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**Darke, S.**

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## Radical Alternatives to Punitive Detention

Sacha Darke<sup>i</sup>

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Most humane settings in corrections happen to be organised democratically... through participative management and shared decision-making, so that staff (and inmates, in the case of prison programmes) can develop a sense of ownership and a feeling of having a stake in the welfare and survival of the community they have helped to shape. (Toch 2006: 2)

When I arrived back at the semi-open unit of APAC de Itaúna men's prison in Minas Gerais, an argument had just broken out in the workshop. Robson, a member of the prison's Sincerity and Solidarity Council (the CSS or the Council), had approached Daniel at the end of the working day to escort him back to his cell as punishment for having only that morning refused to stand up for Christian prayers. Both prisoners had to be physically restrained by their peers after Daniel picked up a metal rod and Robson refused to back down. The CSS president immediately called for a disciplinary hearing, before heading off to inform the governor. While they were waiting to start the proceedings, the other council members gathered to discuss the incident and agreed that Daniel was the main culprit. On his return, the president informed them the governor took the view Robson should not have risen to Daniel's challenge and that both prisoners needed to return to the closed unit. Most Council members disagreed, insisting that the governor was partly to blame, having overridden their decision that morning to confine Daniel to his cell during the daytime as well as the evening. According to the prison's disciplinary code, Daniel should not have lost his right to work for such a minor offence as disobeying orders. Nonetheless, they argued that the governor should not have interfered with a CSS decision, and in any case had not taken into consideration that Daniel, who had been an enemy of Robson since childhood, was bound to use the fact he had completed a hard day's work (and so under any other circumstances would now deserve to spend his evening in association rather than be sent to bed early) as excuse for argument. Since arriving to commence my fieldwork two weeks earlier, I had already sensed that the governor's authority was compromised by the fact he was the first in APAC de Itaúna's by then 17-year history not to have himself previously been a prisoner. When the hearing commenced, all witnesses to the incident, including several Council members, claimed they had arrived at the scene too late to confirm that a weapon had indeed been raised. In his

report to APAC de Itaúna's disciplinary committee (which was chaired by the governor) the CSS president recommended Daniel was returned to the closed unit, but that Robson should spend only two days confined to the cell block.

The disciplinary committee agreed to the CSS recommendations. To enforce Robson's sanction, Council members temporarily converted the cellblock kitchen into a *cantina* (canteen), where he could continue his job selling fast food and confectionaries. A week later, Robson was given the responsibility to sleep on a sofa in a corridor of the administrative block to attend to the needs of Dr Mário Ottoboni, the elderly founder of the APAC movement and governor of the first APAC, who was staying there for a few days during the movement's four-day-long 40<sup>th</sup> anniversary conference that was being held in the town centre. I was also accommodated in the administrative block, in an adjacent room to Mário. The conference was attended by APAC prisoners from across the state, some of whom had been given permission to stay overnight at local hotels or in the homes of APAC de Itaúna staff. On the first morning, Robson sat in the audience with his wife, who was also a prisoner. I sat with three men I had met at another APAC prison two weeks earlier, one of who (the CSS president on its closed unit) joked that his hotel was miles away and he had not walked so much in years. In his opening speech Mário warned that APACs were in danger of becoming prisons: that they were resorting too quickly to disciplinary penalties and were treating their detainees as criminals in need of reform rather than people who needed to recover. When I brought up this subject over breakfast the next morning, Mário told me the story of one of the first APAC prisoners, a particularly troubled man who later developed the movement's methodology and come up with its motto, "nobody escapes from love". Mário claimed this prisoner had changed overnight after the prison responded to a particularly poor incidence of indiscipline by giving him money and sending him out to buy supplies. (From research journal, July 2012)

These field notes are taken from a three-week pilot ethnographic study of daily routines and everyday prison governance that I completed in July 2012 while staying as a guest at APAC de Itaúna. The title APAC (Association for the Protection and Assistance of the Convict) was originally associated with a Catholic Cursillo group that in 1984 opened Brazil's first voluntary sector prison, APAC de São José dos Campos, on the site of a former police holding facility in the state of São Paulo. According to Ottoboni (2012), Jesus Christ had appeared to them twelve years earlier from among the detainees held there. In 1985 the group inaugurated a second prison, APAC de Itaúna, in the state of Minas Gerais, and in 1995 a

regulatory body, the Brazilian Fraternity for the Assistance of Convicts (FBAC), to oversee the two. APAC de São José dos Campos was closed in 1999 and re-opened as a public sector prison in 2002. The APAC movement has enjoyed longer-term success in Minas Gerais, where state authorities have funded APAC prisons since 2001 and granted FBAC legal status in 2009. Six other Brazilian states have also opened APAC prisons since the 2010s.<sup>ii</sup> At the time of writing (September 2021), there are currently 62 APACs in operation (52 men's prisons, nine women's prisons, and one youth detention facility), including 46 in Minas Gerais.<sup>iii</sup> The movement has most recently attracted the support of the federal government, which in late 2020 agreed to fund another six APACs and 947 APAC prison spaces, at a cost of R\$27million (£4million).

Each APAC prison contains a closed and semi-open unit (in Brazil, prisoners held in semi-open conditions are usually granted the right to work outside during the daytime and to spend up to 35 days a year at home). Some APACs also operate an open prison regime (similar to a British probation hostel but in Brazil usually reserved for prisoners nearing the end of the custodial element of their sentence), typically in a residential house close by the main prison complex. Brazil's 62 APACs currently hold a total of 5,023 sentenced prisoners (4,530 men and 493 women). Most APAC prisons hold fewer than 100 inmates. The smallest, APAC de Patrocínio, has an operational capacity of just twelve inmates. The APAC movement's stated vision (first published as Ottoboni 2001) is of a prison system that is human rights respecting and operates without police (who are typically stationed at the outer walls of prison complexes), prison officers (see also Andrade 2014; Ferreira 2016), and divisive prison norms such as honour cultures and offence hierarchies. Some state authorities have reserved the right to appoint APAC governors and heads of security, but in practice most APACs directly contract all their staff. Indeed many APAC governors and most APAC security staff are former APAC prisoners. At a second APAC that I visited in Minas Gerais in 2012, the governor was still on conditional release, having 'left' the same prison he was now in charge of a year earlier. Some of the more senior FBAC employees are also former APAC prisoners. This includes the person responsible for drafting its disciplinary code (latest version, FBAC 2020). FBAC's (2015) list of disciplinary offences includes behaviour commonly prohibited by state prison authorities (e.g. assault and disobeying orders), supplemented by traditional inmate codes (e.g. not touching personal property belonging to other prisoners) and other customary practices exclusive to the APAC system (e.g. betting on games and putting up washing lines in cells). Individual APACs also develop their own house rules like the one

