Older Prisoners: A Human Rights Perspective

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Submissions

In the course of preparing this thesis, the following submissions were made and papers/reports presented:


Geary, J. (2013). *Written Submission from Jen Geary, Dr., LLB*. Submission to the House of Commons Justice Committee Parliamentary Select Committee, United Kingdom.


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Thesis Summary

In this hermeneutic phenomenological study this researcher focuses on the treatment of older prisoners and their human rights. Older prisoners may be defined thus, those who are 50 years or older. In this study this researcher explores human rights issues as understood by correctional professionals (prison officers, parole officers and Board members, psychologists, social workers, the clergy, and counsellors). These rights may be linked, for example, to older prisoners' safety, dignity, education, privacy, and well-being. Safety can be an issue for older prisoners who seek to resist bullying or violence by younger prisoners.

This researcher also centers in this study on older prisoners' needs and contexts from a human rights perspective. The understanding, knowledge and experiences of 33 participants who are correctional professionals guide this study. These participants work with or are otherwise involved with older prisoners. This researcher provides recommendations to guide participants in their efforts to meet older prisoners' legal, treatment, rehabilitative and reintegration needs. Focus in this study is on understanding older prisoners' rights, needs and service responses as participants view them to be.

The methods that are applied in this study include a questionnaire and telephone-based interviews. This researcher finds that grievance procedures and prison programs, planning, policies and services could be developed. She also recommends that further research and development be carried out linked to older prisoners' rights and situations. In this study this researcher develops new knowledge about older prisoners needs and circumstances. She considers means to enhance older prisoners' well-being whilst developing the public safety, and expands upon existing literature in the field of corrections.
Key Words

Grievance: According to Black’s Law Dictionary (2004) this may include a wrong and the actual complaint, arising from this.

Geneva Conventions: Black’s Law Dictionary (2004) states these are “Four international agreements dealing with the protection of wounded members of the armed forces, the treatment of prisoners of war, and the protection of civilians during international armed conflicts” (p. 707).

Human Rights: In Black’s Law Dictionary (2004) these are defined thus, “The freedoms, immunities, and benefits that, according to modern values (esp. at an international level)…” (p. 758). All humans have claimable rights in the societies in which they reside.

International Covenant on Civil and Political Rights – This is “… a key international human rights treaty, providing a range of protections for civil and political rights” (American Civil Liberties Union, 2015).

International Covenant on Economic, Social and Cultural Rights – This covers a broad grouping of rights, which are features of legally binding global and regional human rights instruments (Amnesty International, 2015).

Imprisonment: The deed of keeping an individual confined in, for example, a prison (Black’s Law Dictionary, 2004).

Interview: This often involves guided dialogue between interviewers and interviewees. Reber (1985) posits, “In psychology, interviews usually have either information-gathering or therapeutic purposes” (p. 371).

Law: Solis (2013) states, “Law is a codification which says if you violate these rules there will be a price to pay and it designates the price to pay”.

Prisoner: According to Black’s Law Dictionary (2004) this is an individual who is serving time in a prison.

Questionnaire: Reber (1985) defines this in the following way “Broadly, any set of questions dealing with any topic or group of related topics designed to be answered by a respondent”.
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Mexico; Oklahoma and Oregon.
CHAPTER 1: AN INTRODUCTION

This research centered on staff perception’s of older prisoners. For the purposes of this study as a starting point older prisoners have been identified as being 50 years of age and above. There is a lack of consensus as to when a prisoner becomes an older one. Older prisoners may be the fastest growing segment of the prison population and the costs of imprisoning them can be substantively higher than those associated with younger inmates. Considerable concern has been expressed about the capacity of prison administrations to provide appropriate services and programs to older prisoners, who are widely considered to be particularly vulnerable and at risk of victimisation in institutional settings. Undue suffering could contribute to older prisoners prematurely ageing and dying in prisons. Furthermore, if older prisoners’ needs are not identified and addressed costly litigation could occur. To provide excellent features to older prisoners services could be guided by principles in domestic and international human rights law. An issue that binds this inquiry with research and practice in the field of corrections are financial restraints. However, this thesis can guide both policy development and further enquiry, which are associated with older prisoners.

