

# EXCEPTIONALISM IN EXCEPTIONAL PLACES

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'They dangle carrots, so you're walking on eggshells'.  
(Prisoner, quoted in Crewe 2011)

‘They dangle carrots, so you’re walking on eggshells’.  
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‘You have to walk on eggshells (spiker) all the time’  
(prisoner, Ila prison, Norway)

# Underlying questions

To what extent does deep-end confinement differ in jurisdictions with quite different penal philosophies?

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To what extent does deep-end confinement in each jurisdiction differ from confinement in the other parts of that jurisdiction?

# Selecting the deep-end

## England & Wales

- Close Supervision Centres (CSC) - all within high-security prisons
- Wakefield & Woodhill: solitary confinement regimes
- Whitemoor & Full Sutton: 'progressive regimes' (prisoners allowed to mix)
- Generally holding men who have killed, seriously assaulted or taken hostage other prisoners or prison staff

## Norway

- J and G wings in Ila
  - J wing: solitary confinement
  - G wing: prisoners allowed to mix, but considered 'very difficult to manage'
- Trondheim forvaringsavdeling
- Holding men serving *forvaring* sentences of preventive detention

# Underlying discourses

## England & Wales

- selection based on custodial behavior
- discourse of dangerousness – imminent risk to others

## Norway:

- selection based on sentence type
- Discourse of dangerousness – risk of reoffending

# England & Wales: dangerousness

‘My philosophy is to expect the unexpected. Never forget what they are capable of. You’re constantly aware of where the prisoners are, where the staff are. It’s mentally draining’. (senior officer)

‘You’re always living with risk; it’s about knowing when they’re risky [...] there’s always underlying something going on. When they’re quiet, they’re always up to something’ (prison officer)

*Officer one:* ‘They might be superficially friendly, but they’d slash your throat in an instant if they needed to. All psychopaths’

*Officer two:* ‘That’s why you can never trust them’



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- selection based on custodial behavior
- discourse of dangerousness – imminent risk to others
- CSC system as *terminus*

## Norway:

- selection based on sentence type
- Discourse of dangerousness – risk of reoffending
- Ila/Trondheim as *basement*

# Legitimacy and penal consciousness

## Norway

- Resentment directed at:
  - the court
  - the nature and connotations of the forgoing sentence  
e.g stigma: sex offenders, mental health issues,  
'dangerousness
- Sense of hopelessness about progression/release

## England & Wales

- General acceptance of the legitimacy of selection, but often considered arbitrary or avoidable

# The deep-end as 'asylum'?

- Preponderance of mental health problems
  - 'Like being in a hospital' (prisoner, England & Wales)
  - 'More like a hospital than a prison' (prisoner, Norway)
  - 'CSC used to be about bad people. Not it's about mad people' (prisoner, England & Wales)
- 'Progression' often to secure psychiatric hospitals
- England & Wales: relevance of mental health and medication to unit stability, individual wellbeing, and the pains of imprisonment

# Depth: security, control and restriction

- More security and restriction in **England & Wales**, including no mixing with non-CSC prisoners
- Thick membrane between CSC system and rest of prison system: 'prison to CSC is like outside to prison' (prisoner, England & Wales)
- **Norway**: mixing with other prisoners, in education and workshops – normalized everyday spaces: 'closer to the free world'
- Unaccompanied family visits
- Greater permeability: e.g. home leaves, visiting groups
- Yet prisoners often described feeling highly buried and needlessly restricted

# Subjective depth: England & Wales

- Better access to staff, mental health specialists, general assistance with problems and queries
- Liberation from prison politics e.g. social obligations
- Removal from irritations of 'batch living' (Goffman 1961):
  - 'I'm tired of being around prisoners all the time ... I've had 20 years of it [...] I don't want to go back on normal location'
  - 'CSC's the best thing that could have happened – the best place for me [...] I can't get it no better than here. [...] I'm not around fucking idiot people'
- Physical/psychological safety and sanctuary
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- Influenced by sentence length – outside world meaningless or irrelevant:

‘Nothing exists for me outside these walls. It doesn’t apply to me anymore. All that applies to me is custody [...] society doesn’t mean anything to me’

‘I’m at a dead end and it’s a dead end at both ends. I know I’m gonna be in the CSC for years [...] This is my house. There’s no use thinking about outside. I’m not interested in the world out there’

‘I don’t think about the outside world. ... All I know is prison. I don’t think of the outside world ... the longer I do, the less I think about these things. I withdraw into a fantasy world, but that world is in prison’

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- Also influenced by degree of connection with society when free:

# Subjective depth: England & Wales

- The subjective redefinition of freedom and constraint:

‘My walls are smaller than yours, but you still have walls. You just can’t see them. [...] Metaphysically, I’m not here. Physically I am. When I’m reading, studying [law], I’m in the court’

‘Prison’s just a state of mind. Outside, you can still be a prisoner of circumstance’

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# Metaphors of depth: England & Wales

‘It feels like I’m on the moon [...] the situation is completely and utterly abnormal’.