Daniel was first disciplined for. Another example of a house rule I encountered in a women's APAC was a ban on prisoners leaving wet towels at the end of their bed. Inmates appoint their own cell representatives. Each closed and semi-open APAC unit has a formally constituted inmate council, the CSS, the presidents of which select eight other members (the presidents are chosen by the prison governor). As we saw in my field note reflections, the prisoners that make up the CSS formally adjudicate and enforce penalties, although the prison administration retain the right to veto, and CSS decisions on more serious offences are officially approved by the prison's disciplinary committee. When I completed my 2012 pilot study, membership of APAC de Itaúna's inmate councils was renewed every six months. This is impracticable in the smaller APAC units, where prisoners are more likely to be appointed onto the CSS until they are released or progress to a lower security unit. Besides monitoring everyday prison routines and discipline, the CSS also selects prisoners to assist guards, of which there are usually one or two on duty across the two units.

I previously published a shorter version of the workshop incident and the quasi-legal disciplinary proceedings I had witnessed in Darke (2015). In that paper I introduced the APAC prison system's underlying communitarian ethos and the particular importance it attaches in its methodology (as originally described in Ottoboni 2001 and most recently updated in Ferreira 2016), alongside "human appreciation", to "community participation" and "the recoverer assisting the recoverer": what I described at the time as "community" and "peer-facilitated rehabilitation". In Darke (2018) I returned to these field notes in order to contrast the responsibilities for everyday prison order formally delegated to inmate councils in APACs with the *de facto* reliance on inmate collaboration and organisation I had observed in the country's common prisons, which I summarise here in a moment.

In this exploratory chapter,<sup>iv</sup> I focus on the implications of delegating disciplinary powers to Brazilian community prison inmates from a penal abolitionist perspective.<sup>v</sup> In addition to APAC de Itaúna, I introduce three other radically different Brazilian prisons that are partly or fully governed by voluntary sector organisations and in which aspects of the power to discipline are also formally delegated to inmates: Celas Lares, in the state of Rondônia, Centro de Ressocialização de Limeira, in the state of São Paulo, and Núcleo Ressocializador da Capital, in the state of Alagoas. However, I base most of my analysis on the APAC prison system, of which for the time-being I have most knowledge. Besides APAC de Itaúna, I visited six other APACs in Minas Gerais in 2010 and 2012, two of which held women. I am also involved in an education project at APAC de São Luis in the state of Maranhão, where I

spent four days in 2019. I refer to all of these penal institutions as community prisons, for reasons I also return to shortly.

Finally, I draw brief comparisons between the Brazilian community prison phenomenon with HMP Grendon in Buckinghamshire, England, to my knowledge one of just a handful of prisons in the Northern world in which inmates also play an official role in disciplinary proceedings. Grendon has attracted the interest of penal abolitionists (e.g. Sim 2021) and other activist scholars who promote radical prison reform (e.g. Rhodes 2010; Toch 2006; Toch and Adams 2002). I convene a Convict Criminology study group at Grendon. The prison-based students are all studying for undergraduate or postgraduate degrees.<sup>vi</sup>

We will see that delegating disciplinary powers to prisoners contravenes the international human rights consensus that prisoners should never exercise power over each other. I argue that this position is questionable, at least in the Brazilian context. In this chapter I pose the question under what circumstances, by what means and to what extent might disciplinary powers be appropriately devolved to community prison inmates in Brazil? I also ask, to what extent might the removal of offence hierarchies and ownership that Brazilian community prison inmates are afforded over the physical and social environments in which they are incarcerated be replicated in a Northern country like the United Kingdom?

### **Background: (1) Carceral injustice**

Brazil is criticised by civil society and governmental organisations, both at home and abroad, for its extreme levels of social inequality and for breaching international human rights norms at every stage of the criminal justice process, from procedural unfairness, violent and discriminatory practices in its criminal investigations, pre-trial hearings and prosecutions (e.g. IDDD 2019; Ramos 2021; Subcommittee on Prevention of Torture 2016), to disproportionately high resort to pre-trial detention and long-term prison sentences (e.g. Depen 2020; UN General Assembly 2014), inhumane and degrading treatment of prisoners (e.g. IACHR 2021; MNPCT 2020; Pastoral Carcerária 2016). The poorest 30 percent of the Brazilian population earn less than seven percent of national income, while the richest ten percent earn half of national income (World Bank 2020). White Brazilians earn on average 74 percent more than black or brown Brazilians (IBGE 2019). These positions are reversed in the case of criminal justice. Upper-class and middle-class offenders invariably avoid arrest, prosecution and imprisonment. The targets of the police and judiciary are disproportionately

poor and black (Alves 2017; 2018). The majority of Brazilian prisoners left school before the statutory minimum age of 14 and were not in formal employment when they were arrested (MJSP 2020). Less than one percent of prisoners have completed higher education, compared to 17 percent of the general population (MSJP 2020). Even when they do end up in prison, under the country's 1941 Penal Code university-educated and other "special prisoners" (e.g. police chiefs, government and court officials) are held separately to "common prisoners" until they have exhausted all legal avenues of appeal. This usually means avoiding months, sometimes years sharing a six or twelve square metre cell with up to 60 other people. Important for current purposes, Brazilian prisoners are acutely aware of these social and carceral injustices. As former Inter-American Court of Human rights and Argentinean Supreme Court of Justice, Eugenio Raúl Zaffaroni puts it in the broader South American context, such "penal illegalities" are openly justified in political and judicial discourses as necessary oppression of the "hostile" (Zaffaroni 1989), of the internal "enemies of society" (Zaffaroni 2006).

