scholarly articles and official reports deal directly with the question of *how* contraband gets into prisons. Nearly two decades ago, Stevens (1997) surveyed 401 prisoners across two facilities in North Carolina. The facilities were of the same security level, but were known to have very different approaches to managing prisoners—one was heavily compliance-oriented, the other adopted more of a therapeutic approach. In that study, “of 49 convicted drug traffickers, 69 % (34) selected correctional staff as the best choice of individuals who could safely bring drugs into prison” (Stevens 1997: 24). Across the total sample, when asked to choose between the categories “staff” (presumably, social workers, psychologists, doctors, etc.), “officers,” “family,” “mail,” “inmate,” “visitor,” “delivery personnel,” or “brass” (prison management), *staff, officers and family* were perceived as most likely to *successfully* courier drugs into prison. Importantly, mail was a far more frequently chosen means by prisoners from facility A, the less restrictive regime in terms of searches, shakedowns and the like. In facility B, officers and staff were more likely to be approached since other options, such as the prisoner mail service or visit room, were known “no go zones.” The mail route has long been held out as a route for contraband. Particular types of mail—chiefly, from legal representatives—are generally not opened by prison authorities (not, at least, without the specific permission of the prison governor). This has been known to create a possible weak point in the line dividing prisons from those who wish to move goods through its perimeter. Contraband has been hidden “under stamps and envelope flaps, in the barrels of felt tip pens, between the pages of magazines, in the tongues or soles of trainers, and in electrical goods and clothing sent in by post” (Penfold et al. 2005: 17).

Chambers (2010) cites data from a Home Office study of prison drug markets (Penfold et al. 2005) that surveyed three categories of prison users (“prisoners,” “ex-prisoners,” and “prison staff”) about contraband

supply routes. The 158 respondents all ranked “social visits” as the most common way drugs get into prisons (Chambers 2010: 13). This was followed by the categories “mail,” “new receptions” and “prison staff.” There is certainly some evidence in the Australian context of new receptions being used to supply contraband (particularly drugs). Most commonly, drugs will have been secreted or ingested at or just before being admitted to custody. Following the admissions process, these “new” prisoners are often discreetly approached by “senior”/long-term prisoners who will look to obtain all or at least some of the drugs carried by new arrivals. It is also not uncommon for new receptions to be asked which group or gang they will run with: in practical terms, this often means becoming ensconced in the networks responsible for running and distributing contraband (personal communication, various custodial facilities). The Home Office study also found that respondents rated “Over perimeter wall/fence” as a prominent means for getting contraband into prisons, with “reception after court visits” being the least cited response. Most tellingly, prison staff *themselves* nominated the category “prison staff” more often than prisoners and ex-prisoners, suggesting some underestimation by prisoners of the reach of the contraband trade involving officers.

In a separate (much larger) survey carried out by UK’s Policy Exchange ($n = >1000$ prisoners, personal communication from study author), the following question was posed: What do you think is the main way that drugs get into prisons? Remarkably, “without even specifying [prison officers or staff as optional responses], 23 % of prisoners wrote that prison officers or other staff were the main supply route for illegal drugs” (Chambers 2010: 13). Presumably this figure would be much higher had these supply route options been given in the survey instrument. Responses concerning known supply routes are very likely to vary in accordance with the type of contraband trafficked and the frequency with which it is trafficked. It seems clear, though, that *medium to longer-term trafficking activities are likely to require the conscious co-operation of at least one or a number of prison officers and/or staff*. This is because “the amount of drugs that visitors are able to bring into a prison is very small [and] attempts are usually small-scale and ham-fisted” (Chambers 2010: 24). The following excerpt

from a prisoner serving time in Australia, illustrates the chain of people (beyond the sole visitor) needed to trade in large quantities of contraband:

Within a week of being in the prison, I thought, "... How easy is this? This is not prison." ... And the guy that was next to me, he was an older long term prisoner. He said to me, he goes, "Can you get drugs on the outside, like pot and things?" and I said, "Yep," and he said, "Well, do you get visits?" and I said, "Yep," and he said, "Well, can your visitor bring it in?" I said, "Yep," and before long I was bringing drugs and alcohol into the prison.

How much could you bring in in a week or a visit? ...

Oh, a half an ounce [of marijuana]. ... [And a] bottle of Johnnie Walker [Scotch Whiskey].

A bottle of Johnnie Walker? You could get ... a physical bottle of Johnnie Walker into [name of prison] through visits [and] through guards turning a blind eye or giving the guards kickbacks?

[Yes]. As the visitor would ... come into the prison she would drop it off near a tree and then later on that day one of the grounds workers would dig it up and he'd take it to another spot and then someone in that spot would pick it up and take it to another spot. ...

So you had all this kind of worked out? ... And people [would] get a little bit of a kickback?

They would get a kickback. (GTP project, male prisoner 1)

In his study of the heroin trade in UK prisons, Crewe (2005: 465, emphasis added) observes, "The most popular routes are through *corrupted staff*, from friends and family during visits or in letters and over a prison's perimeter wall." Podmore (2012: 164–170) notes the key role prison staff play in trafficking contraband and outlines the processes used by prisoners to "groom" officers. Chambers (2010: 22) finds that the majority of prisoners procure drugs from other prisoners, "implying that a small number of individuals within prisons have access to large amounts of drugs—smuggled in for them to sell to inmates."

Just as routes into prison vary, so do methods. In Baltimore, for example, COs allegedly hid drugs and other contraband beneath clothing and inside body cavities when they entered the prison. Officers also smuggled items in their shoes or in sandwiches brought into the prison. Black

Guerrilla Family leaders used contraband cell phones to order drugs and other contraband and to coordinate gang activities (Federal Bureau of Investigation (FBI). 2013b). Several years ago, two prison officers in NZ smuggled “a controlled drug, tobacco, food and a mobile phone” into two remand facilities using “plastic bags, food containers and ice-cream containers” (New Zealand Herald (NZH) 2010: 1). Others have been found to try more direct means to get drugs into prisons. In 2009, for instance, a man asked to visit a prisoner in an Auckland facility. He was searched prior to entry and found to be carrying “50,000 doses of ... LSD, worth up to \$2.5 million” (New Zealand Herald (NZH) 2009: 1). In the same year, a toy helicopter was suspected of being used to fly drugs into Elmley Prison in Kent (Daily Mail 2009). Late in 2013, four men were arrested for using a remote controlled helicopter in an attempt to smuggle tobacco and mobile phones into Calhoun prison, Georgia (Johnson 2013). In 2014, a man was caught trying to smuggle drugs into the Melbourne Metropolitan Remand Centre using “a drone quadcopter” (Evershed 2014). Analogous drone scenarios have occurred in Brazil, Canada, Russia and Thailand in recent years.

Third parties also play an important role in the contraband trade. Exogenous tripartite relationships (fleeting or enduring) between prisoners, staff and “outsiders” appear most effective here. One prisoner, from the UK, spoke to this situation: “I asked her [the prison officer] to get tobacco from my missus. [S]he said she’d get me some herself but I convinced her to pick it up from my wife. She met my wife in a pub, and my wife left the stuff in the toilet. The officer collected it and brought it in for me. It had cannabis in it, the officer must have known” (Penfold et al. 2005: 18). More evidence of prison officers acting as “go-betweens” for prisoners and their community-based accomplices comes from the USA.

Officer Brian Hawk, 33, a nine year veteran of the Division of Corrections ... faces charges of attempting to deliver cellphones and tobacco to an inmate. ... The case began as alert investigative officers at WCI [Western Correctional Institution] noticed irregularities surrounding the activities of a particular inmate. The subsequent investigation revealed an alleged scheme involving the inmate, a correctional officer and a citizen on the outside. Early [one] morning, officers intercepted what they believe[d] to

be a delivery of two cell phones with chargers, tobacco and \$1000 cash to a WCI correctional officer. The citizen that was carrying these items, confessed to being in the process of making the delivery to Hawk, a delivery that law enforcement officers witnessed a few minutes later near the prison. Officers confiscated the items from the correctional officer as he arrived at WCI and placed him under arrest. (ABC2 2011)

Moving items is one part of the contraband puzzle; another concern is how to keep items hidden once inside the prison. In the US context, Burke and Owen (2010: 12) note that “authorities have found devices hidden under mattresses; concealed by wrist watches; and contained inside body cavities, rice and cereal containers, false bottoms of boxes, hollowed-out books, toilets, televisions, radios, light fixtures, portable fans, socks, and duffle bags.” Prison libraries—where they exist—can also play an important part in the concealment and distribution of goods, with prisoners developing a complex but efficient means for delivering contraband to one another through the checking in and out of various books, magazines and like. Coded messages left on library fixtures and fittings can also alert prisoners to the “when and where” of contraband (Bouchard and Winnicki 2000).

Frequency and Volume of Contraband Trafficked

There is no reliable baseline data on the precise quantum of contraband trafficked annually into prisons nationally or internationally. One estimate puts the value of the UK prison drug trade at £100 million per year, with an average of seven corrupt officers at each prison facility involved (*see* Macaulay 2011; Chambers 2010: 26). On the other hand, and in the Australian context, the *National Corrections Drug Strategy 2006–2009* (2008) makes no attempt to quantify the prevalence of drug misuse in prison, focusing instead on a brief overview of drug use by prisoners *prior* to their incarceration. Podmore (2012: 159–162) specifically notes the reluctance of correctional departments to collect and/or share data on contraband trafficking.

Publicly available data on trafficking of mobile phones, cigarettes, prohibited images and the like is at best patchy and at worst non-existent for

particular jurisdictions. Data on the frequency of trafficking (how often it occurs) is even more scant. In 2007, a survey of 413 COs (25 % of all officers) in Queensland showed that around 15 % of those sampled reported having “direct” knowledge of staff bringing contraband into prisons. Around eight percent reported they had direct knowledge of officers smuggling drugs into prisons. Of equal, if not greater, significance to the success of the contraband trade, nearly 30 % of respondents reported knowing of situations where *prisoners were warned of impending searches* (CMC 2009: 20). In a report by the Victorian Ombudsman, just under half of a sample of 32 (female) prisoners surveyed at the Dame Phyllis Frost Centre, responded that they “strongly agreed” or “agreed” with the statement that “it is easy to get hold of drugs in this prison” (Victorian Ombudsman 2008: 15). Beyond these broad indications, one of the few means for gauging the approximate nature and size of the contraband trade is to examine prisoners’ access to and use of illicit drugs. This data is outlined immediately below and is supplemented by statistics on discovery of mobile phones and other contraband in correctional settings.

Drug Use

The Health of Australia’s Prisoners 2012 report showed that 13 % of 310 randomly chosen prison discharges from ACT, NSW, QLD and TAS, reported using illicit drugs “while in prison.” Further, just over half of that group said they had injected drugs while incarcerated (AIHW 2013: 79). The Australian Institute of Health and Welfare (AIHW) also reports that persons injecting drugs in prison had all injected drugs prior to being incarcerated. Similarly, of those using any drug, nearly all had used drugs prior to being locked up. Data obtained under Freedom of Information indicates that 20 % of SA’s prison population “returned a positive drug test” in the financial year 2011/2012 (Holderhead 2013). In the context of a NSW Coronial Inquiry into the death of a prisoner from a heroin overdose at Junee Correctional Centre in May 2011, the Coroner found that “The evidence [from inmates] was compelling and frighteningly frank, namely that illicit substances including heroin, marijuana and the illegally obtained prescription medication buprenorphine

were easily accessible to inmates” (Bibby 2013: 1). During that Inquiry, one prisoner told of having “used heroin 48 times in three years at the prison” (Bibby 2013: 1).

Data relayed in a report prepared for the Australian National Council on Drugs (ANCD) shows the presence of a wide range of illicit drugs in all Australian correctional jurisdictions. Around one-third of NSW prisoners surveyed reported using cannabis in prison, with one in six reporting use of heroin (Rodas et al. 2011: 15). During 2009, 142 g of “white powder,” 19 g of “green vegetable matter,” 922 “prescription medication” tablets and 126 “syringes” were detected across all Victorian prisons (male and female) (Rodas et al. 2011: 41). This must surely be the tip of a considerably larger iceberg.

Elsewhere, Dolan et al. (2007: 1) cite evidence that around 40 % of UK prisoners report using illicit drugs in prison. In contrast to Australia, 25 % of prisoners who injected drugs (chiefly, heroin) *first* commenced doing so while incarcerated (Dolan et al. 2007: 2). Of 3142 UK prisoners surveyed across 131 prisons, 64 % reported using cannabis, 62 % heroin, 24 % cocaine/crack and 14 % amphetamines *during* their incarceration (Boys et al. 2002: 1554). Belenko and Peugh (2005: 277) show that as at 2002 around 70 % of US prisoners ($n = \text{approx. } 854,000$) in state penitentiaries were in need of some kind of treatment for a drug problem. Although this does not equate to rates of ongoing illicit drug use within custody, it nonetheless gives some sense of *the scale of probable demand for drugs* in prisons.

In line with this demand, there would appear to be no shortage of COs willing to supply drugs to prisoners. In 2010, for instance, 11 COs from Glades Correctional Institution, Florida; two other officers; and three persons found to have been impersonating corrections officers pled guilty to conspiring to traffic “multi-kilo quantities” of cocaine into the state’s prison system (Federal Bureau of Investigation [FBI] 2010b). The amount paid to the defendants for their willingness to assist the drug trade was around USD 145,000 (Federal Bureau of Investigation (FBI) 2010a). In Baltimore, Maryland, in mid-2015, 44 members of the Black Guerilla Family detained in the Baltimore City Detention Center were convicted, along with 24 COs, of smuggling phones, tobacco and drugs into the facility (Jedra 2015).

Mobile Phones

With the exception of illicit drugs, mobile phones appear to be the most sought after item of contraband in the prison context. Phones have a social use for prisoners (to call friends and families), but can also play a more damaging role (maintaining criminal networks, facilitating trafficking of items either into or out of prisons, organising escapes, etc.). The advent of mobile phones—their increasing miniaturisation (and the capacity to store SIM cards separate to the hand unit)—has profoundly changed the game of contraband in custody and, thereby, of opportunities for officers to engage in corrupt conduct. Unlike calls made through the prison phone system, are difficult to monitor, making them a highly prized commodity for prisoners wishing to avoid surveillance of their activities.

Data on prevalence and seizure of phone items is scarce. In SA (the only jurisdiction to report on such seizures to the ANCD), there were 43 interdictions of “mobile phones and related items (SIM cards and chargers)” in 2009. This seemingly small number puts such items at the bottom of the categories of contraband interdicted behind, in order from most to least frequently interdicted, “other prohibited items” ($n = 583$), “drugs/drug paraphernalia” ($n = 484$), “tattooing equipment” ($n = 87$), “homebrews” ($n = 64$) and “homemade weapons” ($n = 54$) (Rodas et al. 2011: 60). But these statistics should not be used to gauge actual *demand* for various categories of contraband. It is fairly common knowledge that the vast majority of prisoners would choose access to a mobile phone over access to tattooing equipment or to alcohol in spite of interdiction results. Further, it is important to realise that just one mobile phone can cause disproportionate harm in terms of calls made to facilitate contraband trafficking, escapes and other disruptions to the good order of the prison.

A submission to the Australian Communications and Media Authority by the Corrective Services Administrators’ Council (CSAC, no date), notes the potential threat that mobile phones pose in all correctional facilities. That submission focused on the case for permitting use of mobile phone jammers (which would involve amending the *Radiocommunications Act* 1992). Between 2003 and 2008, more than “1000 mobile phone-related

items” had been recovered from NSW prisons (CSAC, no date: 4). In the year leading up to the preparation of CSAC report, 19 mobile phones were found in Victoria’s prisons (CSAC, no date: 8). From July 2007 to June 2008, 93 mobile phones were located in Queensland prisons (CSAC no date: 9), and in the 15 months to June 2008, 21 mobile phones and 5 SIM cards were found in the custodial facilities of Tasmania (CSAC, no date: 10).

A major report by Policy Exchange notes that nearly 9000 “mobile phones and SIM cards were seized” in UK prisons during 2008 (Chambers 2010: 6). Illustrating the potential size of a single enterprise, in 2014 UK police seized £100 million of Class A drugs (cocaine and heroin) from a major drug syndicate “masterminded” by a prisoner (eligible for day release) at HMP Kirkham, Lancashire (BBC News 2014b). Prosecutors alleged that mobile phones and SIM cards smuggled into the facility facilitated the running of the operation (Warrington Guardian 2013).

In one of the few papers dedicated to the topic, Burke and Owen (2010: 11) cite data showing that 2800 cell phones “were confiscated” in 2008 from the California correctional system. A further 300 phones were seized in just one Texas prison, “including 18 from death row inmates.” In 2010, the number of phones found in California state prisons was around 10,000 with a unit/contraband price of up to USD \$1000 (Montgomery 2011). One prison officer working in the California correctional system reputedly made around USD 150,000 in a single year through smuggling and selling mobile phones to prisoners (Banks 2011).

Other Items

Illicit drugs and phones are not the only items of contraband smuggled into prisons. Weapons are also highly prized among prisoners and can bring significant money to corrupt officers willing to risk smuggling such items into prison. In September 2014, *USA Today* carried a story regarding the corruption in East Mississippi Correctional Facility in Lauderdale County, Mississippi. A former Secretary of Corrections for Washington State commented, “This is a prison awash in contraband and easily accessible weapons, where severely chaotic conditions of confinement and no

rational, functional way for prisoners to get legitimate issues addressed put all prisoners as well as staff at ongoing risk of serious harm.” It was alleged that “Corruption among staff members is widespread ... [and that] ... [s]taff is involved with gangs, extortion and contraband, smuggling in drugs and weapons in return for payment from prisoners” (Mitchell 2014). In July 2014, five COs from Western Cape in South Africa were arrested for their part in a syndicate responsible for smuggling guns and drugs into a prison (eNCA 2014).

Food, cigarettes and, more occasionally, alcohol, also feature in the mix of items in correctional contexts. In light of the tobacco ban in US facilities (and the intensification of the underground economy in such), cigarettes, in particular, have more recently emerged as a prominent item in the spectrum of smuggled goods (Thompkins 2008). With all Australian prisons due to be smoke-free environments by the end of 2015, this is likely to push tobacco towards the forefront of items susceptible to be trafficked into prisons in each state and territory. But on current evidence, it is clear that illicit drugs and mobile phones constitute the most commonly trafficked items—and certainly present as those most in demand by prisoners. More particularly, phones and illicit drugs appear to be the two most commonly trafficked goods by *correctional staff*.

3 Main Drivers

The main driver of contraband trafficking in custodial facilities is the scarcity of particular goods and services within such environments. Such places deprive prisoners of the right to move freely about, to choose one’s immediate friends and associates, one’s place of residence, one’s capacity to communicate with whomever they wish, what one will and will not eat and drink, even the time one will sleep and awaken. In effect, prisons (jails and the like) deprive prisoners of regular and conventional avenues for the experience of *pleasure*. The contraband trade is very much about trying to alleviate the pains of imprisonment—boredom, pointless routine, psychic anguish and isolation. Understood in this way, it becomes easy to see why drugs and mobile phones are the “go to” trafficked items. Phones have the dual function of helping to alleviate isolation (i.e., they

can be used for the social purpose of keeping in touch with family and friends) and to relieve one's mental and/or physical pain (i.e., they can be used to orchestrate the drug trade). But the contraband trade is not only commensurate with the pleasure economy (Fitzgerald et al. 1999).

As with any market, contraband creates a panoply of creditor/debtor relationships (among suppliers, "middlemen" and consumers), and this in turn fuels the cycle of stand-over tactics, vendettas and violence (including sexual violence, and sometimes lethal violence). The following excerpt was described by a long-term prisoner in an Australian jurisdiction.

[T]here was one particular [prisoner] here who ... majorly controlled the ... heroin scene. He had a lot of clients that he had snivelling [up to him], that he knew were very serious people [who] wouldn't hesitate to stick a knife in you. ... But what he used to do was he would get his runners to go and feed all these new kids [i.e., young prisoners] in the system "smack," right, and then five days later go back to 'em with a bank account number.. And you'd have one hour to get \$500 into this account. Well, [these kids] never had enough to buy a packet of tobacco. Nobody told them that the smack they were being given [meant] that they would have to cough up [money for it]. And what was happening was that... a lot of these kids wouldn't pay. And they were raped, ... because the bloke that was in charge of it all was just fucking mad when it comes to young boys in the system. And he used to get 'em to work it off for a fee and [for] his fucking cronies. ... And I know of at least two of these kids who got out of gaol and committed suicide because of him. (GTP project, male prisoner 2)

As graphically illustrated here, (criminal) debts can create untold problems for the security of particular sections within a prison, and for prisons generally (Crewe 2009; Skarbek 2014). Drugs—particularly crystal methamphetamine (ice)—can turn relatively predictable scenarios into highly volatile situations with prison staff (officers, psychologists, nurses and social workers) often having to bear the brunt of such behaviour (e.g., psychotic episodes) (Department of Health 2015). In what follows, we outline why prisons staff get involved in contraband trafficking and the implications of such behaviour for the good order and security of correctional institutions.

Causes, Facilitators and Motivators for Contraband Trafficking

To understand why correctional staff engage in contraband trafficking requires an understanding of what the prison environment is, and what it is not. Despite official and popular rhetoric prisons are *not* “closed” institutions. The fact that contraband finds its way into even the most “secure” facilities (for instance, ADX Florence, Colorado and USP Marion, Illinois) is proof enough of this (*see* Office of Inspector General 2003: 7). *Prisons are socially embedded institutions*. They are also *porous* places with literally hundreds of movements in and out of their perimeter on a daily basis involving a vast category of “users” (senior managers, officers, visitors, social workers, psychologists, maintenance workers, police, lawyers, chaplains, volunteers, teachers, doctors, nurses and so forth).

In addition to their porous nature, *prisons create the demand for contraband* (Kalinich and Stojkovic 1985: 440). It is hard to imagine an institution more suited to inducing or exacerbating the desire for illicit items such as drugs, weapons, or mobile phones. Prisons are notoriously regimented and monotonous environments, which means prisoners spend much of their time looking for ways to escape the banality of prison life. Drugs are a central and time-honoured means for achieving this. The number one reason prisoners give for consuming illicit drugs while incarcerated is to cope with prison life. As one UK prisoner put it, “I don’t take heroin on the street, but I will take it in ‘ere, because it takes the walls away, the walls just disappear” (Crewe 2005: 463). Another remarked, “I think that if I never had drugs in prison I could never have served my sentence” (Keene 1997: 32). Any jurisdiction concerned with preventing contraband trafficking must acknowledge: (1) the incredibly strong demand for prohibited items and (2) that demand is continuous (“omni-present”).

Where there is an inelastic demand for goods (i.e., a demand that does not waver in the face of all manner of interventions or conditions), there will be people willing to meet the demand through *supply* of items. Demand for and use of drugs beyond correctional contexts cannot be doubted. For example, “Testing at one Melbourne sewage treatment plant on just one day in 2014 showed one in every 20 people had used a hit of

methamphetamine” (Billings 2015). Given that many prisoners import their drug dependencies into custody, this alone fuels the demand for illicit substances. The more restrictive the prison regime—and the more successful it becomes in reducing the means for supplying contraband—the higher the stakes of the supply “game.” In such conditions, officers can make more money bringing a phone into the high security/segregation unit of a maximum security prison than into a medium security facility. This “paradox” is one that is probably impossible to resolve, but it needs to be acknowledged as a possible consequence of instituting “heavy” surveillance, search and monitoring regimes.

Another important dimension of contraband trafficking is that it may well be linked, again paradoxically, not to the dysfunction and dangerousness of prisons, but to the overall good order and security of such places. Kalinich and Stojkovic (1985: 439) make the point that, “[T]he stability of a prison is contingent upon the strength of the informal inmate social system, which is linked inexorably to the contraband market system.” Prison officers and prisoners alike share at least one thing in common: they both want an orderly and safe environment. The former want this for work-related reasons, the latter because they live there 24 hours a day, seven days a week. Prisons function relatively smoothly because they strike (either by accident or by design) a balance between the formal and informal rules governing each facility. “[T]he distribution of specific contraband items—different types of narcotics—[is] essential for both custodial staff and key inmates in the control of the [prison] environment” (Kalinich and Stojkovic 1985: 442). Too often, this uncomfortable truth is overlooked in efforts to understand and prevent correctional corruption.

There is much anecdotal and some official evidence to say that officers tacitly “support” or will generally turn a blind eye to the use of particular types of drugs by prisoners, chiefly, substances which have a “pacifying” effect (Keene 1997). Additionally, there is evidence suggesting that prison staff risk ridicule by other staff members when they report particular kinds of (drug) activity (Liebling et al. 2011: 121). In other words, and harking back to Sykes (1958) work on the corruption of authority, at the operational level, officers make decisions about which battles to fight (which rules to enforce to the letter) and which to let slide. Illicit drug

use is an archetypal example of authority “bending” to suit the realpolitik of the prison.

Pot, right, nine times out of ten, ... [the officers] walk past your cell and you're sitting there having a bong and they're like, '[Prisoner's name], what are you doing? Shut the door.' ... Then you'll get one officer who'll come around and just grab it and take the whole lot. So it depends on who it is. But if you're sitting there and you've got a spoon and a syringe there and you're sucking back heroin or something, 'Boom, ... you're gone.' Like if you were drinking a homebrew they won't tolerate it. ... Same as pills—pills are a bit of a danger as well. People who take any sort of pills, they'll leave their brain over here, they'll get up and walk over there, and before you know it they're abusing someone—someone's getting bashed or stabbed ... or attacking [the] bosses. (GTP project, male prisoner 3).

It defies belief to think that such an “approach” to managing prisoners is unique to the facility where this interview occurred. Our hunch is that this is fairly widespread practice and that it straddles privately and publicly run prisons. Of course, whether the willingness to turn a blind eye to small infractions around contraband leads to a greater willingness to overlook (or under-report) much more serious behaviour, is a key issue for further debate. We return to the “slippery-slope” concept (as earmarked in the previous chapter) in the closing section of the book. The key point, in the context of understanding causes and facilitators of trafficking, is that *the nature of custodial settings itself provides a major situational impetus for the demand and supply of contraband*. But more than this, certain levels and types of contraband can have “positive” impacts on the climate of the prison.

Given all this, there are several causes of contraband trafficking by officers. First and foremost, officers stand to make “fast and easy” money for comparatively little effort. In the US context, Souryal (2009: 36–37) notes “the current rate for trading a single tobacco cigarette in most American prisons is about \$5. Accordingly, if a CO (working 25 days a month) brings into the prison a single pack of cigarettes daily, he or she might net about \$2500 in a month.” Over a year, an officer could expect to earn at least 50 % more than their annual pay. Similarly, the price for trafficking just the smallest amount of heroin is incredibly attractive. For example, a former officer in

the Massachusetts Department of Corrections “was to be paid \$2500 to bring” just 28 g of heroin into Norfolk gaol (Federal Bureau of Investigation (FBI) 2011: 1). The average salary of a US CO is just under USD 40,000 per annum. In Australia, the average salary for a base-grade officer is at or just under AUD 50,000 per annum and in the UK an entry-level prison officer earns around GBP £19,000.