Professionals across various disciplines who identified themselves as being involved in the corrections system (“correctional professionals”) participated in this study on older prisoners. A total of 33 correctional professionals (prison officers, parole officers and Board members, psychologists, social workers, the clergy, and counsellors) from six countries participated in this study. The overarching research questions in this study were:

1) How can correctional professionals address the needs and rights of older prisoners?

2) How do correctional professionals who have had contact with older prisoners, understand their role with these prisoners?

An underlying purpose of this research was to answer these two research questions whilst generating new knowledge about the needs and situations of older prisoners.

Focus was on developing understanding, about the human rights, pragmatic and ethical challenges that are faced by correctional professionals who work with or are otherwise involved with older prisoners. Rights appear to be associated with the claim of an individual to the “…enjoyment of human rights and freedoms generally acknowledged as fundamental to his or
her existence as a human being and as a free individual in society” (Fonteyne, McNaughton, & Stellios, 2003, p. 191). Although human rights include political, economic, social and cultural rights, the imprisonment of older persons raises two major human rights concerns (Ginger & Ginger, 2002; *International Covenant on Economic, Social and Cultural Rights*; United Nations Office of the High Commissioner for Human Rights, 2005). The first is whether (or not) prisons provide conditions that are in keeping with human rights requisites; the second is whether or not the conditions are both proportionate and humane.

According to Poore (2013) common Article 3 of the four *Geneva Conventions* “Guarantees humane treatment and so that’s really where the courts come in and looked at the situations at Guantánamo, things like enhanced interrogation and other types of things that were deemed not humane definitely had to stop once that determination was made”. Solis (2008) states, “… the purpose of the *Geneva Conventions* is not to provide rules for contemporary conflicts, not to provide rules for detention, the purpose of the *Geneva Conventions* is to protect the wounded, the sick, the prisoners, the civilians.” The *Geneva Conventions* may be the touchstones of international humanitarian law. Solis (2012) describes humanitarian law as that which the international community intends to disallow to lessen the negative consequences of war. This law’s historical origins did not stem from solely humanitarian conduct (Solis, 2012). This law may have been shaped through various conflicts between enemy states and groups, which have occurred over the last 10,000 years (Solis, 2012).

Under common Article 3 “…humane treatment for all persons in enemy hands, without any adverse distinction” is called for (International Committee of the Red Cross, 2014). Prisoners of war are in theory are to be safeguarded from “…murder, mutilation, torture, cruel, humiliating and degrading treatment, the taking of hostages and unfair trial” (International Committee of the Red Cross, 2014). This has implications for other kinds of prisoners including older ones. Solis (2008) posits that Article 3 reflects customary international law and that the USA and other countries are bound by the *Geneva Conventions*.

Critics of Article 3 of the *Geneva Conventions* indicate that it is imprecise (Solis, 2008). They argue that this Article is not applicable to conflicts between states, such as, the USA and non-states including the Al Qaeda. There might be gaps in the *Geneva Conventions* that do not
address such questions as how long can non-combatants be detained and on release in which country should they reside (Bellinger, 2008)? Added to this Pearlstein (2008) said that she “…would not say that international humanitarian law or indeed the due process clause is without questions or is written with perfect clarity …” Pearlstein (2008) draws a distinction between detention for the purposes of information gathering and for punishment. Due to limited space older people who are detainees have not been included in this research. However, aspects of this thesis could be transportable to older people who are detainees. In summary, prisoners have qualified rights for care and fair hearings before competent tribunals.