it is also important to emphasise the extent to which this systematic treating of large sections of the Brazilian public as "legally disqualified" citizens (Batista 2000) is currently extraordinary by local as well as international standards. This is particularly notable in the case of sentencing. Since the country emerged from its last period of military dictatorship 35 years ago, its prison population has risen ten-fold, from 69,355 adult prisoners in December 1984 (Pavarini and Giamberardino 2011) to 755,274 adult prisoners in December 2019 (MJSP 2020), the last official figures produced before the onset of the Covid-19 global pandemic. In the past two decades alone Brazil's prison population rate has more than tripled, from 137 per 100,000 national population in December 2000 (Carvalho 2013) to 359 per 100,000 national population in December 2019 (MJSP 2020). By comparison, in September 2018 the world prison population rate was 145, around the same as it was in 2000 (Walmsley 2018). In December 2019 Brazil lay in third position globally in terms of absolute numbers of prisoners, far ahead of any other country in Latin America. At the same time, prison populations have risen in South and Central America more than any other global region, from approximately 650,000 in 2000 to 1.5 million in 2014 (Walmsley 2018). Every Latin American country has a prison population rate above the global average and imprisons more people than they did in 2000. In contrast, the prison population rate has remained constant in the United States and has fallen by a fifth in Europe. In this regard Brazil might be regarded as the principal player in the emergence of a "new mass carceral zone" (Darke and Garces

2017). Moreover, this period of Brazilian mass incarceration is less the result of changing patterns of crime as increasingly punitive sentencing. The total number of recorded homicides rose steeply in the immediate post-dictatorship period (Caldeira 2000) but has fallen in the 21<sup>st</sup> Century, from 45,360 recorded homicides in 2000 to 39,584 recorded homicides in 2019 (FBSP 2020). Today, half of all Brazilian prisoners were sentenced for one of two crimes: robbery or the supply of illicit drugs. Robbery has attracted a minimum sentence of four years since Brazil passed its 1940 Criminal Code. Nine percent of prisoners were remanded or sentenced for supplying drugs in 2005 (Karam 2015), before minimum sentences were increased under Drugs Law 2006 to 20 months for a first offence and five years for a repeat offence. In the state of São Paulo, which accounts for a third of the country's prisoners, the number of people held under Drugs Law 2006 increased 508 percent between 2005 and 2017, from 13,927 to 138,116 (CESeC 2021). In a recent analysis of 800 sentences given by judges in eight states between July 2013 and June 2015 for supplying drugs Semer (2019) found the average sentence to be four years ten months. Four in five of those sentenced were first-time offenders (Semer 2019). When deciding whether a defendant should be prosecuted for possession (a non-imprisonable offence) or for "trafficking", judges are legally required to take into consideration the social background of the accused and the locality in which they were arrested. The president of the CSS on the closed wing of APAC de Itaúna had been sentenced to 5 years and 6 months' imprisonment for nine grammes of cannabis (field notes, 15 July 2012). Like so many prisoners I have spoken with up and down the country that were sentenced as drug traffickers, he shrugged when I told him I knew people in England who had received shorter sentences for ten times that weight in cocaine.

Finally, although Brazilian prisons were arguably even poorer in the 19<sup>th</sup> Century (see e.g. Aguirre 2009; Salvatore and Aguirre 1996), they are undoubtedly in as bad a state today as they have been at any time in collective memory. Historically, Brazilian prisons have been characterised by inhumanity more than they have been characterised by rehabilitation (Maia et al. 2009). Like many other parts of South America, they remained places of "judicial internment" (Birkbeck 2011) and "more akin to concentration camps for the dispossessed... than to judicial institutions serving any identifiable penological function" (Wacquant 2003: 200) throughout most of the 20<sup>th</sup> into the 21<sup>st</sup> Century. The example I gave above of up to 60 prisoners being accommodated in a 12m<sup>2</sup> cell might have been taken from any of the 49 remand prisons in São Paulo, most of which were built from the same design. These prisons typically have occupational capacities of between 800 and 850 but in normal times hold



between 2,000 and 2,500 (during Covid-19 times, the state's average remand prison population fell below 1,500). Their 12m<sup>2</sup> cells were built with twelve concrete bunks and a bathroom. Running water is often available for just an hour or two a day. No more than twelve officers are usually on duty in the cell block during the daytime, even fewer in the night-time or when members of prison staff are off sick. Besides the delivery of three daily meals outsourced to private companies, prison authorities barely provide any goods or services, including medicines, cleaning products or bedding. Guards make up 90 percent of all staff. A qualified doctor is likely to be available to tend to prisoners' medical needs just one afternoon a week.

## **Background (2): Inmate governance**

Yet, despite these most blatant degradations, Brazilian prisons are no more disorderly or staff-inmate relations more conflictual than their counterparts in the Global North. I make this claim based on ten years of fieldwork that has included extended and often repeated visits to more than 45 sites of penal detention across twelve Brazilian states, as well as numerous conversations with former prisoners. Everyday institutional routines, disciplinary order and staff-inmate relations have been overseen by prisoners as well as officers since Brazil's first modern penitentiaries were inaugurated in the mid-19<sup>th</sup> Century and have been governed by everyday customary practices and staff-inmate accommodations as much as official prison rules. With too few staff to run their institutions, prison managers have always relied on inmates to organise, collaborate and self-govern to an extent that is difficult to imagine in the better resourced and more bureaucratically managed prisons of Northern America or Western Europe. At its most basic, Brazil's tradition of "inmate governance" (Darke 2013) or "staff-inmate co-governance" (Darke 2018) requires prisoners to take on domestic, house staff roles such as cleaning, directing visitors and transporting food and refuse, and to appoint representatives to coordinate these activities in the cellblock corridors and dormitories, mediate and facilitate communications between the prison administration and the *massa* (mass) or *coletivo* (collective) of prisoners under its care (for a first-hand account of the existence of such positions and informal practices in 1930s Rio de Janeiro, see Ramos 1953). In some prisons inmates are recruited to work in the place of guards in the cell blocks. Customary practices govern almost every aspect of prison routines, inmate and staff-inmate relations, including in-cell behaviour, commerce, sexual relations, mutual aid and protection,

reporting and evicting troublesome or vulnerable inmates. Unlike American (Skarbek 2014) or British (Crewe 2009) “convict” or “inmate codes”, these “rules of procedure” (Ramalho 1979) or “rules of conviviality” (Marques 2010) are negotiated by prison staff as much as prison inmates. Some rules are common to most prisons; others vary from one state and one prison to another. More serious rules, e.g. those concerning the legitimate or obligatory use of violence, are enforced through quasi-legal systems of dispute resolution, managed by inmate representatives, usually with the implicit support of prison staff.

