

The Struggle for Penal Reform, by Gordon Rose. London, Sweet and Maxwell, 1961. xii and 328pp. (£3/10/0 in Australia.)

The Struggle for Penal Reform traces the development of penal policy in England and Wales during the last hundred years with particular reference to the influence of a number of voluntary societies on that development. The societies principally concerned are the Howard Association (1866), the Penal Reform League (1907) and the Howard League for Penal Reform which sprang from the fusion of the first two bodies in 1921.

Dr. Rose is a member of the Executive Committee of the Howard League for Penal Reform but his intention was "to maintain strict academic standards of impartiality" and certainly no one could accuse him of unduly favouring the League or its predecessors, or exaggerating their influence. Thus at one point he says "it is probable that neither of the two organisations with which we are immediately concerned exercised any profound influence in the period 1900-18"; and he shows in considerable detail that the Howard Association, at the time of the Gladstone Committee in 1895, so far from being in the van of progress, was engaged in a desperate last-ditch defence of separate confinement and the principles of deterrence and less eligibility. This refusal to be partisan has resulted in a book which, viewed as an account of the part played by the main penal reform societies in influencing thought and action in penal affairs since 1866, is candid, informative and extremely illuminating. Nor is its interest limited to students of penology or law reform, for the analysis provided of the manner in which this kind of pressure group works in democratic society will be invaluable to the sociologist and political scientist.

It must be said, however, that the author goes too far when he maintains that his narrative "constitutes a history of the last hundred years of penal reform". What chiefly derogates from such a claim is the fact that emphasis on the work of the reforming societies has led to grave neglect of the crucial role in the process of development of those actually working in the field of penal administration. The treatment of such men as Sir Evelyn Ruggles-Brise, Sir Maurice Waller, Sir Alexander Paterson and Sir Lionel Fox is cavalier to say the least. Thus, whilst it is admitted that Ruggles-Brise "pressed for probation" and was "in all probability" responsible for the "time to pay" clause of the 1914 Criminal Justice Administration Act, his regime as a whole is characterized as "a dam behind which the pressures towards reform built up until they became irresistible". Yet this is the man of whom Winston Churchill wrote that whilst "laboriously dealing with untractable facts and small resources [he] stood forward at the head of the movement for Prison Reform. . . . I well remember how at a time when a current of reaction seemed to be threatened and when the 'No Pampering for Convicts' cry made itself heard he cheerfully faced the prospect of abruptly terminating an official career full of achievement and high promise . . .". Again Alexander Paterson, of whom Sir Alexander Maxwell wrote: "To his imagination and inventive force we owe almost all the schemes of penal reform which have been developed in this country in the last twenty-five years", emerges from this book mainly as an opponent of the campaign for the abolition of capital punishment. Although "the influence of Sir Alexander Paterson", we are told "*was believed generally to be progressive*" (my italics). The references to the work of Sir Maurice Waller and Sir Lionel Fox are cursory and so exiguous as to be derisory. This is remarkable in both cases. It seems unlikely that the late Margery Fry, to whom Dr. Rose dedicates his book, can have concealed from him her great admiration and respect for Waller as Chairman of the Prison Commission. And as Secretary of the Howard League from 1921 to 1926 during the greater part of his Chairmanship she was in a better position than anyone to make an evaluation. The case of Sir Lionel Fox is perhaps even more surprising for Dr. Rose has lived through and been in touch with penal

affairs throughout the whole period of his Chairmanship of the Commissioners (1942-1960) and must be well aware of the way in which, despite quite unprecedented difficulties, he pursued a policy of experiment and development.

Of course, differential estimates of individuals are permissible, to be expected and indeed welcome, but that is not what is at issue. What we have here is a consistent line of interpretation which ignores a decisive and distinctive feature of English penal history. By treating the Prison Commissioners and in particular their Chairman primarily as "most important objects of pressure", Dr. Rose obscures the fact that they have over the years used the large amount of autonomy granted to them in a remarkable fashion to initiate and pursue progressive policies well ahead of popular and even informed opinion. And but for this the history of English prisons might have taken a very different shape. It is, for example, of great significance that, when in the 'thirties there was a wave of reaction both inside and outside the prison service against attempts to humanize the system, Sir Harold Scott as Chairman took the view that "pressure for sterner measures and accusations of pampering criminals are well-known accompaniments of the life of any prison administrator" and should not be taken too seriously. Yet the only reference to Scott to be found in Dr. Rose's book is a passage listing the members of the 1932 Departmental Committee on the employment of Prisoners which, we are told, included "H. R. Scott, then in the Home Office, but later the same year Chairman of the Prison Commissioners".

In brief, it is submitted that it might have been better if this book had been called by its subtitle "The Howard League and its Predecessors" without any pretension that a full historical record of the process of penal development over the past century was being provided. As it is, an unfortunate impression is conveyed. No one, least of all this reviewer, would wish to minimize the importance or value of the activities of such organisations as the Howard League for Penal Reform, or to depreciate the work of such able and imaginative reformers as Margery Fry and Hugh Klare. But then neither would they wish (or, in the former case, have wished) to have their achievements inflated at the expense of those who devoted their minds and energies, and in some cases their lives, to work in a field in which the problems are amongst the most intractable that beset mankind, success is most difficult to obtain and the recognition accorded slight and too often posthumous.

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Robbery in London, by F. H. McClintock and Evelyn Gibson. London, Macmillan & Co. Ltd., 1961. xix and 147pp. (£2/9/9 in Australia.)

Despite the fact that in the field of criminology research is as essential as in the fields of science and technology, few centres of research exist and little financial support has been made available. The current annual budget of £60,000 in the United Kingdom, which was until recently only £5,000, is well above that of every other European country. Moreover, whilst France is spending £15,000 and Belgium £10,000 per year, the Government fund for research in Austria amounts to only about £100 annually, and Germany and Italy too spend practically nothing. This neglect is one of the reasons why little useful work has been done and results so far have been relatively meagre and unenlightening. Other reasons include not only various methodological deficiencies but also a

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