

Drugs, Prisons and Policy-Making

*For my father
and
in memory of my mother*

Drugs, Prisons and Policy-Making

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Preface

In her analysis of imprisonment around the world, the prominent penal reformer, Vivien Stern, has argued, 'it is impossible to talk about crime, prisons and prisoners without coming to the question of drugs' (Stern, 1998: 121). In Britain, the current government has become obsessed with what they perceive to be a direct link between drugs and crime. Millions of pounds have been committed to its fight against drug-related offending. The aim is to provide interventions at each stage of the criminal justice process – arrest, bail, sentencing, imprisonment, and community supervision (see Home Office, 2001). However, this emphasis on the interconnections between drugs, crime and punishment has not always been so pronounced, particularly in terms of the discourses and policies around drugs and prisons. This book traces the history of the development of prisons drugs policy in England since 1980 and exposes the processes by which the drugs 'problem' shifted from being a concealed and relatively invisible issue to one which occupies an important and significant place on the penal policy agenda.

When I first became interested in the interface between drugs and prisons in the mid-1990s what struck me was the paucity of research in this area and also the lack of attention paid to policy development and the key actors involved in these processes. Drugs and prisons are politically sensitive research areas, and for many years access to conduct research on these topics was virtually denied (Pearson, 1990). As the drug 'problem' in prisons was acknowledged and more explicit policies began to develop, the focus of much research was on the prevalence of drug taking before, during and after imprisonment; the extent and nature of HIV risk behaviour; the results of mandatory drug testing and the monitoring and evaluation of various strands of policy. Within this context, there was clearly a need for the research gaze to capture those who are in the powerful positions of 'making' and influencing policy in order to understand the conflicts, contradictions, uncertainties and politics inherent in the policy process. This study was therefore based on semi-structured interviews with key policy actors, including civil servants and representatives from drug agencies, penal reform groups, and professional associations, and an analysis of documentary materials. In particular, it examines the activities of policy networks around

drug issues in prisons and their involvement in agenda setting, lobbying and influencing the policy process within the wider political, economic and social contexts.

The book is based on the construction of a series of four case studies which correspond to the key phases in prison drugs policy development since 1980: 1980–6; 1986–93; 1993–7; and 1997 onwards. It explores the policies around drug treatment and throughcare, HIV/AIDS, supply reduction activities, and security and control measures. The development of policy has hinged upon complex patterns of conflict, contradiction and convergence between treatment and punishment. Throughout the phases, particular policy networks have evolved around drug-related issues within the penal system, expanding and becoming more complex in their structure and operation over time. They have attempted to contain, balance and negotiate the contradictions and tensions within policies. The book seeks to explore the different forms this ‘balancing act’ or ‘containment’ has taken and examine how it has been shaped by the following processes or forces: the way in which the drug problem has been framed and defined; the role of research, evidence and knowledge; and the impact of wider social, political, policy and institutional contexts.

Chapter 1 begins by exploring the statistical indicators of drugs use and offending within the prison population. It outlines the interconnected themes which will run through the book, including the role of the policy network, the shifting conceptualisations of the drugs ‘problem’, the role of research and evidence, and the impact of wider contexts. The chapter also explains the research design and methodological framework employed in the study.

Drawing on documentary and interview data, Chapters 2 to 5 form the core of the analysis. Chapter 2 considers the period from 1980 to 1986 and examines the initial collusion around drugs within prisons. It explores how a small policy network began to emerge which lobbied for changes in the way prisoners with drug problems were treated. Given the constraints of the prison context during this period, it is argued that the policy network adopted a pragmatic approach by pressing for service provision on release, rather than tackling the problem internally from within the prison environment. This phase laid the foundations for later policy developments. Chapter 3 focuses on the period 1986–93 and explores the impact of HIV on the development of a more explicit drug policy within the prison system. However, it argues that the policies which emerged were inadequate and failed to fully embrace the concept of ‘harm minimisation’ and the public