Such staff-inmate “informal dynamics of survival” (Darke and Garces 2017) have intensified in the modern era of “inside-outside gangs” (Dudley and Bargent 2017). Brazil’s two largest criminal organisations, Rio de Janeiro’s Red Command (CV) and São Paulo’s First Command of the Capital (PCC), both started as inmate solidarity groups, with the stated aims of raising consciousness of injustice and unifying the country’s system of postcode gangs under the banner of one prison, state, even nation-wide collective. To an extent, the CV and PCC’s founding ideals have been corrupted by their involvement in illicit markets as they have spread beyond prison, especially drugs markets (see e.g. Siqueira and Paiva’s 2019 analysis of the relationship between the CV, PCC and Brazil’s third largest criminal organisation, the Northern Family, which emerged in the Amazonian region in the 2000s as a unification of street gangs in the ‘Eastern cocaine route’ between the Andes mountains and Brazil’s northern ports). However, they continue to govern with the support of most prison inmates and prison staff. In Rio de Janeiro and São Paulo gang leadership regularly changes hands as individuals lose the confidence of other inmates or the prison administration. Staff continue to have a say in which prisoners they deal with. Inmates continue to refer to gang leaders as their representatives. Skarbek (2016) identifies two institutional factors that facilitate good inmate and staff-inmate relations: that a prison is small and its population homogenous. In Brazil social factors are equally important, especially economic homogeneity and criminal identity in the country’s urban peripheries (cf. Alves 2015). Brazilian prisoners more often refer to themselves as divided (or increasingly as united) into criminal factions, commands or collectives rather than gangs, and being enemies of the punitive state rather than individual police or prison officers, or rivals within their “ant carceral communities” (Garces and Darke 2021). As Marcos Willians Herbas Camacho, aka Marcola, supposed leader of the PCC, explained to a 2008 parliamentary inquiry onto arms dealing, the collectivity that underpins order in Brazil’s large, heterogeneous prisons is rooted in inmates’

understanding of themselves as socially excluded groups in conflict with the law but not in conflict with “good” police or prison officers:

Prisoners support prisoners. The marginal support the marginal. Everyone believes in the fight for justice of the miserable against established power. We will always be outlaws [...] The guard also has a miserable life, very similar to that of the prisoner. So, the detainee ends up identifying with him, or he with the detainee. After all, they come from the same favela. (Marcos Willians Herbas Camacho, interviewed in Câmara dos Deputados 2008: 113&130)

That it is the institution of the punitive state, not the servants of the state, against which the organised inmate body is ultimately opposed is also reflected in the following officer’s accounts of working at a CV prison in Rio de Janeiro:

In CV units everything has to be negotiated. They have an inmate council with legitimacy to create consensus in order to avoid disagreements [...] My objective is to always maintain the respect that exists between the prisoner and the guard... This respect is not constructed by force but by the righteousness of my conduct inside. Nobody disturbs me, because they can see that I’m doing my job in the right way. (Karam and Saraiva 2017: 1&5)

### **Self-governing prison communities**

Brazil’s tradition of co-produced prison governance has been adapted by dozens of small, radically different “community-run” or “civil society-state partnership” (Macaulay 2005) prisons inaugurated since the APAC movement took control of São José dos Campos in the 1980s. APACs provide their “recoverers”, as they refer to their prisoners, with full-time regimes of work, education and therapeutic activities underpinned by religious duty to take care of oneself and to have unconditional love for others. However, it is not the religious or rehabilitative elements of the APAC methodology that draw my academic interest, but the fact prisoners are put into positions of responsibility and authority. To a greater or lesser extent, the same may be said of the other three Brazilian community prison models that I describe in this chapter.

The APAC methodology takes state abandonment of prisoners and the failure of the common prison system as its starting point. At the entrance to every APAC prison is written the message, “here enters the man, his offence stays outside”. Under the headings “learning to live communally” and “learning to serve”, prisoners are required to be centrally involved in all aspects of institutional life, including as we saw in the introduction to this chapter, leading and representing their peers. As such, APACs are relevant to understanding the nature of co-

governed Brazilian prison order and the potential for abolitionist alternatives for the extent they depart from certain aspects of the common Brazilian prison system (its abandoning of prisons and prisoners) but comply with others (its reliance on inmate collaboration, and its reliance on inmates maintaining their connections with their family and wider community). In other words, the APAC methodology embraces the collective nature of everyday Brazilian prison social order and the consequent entanglements between inmates and staff, prisons and communities, not by default (as means of getting by with limited human and material resources), but to purposely reduce the otherwise inevitable harms associated with losing one's liberty. To achieve its vision of peer and community-facilitated rehabilitation, both prison staff and prison inmates are expected to be from the local area. Prisoners' families and former APAC prisoners are encouraged to work or volunteer at the prison in which they served, or their loved ones are serving, a criminal sentence.

In Brazil, the APAC movement has been extensively studied by research degree students (for publications from doctorate-level studies, see most recently Grossi 2021 on the APAC system in Minas Gerais, and Neto 2020 on the APAC system in Paraná). Otherwise, neither the APAC nor the country's other community prison models have attracted much academic interest. Moreover, the relatively few academic studies published in peer-reviewed journals or by academic book publishers (e.g. Araújo 2017; Burnside 2005; Dembogurski et al. 2021; Faustino and Pires 2007; Fernandes 2021; Leal 1999; Macaulay 2007; 2015; Marques and Studart 2020; Siqueira et al. 2020; Silva et al. 2020; Souza 2020; Vargas 2009; Walker et al. 2013) invariably draw attention to their relatively good treatment and rehabilitation of prisoners, in comparison to the country's common prisons, but not their focus on communal living and co-produced social order. This includes studies that take a penal abolitionist stance and question whether a version of Brazil's community prison models might be developed that replaces the country's common prison system altogether (e.g. Franco et al. 2020; Mattos 2009; Menezes and Oliveira 2010; and Garces 2019 comparative study of Brazilian and Ecuadorian faith-based prison movements).

I am also concerned by the failure of most Brazilian prisons to operate regimes of dignified detention. This most fundamental of individual human rights is at the centre of international prison law (e.g. the United Nations Standard Minimum Rules for the Treatment of Prisoners 2016). My question is whether the penal abolitionist position should extend to the demand that prisoners retain a certain level of collective control over the physical and social environments in which they have been deprived of their liberty, and whether in this regard the

international human rights community might have something to learn from community prisons in Brazil (although my own abolitionist position also draws me towards the conclusion, like Ryan and Sim 2007, that any form of post-trial involuntary detention should be reserved for the most violent and predatory behaviour). In this chapter I use the term community prison as originally conceptualised by American prison governor Howard B. Gill: as a closed institution that houses a small, supervised group of prisoners who live communally and maintain close contact with the outside world (Hayner and Ash 1940). Gill (1965) identified three principles underlying communal living: normalcy, small groups, and participation. However, he excluded social order from the latter. I argue that it is neither theoretically nor practically necessary to do so, at least in the context of Brazil.