A very common theme is that officers feel underpaid and undervalued for the work they do. This harks back to the issue of organisational justice discussed in Chap. 2. Specifically, correctional staff who feel their remuneration and associated conditions of employ do not adequately compensate for the nature and complexity of tasks asked of them are less likely to play by all the rules of their workplace. In short, and to invoke the work of Robert Merton, some staff will see fit to reduce their economic strain and look to engage additional means of “topping up” their (perceived) deprived circumstances. Merton labels such action “innovation.” As he writes, “Inadequate socialization will result in the innovation response whereby the conflict and frustration are eliminated by relinquishing the institutional [i.e., legitimate] means and retaining the success-aspiration” (Merton 1938: 678). The opportunity to not just make extra money—but large amounts of money proportionate to their regular income—is a major attraction for some staff. But accompanying this are officer calculations regarding the chance of being caught for trafficking contraband.

A second dominant theme to emerge from the literature on correctional corruption—as restrictive in scope as that literature appears to be—is that trafficking contraband is easy and there is relatively little chance of officers being detected for such activity. The most striking examples of this are contained in the testimonies of officers who have, in fact, been caught smuggling (or preparing to smuggle) contraband and who have appeared before one or another Commission investigating such. Even in situations where security has been tightened and random searches initiated, this seemed to have little effect on officers’ proclivity to traffic items.

In the 2004 ICAC investigation into the actions of Shayne Alan Hughes—a CO at the Silverwater Metropolitan Remand and Reception Centre—the Commission took evidence to the effect that the system of random searches was being regularly “gamed” by correctional staff. In particular, the requirement—initiated on account of an earlier ICAC

investigation—that “six officers per day were to be taken into the main gate area and asked to remove items from their pockets” was generally flouted. Instead, “[i]t was common practice to just “pick six names out of a hat and just put those names down [...]” ... It was also common knowledge that the random searches did not take place” (ICAC 2004: 14). But the really critical point here is that had the system been comprehensively adhered to, the trafficking of items by Hughes would still *not* have been prevented. As he remarked during the ICAC inquiry, “Even if they pat you down you’re not going to take anything in your pockets and they’re not going to touch you in the genital area. So it’s moot anyway, it’s a moot point the whole search policy” (ICAC 2004: 15).

Implications of Trafficking

There are real dangers associated with trafficking contraband within correctional settings. At one end of the continuum are the lesser “end-user” behavioural issues associated, say, with smuggling of tobacco or cannabis. At the other are issues associated with the safety of prisoners and prison staff where the trafficked items include, say, weapons, mobile phones (to coordinate prison protests or escapes) or harder drugs (which can cause prisoners to become unduly aggressive and unpredictable). Opiates in particular have much more serious consequences in that they potentially increase the risk of blood-borne viruses (such as hepatitis C) via needle sharing—an extremely common practice among prisoners who inject drugs while incarcerated. On rarer occasions, the spread of HIV among the prison population, and on release, has also occurred (Dolan et al. 2007: 2).

Across all these issues is the larger issue of the integrity of prison staff and their probable role in facilitating trafficking in correctional environments. The public needs to have confidence in correctional staff. But, equally, correctional staff need the confidence of the public—they need to be socially valued (not just remunerated)—and not “socially tainted” (Tracy and Scott 2006: 9) for what they do (*see also*, Lambert et al. 2007; Taxman and Gordon 2009). One of the most common dangers associated with trafficking is the risk of extortion or blackmail. In that way, officers place not just their own futures in jeopardy, but those of their families as

well. Officers who traffic contraband can always be “got at” by those they traffic for—whether this occurs while the prisoner is incarcerated or subsequent to their release. The allegations of improper conduct can be made at any time—and the prisoner, typically, is the one with less to lose and so is likely to make good on that threat at some point should particular trafficking arrangements cease.

4 Tackling Contraband Trafficking

The way in which *situational* (e.g., security screening points) and *dynamic* factors (e.g., officer subcultures, orientation towards the job) combine to make trafficking not only possible, but likely, needs to be thoroughly addressed. It is a criminological truism that where the rewards for misconduct far outweigh the risks of being apprehended, near perfect conditions for corruption ensue. Reducing the supply of trafficked items means, at a very basic level, ensuring that traffickers will be detected and apprehended *far more often* than they are believed or known to “get away with it.” Excepting contraband thrown or dropped over the perimeter of the prison, the two main entry/exit points are the sally-port (usually used for entry of vehicles carrying prisoners) and the gatehouse (the first port-of-call for all staff and visitors into the prison proper).

In order to make a major dent in the flow of contraband, prison authorities would need to strip-search and cavity-search each and every person (including officers, psychologists, police, dignitaries—*everyone*) moving across these point each and every day. They would also need to stop and thoroughly search each and every vehicle and/or container arriving through the sally-port and/or main prison gates. However, this is clearly an impractical and politically/industrially intolerable strategy. Additionally, as prisons become more adept at shutting down supply routes, the price for prohibited items increases. Counterintuitively, this *expands* the invitational edge towards corrupt conduct. Where there are very high risks, there are also typically very high rewards in the offing. This, arguably, is the textbook definition of *iatrogenesis*, such that the “remedy” exacerbates the initial problem or, at very least, creates new problems.

Accordingly, any trafficking prevention strategy is about compromise. It will be based on the knowledge that some contraband will get through key security points, and some will not. It will be based on data that says the bulk of contraband is trafficked by three major groups: prison officers, other prison staff (non-custodial staff) and family/friends during visits. Given these factors, the optimal combination of technological, situational and social strategies for detecting contraband need to apply with regard to these groups. This means ensuring that alarms/beeping signals are not ignored simply because officers rather than visitors have walked through a particular screening point. It means ensuring that higher numbers of officers are present during visit times, and it means rotating officers rostered to oversee such visits. It means paying particularly close attention to visitors going to restrooms. And, socially, it means striking the right balance between control and care of prisoners in order that officers can glean information about what is occurring or is likely to occur within the prison proper. As Bouchard and Winnicki (2000: 56) remind, “Communication is the staff’s most important tool in controlling contraband ... Effective staff learn how to listen to prisoner conversations while appearing disinterested. Some staff become so unobtrusive that prisoners actually forget their presence. Complacent prisoners divulge information inadvertently.”

But beyond all this, the most effective means for reducing (as opposed to eliminating) trafficking in contraband is the use of *truly random searches* of persons entering and exiting the prison. This could mean introducing a specialised team able to operationalise the element of surprise so essential for detecting corrupt practices (such a strategy would aim to minimise “tip-offs” that such a search was imminent). The power to pat-down and conduct strip and/or cavity searches on a truly random group of prison “users” would likely have a notable deterrent effect. And it would very likely be controversial as well—particularly for staff and the battles that would need to be waged industrially for such a change to occur.

This strategy, however, stands to yield better results than, for example, the system of mandatory drug testing or “random” cell searches that characterise many correctional settings. The former really only informs management about the types of drugs getting into prison, whereas the latter simply goes to the number of phones or quantum of other prohib-

ited items that happened to have been found during a particular shake-down. Further, mandatory drug testing has been demonstrated to move prisoners from softer to harder drugs to avoid returning a positive urinalysis test. It is well-known that opiates take only a two or three days to pass through the body, whereas marijuana can take around 10 times longer for the body to process (Chambers 2010; Podmore 2012: 170–177; van Dyken et al. 2014: 339).

Testing of prison wastewater is one means for generating a more accurate picture of the types of illicit substances being consumed in custodial facilities. It can also paint a picture of the extent to which licit substances (such as methadone or buprenorphine) are being diverted from proper (medicinal) use into the contraband trade. Although wastewater has been analysed for illicit substances in various contexts for about a decade (*see* Zuccato et al. 2005), the use of this approach in the prison context is rare, with just three studies to date reporting results from three prisons: one in Spain (Postigo et al. 2011); one in the USA (Brewer et al. 2014); and one in Australia (van Dyken et al. 2014). Despite its very restricted use, such testing is probably the only means by which *reliable baseline data* on illicit drug use in prisons can be generated.

Brewer et al. (2014: 1)—supported by the Oregon State Department of Corrections—sought to show whether and by how much random drug testing of prisoners underestimated the actual quantum of illicit drugs in the prison. For 28 days, they studied the wastewater of a single facility of around 2000 prisoners and aimed to test the hypothesis that prisoners deliberately “gamed” the drug testing regime to avoid detection. Results showed that although prisoners did *not* appear to adjust their illicit drug use in line with known testing days, the wastewater analysis demonstrated far higher levels of methamphetamine use than suggested by random urinalyses (RUA). Of 243 random drug tests conducted by prison authorities over the 28-day trial, only six tests returned a positive reading for that substance. By contrast, “The analysis of hourly and daily composites of wastewater revealed methamphetamine excretion every day and every hour ...” (Brewer et al. 2014: 4).

However, the higher quantum of methamphetamine detected through this wastewater study could not definitively be sheeted home to prisoners’

drug (ab)use. Instead, Brewer et al. (2014) make the important point that visitors and prison staff are likely to contribute in some fashion to the methamphetamine “load.” They remind of the difficult truth that “[u]se of methamphetamine can lessen the fatigue associated with work activities and night-shift work, and increase alertness.” This means, at minimum, that “[a]lternative sampling locations inside the prison and more detailed records on the number and work shifts of employees would be needed to differentiate inmate from employee use and excretion of methamphetamine” (Brewer et al. 2014: 3). van Dyken et al. (2014) also note the need to develop a means for disaggregating wastewater analysis results for various “prison users.” But where such obstacles can be overcome, they also note that wastewater analysis is a good means for getting an almost instantaneous reading of the drug use and abuse situation within particular facilities (van Dyken et al. 2014: 339).

Clearly, wastewater analysis is not a foolproof means for preventing correctional corruption, nor, for that matter, as a means for preventing drug use. What it can do, however, is give correctional authorities (and the public) some reliable information about what kinds of illicit substances are finding their way into and out of correctional environments. The collection and publishing of such data would be one practical way to increase the perceived legitimacy of such institutions—that they have “nothing to hide” (Sparks and Bottoms 1995). With sufficient data sharing and technological know-how, wastewater testing could possibly be linked to specific parts of the prison (staff washrooms, visitor washrooms, particular cells and/or wings). This would give an even more refined picture of the nature and shape of drug use and abuse in such locations. Data could be cross-referenced to staff rosters or to prisoner relocations or to visitor movements in order to establish possible “causes” of particular peaks and troughs in drug consumption.

In relation to preventing the trade in mobile phones and SIM cards, various jurisdictions have trialled phone-jamming technologies, with companies such as Homeland Security Strategies in New York specialising in a range of products. However, the unintended effects of such devices have not been fully resolved and have led, for example, to complications in legitimate phone use by civilians in areas surrounding correctional facilities. Officers also need to use communications

devices within prison grounds and have experienced problems with these in such circumstances. As far back as 2004, the then Federal Minister for Communications, Information Technology and the Arts cautioned against the effectiveness of phone-jamming devices in Australian prisons (Coonan 2004). Then, as now, the more effective technological solution would be to install “sniffer” technologies that single out unauthorised radio frequencies within custodial facilities and help to pinpoint the location of illicit phone-related items. In 2010, the Mississippi State Penitentiary was the first US prison to trial a “managed cellular access system” called the Intelligent Network Access Controller (iNAC) (Jackson 2013). The prison effectively became “a localized cell site for all networks inside the prison” allowing particular numbers to be blocked from making calls. The technology was adopted in the knowledge that trying to stop mobile phones from entering prisons is not only impossible but an expensive and time-consuming task. Although illicit mobile phone use has not been completely stopped through iNAC, their use has been “cut ... to an acceptable rate” (Jackson 2013).

It is important, though, that jurisdictions refrain from putting all or most of their eggs in the technological basket. An enduring truth in this field is that advances in screening, detection or “shut-down” technologies do not necessarily translate into reductions in levels of contraband. In our fieldwork, we were informed by senior correctional personnel that prison officers know how to get mobile phones and other items through a range of electrical and scanning equipment. One simple but effective strategy involved placing the phone in a lunch box and positioning the item at “just the right angle” so as not to be detected (personal communication with anonymous employee). Also noted was the extreme reluctance—and virtual non-existence—of thorough searches by prison staff of other prison staff. Unions play a major role here in thwarting efforts to monitor the flow of contraband by their members (ICAC 2004: 26). The ease with which prison staff is able to bypass prison screening mechanisms is made abundantly clear in several reports into instances of prison corruption (ICAC 2004, 2010; Victorian Ombudsman 2008). In 2009, for example, there were no pat-downs or strip-searches of correctional staff in Victoria. Searches by passive alert

detection (PAD) dogs were performed on visitors at 100 times the rate for staff in that state (Rodas et al. 2011: 39).

This reluctance to target prison staff in rigorous and truly random fashion (in ways that minimise or eliminate the likelihood of “tip-offs”), helps explain how situations like the following can emerge:

I used a lot of drugs in gaol for the first couple of years and I had a lot of fights.

You said [you used] lots of different types of drugs, not just ... marijuana but ... harder drugs as well?

Mm-hmm.

In gaol?

Yep.

[D]o drugs get in mainly through visitors or officers or over the fence?

All of those ways. ... [T]here was [one officer who was] banging all these ... young chicks ... and getting [them] on his side and ... bringing them in fucking whatever. This one girl was getting so much speed and pot in.

This was actually having sex with prisoners?

Well, not in the gaol ... but when they got out. (GTP project, female prisoner 1).

It is reasonable to surmise that female prisoners might be particularly vulnerable when it comes to participation in the contraband trade. The officer mentioned above apparently chose not to risk having sexual intercourse with female prisoners at work. Instead, he reputedly waited until particular females were released to “collect” the sexual favours promised for bringing drugs into the prison for use and distribution by these women. Knowing that the majority of female prisoners have serious drug dependencies, and that a great number return soon after release due to such dependency, the officer was presumably also in a position to “punish” those women who did not make good on their commitment while released. Such situations are volatile for all concerned but are rarely discussed in correctional circles, let alone brought to light through oversight and accountability channels.

A practical “solution” for reducing the number of illicit phones in prisons is to again think about ways of reducing demand. Anecdotally, many prisoners want access to mobile phones not for malicious purposes (to

order a “hit” on someone or to facilitate the drug trade), but for very personal reasons (such as to stay in close contact with family members). Many prisoners cannot afford the cost of making legitimate phone calls within prisons; it is not unusual for calls to mobiles to be charged at AUD 4 for 10 min. Phones are a way of reducing the pains of imprisonment (the pain of isolation). Logically, if phones calls were cheaper and could be made with at least some degree of privacy (not, e.g., within earshot of other prisoners), this would have some ameliorative effect on the demand for illicit phones. Additionally, increasing the number of landline phones in each prison would very likely help reduce the size of the problem. True, there would be more landlines to monitor. But the trade-off would be fewer prisoners feeling anxious about whether they might “get their go” on one of the few available lines (the use of stand-over tactics in relation to access to prison phones is well-known). Clearly, from a corruption-risk perspective, officers who make money from smuggling in illicit phone items have a vested interest in ensuring that making calls through the regular phone system is as uncomfortable, tedious and non-private as possible.

5 Conclusion

Beyond situational and technological fixes, mechanisms for engaging and promoting widespread cultural change about prison officer work and about the nature of imprisonment itself are critically important for winning the “war,” not just the battle, against correctional corruption. A great deal of what is at stake here relates to the nature of the deprivations imposed by imprisonment (the “pains”) and the human response of seeking to mitigate those deprivations through contraband. In devising appropriate responses, it seems likely that the contraband trade has been poorly conceived to date. As Kalinich and Stojkovic (1987: 16–17) put it:

[T]he illegal system of goods and services definitely produces a situation where the corruption of authority among officers is inevitable. Since officers are evaluated on how well they control their respective areas and the inmate leader’s power is founded in the ability to facilitate contraband flow, there is

necessary linkage between the two to promote long-term prison stability. Thus, the prison organisation is forced to trade off some corruption for 'order.'

The extent of the contraband trade in most prisons—especially the drug trade—in very large part will reflect the demand for such items in the community beyond prison walls. In part, that demand will reflect hopelessness in relation to access to meaningful activities in prison, as well as to treatments for pre-existing personal problems (e.g., addiction, lack of job-relevant skills). This means that better bridges need to be built between treatment and services in each of these “worlds.” It is of little good trying to deal with drug use in prisons when drugs are all-too-readily available on the street upon release. Equally, well-funded detoxification and rehabilitation programmes in community settings will not yield long-term abstinence or less harmful using scenarios in situations where clients end up in correctional settings where drugs are not only easy to obtain, but are needed to cope with prison life. Once again, we see that what can be achieved in terms of correctional integrity is inevitably linked to broader climate factors such as growing community (and predictably officer) tolerance for recreational drug use.

The real work in reducing correctional corruption in this situation is to find effective ways for reducing the demand for contraband. This is particularly urgent in terms of mitigating the perverse effects of the “prison economy,” noted earlier in this chapter, which are driven by access to contraband. Other ways of meeting client needs, as noted above, need to be found and provided. Busy prisons (those where *all* prisoners are engaged each day in non-trivial activities) are less likely to have such a need of contraband. But again, until reliable baseline data on the extent and types of contraband trafficked in correctional environments is established, the relationship between the quality of prison life and the prevalence of contraband will remain an unanswered, but critically important question.

5

Assaults, Use of Force and Control

1 Introduction

Violence, it has been suggested, is “omnipresent in prison” (Kupers 1996: 189). The ability of a correctional facility “to protect prisoners and staff from physical harm is a fundamental measure of the success or failure of that institution,” Gibbons and Katzenbach (2006: 21) argue. Physical harm can occur within prisons at the hands of other prisoners or COs. Given the book’s focus on correctional integrity, this chapter is concerned primarily with the latter phenomenon. We shall argue that its prevalence and importance reflects the often tenuous nature of staff control over the establishments in which they work, as well as the strongly masculinist nature of many correctional settings. As the histories of penal establishments show, too often “cultures can develop...where staff [become] careless and occasionally brutal with the power they hold” (Liebling et al. 2011: 115). Violence, whether by officers or by clients, has been said to be a part of the “prison economy” (Copes et al. 2011). This latter description implies that violence rarely occurs in a vacuum and, more commonly, it is an expression or outcome of other factors affecting correctional settings. Consistent with our approach in this book, those factors may be

situational, structural or environmental in nature. Yet despite there being considerable evidence that fear of being physically victimised in prison shapes many prisoners' as well as officers' perceptions of their environment (Toch 1992), staff-driven violence against prisoners has received little attention to date in comparison with the much larger prisoner-on-prisoner violence literature (*see* Wooldredge 1991, 1998; Copes et al. 2011; Hochstetler and DeLisi 2005; Liebling and Arnold 2012).

As noted in Chap.1, the nature of correctional, and particularly custodial, settings is one in which the ability by officers to effectively contain and restrain clients lies at the heart of interactions and relationships within those settings (*see* Trammell and Rundle 2015). Moreover, this ultimately physical control over clients also defines in large measure the expectations held of correctional staff by the government, media and society. Fear of loss of control, as well as the reassertion of control, can also contribute to officer-on-client violence. In many instances, officer use of force will be justified so long as it is proportionate to the threat posed by clients. In this chapter we shall consider a number of scenarios in which officer-on-client use of force has arguably exceeded what was reasonably proportionate or otherwise justifiable.

2 The Nature and Extent of Assaults and Use of Force

Types of Assaults and Misuse of Force

Officer use of force against prisoners can take several forms. In some cases, we can see the use of force as the excessive application of physical force; in other words, although the situation arguably justified some level of physical restraint or domination (e.g., strip search), the level applied was excessive, as reflected in a lack of proportionality between the threat posed and the injuries or harms sustained by the prisoner. In other cases, it can arise where there is no official pretext, but instead is an expression of frustration, hostility, vengeance or even the quest for entertainment arising as an incident of interactions or relationships within prison settings.

First, there are uses of force related to the expression of dominance by officers as a group, whether against particular prisoners or a group of prisoners. The point is less about assertion of control in particular instances where there is a perceived threat from a prisoner or group, and more about demonstrating the dominance of one group (the staff) over another (the prisoners). It is in this sense symbolic as much as pragmatic in nature. One prisoner interviewed in Australia commented on this situation:

There was certainly no disrespect towards the officers back in those days, because if you even looked sideways [at them] you'd be dragged down to the bottom [to segregation], and I mean them fellas down there dished up tough love. They really did. ... I was asked [by a Royal Commission] to testify against some officers, which I declined. (GTP project, male prisoner 2)

In such instances, the violence is clearly excessive and unjustified in legal terms. In order to understand the impact of symbolism on officer deployment of violence against prisoners, as we suggest shortly, we need to take account of situational, structural and environmental factors that contribute to a sense of fear or “loss of control” among officers.

Second, officer use of force against prisoners can become problematic when a legitimate use of force turns into something questionable or indeed excessive, including, but not limited to, overuse of legitimate restraint techniques (e.g., authorised use of weapons such as batons, tasers, mace/pepper spray, etc.), excessive or unreasonable use of control practices (e.g., strip-searches) and verbal threats used to enforce compliance (Farber 2007; Martin 2006). Cell extractions “gone wrong” and the excessive use of force in the context of trying to quell riots are good examples, such as in the case of the excessive use of tear gas against six juveniles held in the Don Dale Youth Detention Centre (Darwin, Australia) in August 2014 (Wild and Gregory 2015). These juveniles, one aged 14 years, were exposed to excessive amounts of tear gas for up to eight minutes, which was used in an attempt to regain control in response to an alleged riot that occurred within the facility’s Behaviour Management Unit (Bath 2015). Notably, the Inquiry into this incident not only

identified the excessive use of force by officers, but also highlighted wider institutional failures regarding “inhumane” conditions, which primarily concerned the extended solitary confinement of juveniles in “cramped and darkened cells for up to 23 hours a day” for a period of up to 17 days (Bath 2015: 3).

Third, unjustified use of force in correctional settings can include sexual assault, which Heilpern (1998:16) defines as the “physical contact of a sexual kind, where your involvement is forced upon you. ... The force may be by threat of, or actual, physical harm.” Significantly, this definition of sexual assault (though it equally applies across other forms of assault in the prison context) suggests that harm is not dependent only on actual physical or sexual contact, but also on intimidation through threat of such acts, what Bourdieu (2001) terms “symbolic violence.” As noted in Chap. 1, the fear of being physically victimised in prison can powerfully shape officer as well as prisoner attitudes towards their environment. The capacity to intimidate, through threatened use of force or involuntary restraint, is a form of prison violence found in the hands of both officers and prisoners. This capacity can result in humiliation in non-sexual and sexual ways. For example, a number of cases have been brought in Victoria regarding alleged assaults against prisoners during strip-searches. In 2007, the Victorian Ombudsman highlighted a culture of violence and limited accountability at the Melbourne Custody Centre where staff, for at least 2 years prior to 2008, had engaged in a practice of forcing remand prisoners to strip in front of numerous officers and act in a degrading manner, which included assuming positions that mimicked rape and physical and sexual domination (Victorian Ombudsman 2007; De Kretser and Schleiger 2008). Analogies can be drawn with the more dangerous levels of abuse and violence observed in the military case of abuses in Abu Ghraib (discussed further below).

A fourth contribution by staff to unjustified use of force against prisoners can arise from “turning a blind eye” towards, or even encouraging or facilitating, incidents of violence or assault between prisoners. Data on the latter form of officer-facilitated violence is hard to find. Although Trammell and Rundle (2015: 2) note that prisoners often “legitimate their own violent behaviour because they believe that staff members are not paying attention to them,” officers may also contribute to dangerous scenarios within prisons. As one prisoner put it,

At the end of the day ... if you're a bad officer you can come to me and say ... 'Tom over there is giving out information about you,' but Tom really aint. So obviously ... they think they're dogging him out. They'll turn a blind eye, ... or have a camera pointing a different way, and all that sort of stuff. (GTP project, male prisoner 4)

Prison officers can deliberately facilitate exposure of prisoners to assault by other prisoners by the control they exercise over cell allocation, as well as by the management of shared spaces within the prison. This can include deliberate exposure of prisoners to sexual violence, as relayed in the following excerpt:

In the '90s, [w]e started a gang called the SLM, the Straight Liberation Movement—which was a joke in the beginning—for young blokes to represent that they weren't gay, because there were a few gay guys in here. And the screws used to set them up. They'd put them in the cell with certain people. Like I was only a young bloke but I told them to get fucked. They'd send it through the hierarchy at [name of prison removed] that, 'This bloke's a smart-arse,' and so they'd put him in the wing where the blokes were getting raped all the time. And that's what used to happen. The young blokes were set up and raped.... Some of these [officers] go home at night and their whole night is spent working out how they are going to fuck up this prisoner during the day. (GTP project, male prisoner 5)

Since 1988, there have been four published inquiries examining different types of misconduct in the Queensland correctional system. With regard to the use of force, the 1998 Kennedy Report outlined cases of illegal violence against prisoners, including the placement of “young prisoners with known homosexual ‘heavies’ and ‘setting-up’ prisoners to secure compliance” (McIlwain 2004: 67). More recently, information has emerged from the UK that suggests the organisation of “fight clubs” in some correctional facilities, such as Feltham Young Offenders’ Institution, where it has been claimed brutal conflicts were arranged by officers (Collins 2015). An investigation revealed a culture of brutality well beyond simply “turning a blind eye,” such that officers not only allocated members of rival gangs to the same wing of the facility, but also where prisoners were placed into “cells padded with mattresses and told to settle their differences with their fists” (Collins 2015: 1).

The situational dimensions of assault vulnerability, including the likelihood of assaults being seen by others, are significant in explaining how and where assaults take place within correctional settings. The majority of assaults and displays of excessive force occurs within “low-visibility” areas, typically within prisoners’ cells, recreation areas, poorly supervised common areas (e.g., showers) and other “blind spots” (Wortley 2002). Assaults can also occur when prisoners are transferred either within or between facilities—particularly where officers might be outnumbered and are more likely to use greater force than necessary to maintain control (*see* Collins 2015). The death of Carl Williams at HM Barwon Prison is a telling example of how situational factors can contribute to assaults with lethal consequences. In that case, Williams had been placed in a cell with a high-risk violent offender. Due to shortcomings in staffing and training, the Victorian Ombudsman (2012) found that there had been inadequate monitoring of cells and units, allowing the fatal assault on Williams to not only occur but also to go unnoticed for nearly half an hour.

Enabling prisoner-on-prisoner assaults or intimidation may also form part of broader corrupt relationships and dealings within facilities (*see* Chap. 3). Assaults or threats may arise from enforcement of debts that arise within the prison economy around supply of drugs or other goods and services (*see* Chap. 4). The growing influence of prison gangs has meant officers have at times been offered incentives to “turn a blind eye” to enforcement activities (Kulman and May 2015).

Prevalence of Assaults and Misuse of Force

The significant lack of reliable data in this area is likely explicable for several reasons. Like other threats to correctional integrity, there are strong incentives at an official level not to report or reveal such matters. There are also conceptual challenges around definitions of what constitutes excessive force or unlawful assault (including sexual assault/rape; *see* Eigenberg 2000) and the circumstances in which different forms of physical restraint may be justified.