Emphasis in this study was on providing recommendations that can influence correctional professionals in their efforts to meet the treatment, rehabilitative and reintegration requisites of older prisoners (Johnson, 1988; Towl, 2010). This is achieved through a qualitative investigation of professional perspectives on human rights issues. It was anticipated that this study could provide a framework to inform differing stakeholders who work with or are otherwise involved with older prisoners (Newman & Covrig, 2013). Human rights as they apply in this context may be linked to prisoners’ and detainees’ safety, dignity, education, privacy, and well-being. This research includes questions about professional’s experiences and understanding when they had contact with participants and a hermeneutic phenomenological research methodology was chosen (Cohen, 2000; Rentel, 1997, Taylor, 2013 & van Manen, 2003). There are pronounced legal issues when prisoners including older ones are imprisoned (Grunseit, Forell & McCarron, 2008).

Theory often informs practice. This researcher has professional experience in education and research and a commitment to equity in scholarship and teaching. Furthermore, this researcher is informed by philosophies, policies and practices in legal and justice studies. This researcher has a commitment to domestic and international human rights law. The historical foundations of the latter law “… begins with the Charter of the United Nations [Articles 1, 20, 30, 55, and 56)” (Solis, 2012, p. 25). This researcher has conducted research in the area of ageing and prior to that this she conducted study in disability issues linked to vicarious traumatization, burnout, compassion fatigue and work-related stress. Members of this researcher’s family came from military backgrounds. This researcher’s developing understanding about professional perspectives, older prisoners and human rights was augmented by her reflections upon the literature. She had a pre-understanding of professional perspectives of older prisoners based
upon her decades as, for example, a counsellor, a mediator who undertakes online dispute resolution and an educator with a legal background. This researcher was a tool to conduct thematic analysis, which is a common approach in qualitative enquiry to locate, investigate, and log repetitions of data in studies. Forms of data were drawn from the questionnaire and interviews. The interviews were introduced to participants as being a beginning point to explore and describe some definitional and broadly conceptual aspects from participants’ perspectives (Kahn, 2000).

Participants were encouraged to raise and mention terminology that was of value to them. However, the interviews were not contained to these aspects conversational and open-ended questions were raised (Merriam, 1998). Illustrative examples of open-ended questions that this researcher asked participants in the interviews included: “Do you understand?” or “Could you tell me more please?” Open and other questions helped this researcher to develop awareness about participants’ values and their life choices. This researcher encouraged participants to be open in their dialogue and interaction with her (Cherry, 1999). She was receptive to participants’ verbal cues including their pauses and changes in their tones and paces. This researcher was open to participants’ feedback and she checked that she had interpreted information accurately (Silverman, 2001). Overall the interviews were semi-structured, but were not confined to the questionnaire. This afforded opportunities for dialogical connections to be formed between this researcher and participants (van Manen, 2003). This researcher pondered upon the implications of this research and recorded these in her study notes. In the development of this thesis she appraised her notes, the questionnaire, the interviews and the literature.

In the USA the need for correctional professionals to focus on older prisoners has been long recognised. In 1982, for example, the First Annual Conference on Older Criminals was held in New York (Burnett & Kitchen, 1989). At this conference older prisoners were identified as having special needs that required specific service responses (Aday, 2003). There has been an exponential increase in the numbers of older prisoners and this can drain, for example, social and financial resources (Aday & Krabill, 2013; Gideon, 2013; Travis, 2013; Walsh, 1989). Under these circumstances it is often difficult to address prisoners’ including older ones idiosyncratic needs and this might contribute to psychological, financial, legal and ethical challenges for them (Thomas-Peter, 2006).
This analysis revealed that tension exists between justice and care principles, with participants feeling that their employers expected security issues to be prioritised over personal health needs. This was a particular issue in the context of prison environments that were overcrowded. Participants reported that older prisoners require more financial resources, updated facilities, and access to programs, education, and training. These findings are considered in terms of how the participants (and the broader organisational and criminal justice systems in which they exist) might begin to address prisoner needs. In a context where the number of older prisoners is likely to increase exponentially, as corrections budgets decrease, it is concluded that there is particular need to ensure that human rights obligations under both domestic and international law are fulfilled. In this thesis participants provide their perspectives on such matters, as older prisoner’s needs, situations and human rights.