‘The outside world feels a million miles away [...] this is a new world in here’.

‘I’m stuck in a cave without a ladder’.

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‘Sinking deeper into the quicksand’

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‘**Sinking deeper into the quicksand**’



# Subjective depth: Norway

Metaphors and minimisations generally less extreme, but some striking similarities:

‘He tries not to think about the outside, because there is nothing out there for him’ (fieldwork notes)

‘Despite being so much alone, he said he felt more lonely before coming in, and says he is so accustomed to being alone [...] Says it is difficult to describe how cut off he feels, because he can’t remember what being free felt like. He says he has no real experience with the free world. He has very little contact with the outside world’ (fieldwork notes)

‘He feels ‘100%’ cut off from outside. [...] When I push him to describe how ‘depth’ *feels*, he says ‘hibernation, hopeless, vacuum’. (fieldwork notes)

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# Weight: England & Wales

In both jurisdictions, respect but not care

Contrast with feelings of disrespect elsewhere in system

Officers 'light-present' i.e. available, engaged

'Officers are pretty decent, polite, a bit of banter. They don't care, but they're fair, professional, civil'. (prisoner, England & Wales)

'Officers treat me with as much decency as I would expect from any of my friends' (prisoner, England & Wales)

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Contrast with care, humanity and tactility elsewhere in system

He doesn't feel like officers know or care about him and he misses little chats in the sofa where he could talk about personal issues.  
(fieldwork notes, Norway)

'He says there is no care; officers don't touch or hug him or ask him how he is doing. The officers seem 'emotionless'; they wouldn't comfort you if you cried. There isn't much humanity in the prison, just routines'. (fieldwork notes, Norway)



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Contrast with 'relational normalisation' in other prisons in Norway:

'It's a bit like communism, you just have to do what they say'  
(prisoner, Norway)

'He says it is strict not only because of all the petty rules, but also because how officers treat them: they deny them rights, and say 'think about what kind of an offence you are here for'. (fieldwork notes, Norway)

Relationships unusually distant, impersonal, superficial:

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# Weight and tightness

Staff-prisoner relationships tainted by 'tight' forms of penal power:

'He says officers sometimes ask him how he is doing, but he doesn't feel like they ask because they care, but because they need something to write down in the two daily journal entries'. (fieldwork notes, Norway)

'I won't interact with officers, because if I drop my guard, I'll give them information that might be cutting my own throat, used against me'. (Prisoner, England & Wales)

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# Tightness

‘They write everything down about us’. (prisoner, Norway)

‘Everything you say can be used against you’ (prisoner, Norway)

‘If you fart, they write about it’. (prisoner, England & Wales)

‘You are on 24-hour surveillance’. (prisoner, England & Wales)



# Tightness and illegitimacy

## Questionable expertise:

‘He finds it really problematic that the trainee officers are also allowed to write stuff down, since they’re very young and inexperienced and shouldn’t have this much power’ (fieldwork notes, Norway)

## Permanence of judgments on paper:

‘He says that once ‘it is written down, it is written in stone’ (fieldwork notes, Norway)

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# Tightness and illegitimacy

## Emphasis on negatives / partial & petty comments

‘He despises the fact that officers only write negative things in the journal system and that they write very petty things like “the prisoner didn’t eat dinner at 3pm, but he ate pizza at 5pm”. (fieldwork notes, Norway)

‘You are a list of incidents that have occurred – you are a list of negative incidents’. (prisoner, England & Wales)

## Lack of transparency, dialogue etc

‘All decisions made about you in the CSC are done behind your back, behind closed doors – Stasi style’ (prisoner, England & Wales)

‘He tries to argue with them in a calm and precise manner, but when he does so, they describe him as argumentative (kværulant)’. (fieldwork notes, Norway)

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Misrecognition and need to present a false 'strategic self'

'I don't understand why I have to bullshit' (prisoner, England & Wales)

'He monitors himself a lot around officers and he is especially careful about his sense of humour' (fieldwork notes, Norway)

'He tries to find a balance between being too resistant and too perfect, because both are wrong in the eyes of the prison/region/court'. (fieldwork notes, Norway)

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Invasive and destructive nature of penal power:

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Norway: senior officers, psychiatrists, 'the region', the court

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'Psychologists write reports on you when they've only met you once' (prisoner, England & Wales)

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# Concluding thoughts

England & Wales: deep-end conditions continuous with rest of the system, yet prisoners cut off from this system

Norway: deep-end conditions in many ways distinctive from rest of the system, yet prisoners relatively integrated (and retaining normal rights of citizenship)

‘The excluded middle-ground here, is precisely the once-dominant welfarist criminology which depicted the offender as disadvantaged or poorly socialized and made it the state's responsibility—in social as well as penal policy—to take positive steps of a remedial kind’ (Garland 1996: 461-2)

An inclusive orientation to the other, producing a distinctly oppressive prisoner experience?