health agenda which were successfully operating in the community. Such initiatives were constrained by the unwillingness of the Prison Service to consider radical policies, the inherent conflict between treatment and punishment, and the pressure to adopt a hard-line, abstinence-based approach. Chapter 4 considers the period from 1993 to 1997 and explores how the populist punitive rhetoric around drugs and prisons and the new managerialism impacted upon policy development. It demonstrates how the drugs issue in prison was increasingly framed as a problem of order and control. The response in both political and policy terms was to 'get tough' and take control of the problem by implementing a defined prison drugs strategy in 1995 which emphasised mandatory drug testing and security measures. As the contradictions and tensions between treatment and punishment intensified, the chapter explores how a policy network began to form which attempted to re-balance the strategy towards treatment and care. The focus of Chapter 5 is on the revised 1998 prison drugs strategy and the key changes which have occurred since New Labour's victory in the 1997 general election. Although these reforms mark an attempt to rebalance the strategy towards care and treatment for prisoners, it is argued that the basic punitive framework for delivering the strategy has remained intact and the emphasis on the discourses of 'security', 'control' and 'punishment' has endured. Moreover, in the process of attempting to rebalance the new strategy towards treatment, the policy network around prison drug issues has been reshaped with drug agencies entering into more formalised, contractual partnerships with the Prison Service.

The book concludes in Chapter 6 by reconsidering and summarising the developments within prison drugs policy from 1980 in relation to the key research questions, themes and debates outlined in Chapter 1. It then discusses the significance of the research findings for the future development of prison drugs policy and the activities of policy networks. In particular, it focuses on the growing incorporation of a core part of the policy networks, namely the drug agencies, and questions whether these processes are inevitable.

I am indebted to many people for their guidance and assistance with this book. I would like to thank all of the people who were interviewed

during this research. They must remain nameless as I promised to protect their anonymity, but I would like to express my gratitude to them for being so generous with their time and sharing their experiences, knowledge and contacts with me.

My colleagues and students at Middlesex University have been supportive and helpful in developing ideas. I have benefited considerably from the constructive comments, guidance and inspiration of Susanne MacGregor. I am very grateful to Sarah Neal for reading the various versions of the chapters and for her valuable suggestions, support and friendship throughout the research and writing process. Thanks also to Nigel South, Betsy Thom and Tony Cutler for their comments and encouragement to publish. I am grateful to Heather Gibson, Briar Towers and Jennifer Nelson of Palgrave for their editorial support.

Thanks are also reserved for the library staff at Middlesex University Library (Enfield), Senate House, University of London Library, the Home Office Library, and the Institute for the Study of Drug Dependence (now Drugscope) for their expertise and help in locating and ordering references. I am grateful to the Prison Service, the Home Office and the UK Anti-Drugs Co-ordination Unit for responding to my requests for documents and other information. The Tables which appear in the Appendix are reproduced with the kind permission of the Home Office.

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List of Abbreviations

ACMD	Advisory Council on the Misuse of Drugs
ACPO	Association of Chief Officers of Police
ACOP	Association of Chief Officers of Probation
ADFAM	The national charity for the families and friends of drug users
ADSS	Association of Directors of Social Services
AIDS	Acquired Immune Deficiency Syndrome
CARAT(s)	Counselling, Assessment, Referral, Advice, and Throughcare Service
CCTV	Closed circuit television
CDCU	Central Drugs Co-ordination Unit
CDPU	Central Drugs Prevention Unit
CFI	Central Funding Initiative
DARI	Drug Addiction Research Initiative
DAT	Drug Action Team
DDAC	District Drug Advisory Committee
DHA	District Health Authority
DH	Department of Health
DPAS	Drugs Prevention and Advisory Service
DPI	Drugs Prevention Initiative
DRG	Drug Reference Group
DTTO	Drug Treatment and Testing Order
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction
GP	General Practitioner
HIV	Human Immunodeficiency Virus
HMP	HM Prison
ISDD	Institute for the Study of Drug Dependence
KPI	Key performance indicator
LGDF	Local Government Drugs Forum
LDPF	London Drug Policy Forum
MDT	Mandatory drug testing
NACRO	National Association for the Care and Resettlement of Offenders
NAPO	National Association of Probation Officers
NHS	National Health Service

PGA	Prison Governors' Association
POA	Prison Officers' Association
PRS	Parole Release Scheme
PRT	Prison Reform Trust
RAP	Radical Alternatives to Prison
RAPt	Rehabilitation for Addicted Prisoners Trust
SCODA	Standing Conference on Drug Abuse
TDT	Tackling Drugs Together
UKADCU	UK Anti-Drugs Co-ordination Unit
VIR	Viral Infectivity Restrictions
VTU	Voluntary Testing Unit
WHO	World Health Organisation
WIP	Women in Prison