In the USA, “there are no national measures of physical violence and excessive use of force by staff against prisoners, including the inappropriate use

of restraints and non-lethal weapons” (Gibbons and Katzenbach 2006: 24). This is despite the fact that “the extent of rape, assault, excessive use of force, and other types of violence in America’s prisons and jails remains one of the most highly charged and debated aspects of the profession” (Gibbons and Katzenbach 2006: 21). It is only very recently that a number of cases have emerged identifying a series of alleged incidents by COs of assaults on prisoners, which provide some guidance as to the prevalence of such events (*see* Federal Bureau of Investigation (FBI). 2013a, 2014; Hunter 2014). It has been claimed that 60 % of allegations of sexual abuse involve staff members, not prisoners, as perpetrators (Hunter 2014). In addition, the National Inmate Survey 2011–2012 revealed that 2.4 % of federal and state prisoners (more than 31,400 prisoners) reported having been physically or sexually assaulted by officers (Beck et al. 2013; NPREC 2009). The figure is widely believed to be higher for juvenile prisoners, though the precise quantum is unknown.

In the UK, with the exception of the Carlile Inquiry (Carlile 2006)—which sought to investigate the use of force against children in prison (e.g., physical restraint, solitary confinement and forcible strip searching)—there is little official data on the use of force or assaults (Macaulay 2011; Travis 2009). Australian data is also limited, with much of it relating to findings from investigations in individual cases (e.g., “Carl Williams,” *see* Victorian Ombudsman 2012) rather than broadly evaluating its presence within correctional practice (the major exception being the Nagle Inquiry, discussed below). Much of the focus of these reports has also been on the actions of prisoners, with data often used to rationalise increased staffing and resources and legitimise use of punitive measures. For example, in SA in 2012–2013, there were 10 reports of prisoner-on-staff physical assaults, 180 reports of abusive threatening behaviour and 209 reports of prisoner-on-prisoner assault (SADCS 2013). In contrast, only four cases of assault by staff were reported and none contained any description of the incidents or outcomes. No incidences of sexual assault by staff were reported. The Ombudsman SA Annual Report (Ombudsman 2014) suggests correspondingly low and unsubstantiated figures for the period 2013–2014 with three incidents involving physical harm, and 15 cases of verbal assault/harassment/threat by correctional staff.

Despite these shortcomings, we know that actual rates of assault (the “dark” figure) can be up to five times higher than reported rates (Wortley

2002). This is corroborated by data from the CMC survey of custodial officers (CMC 2009) which found more than one-quarter reported that “physical assault of offenders” by officers occurred either sometimes, frequently or all the time (CMC 2009: 16). Although not providing a measure of actual incidence, there is good reason to think there is a substantial number of staff-on-prisoner assaults that do not make the official record. Given that sexual assaults formed a separate category in the CMC survey, these figures are at least indicative of a culture in some Australian prisons where there is a widespread recognition of a propensity for officer-initiated or -facilitated violence.

It is similarly, if not more, challenging to determine the prevalence of sexual assault within correctional facilities. This is compounded by the lack of universal definitions of such behaviour (Trammell 2011). As discussed later (*see* Chap. 8), there is often deep-seated client reluctance to report incidents of sexual and/or physical assault, with fear of retaliation, beliefs that little will be done and strong subcultural norms around “keeping quiet.” Most jurisdictions seem to focus on prisoner-on-prisoner assault, with little or no mention of the actions of staff. All this “evidence” (or lack thereof) points to the vulnerabilities of correctional clients and the importance of affording greater efforts and resources to the investigation of the dark figure of prison assaults.

3 Main Drivers

The use of force and assaults in correctional environments reflects the dynamic relationship between officers and prisoners, as well as the constraints of the organisational structure, culture and climate. It is important, therefore, to examine the normative factors in correctional settings that motivate officers to engage or acquiesce in assaults and intimidation of prisoners.

Individual Drivers

Although studies have shown that prison violence results from both institutional and individual variables, such research has primarily focused on

prisoners' characteristics, not those of officers (*see* Hochstetler and DeLisi 2005; DeLisi et al. 2003). Much less research has focused on understanding the attitudes of prison staff towards the deployment of violence, despite the centrality of their contribution to the prison setting and particularly on prisoner behaviour (Kelly 2014). An obvious exception here is the experimental prison study conducted at Stanford University by Haney and colleagues, which found that guard cruelty and sadism towards prisoners under simulated conditions was much more related to group and environmental factors than to individual dispositions among those acting as guards (Haney et al. 1973).

When taking into account the role and conduct of officers, research tends to show that excessive use of force is typically not directly related to individual characteristics (e.g., age, gender). Although some types of assaults are wedded to particular characteristics of assailants (e.g., likelihood of assaults in cross-gender situations), it is generally factors associated with the work environment and how these affect officers' attitudes (e.g., fear, *see* Gordon et al. 2013) that have more influence on their propensity to use or threaten use of force, both physical and sexual, against prisoners (*see* McIlwain 2004; Gorta 1998). As Lerman and Page (2015) note, the misuse of force by officers against prisoners can function as an expression of officers' punitive attitudes and values towards prisoners. However, in looking beyond a "bad apple" approach, we must recognise that such attitudes are likely to be informed by officers' understanding of the purpose of the prison as a tool of punishment within a wider political climate straightened by "tough on crime" discourses (the "orchard").

Notwithstanding the above, gender remains a critically important factor affecting the dynamics of physical and sexual assault within the prison setting. Gender is relevant to our understanding of the use of force and assault in a number of significant ways. First, sexual abuse of female prisoners by male COs is the most commonly identified form of sexual assault (McIlwain 2004). Much of the literature attests to significant differences regarding how male and female prisoners respond to sexual assault (McIlwain 2004; Hemmens et al. 2002). Female prisoners have been shown to be less likely to report sexual assaults by male officers due to fear of reprisal or increased vulnerability, and have traditionally experienced few successful prosecutions (GAO 1999; Lutze and Murphy

1999). Such low incidences arguably do little to deter male officers from ongoing involvement in such behaviours. However, the increasing number of female officers means that there is less reliance on male officers in some settings. In Canada, male officers are not authorised to conduct invasive security duties (e.g., strip-searches, pat-downs, etc.) or sole officer patrols or camera monitoring (Lajeunesse et al. 2013). Similar efforts to ensure a “high ratio of female to male staff in women’s prisons” have been suggested as “good practice” in Australia (Bartels and Gaffney 2011:23), which has clear implications for recruitment strategies.

Cultural Drivers

An important factor contributing to correctional corruption is the “us versus them” mentality that appears in much of the corrections literature dealing with workplace culture. Drawn from social identity theory (*see* Tajfel and Turner 1979), the internalised sense of membership to a particular group—here, the “law abiding” community (the “us”)—is a powerful motivator of social perception and behaviour towards those classified as outside the group. Compared with other occupations, COs are disproportionately exposed to the influence of these forms of categorisation, especially given that, as identified earlier, they are widely perceived to be socially tainted by their occupational association with prisoners (*see* Tracy and Scott 2006). Culturally encouraged feelings of personal inadequacy, as well as perceptions of their clients as undeserving, establish conditions unfavourable to systemic respect for client rights, including protection from physical harm.

Although there have been few detailed sociological investigations of CO culture, it is likely that such cultures include repertoires of justifications or excuses for officer resort to physical force even when it is excessive. Following Sykes and Matza (1957), assaults on prisoners can be internally narrated or explained through a “denial of victim” script, whereby prisoners “deserve” the violence done to them. This might refer to their status, their past record or particular behaviours observed or attributed by staff. This assigning of the prisoner to the position of “non-person” (Bourdieu 2001) inevitably exposes them to greater violence

and domination by staff and other prisoners (Trammell 2011; McIlwain 2004; Marquart et al. 2001; GAO 1999). Such rationalisations are more readily sustained, of course, where the organisational culture supports such justifications and where, as noted earlier, such treatment of prisoners is less likely to be observed by others.

Shared perceptions of prisons as “dangerous places” is highly likely to influence how officers react to the perceived sources of danger. There is substantial evidence suggesting that prison officers’ fear of victimisation and the actual levels of danger within the prison context (situational-level concern) play a significant and prescriptive role in the day-to-day lives of officers (Griffin 1999, 2002; Ben-David et al. 1996). Ben-David et al. (1996) found that greater levels of anxiety and fear experienced by custodial officers resulted in more punitive attitudes and practices, which markedly shaped their relationships with prisoners. In the prison setting, perceptions of danger tend to trigger protective reactions (Ben-David et al. 1996: 101). These are often expressed through demonstrations of force to establish or reassert the dominance of staff who, at most times, are significantly outnumbered by prisoners.

Staff propensity to use violence against prisoners may also be linked to levels of satisfaction with working conditions. Gibbons and Katzenbach (2006) note that adequate salary is connected to job satisfaction and may have a preventative function by reducing officers’ likelihood to use force to gain power or assert dominance, or prevent the pursuit of alternative forms of “compensation” (e.g., sex with prisoners). Indeed, it is commonly claimed that prison officers who feel underpaid use illicit means to gain other “rewards” for their work (Lambert et al. 2007). This harks back to Merton’s work on innovation (mentioned in Chap. 4). Here, though, the rewards may include “pleasure” derived through assaulting prisoners or, more commonly, permitting prisoners to be assaulted. One former prison officer reported to us that he used to be asked by other officers how many prisoners he had “knocked” (i.e., assaulted without adequate justification) that week, and that when he expressed disapproval of such practices, he had found himself shunned and excluded by other officers.

These issues need to be considered within the broader context of limited oversight and lax managerial and organisational support. Risk of corruption is heightened where staff feel devalued, experience an absence

of quality supervision (including observation, support and direction) and feel that little or no importance is placed on ethical and professional behaviour (Griffin and Hepburn 2005; Gibbons and Katzenbach 2006). There is, therefore, a need to not only professionalise correctional staff (*see* Jurik and Musheno 1986; Farkas 1990; HLPR 2009), but also to ensure that structures including supervision arrangements fully support correctional integrity.

The Abu Ghraib Case

In terms of understanding how correctional integrity can be subverted, the Abu Ghraib military prison case provides a powerful example of how cultural, structural and environmental factors in combination produced a largely unregulated space where dehumanisation and brutalisation of prisoners became normalised practice (Zimbardo 2007). In addition to the substantial dangers posed by operating in an active war zone, this prison setting was seriously constrained by the lack of basic amenities (e.g., sanitation, reliable water supply, etc.), severe overcrowding and high levels of personal stress, all accentuated by limited peer socialisation and sleep deprivation. Uncertainty, discomfort and fear pervaded the working conditions of those assigned to guard the military prisoners. As described by the officer who first reported the abuses at Abu Ghraib (Zimbardo 2007: 347):

The plumbing was bad. Shit was backed up in the porta-potties. There was trash and mold everywhere. ... It was nasty in there. There were human body parts in the facility. ... There was a pack of wild dogs running around. You know, I was so mentally drained when I got off in the morning, all I wanted to do was sleep.

Analysts of this setting have pointed to the emergence of an atmosphere of moral bankruptcy and “groupthink.” Without clear guidance or effective reporting (whistleblowing) mechanisms, the situation enabled processes of deindividuation (e.g., placing hoods on prisoners, removal of clothing) that ultimately led to the physical and sexual abuse, degradation and murder of prisoners (Zimbardo 2007). These incidents, as we now

know, contrary to President Bush's claim at the time that the whole affair was the product of "seven bad apples," can largely be attributed to systemic failures defined by a lack of top-down procedures and constraints (no oversight from superior officers), non-existent reporting frameworks and inadequate training regimes. Quite clearly, the climate of war and fighting an "enemy" played a significant part in framing the day-to-day dimensions of prison work (including the "monstering" of prisoners by their captors). Previous service in corrections was arguably a contributing factor to the actions of some participants as well. For example, Charles Graner, who was sentenced to 10 years in prison for his role, had previously served as a CO on a death-row wing of a Pennsylvania prison. He was quoted as saying of his involvement, "The Christian in me knows it was wrong, but the corrections officer in me can't help but want to make a grown man piss himself" (*see* Brown 2005: 982).

Environmental Drivers

Changes in the nature of correctional settings, arising from architectural, demographic, ideological, fiscal and political influences, inevitably affect how officers view their work, those in their care, and how they respond to situational pressures. As noted earlier, even more fundamentally, the tentative sense of control over their workplaces and the fear many officers appear to have about personal safety contribute to a concern about physical dominance and how it can be maintained. How these concerns get reconciled with responsibilities for the care of the same individuals who threaten that sense of security is not often clear (King 2009), and is likely to vary between institutions as well as between officers. The effectiveness of the prison and its staff is often judged by the behaviour of the prisoners in their "care." Indeed, as Archambeault and Archambeault (quoted in Kelly 2014) put it "[custodial staff are] the single most important resource available [to prisons] ... to accomplish its mission, goals, and objectives." The use of force can therefore function, however misguidedly, as a mechanism for officers not only to demonstrate control to their superiors, but also to meet mission objectives (McIlwain 2004).

Overcrowding, increased security classifications, poor living conditions and limited availability of programmes can kindle inmate violence

(Trammell and Rundle 2015; Briggs et al. 2003). These same conditions can also foster officer-on-prisoner violence as force is more frequently used to maintain control over larger, more dissatisfied populations (Useem and Piehl 2006; Harris 2012). This is significant in organisational climates where overall staff numbers and the resources allocated to corrections have been reduced, and where communities might tolerate more “official violence” to restore order in prisons than in other settings (Zdenkowski and Brown 1982). As noted above, Australia has history in this area; the most pertinent example is the systematic “floggings” of prisoners in October 1970 in a number of NSW facilities, primarily Bathurst Gaol, which impelled the formation of the Nagle Royal Commission (“Nagle Report”) (Nagle 1978). This “administrative violence”—known colloquially as the “Bathurst Batterings” and led by prison management—was sparked by institutional responses to prisoner protests regarding living conditions (Zdenkowski and Brown 1982). The Report shed light on a culture of brutality, incompetence and cover-ups from (and likely before) 1970–1974. During one riot, officers—without authorisation or adequate training—were found to have fired indiscriminately at prisoners (Brown 2004; Zdenkowski and Brown 1982).

Returning to the concept of a “prison economy” (Copes et al. 2011), we need to acknowledge the informal adaptations by officers in order to maintain the “smooth flow” of prison life (Liebling et al. 2011: 134). Protection from violent acts performed by other prisoners can become a saleable commodity. In the worst situations, prisoners may be (and have been) forced to perform sexual acts on officers in exchange for protection from other prisoners and/or officers, or in return for the provision of goods or services (e.g., contraband items such as cigarettes or drugs). In examining misconduct in the Queensland correctional system, the 1991 Bingham Report investigated allegations that female prisoners were coerced by prison staff into prostitution (Bingham 1991; McIlwain 2004). The following excerpt from a prisoner’s interview transcript highlights the value to both officers and prisoners of such an economy: “I had this ... problem ... and I was taken under the wing of an officer here. And he had a bit of a reputation in the system. He had quite a few blokes [i.e., other officers] that were part of a biff [i.e., bashing] squad” (GTP project, male prisoner 2).

The physical setting in which officers and prisoners operate is also relevant to understanding how and why assaults occur. Officers control parts of those settings sufficiently to enable the commission of violent acts or coerced sexual practices unobserved by others. They can determine who can be present within particular settings and are knowledgeable about, or even control directly, the surveillance capabilities of CCTV in those settings. From a situational crime-prevention perspective, such places in prisons present known risks for assault (Wortley 2002). One prisoner commented on what occurs when officers turn a blind eye either for entertainment purposes or to relieve workplace stress.

There was one young lad who came in ... for sexually abusing an 18 month old child. And it was set up by the staff that ...he was bashed and raped for every day that he was in gaol.

And again, ... not just by prisoners but by staff?

Yes. Yes. I remember also the days where—and this is in the [19]70s—where guys would get raped in the showers. You'd have an officer at one end of the wing and an officer down the other end of the wing and they wouldn't bat an eyelid. ... I remember fights out in the yards and all depending on how good the fight it was, they'd either lock the gate, go inside and have a cup of tea, or if it was a good blue, they'd stand there and watch. (GTP project, male prisoner 2)

Segregation units within prisons have been identified as vulnerable locations for assaults by officers or other prisoners (Podmore 2012: 51). Cell extractions of prisoners also present risks of unmonitored violence, because the confined spaces of cells and the involvement typically of several officers in apparently justified extraction exercises makes it difficult both to observe what occurs and to second-guess the appropriateness of actions taken in inherently physical interactions.

4 Tackling Use of Force, Assaults and Violence

Tackling the problem of officer-initiated or -facilitated assaults on prisoners and tolerance of prisoner-on-prisoner violence requires changes on several fronts: (1) the design and operation of physical environments, (2)

the management of officer-client relations; (3) the quality of institutional conditions; and (4) the attitudes towards, and investment in, correctional settings in the wider climate.

Because few perpetrators of violence in correctional settings seek a broad audience for their actions, auditing the potential for low-visibility attacks within particular correctional settings is a necessary first step of any situational crime-prevention response (Wortley 2002). It has to be remembered that in order to reduce prisoner vulnerability to assault by officers, efforts are also needed to reassure officers that those environments are adequately structured and monitored for their protection as well. Camera surveillance is increasingly able to reduce blind spots through placement of cameras (including on officers; *see* Davison 2013) and adequate monitoring in real time of the events captured by those devices. But as the circumstances of Carl Williams' death illustrated, there also needs to be sufficient staffing resources, training and workplace routines to make it likely that these devices will detect and trigger protective responses in a timely and effective fashion in the event of an assault. Cameras alone will not constitute a deterrent.

Changes to the management of officer-client relations implies the need to challenge the masculinist, physical attitudes present within correctional settings that support the expression of frustration primarily through physical violence and efforts at physical subordination of prisoners (*see* NSW Ombudsman 2012). Developing officer competency in verbal engagement with prisoners, including use of conflict de-escalation techniques, should form part of an organisation-wide commitment to a stronger communicative strategy for management of these settings. A better understanding of the factors that contribute to workplace uncertainty and fear among officers is also required. Here, climate factors such as austerity measures and growing prisoner numbers are known sources of dissatisfaction among officers. However, sources of uncertainty may also be found in how prison regimes are managed, including changes in expectations of officers by managers. Less exploitative relationships between officers and clients, again explicable in terms of a range of factors (*see* Chaps. 3 and 4, in particular), will remove some of the provocations for assaults. Professionalisation of officers needs to address this factor, as well as the destructive and inflammatory influence on client behaviour from inconsistent application of rules (Walters 2015: 354).

Quality of prison conditions emerges from many factors, including some just covered. There needs to be more focus on supervision of officers in order

to ensure that they receive sufficient guidance and support in order to act appropriately. Correctional integrity in relation to matters such as conflict and violence prevention also requires commitment by prison managers to ensure adequate staffing, training and support for officers and supervisors. Managers should articulate policies designed to minimise use of force in correctional settings and to ensure that alternative measures for controlling clients are available and feasible. In many instances, especially where there have been indications of systemic brutality by officers towards clients (*see* Nagle 1978), this means that managers need to lead a profound change of business methods. This may necessitate a broader range of consultations and the production of radically different guidelines. As an example, the US National Prison Rape Elimination Commission (NPREC) and the US Bureau of Justice have collaborated since 2006 to develop a series of standards to reduce sexual abuse in US prisons. These standards constitute a series of detailed guidelines concerning prevention, detention, monitoring, reporting and investigation practices, such as limits on COs' use of strip-searches, prohibiting cross-gender strip and visual body-cavity searches by non-medical staff except in cases of emergency (NPREC 2009). However, as others have argued (*see* Hunter 2014), such developments mean little without appropriate means for enforcing these "standards."

Finally, any effort to reduce assaults involving officers on prisoners must take into account the strong pressures on correctional managers and staff to maintain the "smooth functioning" of the facilities in which they work. More effective understanding and advocacy around the retrograde impacts of staff shortages, privatisation, increased prison numbers and the changing demographics of prison populations is needed if some of the contributing factors to officer fears for personal safety and client volatility are to be mitigated. Also requiring closer attention in this regard are the impacts of the "prison economy" in particular its links to outside illicit markets for items such as drugs and groups involved in their supply.

5 Conclusion

The stakes are potentially high in relation to this form of correctional corruption. The use of lethal force against prisoners may arise in circumstances in which there is little visibility or prospect for independent evaluation of

the appropriateness of its use. In a number of recent Australian cases, the availability of independent investigation mechanisms in the form of anti-corruption commissions has ensured a measure of ex post scrutiny that is a necessary, minimal form of accountability. However, the more common, less harmful forms of violence require a more pervasive approach to mitigation and control that addresses the sources of officer frustration and fear and the quality of prison conditions in general.

6

Inappropriate Dealing with Client Information

1 Introduction

“They don’t beat us any more—they don’t have to. They can win by using bits of paper. It’s all a mind game now.” (Prisoner quoted in McDermott and King 1988: 373)

Information records play a highly significant role in correctional settings. One scholar has referred to the “supremacy that information has within the prison system” (McIlwain 2004: 254). This system dependence has grown greater as bureaucracy has intensified and psychological risk-management principles have come to play a greater part in institutional life (Crewe 2011b). The significance of written reports and other information collected by officers lies largely in their *constitutive* character—how information that enters the official record comes to represent, correctly or incorrectly, the identity/character of the prisoner (or probationer or parolee) for a variety of system decisions, including classification for accommodation purposes, as well as access to programs and to health-related treatment. How this information is shaped, in short, has material, and

potentially prejudicial, consequences in the lives of correctional clients, and thus creates conditions for integrity breaches (*see* Ruppert 2013).

Where the records have been corrupted in some way, for instance through false reports of prisoner misconduct, the decisions taken on the basis of that misinformation are likely to be unfair and to undermine security and rehabilitation outcomes. As management-information systems become more digitised and networked, this information becomes more apparently seamless as well as potentially potent, as more staff located in different places within the system contribute to the information record, as well as have access, whether it be authorised or unauthorised, to a common record. Needless to say, correctional clients tend to regard the integrity of their records, including the confidentiality of personal data, matters of immense existential importance (Crewe 2011a).

Information about correctional clients has a number of values: (1) to the *individual client* in terms of control over its content and uses made of it by the individual as well as by others; (2) to the *correctional system* in terms of its bureaucratic needs, particularly decisions and responsibilities relating to reception, classification and subsequent management of the care and control of the individual; and (3) to *miscellaneous outsiders*, including media, victims of crime, organised crime groups and associates of other individuals in the correctional system. Although misuses of information by officers can occur for vindictive or personal reasons, there is also a market for this kind of information, especially as it relates to notorious offenders or potential key witnesses in upcoming criminal trials. Officers willing or coerced to service particular exogenous relationships become relevant here (*see* IBAC 2015).

Threats to the integrity of correctional client information can potentially arise in relation to how information is reported, recorded, stored, accessed and disseminated by staff. Most instances, however, will relate to unauthorised access and disclosure by officers to others inside or outside correctional settings. The content and uses made of formal records are matters of enormous consequence in view of the values/interests mentioned above. Officers can exercise considerable positional power over prisoners through their influence over what gets reported and recorded, how matters recorded get represented in the record and what happens to that information. Mistreatment of a client's personal legal papers is one

tactic that officers may use to deliberately provoke or punish a client. Heyward (2011: 127) recalls a cell search during his time on Rikers Island. One prisoner objected to the way in which his legal papers were being handled by an officer. At this point, the officer in charge yelled “Extraction!” prompting other officers to rush in and apply handcuffs to the prisoner. While being handcuffed, another officer threw the papers on the floor and poured a container of milk over them.

The management-information systems that lie at the heart of bureaucratic record-keeping, therefore, are tools shaped by input from staff. The input made by staff will form part of the official record that will affect subsequent assessments and decisions relating to the treatment and release of prisoners. Deliberate or inadvertent inaccuracies in content, or in how the information is shared and subsequently processed, can materially affect the fortunes of individual prisoners. In addition to more flagrant abuses of client-related information, the ways in which systems routinely handle client-related information have important implications for the dignity of clients of those systems and for perceptions of their legitimacy. Any agency, department or organisation engaged in service provision that suffers from systematic or repeated leaks (unauthorised disclosures) will appear badly run and deserves close scrutiny.

2 What Is Inappropriate Dealing?

Kinds of Information Involved

Information held for official purposes in correctional settings can take a variety of forms. These include: (1) legal—information relating to court orders (convictions, sentences, supervision orders, etc.) or legal proceedings in which the prisoner has been a party or is planning to be a party (e.g., an appeal); (2) health—medical, psychological material relating to the prisoner disclosed confidentially in the course of treatment; and (3) personal information—details of social security numbers, other personal identifying information, details regarding family members, friends and associates, including their places of residence and occupations. It is fairly

obvious that information in each of these categories is potentially sensitive and therefore should be protected and respected.

Information held can, as noted, be *accurate* or *inaccurate*, as well as *complete* or *partial*. Deficiencies in terms of accuracy and completeness undermine the integrity of the official records, and can potentially prejudice the treatment of clients by correctional systems.

In addition to potentially prejudicial information contained in official records, some information about clients will be more informal in nature. Typically, it will not be documented on the official record, instead residing in the personal knowledge of staff and other clients; for example, it might be information communicated in a conversation between an officer and a client of a personal nature. Such unofficial information can nonetheless have a tradeable value, and thus be shared inappropriately for essentially the same reasons that official information is shared.

3 Main Drivers of Unauthorised Access and Disclosure

Inappropriate dealings with information can take a variety of forms:

(1) Unauthorised access: Although staff will have access to records for approved purposes (e.g., in order to make classification decisions), depending, of course, on their position, there also will be occasions when staff access information for personal interest (e.g., curiosity) or other, more instrumental, reasons. This access may be incidental to their position (direct), or indirect; arising, for example, through exploitation of information-security vulnerabilities in the workplace data systems. Casually browsing the criminal record of a notorious prisoner on a departmental computerised information system might be one example. In a recent example, a Western Australian prison officer was fined \$5000 in relation to 22 charges of unlawful use of a restricted-access computer. The court was told, and accepted, that although his browsing had focused on prisoners who were members of a drugs syndicate, the officer had “acted out of curiosity and not for personal benefit” (Weber 2015).

(2) Unauthorised disclosure: Assuming access to client-related information, the more common event, and more serious harm, relates to actual

unauthorised disclosure of that information to others. Where disclosure leads to widespread dissemination, for example, through media publication of photographs or information relating to the whereabouts and condition of a notorious prisoner, the breaches of confidentiality and privacy involved are significant integrity failures. These can be measured in terms of potential impairment of client safety and institutional security, as well as reputational harm to the institutions and officers involved. Disclosures can occur in quite blatant fashion and with serious consequences. As one prisoner explained, “Officers tell crims what some crims are in gaol for, you know, [so the prisoners will] give em a hiding. ... Some officers in here can’t keep their mouth shut. ... It’s very toxic” (GTP project, male prisoner 4).

(3) Falsification of records: Deliberate inaccurate recording (whether by commission or omission) in prisoner records can stem from quite different motives. It may be to prejudice the prisoner within the system, for instance by falsely reporting a breach of rules (i.e., a fabrication) that could, if upheld, cause a delay in that prisoner’s release or lead to a harsher classification and therefore treatment regime. One area where falsification has been noted in US correctional settings has related to prison health records, including documenting treatments that were not provided (commission), and failing to document injuries or other medically induced harms (omission) (Vaughn and Smith 2006).