Besides the APAC system, there are three Brazilian community prison models that purport to be human rights respecting and in which communal living includes collective participation in social order. The first was introduced in the state of Rondônia in 2007 by a second voluntary sector religious organisation led largely by former prisoners, the Cultural Association for the Development of Prisoners and Former Prisoners (ACUDA). ACUDA's methodology is underpinned by three pillars: Spirituality, Education and Assistance (see <https://acudarondonia.org/nosso-metodo>). ACUDA delivers several social welfare projects, including a daytime centre (the Illuminate Programme) for prisoners held in closed units in Porto Velho State Prison Complex. In 2015 ACUDA was subject to a prime-time national television exposé that focused on the Illuminate Programme being attended by one of the state's most notorious murderers, its therapeutic use of the hallucinogenic drug ayahuasca, and the fact 13 prisoners from a semi-open unit had been recruited to work at the centre and slept there overnight (these latter two activities have since been suspended). I spent two days participating in the ACUDA day centre regime in May 2017 and another two days in July 2019. At the time of the latter visit, construction work had begun on a new residential unit, Celas Lares, which will accommodate up to 200 prisoners in closed conditions. ACUDA aimed to inaugurate Celas Lares by the end of 2020. This is on hold during the Covid-19 pandemic. The day centre is operating as usual.

Like FBAC, ACUDA insists its day centre and future residential unit operate without police or prison officers and are co-governed with inmate councils. Even more than the APAC movement, ACUDA considers itself to be anti-punishment. Reflecting on his experiences of long-term imprisonment, ACUDA's general director insisted to me that Celas Lares "will not be a prison", adding that "the system teaches us to hate ourselves... and then we hate others"

(field notes, 26 July 2019). ACUDA provides prisoners with a full-time timetable of education and ‘new age’ therapies like meditation, yoga, massage, Reiki, and Family Constellations. It also provides skills-based work, although more for the purpose of raising funds and attracting prisoners to the centre than as a means of rehabilitation. Similar to APAC de Itaúna, a ten-person inmate council manages most of the centre’s routines and activities. ACUDA’s 2019 unpublished disciplinary code for its day centre likewise includes a mixture of official state prison rules and customary practices. Unlike FBAC (2015), however, it was co-drafted with serving prisoners. The code is enforced by a separate committee composed of three serving prisoners and two former-prisoner ACUDA employees (it is intended that the inmate council will take on this role at Celas Lares). Prisoners are appointed to the inmate council and disciplinary committee by lottery, although in the case of the latter a prisoner must first make it onto a short-list compiled by ACUDA’s general director. Other prisoners are given keys and two-way radio transceivers to work with the former-prisoner ACUDA staff in charge of external security. Like APAC de Itaúna, most of the other people that work at the centre are volunteers.

Next are the 22 Resocialisation Centres (CRs) of São Paulo, 21 of which were inaugurated in the early 2000s in an effort by a senior judge, Nagashi Furukawa, to implement a less community-run, more formal public-civil society partnership version of the APAC prison system while he was state Minister for Prisons (Furukara 2015). These included the two existing APAC prisons in São Paulo: APAC de São José dos Campos and APAC de Bragança Paulista.<sup>vii</sup> Like the APAC system, most of São Paulo’s CRs contain semi-open as well as closed prison units. At its peak, five percent of the state’s 137,282 prisoners were held in the CR system (Bueno 2005). There is no official set of CR prison rules. Still, most CRs were purpose built to the same design during Furukara’s term in office and operate similar daily routines and practices. CRs typically hold 150-200 prisoners between their two units (the purpose-built CR prisons all have operating capacities of 210), making them on average larger than APAC prisons. The smallest, CR de Araquara women’s prison, has an operational capacity of 96 (and at the time of writing, a population of 99). Like APAC prisons and ACUDA’s day centre, CRs promote non-stigmatising prison cultures and close engagement with prisoners’ families (Macaulay 2015). CR prisons also provide full-time regimes of work, education and therapeutic activities aimed at improving inmates’ self-esteem and social skills (Macaulay 2015), like APAC and ACUDA, but also their occupational employability.

São Paulo’s CRs were initially inaugurated under partnership arrangements in which

voluntary sector NGOs were responsible for everyday prison management and contracting health, leisure, education, and other social welfare services, but state authorities retained responsibility for security. Following a week of rebellions in May 2006 that included two-thirds of the state's common prisons (but no CR prisons), Furakawa was demoted and the CR prison system gradually brought under full public sector management. However, voluntary sector organisations have continued to provide services to many CR prisons. I have visited two of these CRs, including an afternoon and a full day at CR de Limeira, where in 2016 I ran a workshop on social order with prisoners held in the closed unit. Since 2016 CR de Limeira has received education, training, leisure, and other social projects from the city of Limeira Community Council, established under the legal requirement under Article 80 of Penal Executive Law 1984 that prisons are monitored and supported by community organisations in each judicial district (of which there are 382 in São Paulo), with the coordination and support of the voluntary sector body, Instituto Ação Pela Paz. By the end of 2019, community councils had been set up to provide welfare projects to another seven CR prisons (IAP 2020). Some activities were suspended with the onset of the Covid-19 pandemic, but most have now recommenced (IAP 2021).

Like most other Brazilian prisons I have visited, I did not encounter any guards stationed in CR de Limeira's cell blocks. Cell doors were not locked, even on the closed prison unit, and inmates carry keys to manage access to shared spaces (e.g. workshops and store cupboards) and movement between individual corridors. In some CRs additional house rules are co-drafted by inmates and voluntary sector as well as public sector prison staff (Macaulay 2007). On my visits to both CR prisons, I observed codes of conduct hanging inside the entrance to each dormitory. Different to both the APAC and ACUDA models, prisoners are not formally involved in adjudications. However, prisoners at CR de Limeira explained to me that although they did not have a unit-wide inmate council, they formally selected cell representatives to oversee social order and negotiate with staff. When they could not persuade one of their peers to stick to the rules to make amends for breaking one, their cell representative would ask officers to remove them.

