

Rethinking Crime and Punishment

Case Study: Jenny

Jenny liked prison so much the first time that she decided that it would be quite nice to go back again. She had made friends with some of the other women and enjoyed the arts and crafts classes she attended. The staff were also very kind and took good care of her. She had plenty of people to chat to and her days were organised.

So when Jenny was released in April, after spending two months in Cornton Vale, she smashed the windows of her neighbour's car and threw stones at people passing by; just as she had done before. It was not long before the police arrived, as she knew they would, and within a few days she was back in Cornton Vale again. Jenny was delighted. She was back in the one place she felt safe and secure, especially at night. Jenny gets very frightened during the night and she sometimes wets her bed.

Let me tell you a little bit more about Jenny. When she was a teenager she was a bit troublesome. Her mum could not cope with her and look after her younger brother. One day Jenny threw stones at the window of her local police station in Glasgow and she was arrested. Jenny spent some time in prison and was later admitted to residential care. She spent the next thirty-one years of her life there. Jenny was released into the community two years ago, at age 48. Her long years in care had left her highly institutionalised and the transition into the community was very traumatic. But Jenny had no choice, because the care home she had lived in all those years closed down.

A small one-bedroom ground floor flat in Glasgow became Jenny's new home. Because she needed help with cooking, shopping and personal hygiene, she had the help of two support workers each day from 10.00am to 5.00pm. But after 5.00pm Jenny was left alone over night; every night. She was however given a mobile phone to contact the support workers if she needed them:

"I called them but all they said was "take your tablets Jenny, just take one of your tablets." I was frightened. I don't like being alone at night. I keep telling them that. They don't listen to me. I get frightened. I get frightened."

Jenny is on a once-weekly injection of Clopixal to treat acute psychotic episodes; a legacy of her time in care. She also takes additional medication to help her when she becomes agitated. She has a "learning disability with severe challenging behaviour", according to her psychiatry report. Jenny cannot read or write and has no idea where her mother is; if she is still alive. She has no contact with her brother but says that he is married and has children.

Jenny loves to talk. She said that all she wants is to live with other people in a nice house somewhere. That way she would not be frightened at night and she would not get agitated. She would have company.

"Boys come and throw stones at my house and they keep ringing my doorbell. I get frightened and I have to take a tablet."

Is it any wonder then that Jenny likes being in Cornton Vale Prison? Being there is the closest she can get to the security of the residential care home she knew for over thirty years. Prison gives her the stability and reassurance she needs, especially at night. The other women generally feel sorry for her and take her under their wing. They look out for her, but even they question why the court sends people like Jenny to prison in the first place.

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For staff at the prison, Jenny presents a lot of difficulties. She does not understand the rules and gets frustrated by her inability to comprehend. Simple rules have to be repeated many times. Jenny can also be quite manipulative, especially when she wants attention. Staff are concerned that other prisoners may use her for their own needs; to divert the attention of staff or to carry drugs into the prison. Jenny is vulnerable to bullying and exploitation, so the staff have to be extra vigilant.

Jenny found out last week that when she is released in a few months she will be returning to her old flat. This caused her to become extremely agitated and verbally abusive. She threatened to smash up even more cars the next time because she wants a two-year sentence. Staff are concerned that other prisoners may be able to advise her on exactly how to achieve that successfully.

There are six other women like Jenny, with a range of leaning difficulties, who are regular 'guests' at Cornton Vale. Prison is the only place they feel safe and secure. They cannot cope outside and do whatever it takes to return as soon as possible. And the courts keep on returning these women to Cornton Vale. Incidents of self-harm within the prison are frequent, due mainly to drug-induced psychosis. The Prison Governor realised the need for staff to be able to deal with this and arranged for eight members of staff to attend a Mental Health First Aid Course. This helps to ensure that they fulfil their duty of care to these very vulnerable and disturbed women.

What function does prison fulfil for Jenny and women like her? It is clearly not a deterrent to further offending as she is determined to return again as soon as possible. Rehabilitation? Retribution? Jenny has no concept of what that is. Punishment? Certainly not. Jenny sees prison as a positive outcome for her behaviour; her way of surviving the terror that nights alone bring. She is not a danger to the community; she is a danger to herself.

Jenny will soon be appearing again at Glasgow Sheriff Court. It is very difficult to understand what she is saying and she repeats phrases over and over again. She has very little comprehension of how the court system works and is unable to adequately instruct her solicitor.

Do you think prison is the right place for Jenny or do you think she would be better off in supported accommodation in the community? Around 80% of the women admitted to Cornton Vale have a history of mental illness. Prison is not a psychiatric hospital and it should not be used as a substitute for appropriate community care. In 1990 there were 137 women in Cornton Vale, but by February 2004 that figure had risen to 340. Too many women like Jenny end up spending time in prison when they should be dealt with more appropriately by community agencies that are more suited to their needs.

If you were the Sheriff what would you do with Jenny? Would you send her back to Cornton Vale?

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