Falsification of client records, it should be noted, can also work potentially to the benefit of clientele. In one case in NSW, clients serving CSOs were being falsely certified by their supervising officer as having completed certain requirements. In other words, the records had indicated there had been compliance with the orders when, in fact, this was not the case (ICAC 2011). In relation to custodial sentences, potentially false entries might favourably influence decisions relating to classification or early release. In some cases, officers may refrain from reporting particular security breaches in order to avoid their workplace being brought into disrepute. Where failure to meet particular KPIs Key Performance Indicators (KPIs) has direct implications for staff careers, there is some evidence that private prisons might be more vulnerable to this type of activity. Here the record is “falsified” through the deliberate failure to report illicit conduct for fear of the impact on contractual arrangements. One prisoner spoke to this dimension, commenting:

Sometimes they [would] piss test 15 old blokes cos they want to give clean urines [to head office—the people paying for the prison to be privately run]. ... I've had [officers] say to me that they've found some big ticket items [i.e., contraband] and management have just flicked it away because they don't want head office to know about it. (GTP project, male prisoner 4)

Incidence of this Behaviour

In contrast to policing, it is very difficult to find public information on the frequency of and the most common types of this behaviour. This poses an interesting and potentially significant gap in our knowledge, given that misuse of confidential information is now widely recognised as one of the greatest corruption risks facing the criminal justice system generally (Goldsmith 2015; Gorta 2006). Given the relative “invisibility” of prison life to external scrutiny, it becomes important to ensure that prisoner-related information is not being misused.

The limited data available suggests the practice may be quite widespread across a variety of workplace settings. A UK study of “insider threats” in a variety of organisational settings (CPNI 2013) found that nearly half the cases studied (47 %) involved the “unauthorised disclosure of sensitive information to an external party.” In many instances, it involved leaking of information to journalists.

In relation to corrections, there is evidence of its relative frequency from an Australian self-report survey of custodial officers undertaken by the Queensland Crime and Misconduct Commission (CMC 2009). This study found that as many as 40 % of officers thought release of confidential information occurred at least “sometimes” if not more frequently (CMC 2009: 16). Other categories of information-related misconduct included “disclosure of personal information” (over 30 % officers reported it as occurring at least “sometimes” in 2001) and “false reports” (around 12 % said it occurred “sometimes” or more in the same survey). Around a quarter of those surveyed in 2007 said they had direct evidence of unauthorised disclosure of confidential information, around 14 % had evidence of disclosure of personal information and around 8 % claimed evidence of false report making (CMC 2009: 20).

Unauthorised disclosure is more likely to occur inadvertently rather than deliberately or maliciously. A relatively recent study of police leaks in NSW, Australia indicated that leaks by police officers are more likely to arise from misunderstandings and carelessness than from other causes (People 2008). There is no particular reason to think that leaks by COs are likely to be different in this regard. However, the opportunities for officers to act in this way are considerable, given increasing accessibility of records online, the centrality of official records in the institutional trajectories and experiences of clients and the frequency of interactions between officers and clients that provide a pretext for filing reports. Given these factors, there is a real need for clear education and training for officers in raising awareness about notions of correctional clientele confidentiality and privacy rights and other measures for reducing the likelihood of future inadvertent disclosures.

Explanations for Unauthorised Handling of Information

Financial advantage, as well as revenge, looms as drivers of this kind of behaviour. Inadvertence or a casual disregard for the confidentiality of client information is also relevant. McIlwain (2004) found that non-custodial staff members often have a hard time understanding rules around prisoner confidentiality. A similar difficulty has also been observed in relation to community corrections staff (ICAC 2006). A critical question to be asked in any correctional setting is how easily accessed, and how readily comprehensible, the guidance principles are in this area. Having a common portal for policies and directives in this and other areas should be a priority. In a review of this topic in relation to police, it was found that officers had to consult up to eight different policy documents on confidentiality of information (OPI 2010).

Ease of access to this information in the workplace stands as an important situational characteristic that enables casual as well as more concerted integrity breaches. Many correctional staff have legitimate access to clientele information for work-related purposes. On this pretext, staff can access information systems that often provide extensive information

about clients. Aside from casual browsing, the existence of *markets for information about prisoners* and other correctional clients has to be recognised and addressed as a primary risk factor. The UK inquiry into the phone-hacking scandal (the Leveson inquiry; Leveson 2012) and the subsequent police investigation (Operation Elveden) have shown how media demand can be very strong for information about persons in the public eye, including notorious prisoners. These inquiries also confirm how prison officers and other correctional staff can be drawn into unauthorised disclosures of information to which they have access.

In a telling example, a British prison officer, Scott Chapman, was sentenced to three and a half years prison in November 2014 for selling information regarding Jon Venables, one of the convicted killers of infant James Bulger. The court was told that Chapman had made up to GBP 40,000 from selling information to journalists. Chapman reportedly told the court that he had first contacted *The Sun* newspaper because he was unhappy about how Venables was receiving favourable treatment in prison, but then later turned to other newspapers because he wanted to stop his Sun contact pestering him. In sentencing Chapman, Judge Charles Wide is reported as stating, “In no other case that has been before the court has a public official made so much money selling so many stories to so many newspapers” (BBC News 2014a). Two months later, another prison officer pleaded guilty to misconduct in a public office in relation to selling information about the same prisoner to the Sun newspaper (BBC News 2015).

As noted, not all breaches are motivated by material gain. Although many breaches may be so inspired, there appears to be somewhat of a cavalier disregard towards the potential harms that can arise from its unauthorised release. Despite having prohibitions on breaching confidentiality, McIlwain (2004) found a widespread view among non-custodial staff that sharing information of this kind among other staff did not constitute misconduct. This problem has been linked to a general failure in many workplaces to understand, and act to prevent or manage, *conflicts of interest* (ICAC 2006). It is self-evident that officers who have a poor understanding of their role responsibilities are more vulnerable to committing various integrity breaches, including releasing confidential information to friends, acquaintances and associates.

4 What Can be Done?

The potential for abuse in this area is considerable, although the evidence of its manifestations is largely anecdotal and dependent on media reports of notorious instances. Devising effective responses needs to focus on organisational structures and cultures if we are to respond to the problem more effectively. Misuse of information can be a reflection of feelings of powerlessness or frustration in the workplace. The “us and them” mentality identified in numerous prison studies as characterising attitudes between staff and prisoners (*see* Toch 1992; Crewe 2009) is consistent with attitudes of diminished concern for, or indifference towards, the well-being of prisoners. There is the all-too-real possibility that officers may, in the absence of an understanding of the harms from such violations of client rights, believe that “they [prisoners] deserve it” or “there is no harm done.” This would not, however, seem to be the case. Crewe’s UK study found what he called the “tarnishing or neglect of prisoner reports” by officers as “most damaging” of staff-prisoner relationships. This is a form of “arm’s-length” abuse that has increased in recent decades, according to Crewe, in line with the decline of overt and widespread physical brutality (Crewe 2011a: 465).

One area of vulnerability arises in respect to information recorded by non-custodial staff, such as psychologists and medical practitioners. McIlwain (2004: 254) noted the great amount of prisoner personal data to which certain categories of non-custodial staff (psychologists, doctors, health workers, counsellors) hold and/or have access. If this material is inappropriately divulged to other staff or indeed on occasion to clients, it may cause unnecessary distress to correctional clients. McIlwain’s (2004: 1) study includes a detailed case study in which a psychologist discovered that information she had put on a prisoner’s file had been disclosed to that prisoner without notice or entitlement, resulting in an angry confrontation between the psychologist and the prisoner. The impact of such material on a client’s sentence management makes the veracity of its content and its disclosure potentially upsetting to clients. The importance of professional regulation arises here as many staff in this category will be bound to uphold notions of client confidentiality and the keeping of accurate records.

In the hands of other clients, this information can affect the way in which the prisoner may be treated by other prisoners (e.g., if the prisoner is HIV-positive, or has committed an offence against a child). Accuracy and fairness in what is recorded are also important to assessments about parole and probation compliance. How this information is written in reports, to whom it is given, where it is secured and how it is used during the period of the sentence are matters of enormous potential significance to prisoners (McIlwain 2004: 168).

Limiting the harm from such activities requires, firstly, greater awareness through education in matters of conflict of interest and the rights of clients. More practically, it requires an appreciation by officers of the potentially counterproductive nature of careless or deliberate disclosure and other abuses of client records in terms of client conduct and the good order of correctional institutions. The ability of officers, for whatever reason, to influence the record in ways that prejudice clients unfairly needs to be linked to recognition more broadly of *abuse of discretionary power*. Non-custodial staff such as psychologists, according to Bennett et al. (2008: 430), can exercise such institutional power in these settings, potentially making them the “new enemies of the prisoner community.” This power, as noted earlier, is also vested in custodial officers (presumably the “old enemies” here). In both cases, there is a need for greater guidance around the exercise of this discretion, more monitoring of record entries by officers by supervisors and electronic-access restrictions on records and the tracking of all access traffic to ensure detection of abuse. Given the financial incentives at stake in many instances, closer monitoring of officer lifestyles and associations would make it more risky for officers to get involved in such activities.

5 Conclusion

Correctional client-related information, we have seen, has value outside the needs of the correctional system that can encourage breaches of confidentiality and intrusions into client privacy. The sense of property in this information held by clients is complex and contradictory, but fundamental to understanding the consequences of integrity failure.

More effort is needed in the form of recruitment and in-service training to underline the importance of having, and enforcing, norms protecting access to this information and discouraging inappropriate disclosures. The demand for this information from journalists and others is likely to continue, so that ongoing temptations for officers must be anticipated and thwarted as much as possible. In terms of the consequences arising from internal abuses of information, both through disclosure and falsification of records, the links to preserving good order need to be appreciated among officers as well as having regard to the prejudicial impacts on sentencing outcomes.

7

Procurement, Kickbacks and Fiddles

1 Introduction

It has been said that, “Few activities create greater temptations or offer more opportunities for corruption than public sector procurement” (Transparency International 2006: 13). Procurement of goods and services constitutes a common area for corruption in private and public sector settings (*see* Graycar and Prenzler 2013; CCC 2008; Ware et al. 2011). Transparency International (2006) has estimated that, worldwide, approximately US \$400 billion per year is lost as a direct consequence of bribery, maladministration and corruption in public procurement. Procurement corruption in corrections means that money intended for expenditure on goods and services related to the purposes of correctional services is being spent either inefficiently or being diverted away into private hands. In an era of “mass incarceration,” the size of the correctional sector means that considerable amounts of money, often in the millions and tens of millions of dollars, can be involved in contracts entered into by correctional authorities with outside suppliers for building and leasing of prisons, jails and detention centres, and for supplying provisions and other goods and services essential for running these facilities. In

sheer opportunity terms, the temptations for illicit profiteering (bribes, kickbacks, etc.) by officers and managers from exogenous relationships with outside providers are substantial, as we will see below.

The chapter begins by examining procurement corruption within correctional environments. The related activities of kickbacks and fiddles are included in this discussion. *Kickbacks* are often the reward for employees who participate in procurement corruption. *Fiddles* refer to employee benefits derived improperly in the workplace, in which the employer and/or outsiders may bear the loss from fiddles (see Mars 1982). Fiddles may be substantial and organised in nature, almost predatory, or they can be more opportunistic and casual. Borrowing from the U.S. Knapp Commission, those engaging in the former might be considered “meat-eaters,” whereas those involved in the latter could be viewed as “grass-eaters” (see Punch 2009: 21–22). A third category is the “birds,” those employees who “fly over” these activities, avoiding direct or incidental involvement. As we will consider in Chap. 8, inevitably there will be “birds” in any correctional setting—officers who are aware of corruption, but do not participate in it. Equally, for reasons we consider in that chapter, they will often not report it.

This chapter then turns to the extent and nature of this activity through a series of case studies. Unlike other forms of correctional corruption (e.g., trafficking), many of the opportunities and vulnerabilities for procurement corruption in correctional environments mimic those experienced elsewhere in the public and private sectors (e.g., public health). Although some of the issues we consider are not limited to correctional settings, we will draw on case studies from corrections in order to show areas of vulnerability in these settings. The chapter concludes by looking at ways of tackling some of the key manifestations of procurement corruption and how this relates to the correctional setting.

2 What Is Procurement Corruption?

Procurement refers to the “acquisition of consumption or investment goods or services” (Transparency International 2006: 13). The acquisitions can be food, medical supplies, linen and laundry services, vehicles and

equipment to construction, consultancy and other services. Government and private expenditure on procurement typically involves high-value transactions, sometimes of millions of dollars, making it particularly susceptible to corruption (Graycar and Smith 2011). The contract process itself involves a series of complex procedures and stages, ranging from project identification and submission of bids and bid evaluation, through contract award and performance assessment (Ware et al. 2011); each step offers opportunities for integrity breaches.

The high level of expenditure in corrections creates often cutthroat competition between contractors and service providers whose business relies on such contracts (Ware et al. 2011). This increases the likelihood that bribes, kickbacks and other “favours” (e.g., discounts, complimentary travel) will be offered by companies to guarantee lucrative contracts, allowing corruption to become more prevalent and entrenched. In 2012–2013, Australian expenditure on corrections totalled \$2.4 billion, approximately 25 % of which was afforded to procurement (SCRGSP 2014). Similar levels of expenditure apply elsewhere, for example, in the USA (Schmitt et al. 2010) and UK (*see* HM Chief Inspector of Prison 2013). As the level of expenditure on corrections increases, the amount of procurement also rises, along with the risks of procurement-related corruption (SCRGSP 2014; Souryal 2009: 35).

Defining Procurement Corruption

Procurement corruption encompasses the misuse of one’s position to engage in activities such as bribery, extortion, receipt of kickbacks, theft, fraud, abuse of discretion, exploitation of conflicts of interest, nepotism, cronyism and favouritism (Graycar and Smith 2011: 6; Transparency International 2006). In this chapter, we will not deal much with theft, fraud, misappropriation, extortion or cronyism and favouritism; these are instances of crimes and/or of workplace practices that are not particularly distinctive of correctional settings.

Of more central concern are the issues of bribery and kickbacks that have arisen as elements of a number of procurement-corruption incidents in corrections. Bribery may be considered to be the “use of a reward

to pervert the judgment of a person in a position of trust” (Nye 1967: 419). Both offering a bribe and taking a bribe are problematic in integrity terms; the former reflects the economic power to bribe another, the latter, the power to provide a favour in return for the bribe (Zimring and Johnson 2005: 796). “Kickback” is a term often used interchangeably with “bribe.” As Ware et al. (2011, 69) observe, a kickback typically takes the form of a percentage of the value of a contract that “kicks back” to the official upon the award of the contract to the supplier. Both terms, as noted, imply the power of one party to the transaction to provide a favour through, in the case of procurement corruption, the awarding of a contract and/or its favourable administration over time.

A “fiddle” refers to resources taken from a workplace for individual private use. The resources in question “may derive directly from the job itself or be allocated from an outside source that relates to the job” (Mars 1982: 10). Whereas procurement corruption depends on an intentional “perversion” of procurement procedures, a fiddle need not relate to procurement at all, and the benefit is incidental, rather than central, to resources acquired for work-related purposes. Many of those who engage in fiddles are more akin to “grass-eaters.” Hypothetically, a prison fiddle could be a prison officer who takes home tools from the industry workshop, or who removes and takes home a portion of food from a delivery order to the prison kitchen. In the course of preparing this book, someone we encountered who was aware of the topic on which we were working volunteered that his brother-in-law, who had been a prison officer, had a home workshop full of tools etched with the initials of the correctional centre where he had previously worked. Put bluntly, such “fiddles” are clear instances of theft under the criminal law of many places, and thus could be the subject of prosecution.

Procurement corruption may therefore take many forms. It may involve different aspects of the procurement process, ranging from often-publicised high-level fraud through low-level pilfering of company stock and supplies (e.g., stationery). The following actions are widely accepted as serious forms of procurement corruption (*see* Transparency International 2006; Graycar and Prenzler 2013):

- Unnecessary/overestimated expenditure
- Payment/receipt of political favours or kickbacks

- Favouring of relatives (nepotism) or friends (cronyism) in the award of contracts
- Provision of substandard goods and/or services (to cut expenditures)
- Misappropriation or misuse of goods and equipment
- Misuse of information (e.g., leaking of confidential bids)
- Use of one source/supplier without justification
- Isolation of communication with suppliers/contractors to only one individual
- Provision of faulty or lesser-quality equipment that requires early repair/replacement
- High levels of purchasing just under authorisation thresholds
- Duplication or falsification of invoices
- Individuals responsible for ordering *and* authorising contracts, payments or goods without adequate oversight
- Excessive variations to orders/emergency works requiring bypass of usual procedures
- Creation of false suppliers

Despite considerable variation across these examples, the evaluation of procurement corruption requires an adequate appreciation of its harmful consequences. Within the correctional setting, the impact can, or at least should, be measured in terms of the quality and quantity of goods and services available to officers as well as clients, which, in turn, affects the quality of life in correctional settings. Improper diversion of correctional resources into private pockets in environments in which resources are often already stretched represents the key objection to procurement corruption.

In contrast to employee fraud, which can be committed by a single employee against her employer (e.g., through misappropriation of funds), procurement corruption necessitates the exploitation of a relationship between the employer and an outside provider, in which the employee exploits a positional advantage within a procurement process for personal benefit. There are several elements in this scenario that have already been addressed in this book. One relates to inappropriate relationships (Chap. 3). The other (to a lesser degree) is misuse of information; here it does not directly concern clients, but it nonetheless carries consequences for the efficient and equitable management of correctional facilities. Like other

forms of corruption, it is typically low visibility in nature and therefore is threatened by any structures or practices that heighten transparency in operations. Its low profile can also be attributed to it being a form of malfeasance in the running of the correctional enterprise. As with other areas of public/private partnerships, commercial considerations tend to reduce transparency of business processes in the corrections sector, rendering them even further “out of sight, out of mind” (Podmore 2012).

Business by Other Means?

As with cronyism and nepotism, procurement corruption can sometimes barely be distinguishable from the “ways of means” of doing business in a particular setting. As Macaulay (2011: 39) notes, “there may be an informal system of mutual back-scratching which can be hard to investigate or prove.” When is a gift or other benefit a bribe or kickback? In answer to this question, one can begin by looking at the motivation behind both the offer and the acceptance. Where there is an intention by a supplier to extract a benefit by other than transparent, and typically competitive or merit-based, means, there is a clear integrity risk. There is a conflict of interest problem in this case for the public official because acceptance of any significant gift would cast doubt on the propriety of any subsequent award of a contract to the supplier providing the gift.

In many jurisdictions, there are now rules and procedures that allow the receipt of small gifts (ICAC 2011). These rules attempt to set a balance between expressions of human reciprocity and gestures of more self-interested kind by limiting the form and size of gifts. It is not just the risk to integrity from actual bias in the award of a contract that is of concern; it is also the potential harm to confidence in business processes (e.g., procurement) from perception among other potential suppliers that the selection of bids is based on factors other than product price and quality (i.e., merit). As we discover below, this can undermine competitiveness and value for money. Therefore there are strong reasons to avoid the practice of accepting gifts or similar benefits; at the very least, they should be recorded in an auditable register as well as being restricted in amount and size. In the private sector, practices of gift-giving, extensions of hospitality

and so on are arguably more common and regarded by those involved as less objectionable, whereas in the public sector, there is a presumption of abuse of public power, one that is borne out by experience and that threatens confidence levels in those public services.

3 Main Drivers

A number of cases involving kickbacks and illicit profiteering provide us with some insight as to the types, as well as extent, of this form of corruption in corrections. It is helpful to look at the specific opportunities in correctional sites for this kind (and, indeed, other kinds) of corruption. Those opportunities can arise from job responsibility and/or physical location. *Access* and *authority* are always relevant considerations in assessing risk of the commission of corrupt acts.

Senior COs with responsibilities for budgetary decisions are a vulnerable group for this category of corruption. Souryal (2007: 431) outlines a case in 1997 in which a Louisiana sheriff pleaded guilty to accepting kickbacks of around US 340,000 in relation to the awarding of a lease of a detention centre in his county to a private company in which he had an undeclared financial interest. The sheriff, Dale Rinicker, was charged with fraud, conspiracy to launder money and money laundering (Souryal 2007). He had apparently approached a local lawyer with the idea; this level of premeditation and direction suggests he was a “meat-eater” rather than a “grass-eater.” The lawyer set up the company with Rinicker as a secret shareholder and arranged for him to be paid kickbacks by a set of ruses involving bank accounts in neighbouring counties.

In another example, Howard Dean, then director of the New York state prison system’s Food Production Center, with responsibility for feeding more than 60,000 prisoners and a US 55 million dollar budget, was found to have received frequent free meals and food from favoured suppliers to his Center. This improper receipt of benefits was not limited to just him. Another staff member in Dean’s section was also found to have been buying food from one of the suppliers at a discounted price that he then was using in his undisclosed private catering business. Reportedly, the Correctional Services Chief Fiscal Officer had never seen

fit to examine what Dean or his employees were doing as “he had received no inmate complaints about food” (DiNapoli 2014: 1). Such a reactive approach to financial supervision was clearly inadequate.

A subsequent investigation revealed that Dean had also routinely rorted travel and leave entitlements over a period of 16 years, resulting in the fraudulent accrual of benefits of around \$250,000 (DiNapoli and Fisch 2009). In a highly critical report, the State Comptroller and Inspector General jointly called on the Commissioner of Correctional Services to “change the control environment in the prison system to one that actually enhances internal controls and respects Office of the State Comptroller, Division of the Budget and Correctional Services’ regulations and guidelines” (DiNapoli and Fisch 2009: 1–2). The official response of the New York Department of Correctional Services to these disclosures is quite revealing as to the difficulty of getting organisations such as correctional services to prioritise issues of integrity over other business objectives (Watson 2012):

“The actions for which Mr. Dean was charged took place prior to the current administration, which corrected the lack of oversight that allowed this behavior to occur,” said NYDOCS spokesman Erik Kriss. “Although Mr. Dean helped build a cost-effective food operation that continues to save money for the state prison system and for many counties, we do not condone any actions by him or any other employee that fall outside the boundaries of acceptable conduct.”

Organisations are often loath to punish, or indeed check too closely, the actions of those employees who are seen by managers and peers as doing a difficult job relatively well. As the Howard Dean example shows, these people are often longstanding employees who, despite exercising important responsibilities, are presumed by their supervisors to be acting appropriately and therefore undeserving of auditing or oversight.

Prison Industries

Prison industries, through their necessary dependence on outside suppliers, have provided opportunities for corruption. In an Australian kick-backs case, three COs had created false invoices and fictitious businesses,

misappropriated payments intended for the Department of Corrections and received kickbacks from private businesses (CJC 2000). The corruption related to the management of a commercially operated industry within a Queensland prison facility, the purpose of which was to provide meaningful work and skill-development opportunities for inmates. Specifically, the officers engaged in a practice of contacting suppliers directly and having goods supplied or work performed prior to the raising of purchase orders. Despite these activities being witnessed by other staff and contrary to departmental policy, they were allowed to continue. The Criminal Justice Commission (CJC), not surprisingly, found supervision of authorisation procedures to be inadequate. Over a period of 5 years, the officers concerned had been able to engage in improper transactions totalling in excess of AUD 50,000. The three officers were charged with a total of 72 counts of false pretences, misappropriation and receiving and giving secret commissions (CJC 2000).

In another example involving prison industries, we see another failure in relation to implementation and oversight of procurement processes. The case involved the Division of Industries, known as “Corcraft,” a major component of the New York Department of Corrections and Community Supervision. Prisoners were employed to manufacture a range of products, such as textiles, uniforms and furniture, with annual sales of approximately US 50 million (DiNapoli 2014). Following an audit in 2013, it was found that existing procurement practices allowed one individual, the purchasing supervisor, to control almost the entire process for the procurement of textiles for Corcraft. As the auditor observed, “[G]enerally, an entity’s procurement activities—such as initiation, authorisation, approval, receipt and payment—should be done by employees in different areas” (DiNapoli 2014: 6). In this case, the failure to do so had “increased the risk of favouritism in the award process.” It had also resulted in inadequate testing of supplier specifications. The result, the auditor concluded, was insufficient open competition and only “limited assurance that textile contracts... were awarded to the lowest responsive and responsible vendors” (DiNapoli 2014: 6). In reply, management conceded it had resource shortages in its procurement section. It also promised to develop written textile procurement policies, something that had not existed previously (DiNapoli 2014: 9).

Privatisation and Outsourcing

Many governments have followed the trend towards privatisation (Transparency International 2006; Graycar and Prenzler 2013). Emerging in the 1980s, privatisation within the prison sector has been viewed by governments as an opportunity not only to better manage corrections as part of their wider economic responsibilities, but also to improve prison conditions and services (Roth 2004; Sozzani 2001). However, the claim that conditions are better in private facilities is contentious (*see* Macaulay 2011). Privatisation has coincided with the push by governments to distance themselves from the political instability typically associated with corrections (although not always successfully; *see* Morris 2013). Nonetheless, privatisation in an area such as corrections introduces tensions around the disparity between public and private roles and responsibilities (Box and Forde 2007). As Souryal (2009: 25) notes, “Although society justifiably expects its public officials to demonstrate a higher standard of integrity...it holds private organizations accountable only to the areas of contractual rules and obligations.” As we have already noted, accountability and service quality can suffer in the pursuit of profit (Brooks et al. 2013; Johnston 2004).

Standards can suffer in times of austerity as prison managers attempt to meet budgetary cutbacks. For example, in the USA it has been claimed that the structure of contracts awarded to private companies like Correctional Medical Services and Prison Health Services for the provision of health care in correctional facilities “ensures dangerously substandard medical care” (Soring 2008: 5). This is a result of a model where corporations’ profits depend on providing minimum standards of medical services (and in some cases, none) under the doctrine of “the less they treat, the more [profit] they keep” (Rigby 2006: 14; von Zielbauer 2005; Dannenberg 2006).

Funding of private companies on a per capita (or per service input) formula for the delivery of public services, can introduce perverse incentives that can dramatically impact on correctional clients in various ways. In one disturbing U.S. case, two county judges in Pennsylvania were found guilty of fraud and accepting kickbacks in connection with the so-called kids for cash scandal in Pennsylvania (Chen 2009). Judges Ciavarella and

Conahan were found to have acted corruptly and fraudulently in sending more than 5000 juvenile offenders to private juvenile detention facilities—for objectively minor offences (e.g., inappropriate language)—in exchange for financial kickbacks from the companies that managed the detention centres. Over a period of 5 years, Ciavarella and Conahan secretly received more than US 2.6 million. The judges were disbarred and sentenced to more than 7 years in prison (Chen 2009). Aside from deriving a private benefit from public office, the judges had dealt unfairly and illegally with those they had sentenced without proper cause to detention. This case points to the particular risks faced by vulnerable populations (in this case, young offenders, many from broken families) where there is also excessive discretion afforded to key authority figures; weak regulatory mechanisms; and complex, largely concealed, contract procedures.

Private providers in the corrections area can also engage in overcharging. In both overservicing and overcharging, governments are exploited through their dependence on private providers and by inadequate attention being paid to the opportunities for rorting that lie within the award and administration of contracts by those responsible for overseeing the provision of these services. In 2013, the UK Serious Fraud Office found two major private security service providers—G4S and Serco—had overcharged the government for the electronic monitoring of offenders in the community (Morris 2013). Following an audit of the company's contracts across a period of more than 10 years, it was discovered that the companies had overcharged the Ministry of Justice by up to £50 million. They had billed in some cases for monitoring of offenders who were back in custody, no longer in the UK or in some cases deceased (Morris 2013). Self-regulation by the providers had clearly failed, because the audit also revealed that the companies had been aware of the problem since 2005 and yet had not taken steps to address it. As a PwC report confirmed, there had been some serious flaws in both the internal and external auditing processes related to contract administration (Lockhart-Mirams et al. 2015: 46).