The final Brazilian community prison model which officially aims to be human rights respecting, and in which aspects of the power to discipline are formally devolved to inmates, is also public and officially secular. Adapted from an existing Spanish prison model (in English, see Ballesteros-Pena 2018), Brazil's first Social Reinsertion Centre was opened on a remand prison wing in the state of Goiás in 2009. Like its Spanish counterparts, the centre is

more commonly referred to as a Respect Module (RM). In 2020 Goiás authorities published a list of RM rules (DGAP 2020) and announced their intention to open RM wings across its prison estate. A stand-alone RM prison, Núcleo de Ressocialização da Capital (NRC), was opened in the state of Alagoas in 2011 with an operational capacity of 157. I visited the RM wing in Goiás in 2016 and was due to visit NRC for a first time in 2020.

Like CR prisons, the Brazilian version of the RM model involves voluntary sector organisations being contracted to provide in-house services; and like the APAC and ACUDA prison models, inmate councils manage most aspects of daily routines and social order. At NRC, all prisoners are expected to participate in one of five inmate councils, whose memberships (like the ACUDA day centre) are chosen by lottery and (similar to the CSS at APAC de Itaúna) rotate every three months (Araújo 2017). One of the councils (the Conviviality Commission) monitors everyday routines and discipline, while the others (the Reception, Judicial Assistance and Sports and Culture commissions) deal with more specific matters. The fifth council (the Responsibility Assembly) is made up of the leaders of the other four councils and is tasked with communicating with senior staff. RC prisoners are not formally involved in drafting disciplinary rules. However, all prisoners meet daily as a General Assembly to discuss and make recommendations for changes to everyday routines and disciplinary codes. Different to APACs, CRs and the future Celas Lares, guards are stationed inside as well as outside RC cell blocks. However, prisoners are formally involved in judging and administering disciplinary penalties for house rules through another inmate council, the Commission for Conflict Resolution. This council is made up exclusively of prisoners but is selected by the governor, again for three-month terms of office.

## **Conclusion**

We have seen that the APAC, ACUDA, CR and RM prison models all claim to treat the people in their care with human dignity. At this early stage of desk research, the extent to which they actually do so is not among my questions and has not been the subject of this chapter. For now my focus is ideals and potential. In any case, none of the Brazilian community prisons I have thus far visited appeared to be fully human rights respecting as defined by the United Nations, let alone radically different to the extent demanded in the abolitionist literature, for instance by Scott and Gosling (2016: 172-173), who in an analysis of residential therapeutic communities for people whose criminal offending is associated with



substance abuse write that, “a radical alternative must... compete with, and contradict, current penal ideologies, discourses, policies and practices... directly replace a punitive sentence of the criminal courts... adhere to democratically accountable values and principles requiring unhindered participation, recognition of the validity of all voices, and facilitate a role in decision-making... safeguard human dignity and minimise human suffering... rooted in principles of fairness, openness, equality and legal accountability... promote (or at very least not inhibit) social justice.” This includes the APAC system, which we have seen regards crime as a problem of idleness and irresponsibility (Massola 2017), and as Ottoboni hinted in his opening address at the movement’s 40<sup>th</sup> anniversary celebrations often resorts quickly to disciplinary punishments rather than restorative or therapeutic sanctions. Another area of practice I have found the APACs I have visited to fall short of being “non-penal real utopias” (Scott and Gosling 2016: 170) is their restricted approach to therapy. In 2012 I spent much of my time at APAC de Itaúna in the company of a prisoner in the semi-open unit convicted for robbery whose addiction to crack cocaine I became increasingly aware had not been dealt with beyond the occasional visit from Narcotics Anonymous. When I asked him for his views on the APAC methodology, he repeated the often-heard mantra that people only change through love. Yet, he went on to commit further crimes (the first within hours of his release later the same year) that have left him rotting in common prisons to this day.

Nor has this chapter dealt with the question often posed by Northern penal abolitionists whether progressive criminal justice policies and practices will inevitably be “clawed back” (Carlen 2002) and their proponents “silently silenced” (Mathiesen 2004) in the long term. Again, this is not my immediate research interest. For the time being, I can only provide some preliminary observations based on anecdotal evidence. In late 2019 a new head of security was appointed at APAC de São Luis, who installed bars around the exercise yard in the closed unit, previously freely accessible to prisoners despite providing a quick and easy route to escape. Ironically (predictably?), there have been two mass break outs from the unit since, the first in the prison’s five-year history. Still, I question whether the culturally heterogeneous nature of Brazilian society (see e.g. Ribeiro 1995) and the informal, pragmatic nature of Brazilian micro-politics (e.g. DaMatta 1986), including penal policy making (Batista 2000; Macaulay 2021), leave greater space for grass-roots abolitionist praxis (cf. Gay 1998; Koster and Eiró 2021): that different to the more bureaucratic countries of the Global North, prison reformers have less to fear from engaging with well-meaning criminal justice practitioners, and that each step backwards along the road towards abolition might plausibly

be followed by two steps in front. When ACUDA is finally able to open Celas Lares, for instance, it has every intention to recommence its use of ayahuasca and to receive prisoners convicted for the most violent predatory crimes.

These practical concerns are also matters for future research and discussion. In this chapter I have focused on the preliminary question what else besides human dignity might be promoted by those taking a penal abolitionist position in Brazil, where my reading of prisoner autobiographies (e.g. Jozino 2005; Mendes 2009; Rap and Zeni 2002) and academic ethnographies (e.g. Biondi 2010; Biondi 2018; Feltran 2018), as well as my own fieldwork, suggests that many if not the majority of prisoners consider themselves to be criminal only in the sense that ‘their kind’ are the victims of authoritarian oppression and are in conflict with the state and its weaponised laws. Specifically, I have introduced the extent and means by which Brazilian community prison inmates are formally involved in establishing and, more controversially, enforcing disciplinary rules and practices. In doing so I have also indirectly questioned the international human rights consensus that prisoners should not have the collective right to co-govern their institutional environment, as reflected in Rule 40 of the United Nations Standard Minimum Rules for the Treatment of Prisoners 2016 (where it is stated that, “no prisoner shall be employed, in the service of the prison, in any disciplinary capacity”) – which, it should be noted, were agreed predominantly among Northern experts (Peirce 2018) – and also Article 96 of the Third Geneva Convention relative to the treatment of Prisoners of War 1949 (where it is stated, “in no case may disciplinary powers be delegated to a prisoner of war or be exercised by a prisoner of war”). This blanket policy is repeated in the Brazilian Minimum Rules for the Treatment of Prisoners 1994. In the most comprehensive international human rights report on Brazilian prisons to date Human Rights Watch (1998: 7) came to the same conclusion, warning that, “prisoners should never be assigned internal security responsibilities or be placed in positions of power over each other, even informally”.<sup>viii</sup> As far as I am aware this position is not directly questioned in any academic prison literature anywhere, including the Anglophone and Lusophone literature on community prisons that I am best acquainted. I have already noted the central importance of communal living to Gill’s (1965) definition of community prisons, and prisoner participation as a defining characteristic of communal living (alongside normalcy and small group living). Gill described prisoner participation as a matter of joint staff-inmate civic responsibility. However, he emphasised that as a prison governor he had restricted these responsibilities to overseeing activities and recommending changes to institutional routines. Scott and Gosling

(2016) come closer, in their evaluation of the abolitionist potential of therapeutic communities, when they refer to democratic and procedurally legitimate decision-making processes. However, they make this point in the specific context of voluntary participation in community routines. They do not rule out but neither do they mention the supervised community participating in disciplinary processes (see also Scott and Gosling 2015).

Yet this lack of trust in people to take – or under the APAC vision of social reintegration, to be belatedly taught – civic responsibility in prison, and the consequent rigidity of the boundary drawn between the institutional powers and functions of inmates and staff, was arguably the most critical issue identified in the classic mid-20<sup>th</sup> Century North American sociological studies on the effects of inhumane detention. In his introduction to the “pains of imprisonment” Gresham Sykes paid heed to the anger and frustration caused by the sense of moral rejection and loss of the status of citizenship experienced by prisoners:

The basic acceptance of the individual as a functioning member of the society in which he lives... the loss of that more diffuse status which defines the individual as someone to be trusted or as morally acceptable is the loss which hurts most... Somehow this rejection or degradation by the free community must be warded off, turned aside, rendered harmless. Somehow the imprisoned criminal must find a device for rejecting his rejecters, if he is to endure psychologically. (Sykes 1958: 66)

Similarly, Erving Goffman emphasised that his objective in analysing the debilitating effects “total institutions” like prisons and closed residential psychiatric hospitals have on their inmates was, “to help us see the arrangements that ordinary establishments must guarantee if members are to preserve their civilian selves” (Goffman 1961: 14). Like Sykes, Goffman was most concerned with the consequences of inmates having to defer to the bureaucratic authority of the institution and the everyday managerial decisions of its employees.<sup>ix</sup>

Of course Goffman’s (1961) concept of the total institution applies little to the ordinary Brazilian prison, where officers deal with inmates mostly through their representatives, micro-political authority is shaped by inmate as much as staff hierarchies, staff-inmate functions are entangled, governors do not have the resources to manage their institutions without entrusting inmates, and in a reversal of Sparks et al.’s (1996) assessment of the illegitimacy of British prison staff-inmate relations, social order is more negotiated and consensual than imposed and enforced. Imprisonment is considered inhumane by Brazilian prisoners, but for different reasons than by people who experience imprisonment in the United Kingdom. Still, the reciprocal social order that gives staff-inmate relations *de facto* legitimacy in Brazil’s common prison system arises out of necessity and is more “forced”

(Darke 2013) than democratic.

I am hesitant to make any preliminary normative assessment of whether disciplinary powers are more appropriately devolved to Brazilian community prison inmates before I have at least had the opportunity to explore what legitimate governance means to my participants. I will commence my fieldwork with a set of generalised research questions relating to the equity of the social norms community prison inmates and staff are expected to follow and the procedures by which they are established and enforced. I am also interested in exploring the implications of delegating responsibilities for security as well as discipline to prisoners, and the broader implications of former prisoner and voluntary sector involvement in prison governance. My fieldwork needs to be guided but not restrained by global understanding of theoretical concepts like community, hierarchy and legitimate authority, self-help, self-governance, participatory and representative democracy, substantive and procedural justice.

Finally, in the longer term I intend to explore the extent to which the collective ownership that Brazilian community prisoners exercise over the institutions in which they are incarcerated might be replicated in a Northern country like the United Kingdom, where prison governance is on the whole more bureaucratic and prison communities less cohesive. This will involve comparative research that includes the democratic therapeutic community (DTC) regime at HMP Grendon prison. We have seen that Grendon has attracted the attention of British and American penal abolitionists and radical prison reformers. The DTC model emphasises collective decision making as well as collective living (Bennett 2013; Shuker 2021), in contrast to Gill's (1965) more restricted definition of community prisons, and also the concept therapeutic communities (CTCs) studied by Scott and Gosling (2015, 2016), which are usually reserved for problematic drug users. CTCs are typically more hierarchical than DTCs and more likely to be staffed by former residents (Jones 1979; Rawlings and Yates Eds. 2001; Vandavelde et al. 2004; for a critique of Brazilian CTCs, see in English McBride et al. 2018). Besides four smaller individual DTC units situated within mainstream English prisons, Grendon is currently the only secure DTC in the Anglophone world to have been implemented in a prison rather than in a psychiatric hospital.<sup>x,xi</sup> Grendon is divided into six self-contained communities of between 20 and 40 prisoners, all of whom convicted for serious predatory violence. Prisoners engage in a full-time regime of psychodynamic and creative therapies based on the concept of reality confrontation, in small therapy groups of eight, and with their wider inmate community. All prisoners are expected to be actively pro-social and – like the APAC system – to take on positions of responsibility

relating to different aspects of the physical and social environment, e.g. as cleaners, cooks, treasurers, committee chairman, health and safety, events and diversity representatives. Each community writes a “constitution” containing – like the disciplinary codes co-produced by ACUDA and some CR prisoners – a mixture of official prison rules and customary practices and appoints an inmate “cabinet” with a six-month term of office to liaise with prison staff. Prison inmates and staff are also expected to be tolerant and to challenge and report any aggressive, anti-social or disrespectful behaviour to their community. Communities vote on their members’ suitability for different types of work, education, therapeutic activities, and representative positions. Minor disputes are dealt with informally among the small therapy groups at first instance and if necessary the wider community. The cabinet is also tasked with guiding new arrivals, mediating more serious conflicts and convening community meetings to decide on sanctions if necessary. In contrast to each of the Brazilian community prison systems I have introduced in this chapter, inmates are formally allowed to apply restorative and therapeutic as well as punitive sanctions. Prison managers reserve the right to veto. Still, official disciplinary proceedings are rarely resorted to and the prison does not have a segregation cell.<sup>xii</sup>