Despite these revelations, both companies are still receiving payments for offender-tracking services to the value of £13.2 million (Travis 2015). This is because it seems to have proven difficult—in fact, impossible—to find alternative suppliers, especially those able to step in and take over such large contracts (Plimmer 2015). This is despite the results of the

audit pointing clearly to major integrity deficiencies in the operations of both companies. It has also launched a review of contract management across the Ministry of Justice. In addition, G4S and Serco continue to be awarded further contracts for other prisons and detention centres after undergoing government mandated internal “corporate renewal” processes. The problem, it has been suggested, is that major private sector providers are deemed “too big to fail” by governments (Lockhart-Mirams et al. 2015: 46), a consequence of “poor market shaping” by government (Lockhart-Mirams et al. 2015: 46).

Abuse of Discretion

Whereas an absence of procurement procedures can contribute to corruption, more commonly it is the failure by key officials to follow proper procurement procedures in the exercise of their discretion that is linked to corruption and other questionable practices. In 2010, the NZ Corrections Department failed to disclose that it had awarded a large contract to multinational security firm Honeywell for the provision of new security systems across a number of correctional facilities (Kitchin 2010). Upon review, it was also found that the contract, worth tens of millions of dollars, had been awarded without going to tender. Honeywell had been classified by a government procurement officer as falling within “services/maintenance” category rather than as a contractor, meaning that the competitive tendering requirements could be bypassed. This case points to the importance of clear definitions, once again, and for transparency in their application, including steps to ensure that the “creative” interpretation of the kind seen in this example does not occur.

In an extraordinary example of abuse of public office, a correctional services government minister in NSW, Rex Jackson, ensured that he personally controlled an early-release scheme for prisoners in order to benefit financially from those cases he put forward (and personally approved) for early release (Marr 2012). A known heavy gambler, Jackson, along with four associates, were charged and convicted of conspiracy relating to release of prisoners from Broken Hill gaol between October 1982 and June 1983. Although not a procurement case per se, it is an example of illicit profiteering from

public office in which, like the Pennsylvania case above, the predicament of prisoners was exploited and arguably harmed for personal gain. Jackson's perversion of the early-release scheme meant some prisoners able to pay were released on grounds other than merit under the formal terms of the scheme, potentially also resulting in the holding of other prisoners who might have otherwise qualified for early release. Such improper manipulation is likely to induce cynicism among those prisoners left out of such arrangements and to contribute to feelings of organisational injustice.

4 Tackling Procurement Corruption

There is plenty of general “best practice” advice on how to reduce the likelihood of procurement corruption in public sector areas, including corrections (*see* Ware et al. 2011). We do not propose, therefore, to recite them at length or to even reduce them to banalities, in the interests of space. We have outlined through a series of cases some areas in which risks have arisen previously. More attention to these areas in terms of risk assessment, clear guideline setting and training and effective oversight of procurement processes is clearly warranted. It has been demonstrated that officer abuse of discretionary power in return for payment can occur at any level of correctional establishments.

The main features of such incidents are the existence of discretion and the failure or absence of appropriate monitoring of the exercises of such discretion in an environment already largely closed to public scrutiny (Souryal 2009). Given the incentives for private providers to secure contracts in this area, there is a real need to focus on the risks and temptations faced by those officers with procurement-related responsibilities. More active, comprehensive governance on the supplier side is also warranted. As we saw in the Howard Dean case, correctional management has not always been sufficiently vigilant or vigorous in setting and ensuring implementation of standards in this area. On the supplier side, there is also a strong case for stronger background checks on suppliers (“know your suppliers”) that are rigorous in terms of assessing the likelihood of them engaging in integrity breaches in the pursuit of securing business. Taking into account past track record is an obvious way of determining future risk.

More broadly, at the level of organisational climate, real issues continue to arise regarding the operation of markets for services in this area. A report by the UK's Institute for Government, in recognition of "poor market shaping" by government, has called for the need to "ensure a sufficient range of capable suppliers and to maintain competitive tensions" (quoted in Lockhart-Miramis et al. 2015: 47). A recent UK report by the Reform Trust has called for "markets for good" in the delivery of public services. This proposal envisions reducing the barriers for service providers to compete, licensing of all providers on the basis of appropriate background and performance checks, linking payments to quality of customer experience and the establishment of an independent regulator capable of undertaking covert audits of provision by service providers (*see* Haldenby et al. 2014). Whether this can easily be done in the corrections field remains to be seen.

5 Conclusion

Wearing our criminological hats, we can conclude that, because of the large sums of money potentially at stake in procurement contracts, there will always be those persons ("meat-eaters") who are difficult to deter from this species of corruption. In the procurement area, we have seen a number of examples of regulatory failure, in which the absence or shortcomings of rules governing procurement contract grants and administration have been compounded by failings in internal auditing and supervisory practices. Currently, there seems to be few disincentives capable of effectively disciplining the practices of some large providers. The problem lies largely in term of the climate for procurement: insufficient providers, limited competition and pressures on providers to deliver services that government has become reliant on them to provide. The combination of broader, more open markets for public-service providers with more robust regulatory measures is needed if regulatory responses are to have any "teeth" by affecting profitability, reputation and ability to compete.

Challenges in procurement may well reflect similar challenges operating in other areas within correctional institutions. A recent study of correctional corruption in South African prisons noted a correlation between malfeasance by officers in dealing with prisoners and

malfesance involving outsiders (Webb 2012: 106). As the study noted, “When a correctional centre experiences moderate problems of misconduct between officials and offenders, a similar measure of unethical dealings between departmental officials and external service providers can be expected” (Webb 2012: 102). In other words, procurement should not be viewed as an issue marginal to other integrity concerns in correctional settings, but rather as likely to be linked to them, and thus requiring a broader, sectoral response.

8

Uncovering and Reporting Corruption

1 Introduction

In this chapter, we examine the primary factors that affect the uncovering (discovery) and reporting of correctional corruption, in particular by officers and contractors. It will be argued that, more broadly, there is a considerable organisational, cultural and political resistance to admitting to, or searching for, instances of correctional corruption. In addition, for the same reasons, it is typically very difficult for individual officers to report suspicions or evidence of corruption within correctional settings. Establishing organisational structures, cultures and climates conducive to reporting corrupt practices requires an acknowledgement of the difficult balancing act between integrity and current understandings of prison security and safety, and the need for a more open and honest discussion about priorities. If, as we argue, Sykes was correct about the inevitable corruption of authority associated with the smooth running of a prison system, then what is prioritised as unacceptable corruption needs to be clearly established, and the costs of uncovering and reporting it fully calculated and provided for in the structures, training and resourcing needed for pursuing those priorities.

Correctional Corruption—An Inconvenient Truth

An important reason that COs do not report corruption more frequently than they do can be found in the attitudes shown towards its disclosure and resolution by their leaders and managers. Many systems exhibit strong evidence of reticence among this group to act decisively—the signals sent from the top to employees and other workers are, at best, indifferent and, at worst, deliberately discouraging of anyone formally reporting corrupt activities. With regard to England and Wales, a former prison governor recently commented, “The prison service is most definitely in denial” (Podmore 2012: 136). This comment points, disturbingly, to a systemic inclination to obfuscation and avoidance.

At the level of individual correctional institutions, the failure by prison administrators and managers to take corruption seriously, as we will see in greater detail below, sends some worrying messages to staff about how to react when it is discovered. A former UK prison governor, Paul Laxton, identified a climate of fear in one prison where a staff member had reported publicly on safety issues in the prison, noting “People are chained to their desks and because of the workload they don’t want to put their head over the parapet” (Laville and Taylor 2014: 1). The experience of COs elsewhere who have attempted to report corruption often echoes this sentiment. An Australian prison officer who blew the whistle on links between her colleagues and organised crime groups pointed to what she saw as a *culture of cover-up*, stating “The test of integrity seems to be that if no one knows about it, then it’s OK” (Adshead 2013b: 1).

Denials and other forms of management pushback in the face of employee disclosures of corruption and other potentially embarrassing matters are stronger, typically, with respect to allegations of systemic or widespread breaches of integrity. An admission of this kind tends to reflect poorly on the degree of supervision and control exercised by prison administrators. Rather than conceding management neglect or incompetence, senior managers would rather view corruption as an isolated matter; the result of one or two “bad apples.” Prison administrators are not the only organisational managers to find admissions of a “dark side” to their organisations difficult to concede publicly. However, what would

seem particularly threatening about correctional managers being more open about these matters is how it would reflect on their competence to ensure prisons remain places of secure containment and good order.

As has been suggested previously, a number of factors—structural, cultural and environmental—make it difficult, and, as indicated, often hazardous, for individual employees to report corrupt activities. Moreover the “contradictions” within the expectations placed on officers make them unwilling to do so. Group survival depends on *not* reporting many technical breaches. These factors are explored further in this chapter. As we will see, it is not only the organisational hierarchy that is often keen to cover up and discourage reporting of corruption. There are often strong cultural and environmental norms against internal and public disclosure of wrongdoing. The inconvenience of reporting corruption also must be viewed in terms of how it reflects on one’s colleagues and draws unwanted attention to one’s workplace. The role of CO unions seeking to frustrate investigations into allegations of corruption and abuse (*see* Vinson 1982: 209) can also contribute to a culture of cover-up.

In what follows, the discussion will principally examine factors affecting the willingness to report by key eyewitnesses to those wrongdoings as well as by persons who come across evidence of wrongdoing (e.g., letters, caches of contraband). However, we must also consider the technological capabilities currently available within correctional settings that potentially render integrity breaches more visible and thus more prone to investigation and response.

2 The Contribution of Technology

Despite their reputation as “closed” institutions, and therefore highly resistant to third-party scrutiny, most correctional settings today have various forms of technology routinely in place that render the activities within their boundaries more visible than in the past, and hence more open to detection of wrongdoing. CCTV cameras and monitoring systems now render these institutions more transparent (Wortley 2002). As a recent case in NSW shows, allegations of an inappropriate relationship between a female officer and a male prisoner have been investigated

in part through a collection and review of CCTV footage from the institution where the relationship is alleged to have occurred (Chambers 2015). Scanners of various kinds used at entry points to check visitors and staff for illegal contraband are another common means at the disposal of those responsible for detecting corruption.

Similarly, with regard to unauthorised access to information systems, there are technical means of detecting unauthorised access by employees to those systems that can be used as evidence as part of an investigation and subsequent hearing into wrongdoing. Thus, virtually, as well as in physical space, means are deployed in correctional settings that can substitute for, supplement, or serve as verification of, reliance on eyewitnesses and other forms of hard evidence. Although any technology stands at risk of being manipulated or even bypassed in order to defeat the aims of its deployment, this capability is likely to be possessed only by relatively few staff members, meaning the potential for detection would typically be expected to be higher than before its introduction. Thus, as part of a commitment to ensuring correctional integrity, situational uses of technology need to be explored and deployed in ways that enhance the potential for detection of corruption.

In addition to its passive deployment by correctional administrators in physical or virtual settings, technology may contribute to higher detection of correctional corruption in other ways. Correctional staff may leave traces of their misconduct in publicly accessible spaces such as social media sites (e.g., Facebook). The UK case of Nathan Singh (also raised in Chap. 3) is germane here. Singh was a prison officer under investigation for suspected misconduct whose Facebook page was examined as part of that investigation. His page divulged that he had a number of relationships with current and past prisoners in the institution in which he worked. These voluntarily posted digital traces became key evidence in the disciplinary case brought against him for misconduct in public office (Goldsmith 2015).

3 Employee and Staff Reticence to Report

There is very little data available that directly addresses the reasons why prison officers under-report or fail to report misconduct. However, it is clear that even the “birds” among correctional employees—those who do

not participate in or even approve of corruption—are rarely inclined to “sing.” In her study of non-custodial staff, McIlwain discovered a general “unwillingness to make formal complaints about misconduct” (McIlwain 2004: 164). Her participants offered several reasons for this: (1) nothing happens if a report is made, so the effort taken to report is wasted; (2) management tends to tolerate low-level misconduct, so any complaint is unlikely to be progressed; and (3) fear of repercussions from peers. The particular significance of the first factor identified here is corroborated by findings from elsewhere in the public sector (Gorta 2003). A fourth factor may be added as well: (4) prison management actively discourages employees from reporting suspected integrity breaches.

As one might predict and, indeed, hope, there is some suggestion that more egregious instances of corruption are more likely to be reported by employees. In a study of responses to hypothetical scenarios, a Queensland CMC report found a statistically significant relationship between the willingness of custodial officers to take action in cases of misconduct and the perceived seriousness of the misconduct. Interestingly, no such relationship existed in respect of the two forms rated as most serious—having a sexual relationship with an offender, and supplying drugs to offenders (CMC 2009: 35). This finding, while difficult to explain with any confidence, suggests potential ambivalence within the workplace culture towards such behaviours, and hence the probability of increased difficulty in determining how to effectively overcome such ambivalence and encourage reporting of these behaviours.

The “Tone at the Top”

The organisational integrity literature confirms that setting and maintaining the right “tone at the top” is fundamental to establishing clear directives and building an organisational culture that is supportive of integrity, including one that supports and facilitates whistleblowers. This element is a critical component of the organisational climate (*see* Chap. 1). Ensuring that prison managers set and maintain the tone at the top, however, is not easy, for a variety of reasons. As Crewe (2007: 273) has noted, the “prison’s moral mission may be easily neglected when

the imperative for smooth governance and an official public transcript of calm efficiency is so powerful.” This moral mission must be interpreted, as we also argue in Chap. 9, in a way that sees integrity assurance and anti-corruption measures as supportive of the goals of good order and the rehabilitation and welfare of prisoners. It also means that prison managers must be held to account effectively on a range of integrity indicators, not simply efficiency and scandal-avoidance measures.

With regard to specific management practices that work to discourage reporting, McIlwain’s study identified perceived bias and favouritism practised by senior management as reasons for having little confidence in the efficacy of the reporting process. A passive management style can also contribute to staff feelings of pointlessness in taking firm action (McIlwain 2004); that is, management proactivity in supporting the reporting of corruption and dealing swiftly and effectively with such issues emerges as very important. The CMC study of custodial staff found similarly that “more favourable perceptions of management were associated with a greater willingness to continue to take action against misconduct” (CMC 2009: 35). Equally, a lack of clarity about the balance between custody and care in the operating philosophy of particular institutions, and the absence of specific guidance in terms of how to achieve the balance in operational terms, can make the task of achieving correctional integrity more difficult.

A Role for External Oversight

In theory, the provision of external oversight bodies with responsibilities to receive and investigate reports of breaches in the corrections field ought to mitigate staff reluctance to report corrupt activities. However, this would appear easier said than done. The past record in this regard has not been an encouraging one, it would seem. McIlwain’s (2004) study found little confidence that external oversight agencies could do better in this regard. The reason for this was not a matter explored by the study. However, along with reasons not to trust management to take reports seriously, such agencies will need to ensure that they are conspicuously unbiased as well as competent, and must be able to demonstrate their commitment both to the welfare of the employee reporting corruption and to ensuring integrity across the institution.

Some general features of good practice by public sector oversight agencies are applicable to correctional settings (*see* Prenzler and Faulkner 2010). The ability to initiate and thoroughly investigate allegations of correctional corruption, and a reputation for doing so, are important in signalling to current and future employees that reporting corruption is not only the right thing to do, but also will not be hazardous personally or financially. The ability to protect reporting employees effectively through good management practices and effective whistleblower protection measures (*see* Brown 2013) is crucial in this regard. Again, the past record suggests that it is much easier to articulate than to achieve this objective in practice.

Is Privatisation a Factor in Non-disclosure?

In the case of private sector providers, organisational culture may be determined partly by management interpretation of and adherence to the terms of the service-provision agreements with governments (recall remarks made about the pitfalls of private prisons in Chap. 5). These agreements determine what will be paid to, or withheld from, a contracted service provider in relation to meeting or failing to meet certain performance standards. Bonuses for maintaining good order could potentially incentivise management, and hence staff, to allow certain corrupt practices to occur (e.g., bribing prisoners, trafficking and consumption of illicit drugs). Moreover, such incentives could lead to an organisational culture that actively discourages whistleblowers. A recent example involves the trial of Mark Blake, an officer working at the Colnbrook Immigration Removal Centre in the UK, who was charged in relation to leaking information to the *Sun* newspaper. Blake alleged during his trial that management essentially turned a blind eye to staff behaviours such as trafficking and conducting sexual relationships with detainees. He also claimed they were bribing detainees to keep calm so that the company providing the services, Serco, would not face fines under the service-provision agreement (Guardian Australia 2015). In this case, we see the potentially perverse incentives that can arise under certain performance-related payment schemes in privatised correctional settings.

Undertaking Cultural Change

Tackling the current organisational culture that discourages disclosure must involve actively encourage reporting. McIlwain's study found that the workplace norms in the correctional settings she studied did not support or encourage reporting of actual or suspected misconduct. Numerous studies have shown that officers working in prison-like environments often feel isolated and powerless to stand up against abuses of various kinds (Dryburgh 2009). Although the Abu Ghraib military prison case provides a particularly telling example of how even large numbers of employees can be paralysed from taking action to stop or even report very serious abuses (Zimbardo 2007), there are other instances in the civil correctional domain confirming that culture and the environment in which employees are working can prove major obstacles to reporting breaches (e.g., CMC 2009; Crawley and Crawley 2008).

As noted in the introduction, feelings of loyalty towards one's colleagues can mitigate against reporting (Loyens 2011). A number of factors appear to encourage a sense of solidarity among correctional employees. The perception among staff that correctional work is dangerous, underappreciated and poorly regarded by many in the community can reinforce a kind of solidarity that is resistant to external scrutiny and to expressions of internal dissent, which acts of reporting are commonly viewed to be (Crawley and Crawley 2008). These work groups socialise their members partly by providing rationalisations for corrupt behaviours, making it more difficult for employees to report breaches.

At times, it must be admitted, solidarity can be enforced through intimidation rather than achieved voluntarily. One UK survey of workplace bullying in the public sector found prisons to have relatively high levels of reported employee-on-employee bullying (Hoel and Cooper 2000). Crawley (2004: 22) reports officers at Wormwood Scrubs Prison in the 1980s being "too afraid of their colleagues" to report abuse, and to the prevalence during the 1990s of what she calls "quiet life" prison staff too afraid or otherwise reluctant to "make waves" by reporting incidents of abuse. Such workplace environments are not conducive to reporting instances of corruption, especially when many colleagues are either involved in corruption themselves or do not see the behaviours in question as serious enough to report.

It is reasonable to assume that correctional staff are aware of far more corruption of various kinds in their workplaces than they are willing to report. Similar to our understanding of the incidence of crime elsewhere, official reports and records of correctional corruption are likely to resemble just the “tip of the iceberg” of the actual frequency, with the vast majority of incidents remaining, for the reasons already discussed, “below the surface.” Ensuring that more staff appreciate the factors that threaten integrity as well as the harms from corruption is a necessary change before one can reasonably expect the reporting levels to increase. Changing how staff members view their work will require help from outside if some current cultural orthodoxies are to be successfully challenged. Corruption prevention scholars indicate that real cultural change includes “challenging the rationalisations used to excuse or ignore corrupt behaviour” (Gorta 2003: 16).

Changing corruption-prone workplace cultures typically involves a range of measures, including appropriate recruit and in-service training, as well as mentoring and performance management arrangements geared towards tackling attitudes that excuse or cover up serious forms of corruption. Training and other performance-geared measures particularly must include consideration of the broader mission of correctional institutions, along with short-term considerations of safety and security. As part of this approach, this will require a more honest appreciation of the extent of integrity threats and the potential and actual harms arising from allowing them to continue unchecked.

At a practical level, changes in training and in-service monitoring need to be supported by effective channels for protecting employees from peer bullying and other forms of dissuasion from reporting. As well as protecting employees who do the right thing and punishing those who fail to do so, there are grounds for considering ways of incentivising employees to come forward as a further means of eroding the cultural and organisational defences against candour on these issues.

4 Other Potential Disclosers

In principle, others with contact with correctional staff and settings (e.g., contractors, family members, visiting professionals) might encounter and report corruption. Little seems to be known about these groups in this

regard. An outsider in this context (e.g., a contractor) is unlikely to report misconduct, especially less serious forms, if those committing misconduct also are able to negatively influence future access to work opportunities in those settings. Similarly, a family member visiting a prisoner is unlikely to report staff members' corrupt activities for fear of repercussions to their imprisoned family member or to their ability to visit them. Here again, a clearer recognition among all affected parties (including family members of prisoners) of the extent and harmfulness of corrupt practices would serve to challenge current complacency or acquiescence towards such practices.

5 Prisoners and Other Correctional Clients

Many prison studies confirm the discouragement of “loose talk” among prisoners and, relatedly, the importance of solidarity among prisoners against correctional employees and staff (Sykes 1958; Irwin 1980; McEvoy 2000). These patterns suggest that one should not expect much in the way of correctional client reporting of corruption involving staff or employees. Occasionally, correctional clients may choose to report staff misconduct, but they are usually motivated to do so for personal reasons, such as revenge; for example, where an officer ends a relationship with a client (Elliott and Verdeyen 2002). More commonly, prisoners and other clients will have reasons *not* to report misconduct. Where staff corruption is seen to benefit prisoners, there is little reason to report, as long as that beneficial arrangement continues. Many forms of correctional corruption (e.g., trafficking, inappropriate relationships) resemble “victimless crimes,” which are notoriously under-reported. As experience with inappropriate relationships in prison has shown, it is often only when something goes “bad” in the transaction or relationship that a prisoner will give up an officer to his or her superiors.

When clients do report employee corruption, employees usually pay a far higher price than clients, even where the client has previously benefited from the corrupt arrangement. Prisoners already serving long sentences appear to have little to lose or have little fear from doing so. In fact, there might be a perceived advantage through “getting rid” of a staff member who no longer is serving a useful function for a prisoner. While

“snitching” about fellow prisoners to staff is generally seen as contrary to the prisoner subculture (Crewe 2011a), it would appear that this prohibition does not extend to reporting members of staff. Given the precarious position of staff in this regard (in many cases, they lose their jobs if found to be engaged in relationships or trafficking), and the strong incentives for prisoners to enlist staff in various forms of corruption, it is perhaps surprising that correctional staff members are not more aware of the relative costs of being reported by a prisoner, and therefore are not more cautious about entering into such relationships.

In summary, there are currently few incentives for prisoners to report misconduct. Whether creating and promoting incentives to do so would lead to more detection is an open question. Although shortening sentence time is likely to provide an incentive to all but the most institutionalised prisoners, there will remain the risk of repercussion from staff, other prisoners or their associates unless robust safeguards (the equivalent of witness-protection schemes) are put in place. There is also the question of whether the integrity dividend from encouraging prisoner reporting would be worth the effort, given the distorting and corrupting effects that can arise from encouraging informants (“snitches”) in other parts of the of the criminal justice system (Natapoff 2009), in particular the making of mischievous or unfounded reports. The case for incentives here is far less compelling than it is in the case of employees.

6 Conclusion

As noted, correctional settings are changing in terms of their ability to discover and report on correctional corruption through the use of technology. These technologies render prison environments increasingly open to scrutiny and to the collection of evidence of wrongdoing, thereby reducing the extent of dependence on cooperative witnesses among officer or client groups. In the traditionally secluded settings provided by prisons, corruption is now increasingly subject to forms of technologically enhanced “new visibility” (Goldsmith 2010). What is discoverable, and therefore open to being investigated, is arguably much greater now than in the past.

Uncovering and reporting of correctional staff corruption potentially can be undertaken by officers or others, including clients. Unless a person in one of these categories is: (1) in a position to view the activity as unacceptable because of the apparent costs arising from such activity; and (2) feels supported by the system sufficiently to report the activity in the face of possible repercussions from others, under-reporting and non-reporting is likely to remain the norm. In terms of raising the prospects of reporting, it is clear that, until problems can be clearly defined and understood by those most likely to observe them as such, the likelihood of acting on these problems will be diminished.

While improved whistleblower arrangements remain elusive in many correctional settings (but *see* Dryburgh 2009), other ways of encouraging and supporting officers, contractors, visitors and others with direct knowledge of integrity breaches to come forward and cooperate with efforts at remedial action are still keenly needed. If the “birds” will not “sing” up the reporting line, they need to be supported externally and by the top of the organisation to at least “blow the whistle.” Greater commitment from the top of institutions to these systems must extend to ensuring the welfare of those who make reports in good faith. Protection from retaliation, while necessary, will often be insufficient. Too often whistleblowers suffer disproportionately for their actions because the systems that supposedly seek their reports and provide reassurance and protection manifestly fail to demonstrate this concern or to protect such persons (Lennane and De Maria 1998). Whistleblowers within correctional settings, the limited evidence suggests, seem too often to face these same difficulties (Dryburgh 2009; Lavelle and Taylor 2014).

Protecting disclosures in this environment comes with some particular challenges. In correctional settings populated with both dangerous prisoners and some officers with much to lose from exposure of their corrupt activities, the stakes for those officers who discover and consider reporting corruption are potentially very high. In the case of corruption associated with exogenous relationships, as noted earlier, staff who blow the whistle on actions such as trafficking may have to reckon not just with the displeasure of those staff or prisoners directly involved but also with their associates in the outside world. In the most serious forms of corruption, where in effect we are looking at instances of serious organised crime, there may well be need to also consider robust witness-protection schemes.

In the end, however, real integrity improvement depends on more than just strong effective mechanisms for detecting and dealing with those breaching rules, and relatedly, on cooperative individuals willing to go “against the odds” of the culture and “top down” signals. More pervasive organisational signalling is required from leadership and professional groups within correctional settings. It depends ultimately, as we argue throughout this book, on the system’s ability to project and support a vision of correctional integrity that welcomes expression of concern about present operations and finds ways of responding sensitively and concretely to those concerns.

9

Promoting Correctional Integrity

1 Introduction

We began this book with an anecdote about COs, in particular how many, it was claimed, found their work not only challenging, but threatening, or even dangerous. Officers were commonly afraid to go to work, it was said. The ramifications of such a statement being true are profoundly disturbing. It has integrity-threatening implications as well as broader consequences for prisoner and officer conditions. Most importantly for present purposes, such a story underlines the inextricable links among correctional structures, cultures and environments, as well as matters such as integrity. In this book, we have deliberately resisted the temptation to call simply for better management, more training or more situational measures as ways of mitigating the incidence of or harms from correctional corruption. Although each of such measures has a place in any coordinated effort, each such measure must also reference the *correctional environment*—in particular, the ways in which policies, resources, political and public expectations define the terrain within which correctional institutions and their officers operate.

In this chapter, we look not just at the principal measures for reducing or preventing corruption, but also at the wider issue of how the correctional system can best achieve its goals of constructive containment, successful rehabilitation and preparation of its clientele for re-entry into society. Advocating a broader focus on these goals, we return to the idea of *correctional integrity*, a notion broader than employing effective anti-corruption measures, or than even simply the idea of all personnel within corrections complying with the rules and regulations applicable to the performance of their roles. It also implies the importance of ensuring a level of transparency about methods and a principled consistency of practice. It requires putting aside self-interest by managers and officers alike in favour of consciously promoting the public interest or common good—the goals of the correctional system. Critically, at the level of service provision, correctional integrity demands that those working in the system are *trustworthy* in the eyes of those they serve (Rose and Heywood, 2013), the clients, which included the prisoners, those on probation and those on CSOs.

We also propose a realist response to improving correctional integrity. As noted throughout the book, there is no practicable prospect of eliminating all instances or forms of correctional corruption. This means that working out what can be done most effectively and efficiently is important so that agreed priorities can be identified and addressed with the knowledge and resources available. A realist response also means accepting that some level of corruption may be necessary or even desirable if other ends of corrections are to be achieved. Turning a blind eye, for example, to marijuana smoking is widely seen by many correctional employees as acceptable operational practice in terms of increasing prisoner orderliness and compliance in other respects. Although there is unlikely to be much, if any, immediate political support for such a move, we need to consider ways of achieving those other ends if the system is to insist on a prohibitionist approach in practice. Considerations of efficiency cannot be avoided altogether. Asking such a question raises further hard questions about the true costs of zero-tolerance approaches if implemented, including the potential counterproductive impacts of such a stance (e.g., less compliance, more black market incentives, greater violence).

Our realist stance also proposes that a reliance on formal structures (rules, regulations, monitoring systems, enforcement mechanisms, etc.) is not sufficient, though such measures can be necessary, to raising levels of correctional integrity. Such systems, sometimes referred to as *compliance* measures, need to work in conjunction with measures that address personal and organisational *values*. Because we have argued that correctional practice reflects cultural and environmental values and incentives as well as the influence of structures, we need to go beyond ensuring tighter compliance systems and more effective situational prevention measures (e.g., building design, use of CCTV) to examine the messaging and sets of incentives located in organisational cultures and climates. For example, although employing tighter screening of visitors may reduce slightly the importation of drugs or mobile phones into prisons, we will not reduce the incidence of such contraband as long as the drivers of demand within the correctional settings are ignored and misunderstood.

2 Why Absolute Correctional Integrity Is Impossible

On another institutional visit made by two of the book's authors, our visit happened to coincide with a change of shifts. While waiting for our own arrival to be communicated to the institutional manager who was to show us around, we observed a stream of employees enter and leave the confines of the institution. Many of them carried backpacks or other bags with them as they entered or exited. We were struck by the speed with which it was occurring. Not once did we witness an employee being stopped or searched during this process, although there were plenty of greetings exchanged between employees, including between those on duty at the gatehouse and their colleagues departing or arriving. Thinking about the security implications of what we would have witnessed, it is easy to see enormous vulnerability from such unchecked changeovers, through the potential importation of contraband and so on. It would also almost certainly be true that such smooth shift transitions were contrary to the rules of the institution. On a compliance model, what we saw unambiguously violated the spirit behind, as well as the

letter of, the regulations. It might also potentially reflect a situation in which many staff in the same workplace were acting together in ways that could be considered corrupt.

Taking a slightly different perspective on what we observed, it is possible that what we saw reflected relationships of trust between those involved and that that trust was well-placed—that is, the employees entering and departing were acting in a trustworthy manner by not acting in breach of the rules or in other ways contrary to the good order of the institution. However, we were then, as, indeed, we are now, unable to make that judgement. But the point is a broader one. We need to accept that there are practical limits to how much employees or staff can be checked routinely without impacting disproportionately on other tasks and functions. There is neither enough time nor sufficient resources to do the things required for “absolute integrity” in any government setting (Anechiarico and Jacobs, 1996), including busy crowded places such as prisons.

By way of illustration, an all-out campaign to prevent contraband in prisons could take a number of forms, but the financial costs as well as operational risks of any conceivable campaign of this kind are likely to be unacceptable as well as unbearable. If a regime of searching all staff and visitors at the point they enter or leave prison environments were to be introduced, it would require heavy investment in staff and technology. Scanning devices that enable the checking of body cavities (such as the Body Orifice Security Scanner), as well as personal clothing and possessions, would be needed for every institution and to be staffed to operate as a matter of routine. Regular rotation of screening staff and/or the potential employment of these staff from another agency would be other sensible steps to take. This investment in human and other resources would presumably come at the cost of other areas of correctional expenditure or would need to come from additional resources provided by government.

Recognising a degree of trade-off between implementing integrity measures and achieving maximum operational efficiency should not, however, provide a pretext for stasis or inaction in how we seek to improve correctional integrity performance, including encouraging and expecting employees, staff and managers to lift their standards in various ways. There is a need to establish priorities of corruption reduction and integrity promotion so that resources can be used to target those priorities. In addition to appropriate

recruitment, screening and training, more effort will typically be required in supervision and performance management. As we argue below, correctional systems need to improve their own recording and data-retention practices in relation to integrity matters. Once this is done, integrity strategies can use this data to inform responses.

3 Why Absolute Correctional Integrity Is Undesirable

Any system of heavy surveillance of staff will almost inevitably lead to resentment and breed feelings of low self-esteem. It can also breed acts of resistance and disobedience among staff that can take the form of corruption, such as pilfering supplies or accepting kickbacks. Achieving a sustainable and significant level of correctional integrity will depend in part on ensuring a wider workplace climate of organisational justice and fairness. Although heavy scrutiny of staff activities will reinforce feelings among staff that they are not trusted, it will also slow down decision-making and promote caution at the expense of potential efficacy, including the exercise of discretion in appropriate ways (e.g., helping a prisoner to access programmes). Although penal philosophies change over time, as do political demands for more or less focus on security over rehabilitation, the daily business of much correctional work changes little in many respects. There is growing evidence of the importance of the ability to build positive relationships with clientele (Crewe 2009; Liebling and Arnold 2004). Therefore it is crucial that efforts to build integrity do not, in the absence of clear rationales, conflict with the wider aims of correctional practices and the legitimate work methods of employees and other staff. As we will argue later in this chapter, clearly articulating those aims becomes an important part of encouraging professionalism among staff and putting in place structures and systems that guide staff approaches to their work.

Another aspect that renders absolute integrity undesirable is the potential counter-productive impact on officer-client relations. We accept that a degree of compromise and negotiation between staff and clients is desirable at times, in terms of ensuring the overall functioning of correctional settings, as well as enabling the system to respond to individual needs

and, in some more limited measure, requests. This is not the same thing as “inmate appeasement” (Cerrato 2014), whereby COs engage in “continuous acquiescence to inmate demands” (Cerrato 2014: 288). Indeed, negotiating the line between straightforward appeasement and appropriate concessions to clientele is arguably the primary moral hazard faced by officers in their jobs. Identifying where the “line” should be drawn is important in terms of supporting correctional integrity (e.g., through having a clear sense of mission as well as ensuring standards development, appropriate training and supervision), but first requires a realistic appreciation of the extent to which appeasement is being practised, and the organisational as well as individual reasons for its occurrence.

We agree with Cerrato (2014) that correctional systems that react to client pressures, whether individually or collectively (e.g., from prison gangs), rather than anticipate them and deal with them creatively, are more vulnerable to this form of manipulation. Remembering that many forms of correctional corruption reflect, at least in some measure, instances of client manipulation of officers (*see* Chap. 3), a realistic approach to correctional integrity requires that the organisational climate and leadership hierarchy is supportive of creative approaches to dealing with the management of clientele. Here the wider prison literature on the importance of creating humane environments for prisoners (e.g., Liebling and Arnold 2004), of ensuring professional development for staff in relation to care as well as containment responsibilities, and ensuring access to fair and just workplace systems, provide important clues to how the organisational climate can be improved in ways consistent with strengthening correctional integrity.

4 Building Trustworthy Corrections: Elements of Realistic Correctional Integrity

Correctional integrity depends on clarity of aims or ends, as well as on the selection and implementation of appropriate measures for implementing those ends. It matters enormously, as we have argued, what those ends are, how they are interpreted by key participants, and how they are put into practice by them and those working for them. In addition to capability (skills and resourcing), we must also look to the motivations of partici-

pants, particularly as they conform to or deviate from the core mission values. Our focus on organisational climates as well as on structures and cultures means that those key participants include managers and political leaders as well as frontline employees and staff.

Establish a Baseline for Correctional Corruption

One cannot begin to manage or address correctional corruption in a sensible manner until the following can be established with some confidence: (a) its extent and location and (b) the different forms of corruption occurring within correctional settings. Although this book has identified and addressed a range of widely acknowledged forms of correctional corruption, that range is likely to change over time to reflect factors such as changing prison demographics, social trends and technologies. Coming to grips with the incidence of correctional corruption is very difficult because there has been little systematic effort invested in recognising and recording it. Like its analogue, victimless crimes, there tend to be few incentives in many cases for correctional corruption to be reported or recorded, and plenty of incentives for it to remain obscured or downplayed (Podmore 2012; Vinson 1982).

Nonetheless, there are some obvious sources of information on the topic, as well as ways of capturing that information. Those best-placed to know about it (clients, staff) need to be tapped through anonymous surveys, along the lines of some of the studies carried out by the (then) Queensland Crime and Misconduct Commission. These surveys can be refined over time to improve their comprehensiveness and fidelity to the different forms of correctional corruption. Regular conduct of these surveys will enable trends to be detected and substantially inform decisions required for setting priorities for intervention and the best ways of doing so.

Develop Measures Based On Data and Consultation

Once knowledge about incidence and forms can be firmly established, there should be scope for trialling different reduction methods in order to refine our knowledge of the measures best-suited to reducing the harmful effects of different types of corruption. Having a solid empirical

foundation can also raise public awareness about the issues and inform political and policy discussions around matters affecting organisational structures, cultures and environments.

Although evidence from other jurisdictions can and should be consulted, the selection and trialling of particular measures should reflect widespread consultation among managers, employees and clients about how particular problems should be addressed. By focusing on integrity, not just anti-corruption, and on values, not just rules, there is more scope in such a consultation to harness the input of both staff and clients, because there will often be a less-immediate threat to particular practices or interests and greater ability to focus concern on common problems and the harms associated with particular corrupt practices. For example, it is possible to seek prisoners' views about ways of managing drug use in the prison—for instance by identifying and targeting some drugs relative to others in use—without expecting or requiring them to support complete prohibition or informing on particular corrupt employees.

In relation to developing appropriate security measures, although one should not discount the potential insights from correctional clients on how to improve security as being potentially self-serving and contrary to correctional integrity, it is more realistic to expect staff to hold some informed views about the nature of the problems they confront and the best ways of mitigating particular harms. Consultation around these issues can help reduce the sense of isolation and lack of professional recognition expressed by correctional employees in various studies. Staff members are also more likely to support policy decisions and reform initiatives in the workplace if they feel they and their opinions are trusted and valued by their supervisors (Haas et al. 2015). Consultation, therefore, not only increases the prospects of compliance with organisational goals and standards, but also enacts the idea that the staff are worthy of trust (i.e., trustworthy) within the organisation. In effect, there is a contribution to a virtuous circle whereby such expressions of trust by supervisors and managers become likely to induce reciprocal feelings by staff towards their bosses. The sense of “us” and “them” felt in many correctional settings to divide staff from their

supervisors discourages practices of communication and openness that build transparency, accountability and integrity.

Building Correctional Integrity by Adopting a Holistic Approach

Adopting a holistic approach is not just sensible, it is inevitable. By a holistic approach, as we have argued throughout this book, we mean examining the challenges of corruption and promoting integrity in terms of what organisational structures, cultures and climates contribute to the problem and, in turn, offer by way of potential resolution or mitigation. No one can or should expect COs to behave consistently with integrity or to improve their behaviour under conditions of growing overcrowding, declining staff numbers, inconsistent and fickle management or the growing influence of prison gangs. Although such climate characteristics do not excuse individual acts of corruption, they make consistency of behaviour, and hence the upholding of standards, more difficult because they also affect the ability of employees and other staff to work creatively and constructively with their clients. Political and financial pressures will continue to shape what is attempted or possible within correctional settings, but a holistic approach at least enables those making major decisions that affect entire institutions, as well as officer-client relationships, to appreciate the actual costs of cutting programmes or ramping up security at the expense of services.

This approach is also inevitable in that correctional managers and officers are limited in what they can achieve by themselves. Although they may have formal responsibilities under organisational structures, their ability to deliver on service as well as on specific integrity standards is constrained by a host of other factors. Their authority and influence in particular settings, including on matters of corruption, is contingent on their ability to negotiate constantly with each other and their clientele. Clients, either individually or collectively, will often be in a position to exercise situational or personal power over employees, staff and managers. Although employees, line supervisors and managers live the dynamic, negotiated arrangements of daily institutional life (Trammell

2009), those above and outside them must accept how these features shape the ability of those staff to uphold institutional performance benchmarks, including integrity benchmarks.

Build a Professional Workforce

As part of a realistic approach to correctional integrity, we need to find ways to build the values of those employed, as well as the rules, in ways that support the mission of the correctional system. A values approach focuses on key attitudinal commitments that are consistent with the proper achievement of system objectives. The values held by employees and managers will reflect a combination of those they bring from outside, those they pick up from the organisational hierarchy and those provided by the workplace cultures in which they are inevitably socialised to some degree.

An active approach to values development is consistent with building greater integrity, as opposed to a passive approach that allows a “values vacuum” to develop that is then filled by values inconsistent with pursuing the promotion of correctional integrity. Inevitably, we must examine the adequacy of recruitment, selection and screening procedures as part of this process. In a number of instances, we have seen the failure to detect the existence of pre-existing relationships between recruits and existing clients, as well as unreported character flaws of those recruited (e.g., prior associations with organised crime groups). Although debates occur around appropriate formal qualifications for correctional staff, there is ultimately a more important question at stake about the character of those recruited that needs to be fully explored as part of an overhaul of integrity procedures. Character is important in terms of ensuring consistency in upholding core mission values.

Beyond the recruitment phase, the potential negative impact of the workplace culture on employee decisions must be acknowledged and addressed. We have already suggested adopting a more positive approach to workplace culture by involving employees in consultations on matters of integrity. Sources of workplace stress and boredom can contribute to “counter-productive work behaviour” by employees in different settings (Bruursema et al. 2011), including correctional workplaces. As a prison

officer told one of us, “Staff get very bored. And when staff are bored, like prisoners, they get up to no good.” A less threatening and more positive workplace environment also depends on a commitment to *organisational justice*, the provision of adequate feedback loops and review mechanisms for matters of employee concern. Encouraging a professional orientation based on a clear sense of, and commitment to, the mission depends partly on recognition and support for a substantial degree of individual autonomy in the performance of work tasks.

Here, as part of the development of appropriate structures (rules, guidelines, etc.), staff training and supervision, we suggest the *greater recognition of, and adjustment to, staff discretion* in relation to the full range of correctional roles—non-custodial as well as custodial. In light of the fairly consistent message from prison studies (e.g., Liebling and Arnold 2004; Crewe 2009) that custodial officers are no longer just turnkeys, there is a need for them to have greater guidance and support in how other tasks are achieved. In addition to guidelines that are clear and effectively inculcated through training, there needs to be more of what has been called “discussability” (Webb 2012: 99). This refers to the establishment of conditions under which officers feel free to raise and discuss issues of ethical significance. One area that would benefit from such discussion, as noted in Chap. 3, is the often murky and precarious world of inappropriate endogenous relationships. Dealing more effectively with this category, as we noted in that chapter, would reduce the incidence of other forms of corruption, including trafficking. Regulation of discretion can occur through education in values, effective supervision and appropriate role modelling, as well as more targeted compliance checks.

Achieving a professional workforce poses particular difficulties under conditions of privatisation, casualisation and fiscal austerity. Cost considerations can diminish staff standards in terms of ensuring that staff have formal qualifications and relevant experience. They can lead to higher turnover, less effective monitoring and supervision of junior staff and greater temptation to “cut corners,” including ethical ones (Victorian Ombudsman 2012). The absence of what is termed a “public service motivation” among employees appears likely to reduce the likelihood of employees acting with integrity and in particular, having the courage to blow the whistle (Dryburgh 2009).

Reward Integrity, Punish Corruption

Organisational integrity in corrections depends on offering carrots as well as brandishing sticks. Professional recognition and development opportunities should be prominent among the carrots on offer. Performance measurement should include measures that refer not only to demonstrations of personal integrity, but also to efforts to promote integrity within the workplace or the institution. Measuring personal integrity should focus on acts of commitment to integrity of whatever kind, whether through an individual's own exemplary record in his or her job or through efforts to uphold institutional integrity more broadly through, for example, reporting the corrupt activities of other employees. Although there needs to be a wider range of responses to corruption than simply a punitive one activated by the information provided by employees, the key proposition here is that efforts to uphold integrity need to be supported and recognised appropriately.

The ability to detect and punish corruption remains central to any integrity system. The extent and form of these measures should reflect the nature of the problems being addressed, including the potential harm and the difficulty of detecting them. As noted in earlier chapters, there is a host of new or recent technologies that strengthen the ability of organisations to monitor and audit the behaviours of staff members, enhancing the detection capabilities. The extent to which they are needed will reflect in large measure the ability of managers and supervisors to encourage proper behaviours by other means (e.g., performance management, training). The realist approach to correctional integrity incorporates the idea that greater professionalism encouraged by positive means enables integrity to be promoted by non-punitive as well as punitive means.

Priority Setting

Given the need for selective targeting of integrity measures, we need to decide how best to establish priorities. One dividend from more complete data collection is the ability to identify areas that are particularly problematic in terms of the frequency of activities that harm integrity and

in the amount of harm that they cause. Although corruption is widely assumed to be harmful, the development of reliable measures of harm is in its infancy. Harms will presumably vary from one sector to another. In the correctional context, given the range of major challenges faced around issues of drugs, violence and abuse of authority, the harms are likely to be measurable in terms of officer and client well-being. The priority given informally to the “smooth functioning” of settings has probably meant that short-term, bureaucratic costs sometimes have been prioritised over issues of welfare and other, less immediately tangible considerations. A deeper engagement with the notion of correctional integrity should ensure that matters such as officer well-being and client re-integration are accorded a higher priority in measures taken to deal with a particular area like inappropriate relationships or trafficking.

In the past, risk management methods in correctional contexts have been fairly simple and, at times, crude. A “whatever it takes” approach to preventing prisoner escapes and to ensuring institutional order and the avoidance of riots can lead to significant compromises of regulations regarding such things as contraband and indeed the treatment of clients. Whether this line of action preserves the greater good in a pragmatic struggle for institutional control is a matter of judgement, but one that also, as we have argued, reflects a passive approach to the governance of correctional settings.

A commitment to correctional integrity requires a more proactive approach. It does not accept the “zero-sum” view of correctional power in which “more” control in the hands of staff means “less” for prisoners, or indeed vice versa. A recommitment to the diverse aims of correctional institutions by means that promote humane treatment and opportunities for client improvement of prospects will, in part, at least represent a more constructive management approach that is likely to both render harms from corruption less frequent and extreme, and render irrelevant or less intrusive the defensive power posturing premised on such a zero-sum view of power.

We must also acknowledge the difficulties of detecting correctional corruption and the vested interests determined to keep it off the radar. The impact of climate variables such as budgetary allocations (affecting staffing decisions on deployment and duty responsibilities) and the political-industrial climate are important factors in determining willingness and

capability to detect integrity breaches and take positive action. Traditional industrial resistance to greater officer accountability in areas such as trafficking (through searches etc.) needs to be challenged through greater awareness, professionalisation and a stronger top-down commitment to correctional integrity. Although not sufficient, it remains important as an expression of organisational change in this direction for there to be effective whistleblower mechanisms to encourage as well as to protect and support officers, clients or others coming forward with information about corruption (*see* Wolfe et al. 2014).

If, as would appear to be the case, correctional corruption continues largely to remain an “inconvenient truth” at the levels of structure, culture and climate, then there needs to be other substantial measures to ensure that reporting integrity breaches can lead to meaningful consequences. In this regard, there must exist somewhere outside the correctional setting sufficient independent investigative capability to ensure that serious cases of correctional corruption can and will be investigated thoroughly. Experience in Australia, the USA, UK and elsewhere in public sector corruption casts doubt over the likely effectiveness of internal mechanisms acting alone in this role. In Australia, over nearly three decades, this capability has largely been performed by public sector anti-corruption agencies such as NSW’s ICAC that have been well-resourced, possessed considerable intelligence collection capability and accumulated considerable experience in investigating corruption in government. Having investigative agencies on a statutory basis led by commissioners protected from political interference through reporting obligations direct to the Parliament and having significant employment protections means that investigations are less likely to be compromised by external or internal interests (*see* Mitchell et al. 2014).

Situational Measures

Situational prevention measures are undoubtedly important in reducing opportunities for many kinds of correctional corruption (Wortley 2002). The deployment of these measures in an effective fashion depends on prior careful assessment of places, persons and practices

within correctional settings giving rise to greater risk. Many of these have been identified already in the earlier chapters. Not all forms of corruption are equally responsive to situational measures. More natural and artificial (e.g., CCTV) surveillance can reduce blind spots in gatehouses, workshops and around the perimeter of institutions that permit the conduct of various corrupt activities including, but not limited to, physical and sexual abuse. More sensitive screening devices can be used to screen persons and property for drugs and other contraband. Their use will be most effective if it is clear they will be used for staff as well as visitors. Ensuring adequate information-security measures for client records, including monitoring of all access attempts, is also a matter of obtaining the appropriate technology and software. This can make it harder for employees to misuse prisoner information, for example, by sharing it with other prisoners or selling to journalists.

Putting aside technology, there is also scope for more continuous monitoring through supervision and the use of random checks. Many acts of corruption or dubious probity rely on the absence or shortcomings of human oversight. A failure of supervision is a well-recognised factor in many instances of documented corruption, in corrections as well as in policing and in other public services (*see e.g.*, Punch 2009). However, supervision should not be seen simply as a compliance tool. Rather, it should be seen as a vital means of providing guidance and correction *before* serious threats to integrity develop. Random checks offer the possibility of increased deterrence. But this requires both awareness among those likely to be checked that it may occur, and the means to ensure that it does occur with sufficient frequency to reinforce the thought that it could occur to any employee without warning.

One of the challenges of relying on staff to check other staff is familiarity and hence a lack of vigilance or attention. This factor was raised by two senior prison managers when asked their opinion about the greatest threat to correctional integrity. This response provides another reason to ensure *regular rotation of staff through crucial screening and monitoring roles*. It also potentially raises questions regarding the nature of job descriptions and whether such responsibilities should be shared so as not to rely on one person alone. Having adequate CCTV in these areas would ensure that supervisors can check the level of attention and

approach taken to searches of staff as well as visitors. Requirements relating to retention of this data, and responsibilities of supervisors to conduct regular audits of the data, would increase the effectiveness of these measures.

5 Conclusion

Our realist approach to correctional integrity points to the need for more than compliance or situational measures alone. It requires crucially clear, unambiguous support for officers to do their job well by going about it the right way (Heywood and Rose 2015). This means providing them with the resources and opportunities to promote humane containment and proper preparation of prisoners for release back into society. This is a responsibility of correctional management, government and the wider community. Enabling greater professionalism among staff is likely to reduce many of the fears, grievances and negative workplace attitudes that contribute to lapses of correctional integrity.

Integrity, it is important to understand, is not a final destination but rather an aspiration or direction for what is an “ongoing process” (Heywood and Rose 2015: 114). Above all, it requires a strong commitment from those who control and influence the structures, cultures and climates of correctional settings to the view that integrity, not just anti-corruption, is truly important. The commitment required needs to be sustained, because, as Amelie Rorty noted, integrity “involves effort and struggle” (1999: 105). Without real effort at each of these levels, compliance measures will largely continue to fail as they have done for centuries.

References

- ABC News. (2008). More money for busy SA prisons. *ABC News* [online]. Retrieved May 6, 2008, from <http://www.abc.net.au/news/2008-05-07/more-money-for-busy-sa-prisons/2428036>.
- ABC2. (2011). CO arrested after delivering contraband. *ABC2* [online]. Retrieved July 15, 2011, from <http://www.abc2news.com/news/state/co-arrested-for-delivering-contraband>.
- Adshead, G. (2013a). Jail guards linked to organised crime figures. *The West Australian*. Retrieved June 29, 2013, from <https://au.news.yahoo.com/thewest/wa/a/17793971/jail-guards-linked-to-organised-crime-figures/>.
- Adshead, G. (2013b). Prison whistleblower sent on leave. *The West Australian*. Retrieved July 6, 2013, from <https://au.news.yahoo.com/thewest/wa/a/17887934/prison-whistleblower-sent-on-leave/>.
- Alleyne, R. (2012). Prison guards caught having “inappropriate relationships” with inmates. *Daily Telegraph*. Retrieved June 8, 2012, from <http://www.telegraph.co.uk/news/uknews/9318554/Prison-guards-caught-having-inappropriate-relationships-with-inmates.html>.
- Anand, V., Ashforth, B., & Joshi, M. (2004). Business as usual: The acceptance and perpetuation of corruption in organizations. *Academy of Management Executive*, 18(2), 39–53.

- Anechiarico, F., & Jacobs, J. (1996). *The pursuit of absolute integrity: How corruption control makes government ineffective*. Chicago: University of Chicago Press.
- Australian Bureau of Statistics (ABS) (2014). *Australian prisoner numbers climb to ten year high*. Canberra: ABS.
- Australian Institute of Criminology and Pricewaterhouse Coopers. (2003). *Serious fraud in Australia and New Zealand*. Research and Public Policy Series No. 48. Canberra: AIC.
- Australian Institute of Health and Welfare (AIHW) (2013). *The Health of Australia's Prisoners 2012*. Canberra: AIHW.
- Banks, S. (2011). Allowing phones in the cells might be a sound call. *Los Angeles Times*. Retrieved March 26, 2011, from <http://articles.latimes.com/2011/mar/26/local/la-me-0326-banks-20110326>.
- Bartels, L., & Gaffney, A. (2011). *Good practice in women's prisons: A literature review*. Technical and Background Paper No. 41. Canberra: AIC.
- Bath, H. (2015). *Own initiative investigation report services provided by the department of correctional services at the Don Dale Youth Detention Centre*. Darwin: Children's Commissioner.
- BBC News. (2014a). Ex-prison officer jailed for selling Jon Venables story. *BBC News*. Retrieved December 11, 2014, from <http://www.bbc.com/news/uk-30436554>.
- BBC News. (2014b). Prisoner Richard Brookhouse jailed for £100m drugs ring. *BBC News*. Retrieved February 7, 2014, from <http://www.bbc.com/news/uk-england-26085397>.
- BBC News. (2015). Prison officer admits selling Jon Venables details to the Sun. *BBC News*. Retrieved January 20, 2015, from <http://www.bbc.com/news/uk-30897882>.
- Beck, A., Berzofsky, M., Caspar, R., & Krebs, C. (2013). *Sexual victimization in prisons and jails reported by inmates: National Inmate Survey, 2011–12*. Washington: U.S. Department of Justice.
- Belenko, S., & Peugh, J. (2005). Estimating drug treatment needs among state prison inmates. *Drug and Alcohol Dependence*, 77(3), 269–281.
- Ben-David, S., Silfen, P., & Cohen, D. (1996). Fearful custodial or fearless personal relations: Prison guards' fear as a factor shaping staff-inmate relation prototype. *International Journal of Offender Therapy and Comparative Criminology*, 40(2), 94–104.
- Bennett, J., Crewe, B., & Wahidin, A. (Eds.) (2008). *Understanding prison staff*. Cullompton: Willan.