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- <sup>i</sup> I would like to acknowledge the support of the Leverhulme Trust. I am currently a Leverhulme Trust Research Fellow (award RF-2020-373\8). My research focuses on community self-governance in Brazilian former-prisoner-led voluntary sector NGO prisons, the subject matter of this chapter.
- <sup>ii</sup> In Brazil most prisons operate at state level. In June 2020 there were only five federal prisons and 668 federal prisoners (MJSP 2020). In this chapter I sometimes refer to the APAC *system*, irrespective of the fact that APAC prisons are subject to different legal regulations (in addition to FBAC regulations) in different states.
- <sup>iii</sup> Figures available at <https://www.fbac.org.br/infoapac/relatoriogeral.php> (last accessed 2 September 2021).
- <sup>iv</sup> I write this chapter in preparation for ethnographic research on the Brazilian community prison phenomenon introduced in this chapter that I originally intended to complete in late 2020 and early 2021 but had to put on hold during the Covid-19 pandemic. I will complete the fieldwork at two APAC prisons in the state of Paraná in the first half of 2022.
- <sup>v</sup> Note my preferred use of the term penal rather than prison abolition. As Ferrari and Pavarini (2018: 186) emphasise in their 2015 Italian Abolitionist Manifesto, abolitionists are united in their support for moving beyond, “the notion of punishment [and its commitment] to the sanguinary culture of intentionally inflicting pain and suffering.” This requires the “abolition of punitive incarceration [but it] does not mean the end of all types of involuntary confinement” (Feest and Scheerer 2018: 39); forms of preventative rather than punitive detention would still be occasionally necessary, for instance to ensure people do not abscond while awaiting trial (ibid), to protect the public from dangerous, predatory offenders (Ryan and Sim 2007), or as a refuge “for perpetrators who have extreme and complex needs” (Drake and Scott 2018: 214). The means by which offenders’ needs should be deal with is not a subject of major debate in the Anglophone abolitionist literature besides Scott and Gosling (2015, 2016), whose work I return to in the conclusion. Nor is the question whether an abolitionist alternative should be referred to as a prison or as a detention centre, as suggested e.g. by Brown (2013). For recent Brazilian accounts of penal abolitionism, see e.g. Achutti et al. (2021), Genelhu (2018), and Karam (2021), who calls for the abolition of penal punishment as part of a wider abolition of state violence.
- <sup>vi</sup> Since 2019 some of the (now former) students from this study group have acted as project advisors and peer reviewers for my research on Brazilian community prisons. I would like to thank David Hinde, Niamke Kervani, Moses Mathias and George Milner for their reviews of an earlier draft of this chapter.
- <sup>vii</sup> In 1994 Furukara had inaugurated his first community prison under the APAC label. However, the prison was ostracised by the APAC movement for “lacking methodology” (Macaulay 2015), among other things its secularism (ibid.), and its prioritising of industrial over community work (Massola 2017).
- <sup>viii</sup> The absolute human rights ban on prisoner participation in disciplinary actions and processes is most notable in UNODC (2015), where the United Nations promotes good staff-inmate relations as the key to prison order but makes no mention of rules being negotiated or powers being delegated. The rationale and



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implications of this international consensus are explained in Coyle and Fair's (2018) *Human Rights Approach to Prison Management Handbook for Prison Staff*, sponsored by the International Committee of the Red Cross. Coyle and Fair (2018: 72) write, "In a well managed prison all prisoners will be treated equally. Whenever possible they should be encouraged to become involved in constructive activities during their time in prison... These may include helping in certain aspects of the daily running of the prison, such as working in the kitchen or on farms or maintenance. Prisoners who are skilled or well educated may also be encouraged to help other prisoners in these respects. However, it is never permissible to employ or to use prisoners to control other prisoners. This sometimes happens when there is a shortage of staff. Such prisoners are often given special treatment in terms of accommodation, food, or other facilities, to encourage them to monitor or manage other prisoners. These arrangements are always open to abuse."

- <sup>ix</sup> This removing of inmates' autonomy to make or challenge decisions over how the institution they have been denied their liberty should operate is often raised by my prison-based students as a key problem of northern imprisonment as currently defined. One of the peer reviewers of this chapter (see n.vi.) writes, "walls don't make a prison; a loss of power over the environment does" (Moses Mathias, formerly HMP Grendon prison, personal communication, 28 July 2021).
- <sup>x</sup> The DTC concept was originally developed at the Industrial Neurosis Unit in London, opened in 1947 as a specialist psychiatric institution specialising in psychotherapy and the treatment of psychopathy and especially post-traumatic stress disorders. It received people with and without criminal convictions. The Industrial Neurosis Unit was later renamed the Social Rehabilitation Centre and, later still, Henderson Hospital (see Warren and Norton 2004). Henderson Hospital closed in 2008. Grendon opened as Europe's first and still only fully DTC prison in 1962. For detailed academic accounts of the psychiatric regime at Grendon and other English DTC units, see Brown et al. (2014); Genders and Player (1995); Stevens (2013).
- <sup>xi</sup> Comparable models also operate in other parts of Europe, principle among which are the social therapeutic facilities of Germany, which operate in more than a dozen prisons or prison units (see Lösel and Egg 1997; Sauter et al. 2019). Beyond the wider context of psychiatric treatment, parallels may also be drawn with early to mid-20<sup>th</sup> Century experiments in self-governance in children's institutions in the United Kingdom, most notably at the Little Commonwealth residential home in Dorset (see Bazeley 1928) and the Summerhill independent boarding school in Suffolk (see Neill 1960). These experiments influenced both the CTC and DTC movements. For broader discussion, see Kasinski (2003); Raimo (2001); Shaw (2011).
- <sup>xii</sup> All of the prison-based students currently or previously involved in the convict criminology study group at Grendon express reservation as to the extent disciplinary authority might be legitimately delegated to prisoners in the UK. However, their concerns are invariably more pragmatic than normative and are based on their experiences of divisive institutional cultures being imported to Grendon from other prisons. Regarding this matter, one of the peer reviewers from the study group of this chapter (see n.vi.) writes that although prison staff and inmates are more divided at Grendon than at the Brazilian community prisons described in this chapter, it remains the case that "involvement in disciplinary processes can give the community a sense of ownership and responsibility" (David Hinde, formerly HMP Grendon prison, personal communication, 24 August 2021).