- Bibby, P. (2013). Drugs in prison readily available, inquest into Anthony Van Rysewyk death finds. *Sydney Morning Herald*. Retrieved July 17, 2013, from <http://www.smh.com.au/nsw/drugs-in-prison-readily-available-inquest-into-anthony-van-rysewyk-death-finds-20130717-2q3j4.html>.
- Billings, P. (2015). Police weigh wastewater drug test plan. *The Mercury*. Retrieved August 12, 2015, from <http://www.themercury.com.au/news/scales-of-justice/police-weigh-wastewater-drug-test-plan/story-fnj8cre7-1227479610481>.
- Bingham, M. (1991). *Regulating morality? An inquiry into prostitution in Queensland*. Toowong: Queensland Criminal Justice Commission.
- Bouchard, J., & Winnicki, A. (2000). 'You found what in a book?' Contraband control in the prison library. *Library & Archival Security*, 16(1), 47–61.
- Bourdieu, P. (2001). *Masculine domination*. Palo Alto: Stanford University Press.
- Box, J., & Forde, M. (2007). *Probity and managing procurement: How to avoid corrupting the process*. Chatswood: LexisNexis Butterworths.
- Boys, A., Farrell, M., Bebbington, G., Brugha, T., Coid, J., Jenkins, P., et al. (2002). Drug use and initiation in prison: Results from a national prison survey in England and Wales. *Addiction*, 97(12), 1551–1560.
- Brewer, A., Banta-green, C., Ort, C., Robel, A. and Field, J. (2014). Wastewater testing compared with random urinalyses for the surveillance of illicit drug use in prisons. *Drug and Alcohol Review*. [advanced access, 25 June].
- Briggs, C., Sundt, J., & Castellano, T. (2003). The effect of supermaximum security prisons on aggregate levels of institutional violence. *Criminology*, 41(4), 1341–1376.
- Brooks, G., Walsh, D., Lewis, C., & Kim, H. (2013). *Preventing corruption: Investigation, enforcement and governance*. Basingstoke: Palgrave Macmillan.
- Brown, D. (2004). The Nagle Royal Commission 25 years on: Gaining perspective on two and a half decades of NSW prison reform. *Alternative Law Journal*, 29(3), 135–141.
- Brown, M. (2005). 'Setting the conditions' for Abu Ghraib: The prison nation abroad. *American Quarterly*, 57(3), 973–997.
- Brown, A. J. (2013). Towards 'ideal' whistleblowing legislation? Some lessons from recent Australian experience. *E-Journal of International and Comparative Labour Studies*, 2(3), 3–32.
- Bruursema, K., Kessler, S., & Spector, P. (2011). Bored employees misbehaving: The relationship between boredom and counterproductive work behaviour. *Work & Stress: An International Journal of Work, Health and Organisations*, 25(2), 93–107.
- Bui, L., & Zapotsky, M. (2015). Men planned to use drones to get contraband into prison, officials say. *Washington Post*. Retrieved August 24, 2015, from <https://www.washingtonpost.com/local/crime/two-men-planned-to-use-a->

- drone-to-get-drugs-and-porn-into-a-prison-md-authorities-say/2015/08/24/c8e38fc2-4a75-11e5-8ab4-c73967a143d3_story.html.
- Burke, T., & Owen, S. (2010). Cell phones as prison contraband. *FBI Law Enforcement Bulletin*, 79(7), 10–19.
- Carlile, L. (2006). *An independent inquiry into the use of physical restraint, solitary confinement and forcible strip searching on children in prisons, secure training centres and local authority secure children's homes*. London: Howard League for Penal Reform.
- Centre for the Protection of National Infrastructure (CPNI) (2013). *CPNI insider data collection study: Report of main findings*. London: CPNI.
- Cerrato, S. (2014). Achieving reform in unstable correctional institutions: A theoretical perspective—revisited. *Contemporary Justice Review*, 17(2), 273–296.
- Chambers, M. (2010). *Coming clean: Combating drug misuse in prisons*. London: Policy Exchange.
- Chambers, G. (2015). Prison guard Jody Marson revealed as one-punch killer Kieran Loveridge's alleged lover. *The Daily Telegraph*. Retrieved April 8, 2015, from <http://www.dailymail.co.uk/news/article-3029026/Pictured-Female-prison-guard-affair-Thomas-Kelly-s-one-punch-killer-Kieran-Loveridge-ironwoman-ten-years-older-young-convict.html>.
- Chen, S. (2009). Pennsylvania rocked by 'jailing kids for cash' scandal. *CNN*. Retrieved February 24, 2009, from <http://edition.cnn.com/2009/CRIME/02/23/pennsylvania.corrupt.judges/>.
- Collins, D. (2015). Prison officers 'organised fight club among rival inmate gangs' in Britain's most violent jail. *The Mirror*. Retrieved April 11, 2015, from <http://www.mirror.co.uk/news/uk-news/prison-officers-organised-fight-club-5502230>.
- Commons, A. (2012). *Confessions of a prison officer: The inside story*. Australia: Book Pal.
- Commonwealth Attorney-General's Department (2014). *Managing the insider threat to your business: A personnel security handbook*. Canberra: Attorney-General's Department.
- Coonan, H. (2004). Time for the States to look for alternatives to mobile phone jammers in prisons. Media release, 23 November, Minister for Communications, Information Technology and the Arts. Retrieved from www.amta.org.au/amta/site/amta/downloads/pdfs.../Coonan.jamming.pdf.
- Copes, H., Higgins, G., Tewksbury, R., & Dabney, D. (2011). Participation in the prison economy and likelihood of physical victimization. *Victims & Offenders: An International Journal of Evidence-based Research, Policy, and Practice*, 6(1), 1–18.

- Corrective Services Administrators' Council. (2008). *Corrective services administrators' council emerging technology working group—Submission to ACMA relating to issues with mobile phones in correctional centres*. CSAC, Sydney.
- Corruption and Crime Commission. (2008). Public officers: Honest but... *Corruption Prevention*. Retrieved June 3, 2008, from <https://www.ccc.wa.gov.au/Publications/Newsletter/Corruption%20Prevention%20Newsletter/Corruption%20Prevention%20Newsletter%20Issue%20No%203.pdf>.
- Crawley, E. (2004) *Doing Prison Work: The Public and Private Lives of Prison Officers*. London: Routledge
- Crawley, E., & Crawley, P. (2008). Understanding prison officers: Culture, cohesion and conflicts. In J. Bennett, B. Crewe, & A. Wahidin (Eds.), *Understanding prison staff*. Cullompton: Willan Publishing.
- Crewe, B. (2005). Prisoner society in the era of hard drugs. *Punishment & Society*, 7(4), 457–481.
- Crewe, B. (2007). Power, adaptation and resistance in a late-modern men's prison. *British Journal of Criminology*, 47(2), 256–275.
- Crewe, B. (2009). *The prisoner society*. Oxford: Oxford University Press.
- Crewe, B. (2011a). Soft power in prison: Implications for staff-prisoner relationships, liberty and legitimacy. *European Journal of Criminology*, 8(6), 455–468.
- Crewe, B. (2011b). Depth, weight, tightness: Revisiting the pains of imprisonment. *Punishment & Society*, 13(5), 509–529.
- Crime and Misconduct Commission (CMC) (2009). *Perceptions of misconduct in Queensland correctional institutions: A survey of custodial officers*. CMC: Queensland.
- Criminal Justice Commission (CJC) (2000). *Queensland prison industries: A review of corruption risks*. CJC: Queensland.
- Daily Mail. (2009). Remote control toy helicopter 'used to fly drugs into prison.' *Daily Mail* [online]. Retrieved January 12, 2009, from <http://www.dailymail.co.uk/news/article-1112673/Remote-control-toy-helicopter-used-fly-drugs-prison.html>.
- Dannenberg, J. (2006). Aramark: Prison food service with a bad aftertaste. *Prison Legal News*. Retrieved December 15, 2006, from <https://www.prisonlegalnews.org/news/2006/dec/15/aramark-prison-food-service-with-a-bad-aftertaste/>.
- Davison, I. (2013). Prison staff could wear cameras to reduce assaults. *New Zealand Herald* [online]. Retrieved October 8, 2013, from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&obj_ectid=11136879.
- De Kretser, H., & Schleiger, M. (2008). Victorian prisoners deserve decent treatment. *Sydney Morning Herald*. Retrieved October 3, 2008, from <http://>

- www.smh.com.au/federal-politics/victorian-prisoners-deserve-decent-treatment-20081002-4sra.html.
- DeLisi, M., Hochstetler, A., & Murphy, D. (2003). Self-control behind bars: A validation study of the Grasmick et al. scale. *Justice Quarterly*, 20(2), 241–264.
- Demola, P. (2015). NY prison guard helped escapees in exchange for snitching, art: Documents. *Reuters*. Retrieved June 25, 2015, from <http://www.reuters.com/article/2015/06/25/us-usa-new-york-prisoners-idUSKBN0P51TI20150625>.
- Department of Health. (2015). The facts about ice. Australian Government: National Drugs Campaign. Retrieved September 23, from <http://www.drugs.health.gov.au/internet/drugs/publishingcp.nsf/content/facts-about-ice>.
- DiNapoli, T. (2014). *Corcraft's textile procurement practices*. New York: State Office of the State Comptroller.
- DiNapoli, T., & Fisch, J. (2009). *Violation of law, conflicts of interest and other improprieties at the department of correctional services' food production center*. New York: State Office of the State Comptroller.
- Dolan, K., Khoei, E. M., Brentari, C., & Stevens, A. (2007). *Prisons and drugs: A global review of incarceration, drug use and drug services*. Oxford: The Beckley Foundation Drug Policy Programme.
- Dryburgh, M. (2009). Personal and policy implications of whistle-blowing: The case of Corcoran state prison. *Public Integrity*, 11(2), 155–170.
- Eigenberg, H. (2000). Correctional officers' definitions of rape in male prisons. *Journal of Criminal Justice*, 28(5), 435–449.
- Eklin, T. (2015). *Powerlessness within a budget-driven paradigm: A grounded theory leadership study from the perspective of Michigan corrections officers*. Ph.D. dissertation, Antioch University, USA.
- Elliott, W. (2006). Power and control tactics employed by prison inmates: A case study. *Federal Probation*, 70(1), 45–48.
- Elliott, W., & Verdeyen, V. (2002). *Game over! Strategies for redirecting inmate deception*. Lanham: American Correctional Association.
- eNCA. (2014). Correctional services officers arrested for smuggling contraband. *e-NCA*. Retrieved July 11, 2014, from <http://www.enca.com/correctional-services-officers-arrested-smuggling-contraband>.
- Evershed, N. (2014). Drone used in attempt to smuggle drugs into Melbourne prison, say police. *The Guardian* [online]. Retrieved March 10, 2014, from <http://www.theguardian.com/world/2014/mar/10/drone-used-in-attempt-to-smuggle-drugs-into-melbourne-prison-say-police>.
- Farber, B. (2007). Civil liability for use of tasers, stunguns and other electronic control devices—Part III: Use against detainees and disabled or disturbed persons. *AELE Monthly Law Journal*, 5(1), 101–109.

- Farkas, M. (1990). Professionalization: Is it the cure-all for what 'ails' the correction officer? *Journal of Crime and Justice*, 13(2), 29–54.
- Faulkner, C., & Regehr, C. (2011). Sexual boundary violations: Committed by female forensic workers. *Journal of the American Academy of Psychiatry and the Law*, 39(2), 154–163.
- Federal Bureau of Investigation (FBI). (2010a). State corrections officers and others plead guilty in drug trafficking scheme. Press release, FBI, Miami Division. Retrieved February 11, 2010, from <https://www.fbi.gov/miami/press-releases/2010/mm021110.htm>.
- Federal Bureau of Investigation (FBI). (2010b). State corrections officers and others plead guilty in drug trafficking scheme. Press release, FBI, Miami Division. Retrieved May 12, 2010, from <https://www.fbi.gov/miami/press-releases/2010/mm051210.htm>.
- Federal Bureau of Investigation (FBI). (2011). Corrections officer arrested on heroin charges. Press release, FBI, Boston Division. Retrieved April 18, 2011, from <http://www.fbi.gov/boston/press-releases/2011/corrections-officer-arrested-on-heroin-charges>.
- Federal Bureau of Investigation (FBI). (2013a). Louisiana correctional officer pleads guilty to covering up assault on an inmate. Press release, FBI, New Orleans Division. Retrieved May 29, 2013, from <http://www.fbi.gov/new-orleans/press-releases/2013/louisiana-correctional-officer-pleads-guilty-to-covering-up-assault-on-an-inmate>.
- Federal Bureau of Investigation (FBI). (2013b). Nineteen new defendants, including 14 correctional officers, indicted on charges of federal racketeering in Baltimore city jail investigation. Press release, FBI, Baltimore Division. Retrieved November 21, 2013, from <http://www.fbi.gov/baltimore/press-releases/2013/nineteen-new-defendants-including-14-correctional-officers-indicted-on-charges-of-federal-racketeering-in-baltimore-city-jail-investigation>.
- Federal Bureau of Investigation (FBI). (2014). Two more former officers and another former lieutenant at Roxbury correctional institution plead guilty to conduct related to the assault of an inmate. Press release, FBI, Baltimore Division. Retrieved January 9, 2014, from <http://www.fbi.gov/baltimore/press-releases/2014/two-more-former-officers-and-another-former-lieutenant-at-roxbury-correctional-institution-plead-guilty-to-conduct-related-to-the-assault-of-an-inmate>.
- Felson, M., & Clarke, R. (1998). *Opportunity makes the thief: Practical theory for crime prevention*. Police Research Series Paper No. 98. London: Home Office.
- Fernandez, C. (2012). Women police officer, 27, who shared hours of intimate phone calls with four inmates is jailed for a year. *Daily Mail* [Online].

- Retrieved June 7, 2012, from <http://www.dailymail.co.uk/news/article-2155463/Woman-prison-officer-27-shared-hours-intimate-phone-calls-inmates-jailed-year.html>.
- Fitzgerald, J., Louie, R., Rosenthal, D., & Crofts, N. (1999). The meaning of the rush for initiates to injecting drug use. *Contemporary Drug Problems*, 26(3), 481–504.
- Fraser, A. (2007). *Court in the middle: A true story of cocaine, police, corruption and prison*. Melbourne: Hardy Grant.
- Fraser A. (2010) Lunatic Soup. Melbourne, Hardie Grant books
- Galanek, J. (2014). Correctional officers and the incarcerated mentally ill: Responses to psychiatric illness in prison. *Medical Anthropology Quarterly*, 29(1), 115–136.
- GAO. (1999). *Women in prison: Sexual misconduct by correctional staff (report to the honourable Eleanor Holmes Norto, House of Representatives, US)*. Washington: U.S. Government Accountability Office.
- Garces, C., Martin, T., & Darke, S. (2013). Informal prison dynamics in Africa and Latin America. *Criminal Justice Matters*, 91(1), 26–27.
- Gardner, A. (2015). Smuggling fears as TEN drones fly into prisons carrying phones, drugs and cameras. *Daily Mirror*. Retrieved September 5, 2015, from <http://www.mirror.co.uk/news/uk-news/smuggling-fears-ten-drones-fly-6390632>.
- Gibbons, J., & Katzenbach, N. (2006). *Confronting confinement: A report of the commission on safety and abuse in America's prisons*. New York: Vera Institute of Justice.
- Goldsmith, A. (2010). Policing's new visibility. *British Journal of Criminology*, 50(5), 914–934.
- Goldsmith, A. (2015). Disgracebook policing: Social media and the rise of police indiscretion. *Policing & Society*, 25(3), 249–267.
- Gordon, J., Proulx, B., & Grant, P. (2013). Trepidation among the 'keepers': Gendered perceptions of fear and risk of victimization among corrections officers. *American Journal of Criminal Justice*, 38(2), 245–265.
- Gorta, A. (1998). *Minimising corruption: Some less from the literature*. Sydney: ICAC.
- Gorta, A. (2003). The NSW independent commission against corruption's experience in minimising corruption. *Asian Journal of Political Science*, 11(1), 1–21.
- Gorta, A. (2006). Corruption risks areas and corruption resistance. In C. Sampford, A. Shacklock, C. Connors, & F. Galtung (Eds.), *Measuring corruption*. Aldershot: Ashgate Publishers.
- Government of South Australia, Correctional Services Act 1982

- Graycar, A., & Prenzler, T. (2013). *Understanding and preventing corruption*. Basingstoke: Palgrave Macmillan.
- Graycar, A., & Sidebottom, A. (2012). Corruption and control: A corruption reduction approach. *Journal of Financial Crime*, 19(4), 384–399.
- Graycar, A., & Smith, R. (Eds.) (2011). *Handbook of global research and practice in corruption*. Cheltenham: Edward Elgar Publishing.
- Griffin, M. (1999). The influence of organisational climate on detention officers' readiness to use force in a county jail. *Criminal Justice Review*, 24(1), 1–26.
- Griffin, M. (2002). The influence of professional orientation on detention officers' attitudes toward the use of force. *Criminal Justice and Behavior*, 29(3), 250–277.
- Griffin, M., & Hepburn, J. (2005). Side-bets and reciprocity as determinants of organisational commitment among correctional officers. *Journal of Criminal Justice*, 33(6), 611–625.
- Guardian Australia. (2015). Serco-run immigration centre turned blind eye to corruption, court told. *The Guardian* [online]. Retrieved February 25, 2015, from <http://www.theguardian.com/uk-news/2015/feb/25/serco-immigration-centre-colnbrook-mark-blake-the-sun-trial>.
- Haas, N., Van Craen, M., Skogan, W., & Flietas, D. (2015). Explaining officer compliance: The importance of procedural justice and trust inside a police organization. *Criminology & Criminal Justice*, 1–22. [advanced online access].
- Haldenby, A., Harries, R., & Olliff-Cooper, J. (2014). *Markets for good: The next generation of public service reform*. London: Reform Research Trust.
- Halsey, M., & Deegan, S. (in press). "Never friends or equals": In search of generativity in prison officer work. *The Prison Journal*.
- Haney, C. (2005). The contextual revolutions in psychology and the question of prison effects. In A. Liebling, & S. Maruna (Eds.), *The effects of imprisonment*. Willan: Cullompton.
- Haney, C., Banks, C., & Zimbardo, P. (1973). Interpersonal dynamics in a simulated prison. *International Journal of Criminology and Penology*, 1, 69–97.
- Harris, K. (2012). Prison guards' use of force rises with overcrowding. *CBC News* [online]. Retrieved July 4, 2012, from <http://www.cbc.ca/news/politics/prison-guards-use-of-force-rises-with-overcrowding-1.1169927>.
- Heilpern, D. (1998). *Fear or favour: Sexual assault of young prisoners*. Lismore: Southern Cross University Press.
- Hemmens, C., Stohr, M., Schoeler, M., & Miller, B. (2002). One step up, two steps back. The progression of perceptions of women's work in prisons and jails. *Journal of Criminal Justice*, 30(6), 473–489.

- Heyward, G. (2011). *Corruption officer: From jail guard to perpetrator inside Rikers Island*. New York: Simon and Schuster.
- Heywood, P., & Rose, J. (2015). Curbing corruption or promoting integrity? Probing the hidden conceptual challenge. In P. Hardi, P. Heywood, & D. Torsello (Eds.), *Debates of corruption and integrity*. Palgrave Macmillan: Basingstoke.
- HM Chief Inspector of Prison for England and Wales (2013). *Annual report 2012–13*. London: HM Inspectorate of Prisons.
- Hochstetler, A., & DeLisi, M. (2005). Important, deprivation, and varieties of serving time: An integrated-lifestyle-exposure model of prison offending. *Journal of Criminal Justice*, 33, 257–266.
- Hoel, H., & Cooper, C. (2000). *Destructive conflict and bullying at work*. Manchester: University of Manchester Institute of Science and Technology.
- Holderhead, S. (2013). One in five inmates take drugs in South Australian prisons. *AdelaideNow*. Retrieved September 29, 2013, from <http://www.adelaidenow.com.au/news/south-australia/one-in-five-inmates-take-drugs-in-south-australian-prisons/story-fni6uo1m-1226729576884>.
- Howard League for Penal Reform (HLPR) (2009). *Turnkeys or professionals? A vision for the 21st century prison officer*. London: HLPR.
- Hughes, E. (1951). Work and the Self. In J. Rohrer, & M. Sherif (Eds.), *Social psychology at the crossroads*. New York: Harper & Brothers.
- Hunter, G. (2014). Sexual abuse by prison and jail staff proves persistent, pandemic. *Prison Legal News*. Retrieved March 18, 2014, from <https://www.prisonlegalnews.org/displayArticle.aspx?articleid=21225&AspxAutoDetectCookieSupport=1>.
- Independent Broad-based Anti-corruption Commission (IBAC) (2015). *Organised crime group cultivation of public sector employees*. Melbourne: IBAC.
- Independent Commission Against Corruption (ICAC) (2011). *Corruption risks in NSW government procurement: Suppliers' perceptions of corruption*. Sydney: ICAC.
- Independent Commission Against Corruption (ICAC), NSW (2004). *Report on investigation into the introduction of contraband into the Metropolitan Remand and Reception Centre, Silverwater*. Sydney: ICAC.
- Independent Commission Against Corruption (ICAC), NSW (2006). *Report on investigation into the case management and administration of community service orders*. Sydney: ICAC.
- Independent Commission Against Corruption (2010). *Investigation into the smuggling of contraband into the John Morony Correctional Centre*. Sydney: Government of New South Wales.

- Informal Communicator (2015), former prison officer
- Inspector of Custodial Services (2014). *Report No. 1—The invisibility of correctional officer work*. Sydney: ICS.
- Irwin, J. (1980). *Prisons in turmoil*. Boston: Little, Brown.
- Jackson, W. (2013). Prisons get a new way to stop inmates from using cell phones. *GCN*. Retrieved September 5, 2013, from <http://gcn.com/articles/2013/09/05/prisoncellphones.aspx>.
- Jedra, C. (2015). Forty-four charged in Baltimore jail scandal: Here's how cases ended. *The Baltimore Sun*. Retrieved July 11, 2015, from <http://www.baltimoresun.com/news/maryland/sun-investigates/bs-md-sun-investigates-jail-20150711-story.html>.
- Johnson, E. (2013). Georgia men used toy helicopter in botched prison smuggling-police. *Reuters*. Retrieved November 28, 2013, from <http://www.reuters.com/article/2013/11/28/us-usa-georgia-helicopter-idUSBRE9AR06L20131128>.
- Johnston, R. (2004). Towards a better understanding of service excellence. *Managing Service Quality: An International Journal*, 14(2/3), 129–133.
- Jones, S. (2013). *A portrait of boundary violations: Former female employees of corrections who have established a relationship with an inmate*. Ph.D. Dissertation, University of Colorado.
- Jones, C. (2014). Prison gangs and prison governance. *Griffith Asia Quarterly*, 2(1), 57–74.
- Jurik, N., & Musheno, M. (1986). The internal crisis of corrections: Professionalization and the work environment. *Justice Quarterly*, 3(4), 457–480.
- Kalinich, D., & Stojkovic, S. (1985). Contraband: The basis for legitimate power in a prison social system. *Criminal Justice and Behavior*, 12(4), 435–451.
- Kalinich, D., & Stojkovic, S. (1987). Prison contraband system: Implications for prison management. *Journal of Crime and Justice*, 10(1), 1–21.
- Kaminski, M. (2004). *Games prisoners play: The tragicomic worlds of Polish prisons*. Princeton: Princeton University Press.
- Keene, J. (1997). Drug misuse in prison: Views from inside: A qualitative study of prison staff and inmates. *Howard Journal*, 36(1), 28–41.
- Kelly, D. (2014). Punish or reform? Predicting prison staff punitiveness. *The Howard Journal*, 53(1), 49–68.
- King, S. (2009). Reconciling custodial and human service work: The complex role of the prison officer. *Current Issues in Criminal Justice*, 21(2), 257–272.

- Kitchin, P. (2010). Honeywell contract not disclosed. *Stuff.co.nz*. Retrieved December 23, 2010, from <http://www.stuff.co.nz/national/politics/4487828/Honeywell-contract-not-disclosed>.
- Kulman, B., & May, A. (2015). The Baltimore jail that was run by a gang. *Aljazeera America*. Retrieved April 23, 2015, from <http://america.aljazeera.com/watch/shows/america-tonight/articles/2015/4/23/baltimore-jail-gang.html>.
- Kupers, T. (1996). Trauma and its sequelae in male prisoners: Effects of confinement, overcrowding, and diminished services. *American Journal of Orthopsychiatry*, 66(2), 189–196.
- Lajeunesse, T., Jefferson, C., Nuffield, J., & Majury, D. (2013). *The cross gender monitoring project, third and final annual report*. Canada: Correctional Services Canada.
- Lambert, E., Hogan, N., & Griffin, M. (2007). The impact of distributive and procedural justice on correctional staff job stress, job satisfaction, and organisational commitment. *Journal of Criminal Justice*, 35(6), 644–656.
- Laville, S., & Taylor, M. (2014). Prison whistleblowers in England and Wales being threatened with dismissal. *The Guardian*, 21 October 2014.
- Lennane, K., & De Maria, W. (1998). The downside of whistleblowing. *Medical Journal of Australia*, 169(7), 351–352.
- Lerman, A., & Page, J. (2012). The state of the job: An embedded work role perspective on prison officers' attitudes. *Punishment & Society*, 14(5), 503–529.
- Lerman, A., & Page, J. (2015). Does the front line reflect the party line? The politicization of punishment and prison officers' perspectives towards incarceration. *British Journal of Criminology*. [advanced access, 25 June].
- Leveson, B. (2012). *Leveson inquiry: Culture, practice and ethics of the press*. London: The Stationery Office.
- Liebling, A., & Arnold, H. (2004). *Prisons and their moral performance*. Oxford: Oxford University Press.
- Liebling, A., & Arnold, H. (2012). Social relationships between prisoners in a maximum security prison: Violence, faith, and the declining nature of trust. *Journal of Criminal Justice*, 40(5), 413–424.
- Liebling, A., Price, D., & Shefer, G. (2011). *The prison officer*. New York: Willan Publishing.
- Lockhart-Miramis, G., Pickles, C., & Crowhurst, E. (2015). *Cutting crime: The role of tagging in offender management*. London: Reform Research Trust.
- Loyens, K. (2011). Why police officers and labour inspectors (do not) blow the whistle: A grid group cultural theory perspective. *Policing: An International Journal of Police Strategies & Management*, 36(1), 27–50.

- Lutze, F., & Murphy, D. (1999). Ultramasculine prison environments and inmates' adjustment: It's time to move beyond the 'boys will be boys' paradigm. *Justice Quarterly*, 16(4), 709–733.
- MacAlpine, I. (2015). Drone used to drop contraband onto prison yard. *Kingston Whig-Standard*. Retrieved August 20, 2015, from <http://www.thewhig.com/2015/08/20/drone-used-to-drop-contraband-onto-prison-yard>.
- Macaulay, M. (2011). *Corruption in the UK: Part two—Assessment of key sectors*. Berlin: Transparency International UK.
- Marie Garcia, R. (2008). *Individual and institutional demographic and organizational climate correlates of perceived danger among federal correctional officers*. Washington: U.S. Department of Justice.
- Marquart, J., Barnhill, M., & Balshaw-Biddle, K. (2001). Fatal attraction: An analysis of employee boundary violations in a southern prison system, 1995–1998. *Justice Quarterly*, 18(4), 877–910.
- Marr, D. (2012). Time runs out for disgraced prisons minister. *Sydney Morning Herald*. Retrieved January 2, 2012, from <http://www.smh.com.au/nsw/time-runs-out-for-disgraced-prisons-minister-20120101-1ph9s.html>.
- Mars, G. (1982). *Cheats at work: An anthropology of workplace crime*. London: Unwin.
- Martin, S. (2006). Staff use of force in United States confinement settings. *Journal of Law & Policy*, 22(1), 145–154.
- Martin, J., Lichtenstein, B., Jenkot, R., & Forde, D. (2012). 'They can take us over any time they want': Correctional officers' responses to prison overcrowding. *The Prison Journal*, 92(1), 88–105.
- McAlinden, A. (2012). *Grooming and the sexual abuse of children*. Oxford: Clarendon Press.
- McDermott, K., & King, R. (1988). Mind games: Where the action is in prison. *British Journal of Criminology*, 28(3), 357–377.
- McEvoy, K. (2000). *Paramilitary imprisonment in Northern Ireland*. Oxford: Clarendon Press.
- McIlwain, G. (2004). *Professional misconduct between inmates and non-custodial staff: A study of Queensland's correctional centres*. Ph.D. thesis, Griffith University, Queensland, Australia.
- Merton, R. (1938). Social structure and anomie. *American Sociological Review*, 3(5), 672–682.
- Mitchell, J. (2014). Lawsuit: Prison awash in contraband, weapons, filth. *USA Today & The (Jackson) Clarion-Ledger*. Retrieved September 26, 2014, from <http://www.usatoday.com/story/news/nation/2014/09/26/private-prison-lawsuit/16257795/>.

- Mitchell, Z., Merrington, S., & Bell, P. (2014). A comparative analysis of the OECD anti-corruption models (Asia and Europe) and Australia's existing anti-corruption platform. *International Journal of Business and Commerce*, 4(3), 1–23.
- Money, J. (2008). Human sexuality. *Journal of Psychology and Human Sexuality*, 15(1), 23–33.
- Montgomery, M. (2011). Prison union balks at staff searches. *California Watch*. Retrieved March 13, 2011, from <http://prisoncellphones.com/blog/2011/05/13/prison-staff-balks-at-contraband-cell-phone-searches/>.
- Morris, N. (2013). G4S and Serco face £50 million fraud inquiry. *The Independent* [online]. Retrieved July 12, 2013, from <http://www.independent.co.uk/news/uk/politics/g4s-and-serco-face-50-million-fraud-inquiry-8703245.html>.
- Morris, N., & Hawkins, G. (1972). Attica revisited: The prospect for prison reform. *Arizona Law Review*, 14(4), 747–763.
- Nagle, J. (1978). *Report of the royal commission into New South Wales prisons*. NSW: Government Printer.
- Natapoff, A. (2009). *Snitching: Criminal informants and the erosion of American justice*. New York: New York University Press.
- National Association of State Budget Officers (2013). *State spending for corrections: Long-term trends and recent criminal justice policy reforms*. Washington: NASBO.
- National Corrections Drug Strategy (2008). *National corrections drug strategy 2006–2009*. Canberra: Commonwealth Government of Australia.
- National Prison Rape Elimination Committee (NPREC) (2009). *National prison rape elimination committee report*. Washington: NPREC.
- NBC News. (2015). New York prison escape. *NBC News*. Retrieved July 2, 2015, from <http://www.nbcnews.com/storyline/new-york-prison-escape>.
- New South Wales Ombudsman. (2012). *Managing the use of force in prisons: The need for better policy and practice*. A Special Report to Parliament under s31 of the Ombudsman Act 1974. Sydney: NSW Ombudsman.
- New Zealand Herald. (NZH). (2009). Man caught trying to smuggle LSD worth up to \$2.5m into prison. *New Zealand Herald* [online]. Retrieved December 23, 2009, from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10617225.
- New Zealand Herald. (NZH). (2010). Prison guards charged with smuggling contraband into jail. *New Zealand Herald* [online]. Retrieved December 6, 2010, from http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10692510.
- Nye, J. (1967). Corruption and political development: A cost-benefit analysis. *American Political Science Review*, 51(2), 417–429.

- Office of Inspector General. (2003). *The federal bureau of prisons' drug interdiction activities*. U.S. Department of Justice, Evaluation and Inspections Division, Report No. I-2003-002.
- Office of Police Integrity (2010). *Sensitive and confidential information in a police environment*. Melbourne: OPI.
- Ombudsman, S. A. (2014). *Annual report 2013/2014*. Adelaide: Ombudsman SA.
- Penfold, C., Turnbull, P., & Webster, R. (2005). *Tackling prison drug markets: An exploratory qualitative study*. Home Office Online Report No. 39/05. London: Institute for Criminal Policy Research.
- People, J. (2008). *Unauthorised disclosure of confidential information by NSW police officers*. Research and Issues Papers No. 2. Sydney: NSW Police Integrity Commission.
- Pew Center on the States (2011). *State of recidivism: The revolving door of America's prisons*. Washington: PCS.
- Plimmer, G.. (2015). Moves to oust G4S and Serco as tagging suppliers fail. *Financial Times*. Retrieved September 15, 2015, from <http://www.ft.com/intl/cms/s/0/d4e9dbfe-5ad4-11e5-a28b-50226830d644.html#axzz3nvW5xLX3>.
- Podmore, J. (2012). *Out of sight, out of mind: Why Britain's prisons are failing*. London: Biteback Publishing.
- Postigo, C., López de Alda, M., & Barceló, D. (2011). Evaluation of drugs of abuse use and trends in a prison through wastewater analysis. *Environment International*, 37(1), 49–55.
- Pratt, J., & Eriksson, A. (2013). *Contrasts in punishment: An explanation of Anglophone excess and Nordic exceptionalism*. Oxford: Routledge.
- Prenzler, T., & Faulkner, N. (2010). Towards a model public sector integrity commission. *Australian Journal of Public Administration*, 69(3), 251–262.
- Punch, M. (2003). Rotten orchards: “Pestilence”, police misconduct and system failure. *Policing and Society: An International Journal of Research and Policy*, 13(2), 171–196.
- Punch, M. (2009). *Police corruption: Deviance, accountability and reform in policing*. Cullompton: Willan.
- Punch, M., & Gilmour, S. (2010). Police corruption: Apples, barrels and orchards. *Criminal Justice Matters*, 79(1), 10–12.
- Rene West, C. (2004). *Caught in the struggle: The real Rikers Island—An officer's memoir*. New York: Premadonna Publishing.
- Rigby, M. (2006). Marylands PHS prison health care under fire, new system implemented. *Prison Legal News*. Retrieved February 15, 2006, from <https://www.prisonlegalnews.org/news/2006/feb/15/marylands-phs-prison-health-care-under-fire-new-system-implemented/>.

- Rodas, A., Bode, A., & Dolan, K. (2011). *Supply, demand and harm reduction strategies in Australian prisons: An update*. University of New South Wales: National Drug and Alcohol Research Centre.
- Rorty, A. (1999). Integrity: Political, not psychological. In A. Montefiore, & D. Vines (Eds.), *Integrity in the public and private domains*. London: Routledge.
- Rose, J., & Heywood, P. (2013). Political science approaches to integrity and corruption. *Human Affairs*, 23(2), 148–159.
- Ross, J. (2013). Deconstructing correctional officer deviance: Toward typologies of actions and controls. *Criminal Justice Review*, 38(1), 110–126.
- Roth, L. (2004). *Privatisation of prisons*. Background Paper No 3/04. Sydney: NSW Parliamentary Library Research Service.
- Ruppert, E. (2013). Not just another database: The transactions that enact young offenders. *Computational Culture*, 1–13. Retrieved from <http://research.gold.ac.uk/9630/1/Ruppert%202013a.pdf>.
- Sabau, E. (2013). Fraud risk management—Human rationalization assessment. *Business Excellence and Management*, 3(1), 41–56.
- Schein, E. (1985). *Organizational culture and leadership*. San Francisco: Jossey-Bass Publishers.
- Schmitt, J., Warner, K., & Gupta, S. (2010). *The high budgetary cost of incarceration*. Washington: Center for Economic and Policy Research.
- Scott, D. (2008). Creating ghosts in the penal machine: Prison officer occupational morality and the techniques of denial. In J. Bennett, B. Crewe, & A. Wahadin (Eds.), *Understanding prison staff*. London: Routledge.
- Simon, J. (2014). *Mass incarceration on trial: A remarkable court decision and the future of prisons in America*. New York: The New Press.
- Simonian, N., & Smith, B. (2006). Integrity in jail operations: Addressing employee/offender relationships. *American Jails*. Retrieved July/August 9–19, from <http://www.prearesourcecenter.org/sites/default/files/library/ajafinal.pdf>.
- Skarbek, D. (2011). Governance and prison gangs. *American Political Science Review*, 105(4), 6702–6716.
- Skarbek, D. (2014). *The social order of the underworld: How prison gangs govern the American penal system*. New York: Oxford University Press.
- Soring, J. (2008). Correctional capitalism in the ‘land of the free’. *ISSUU*. Retrieved from http://issuu.com/prismmagazine/docs/correctional_capitalism/1.
- Souryal, S. (2007). *Ethics in criminal justice: In search of the truth*. Cincinnati: Anderson.

- Souryal, S. (2009). Deterring corruption by prison personnel a principle-based perspective. *The Prison Journal*, 89(1), 21–45.
- South Australian Department for Correctional Services (SADCS) (2013). *Annual report 2012–13*. Adelaide: DCS.
- Sozzani, J. (2001). Privatisation in the United States and Australia: A comparative analysis of the modern privatisation movement in corrections. *Bond Law Review*, 13(1), 136–165.
- Sparks, R., & Bottoms, A. (1995). Legitimacy and order in prisons. *British Journal of Sociology*, 46(1), 45–62.
- Steering Committee for the Review of Government Service Provision (SCRGP) (2014). *Report on government services 2014*. Canberra: Productivity Commission.
- Stevens, D. (1997). Prison regime and drugs. *Howard Journal*, 36(1), 14–27.
- Sykes, G. (1956). The corruption of authority and rehabilitation. *Social Forces*, 34(3), 257–262.
- Sykes, G. (1958). *The society of captives: A study of a maximum security prison*. Princeton: Princeton University Press.
- Sykes, G., & Matza, D. (1957). Techniques of neutralization: A theory of delinquency. *American Sociological Review*, 22(6), 664–670.
- Tajfel, H., & Turner, J. (1979). An integrative theory of intergroup conflict. In W. G. Austin, & S. Worchel (Eds.), *The social psychology of intergroup relations*. Brooks/Cole: Monterey.
- Tangel, A., & King, K. (2015). New York prison guard exchanged contraband for paintings, authorities say. *Wall Street Journal*. Retrieved June 25, 2015, from <http://www.wsj.com/articles/new-york-prison-break-corrections-officer-exchanged-tools-for-paintings-14352408> 83.
- Taxman, F., & Gordon, J. (2009). Do fairness and equity matter? An examination of organisational justice among correctional officers in adult prisons. *Criminal Justice and Behavior*, 36(7), 695–711.
- Thompkins, D. (2008). *The tobacco ban: Manifest and latent failures of a social control policy*. Saarbrücken: VDM Publishing.
- Toch, H. (1992). *Living in prison: The ecology of survival*. Washington: APA.
- Tracy, S., & Scott, C. (2006). Sexuality, masculinity, and taint management among firefighters and correctional officers: Getting down and dirty with 'America's heroes' and the 'scum of law enforcement'. *Management Communication Quarterly*, 20(1), 6–38.
- Trammell, R. (2009). Values, rules and keeping the peace: How men describe order and the inmate code in California prisons. *Deviant Behavior*, 30(8), 746–771.

- Trammell, R. (2011). Symbolic violence and prison wives: Gender roles and protective pairing in men's prisons. *The Prison Journal*, 91(3), 305–324.
- Trammell, R., & Rundle, M. (2015). The inmate as the nonperson: Examining staff conflict from the inmate's perspective. *The Prison Journal*, 1–21. [advanced access, 30 June].
- Transparency International (2006). *Handbook for curbing corruption in public procurement*. Berlin: Transparency International.
- Travis, A. (2009). Use of force to control inmates is on rise in jails, inspector warns. *The Guardian* [online]. Retrieved January 29, 2009, from <http://www.theguardian.com/society/2009/jan/28/chief-prisons-inspector-issues-warning>.
- Travis, A. (2015). Government still paying G4S and Serco millions for tagging despite ban. *The Guardian* [online]. Retrieved June 25, 2015, from <http://www.theguardian.com/society/2015/jun/25/government-still-paying-g4s-and-serco-millions-for-tagging-despite-ban>.
- Uhr, J. (2005). *Terms of trust*. Sydney: UNSW Press.
- Useem, B., & Piehl, A. (2006). Prison buildup and disorder. *Punishment and Society*, 8(1), 87–115.
- van Dyken, E., Thai, P., Yin Lai, F., Ort, C., Prichard, J., Bruno, R., et al. (2014). Monitoring substance use in prisons: Assessing the potential value of wastewater analysis. *Science and Justice*, 54(5), 338–345.
- Vaughn, A. (2011). Federal prison guard arrests increase dramatically, report finds. *Los Angeles Times* [online]. Retrieved September 29, 2011, from <http://articles.latimes.com/2011/sep/29/nation/la-na-prison-guards-20110930>.
- Vaughn, M., & Smith, L. (2006). Practicing penal harm medicine in the United States: Prisoner's voices from jail. *Justice Quarterly*, 16(1), 175–231.
- Vickovic, S., & Griffin, M. (2014). A comparison of line and supervisory officers and the impact of support on commitment to the prison organization. *Criminal Justice Policy Review*, 25(6), 719–742.
- Victorian Ombudsman (2007). *Investigation into the use of excessive force at the Melbourne custody centre*. Melbourne: Victorian Ombudsman.
- Victorian Ombudsman (2008). *Investigation into contraband entering a prison and related issues*. Melbourne: Victorian Ombudsman.
- Victorian Ombudsman (2012). *The death of Mr Carl Williams at HM Barwon prison—Investigation into corrections Victoria*. Melbourne: Victorian Ombudsman.
- Vinson, T. (1982). *Wilful obstruction: The frustration of prison reform*. North Ryde: Methuen.
- von Zielbauer, P. (2005). As health care in jails goes private, 10 days can be a death sentence. *New York Times*. Retrieved February 27, 2005, from <http://>

- www.nytimes.com/2005/02/27/nyregion/as-health-care-in-jails-goes-private-10-days-can-be-a-death-sentence.html?_r=0.
- Walters, G. (2015). Criminal thinking as a predictor of prison misconduct and mediator of the static risk-infractions relationship. *The Prison Journal*, 95(3), 353–369.
- Ware, G., Moss, S., Campos, E., & Noone, G. (2011). Corruption in procurement. In A. Graycar, & R. Smith (Eds.), *Handbook of global research and practice in corruption*. Cheltenham: Edward Elgar.
- Warren, M. (1999). *Democracy and trust*. Cambridge: Cambridge University Press.
- Warrington Guardian. (2013). Two week hearing to decide fate of the Diane and Richard Brookhouse drugs ring starts. *Warrington Guardian*. Retrieved from http://www.warrington-guardian.co.uk/news/10965307.LiveBrookhouse_sentencing/?ref=var_6.
- Watson, J. (2012). Former New York DOCS food director pleads guilty to Grand Larceny. *Prison Legal News*. Retrieved December 15, 2012, from <https://www.prisonlegalnews.org/news/2012/dec/15/former-new-york-docs-food-director-pleads-guilty-to-grand-larceny/>.
- Webb, W. (2012). Ethical culture and the value-based approach to integrity management: A case study of the department of correctional services. *Public Administration and Development*, 32(1), 96–108.
- Weber, D. (2015). WA prison officer fined for using corrective services computer to get information about inmates. *ABC News*. Retrieved August 6, 2015, from <http://www.abc.net.au/news/2015-08-06/prison-officer-hansra-fined-used-computer-to-look-up-inmates/6679130>.
- Wild, K., & Gregory, K. (2015). Teenage detainees hooded, gassed in Northern Territory adult prison. *ABC Darwin*. Retrieved September 18, 2015, from <http://www.abc.net.au/news/2015-09-17/juveniles-hooded-in-nt-by-corrections-staff/6785344>.
- Wolfe, S., Worth, M., Dreyfus, S., & Brown, A. J. (2014). *Whistleblower protection laws in G20 countries: Priorities for action*. Sydney: Transparency International Australia.
- Wooldredge, J. D. (1991). Correlates of deviant behaviour among inmates of U.S. correctional facilities. *Journal of Crime and Justice*, 14(1), 1–25.
- Wooldredge, J. D. (1998). Inmate lifestyles and opportunities for victimization. *Journal of Research in Crime and Delinquency*, 35(4), 480–502.
- Worley, R., Marquart, J., & Mullings, J. (2003). Prison guards as predators: An analysis of inmates who established inappropriate relationships with prison staff, 1995–1998. *Deviant Behavior*, 24(2), 175–194.
- Wortley, R. (2002). *Situational prison control: Crime prevention in correctional institutions*. Cambridge: Cambridge University Press.

- Yakas, B. (2015). Officials say 'sex-crazed' prison worker helped murderers escape. *Gothamist*. Retrieved June 12, 2015, from http://gothamist.com/2015/06/12/officials_say_sex-crazed_prison_wor.php.
- Zdenkowski, G., & Brown, D. (1982). *The prison struggle: Changing Australia's penal system*. Victoria: Penguin Books.
- Zimbardo, P. (2007). *The Lucifer effect: Understanding how good people turn evil*. New York: Random House.
- Zimring, F., & Johnson, D. (2005). On the comparative study of corruption. *British Journal of Criminology*, 45(6), 793–809.
- Zoukis, C. (2015). Forty defendants, including 24 guards, convicted in widespread corruption scandal at Baltimore city jail. *Prison Legal News*, 12 April 2015.
- Zuccato, E., Chiabrando, C., Castiglioni, S., Calamari, D., Bagnati, R., Schiarea, S., et al. (2005). Cocaine in surface waters: A new evidence-based tool to monitor community drug abuse. *Environmental Health*, 4(1), 14–20.

Index

A

- absolute integrity, 8–9, 146
- “apples” and “barrels”, 3–4
- arm-length abuse, 109
- assaults
 - Abu Ghraib case, 94–5
 - cultural drivers, 92–4
 - environmental drivers, 95–7
 - individual drivers, 90–92
 - prevalence, 88–90
 - sexual, 86, 91
 - tackling, 97–99
 - types of, 84–88
 - vulnerability, 88
- Australian Institute of Health and Welfare (AIHW)
 - reports, 64
- Australian National Council on Drugs (ANCD), 64

B

- bad apple approach, 91
- Ben-David, S., 93
- Bennett, J., 110
- Bingham, M., 96
- boundary violation, 32
- Bureau of Justice, 99

C

- Carlile, L., 89
- Cerrato, 148
- CMC survey, 90
- compliance model, 145–6
- consultation, 150–151
- contraband trafficking
 - causes, facilitators and motivators
 - contraband market system, 71
 - dysfunction and dangerousness, 71

- contraband trafficking (*cont.*)
 “fast and easy” money making, 72
 ICAC investigation, 73
 inadequate socialization, 73
 inducing/exacerbating institution, 70
 informal inmate social system, 71
 Melbourne sewage treatment plant testing, 70
 “slippery-slope” concept, 72
 frequency and volume
 AIHW reports, 64
 ANCD, 64
 creditor/debtor relationships, 75
 crystal methamphetamine, 75–6
 custodial facilities, 68
 food, cigarettes and alcohol, 68
 Health of Australia’s Prisoners 2012 report, 64–5
 illicit substances, 64
 mobile phones, 63–4
 mobile phones, cigarettes, prohibited images, 63
 national corrections drug strategy 2006–2009, 63
 UK prison drug trade, 63
 weapons, 66
 methods and types
 analogous drone scenarios, 62
 Collins Bay Correctional Institution, 57
 drone device, 59
 exogenous tripartite relationships, 62
 heroin trade, UK prisons, 61
 higher-security prisons, 58–9
 items hidden in inside prison, 63
 lower security prisons, 58
 “no go zones”, 59
 officers smuggling items, 64
 prison users social visits, 60
 quantities of contraband, 61
 small-scale and ham-fisted, 60–61
 staff, officers and family, 59
 UK’s Policy Exchange, 60
 tackling
 bypass prison screening mechanisms, 79
 illicit phones, 80
 increasing number of landline phones, 81
 preventing trade mobile phones and SIM cards, 78
 prevention strategy, 76
 prison wastewater testing, 78
 quantum of
 methamphetamine, 77
 random cell searches, 76–7
 strip-search and cavity-search, 75
 wastewater analysis, 78
 Corcraft, 121
 correctional corruption, 129
 category, 140
 contribution of technology, 131–2
 cultural change, 136–7
 external oversight, 134–5
 level of institutions, 130
 management pushback, 130–131
 number of factors, 131
 potential disclosers, 137–8
 prisoners and clients, 138–9
 privatisation, 135
 tone at the top, 133–4
 correctional integrity, 2–3, 144, 158

absolute integrity, 146
 all-out campaign, 146
 baseline, 149
 compliance, 145
 compliance model, 145–6
 data and consultation, 149–151
 degree of trade-off, 146–7
 environment, 143
 holistic approach, 151–2
 low self-esteem, 147
 officer-client relations, 147–8
 priority setting, 154–6
 professional workforce, 152–3
 realist response, 144, 158
 reward integrity, punish
 corruption, 154
 situational measures, 156–8
 trustworthy, 144
 correctional settings
 correctional clients, 14
 organisation, 16–17
 power, 18–19
 sociological” view, 15–16
 corruption. *See* procurement
 corruption
 Crewe, B., 133
 Crime and Misconduct Commission
 (CMC), 41

D

Dean, Howard, 119–120
 discussability, 153

E

endogenous relationships, 33–36
 exogenous relationships, 33, 37–39
 external oversight, 134–5

F

Facebook, 49–50
 Feltham Young Offenders’
 Institution, 87
 fiddles, 114, 116
 force, use of, 84–7
 Abu Ghraib case, 94–5
 cultural drivers, 92–4
 environmental drivers, 95–7
 excessive, 88–9
 individual drivers, 90–92
 legitimate restraint techniques, 85
 sexual assault, 86
 tackling, 97–99
 turning a blind eye, 86

G

Ghraib, Abu, 94–5
 Gibbons, J., 83, 93

H

Health of Australia’s Prisoners 2012
 report, 64–5
 Heilpern, D., 86
 heroin, 74
 Heyward, G., 103
 holistic approach, 151–2
 Honeywell, 124

I

illicit drugs, 14
 inappropriate dealing, information
 falsification of records, 105–6
 kinds of, 103–4
 unauthorised access, 104
 unauthorised disclosure, 104–5

- inappropriate relationships
 - boundary violation, 32
 - CMC survey, 41
 - definition, 31–2
 - dual relationships, 40
 - endogenous relationships, 33–36
 - exogenous relationships, 33, 37–9
 - lack of clarity, 42
 - personal/existential, 31
 - prisoner-related factors, 42–6
 - private prisons, 50–51
 - public expenditure cutbacks, 50–51
 - relationships, 30–31
 - settings for, 48–9
 - “slippery-slope” process, 47–8
 - social media, 49–50
 - staff and clients, 29
 - staff-related factors
 - female custodial officers, 46
 - feminisation of correctional work, 44
 - financial distress, 46
 - hybristophilia, 45
 - inappropriate relationships, 45
 - intensity and variability, 46
 - male COs relationships, 46
 - workplace-based grievances, 47
 - tackling, 51–3
 - Texas prison system, 40
 - time spending, 30
 - vulnerability and exploitation, 31
 - information records, 101–102
 - correctional clients, 102–103
 - kinds of, 103–4
 - unauthorised handling, 107–8
 - information systems, 132
- K**
- Katzenbach, N., 83, 93
 - kickbacks, 114, 116
- L**
- law abiding community, 92
 - Lerman, A., 91
- M**
- Macaulay, M., 118
 - management-information systems, 102, 103
 - marijuana, 64
 - mass incarceration, 113
 - Matza, D., 92
 - McIlwain, G., 107–8, 133, 134, 136
 - multiplicity, 6
- N**
- national corrections drug strategy 2006–2009, 63
 - National Prison Rape Elimination Commission (NPREC), 99
 - non-disclosure, privatisation, 135
 - NZ Corrections Department, 124
- O**
- occupational stress, 4
 - Ombudsman, S.A., 88, 89
 - Ombudsman’s report, 51
 - organisational climate
 - climate of corrections, 24
 - fund prison expansion, 27
 - legislative changes, 24

partisan competition, 26
 policing, prosecution and court
 practices, 24
 political priorities, 24–5
 politico-social conversations, 23
 prison populations, 26
 organisational culture
 core responsibility, 19
 crimes warranting imprisonment/
 detention, 19
 denial of injury, 20
 denial of responsibility, 20
 high staff turnover, 22
 job security, 21
 lack of institutional support, 21
 non-fatal injury, 19
 organisational climate (*see*
 (organisational climate))
 organisational structures, 22–3
 social cocoons, 21
 social weighting, 20
 workplace culture, 20
 workplace group culture and
 vulnerability, 21
 overcrowding, 4

P

Page, J., 91
 prescription medication
 buprenorphine, 64
 prison economy, 96
 prisoner misconduct, 4
 Prisoners
 sexual violence, 87
 use of force, 85
 prison riots, 4
 private security service providers, 123

privatisation, 122–124, 135
 procurement corruption
 abuse of discretion, 124–5
 best practice, 125
 bribery and kickbacks, 115–16
 category, 119
 cronyism and nepotism, 118
 definition, 114–5
 employee fraud, 117–8
 features, 125
 forms, 116–17
 organisational climate, 126
 prison industries, 120–121
 privatisation and outsourcing,
 122–124
 rules and procedures, 118–19
 public expenditure, 5
 public service motivation, 153

Q

Queensland correctional system, 87
 Queensland Crime and Misconduct
 Commission, 106

R

records, falsification of, 105–6
 Rundle, M., 86

S

shot-callers, 5
 social media, 49–50
 Souryal, S., 119, 122
 staff shortages, 4
 Straight Liberation Movement
 (SLM), 87

The Sun newspaper, 108
Sykes, G., 92

T

tackling, inappropriate relationships,
 51–3
technology, 131–2
Texas prison system, 40
trafficking
 contraband (*see* (contraband
 trafficking))
 definition, 56
 implications of, 74–5
 transgressions, 57
Trammell, R., 86
Transparency International, 113

U

UK's Policy Exchange, 60
unauthorised access, 104

unauthorised disclosure, 104–5,
 107

V

Victorian Ombudsman, 86
violence, 83
 administrative, 96
 physical, 88–9
 prison economy, 83–4
 staff-driven, 84
 staff propensity, 93
 symbolic, 85, 86
 tackling, 97–99

W

Ware, G., 116
Western Australian Corruption and
 Crime Commission (CCC),
 910
Williams, Carl, 88