1.1. Thesis Outline

This thesis is structured into six chapters. In this chapter the research statement, the research questions, this researcher and analysis were mentioned. This literature review has been separated into Chapters 2 and 3. Prior to entering the field it is often important to have a working understanding of the literature. This researcher starts these chapters with an outline of her perceptions and then she offers interpretations of the literature, for example, linked to definitions of when a prisoner might be considered to be older. In Chapter 3 focus is on four groupings of human rights ranging from dignity to safety. Also included in Chapter 4 are the methods and interpretive analysis that were applied in this study. In Chapter 4 emphasis is on the research methodology, design, participants, methods, procedures and analysis. In Chapter 5 participants’ thoughts and experiences linked to the older prison population including definitional issues, challenges and groupings of human rights are included. Furthermore, in Chapter 5 supports for both correctional professionals and prisoners, prison programs, training and mediation are mentioned. This researcher in the subject matter in Chapter 6 revisits the study questions and her reflections. These are associated with improving grievance procedures, prison programs, planning, policies and services, access to computer and the Internet, education and training for older prisoners. Finally further research and development is called for and then a conclusion is reached.
CHAPTER 2: OLDER PRISONERS: DEFINITIONS, NUMBERS, NEEDS AND CHALLENGES

In the first chapter this researcher provided an overview of this thesis including the problem statement, the research questions and the participants. In this chapter, this researcher considers definitional issues, numbers, needs and challenges associated with older prisoners. This researcher in the first research question focuses on how correctional professionals could meet the requisites and rights of older prisoners. Older prisoners’ needs include social, emotional and physical aspects. It can be problematic to address the needs and rights of prisoners, for example, when budgets are strained. There is a lack of consensus as to when prisoners become older ones. There appears to be exponential growth in the population of older prisoners. This can make it problematic to meet older prisoners’ diverse needs. In the second research question this researcher asked how correctional professionals who are in contact with older persons comprehend their role with older prisoners. Correctional professionals might have competing responsibilities to their employers, regulating bodies, personal ethical codes and older prisoners.

To develop awareness of the kinds of challenges that beset correctional professionals and prisoners there is merit in conducting a literature review. This review of the literature was informed by a wide-ranging search of the major health and social science databases utilising the search term “older prisoners” (including MEDLINE, Science Direct, PsycARTICLES, PsycINFO and Google Scholar). This researcher became familiar with the literature from a number of sources and this informed her analysis (Minichiello, Aroni, Timewell and Alexander, 2000).

An obvious starting point for research into this topic is to consider how older prisoners have been defined, and to deliberate upon how many prisoners might be labelled as older under these definitions. According to Sapp (1989), “An operational definition of older is needed for any research involving the aged” (p. 20), and yet there is a lack of preciseness amongst researchers as to what age a prisoner becomes defined as being older (Aday & Krabill, 2013; Bramhall, 2006; Burnett, 2006; Gewerth, 1988; Phillips, 2006; Wahidin, 2004; 2006). According to Phillips (2006), “Much of the debate on older offenders is over how to define “old” (p. 59). This debate pre-dates at least to the 1980’s (Burnett, 1989; Forsyth & Gramling, 1988; Walsh, 1989). Indeed, there is no common definition of when prisoners become older ones (Aday &
Krabill, 2013; Bramhall, 2006; Burnett, 2006; Gewerth, 1988; Phillips, 2006; Wahidin, 2004; 2006). Notions of what makes an individual an older prisoner can be shaped by biological, cultural or social factors (Amir, 1989), including physical signs of aging.

In the United States and Australia offenders over the age of 50 may be considered to be “older” (American Civil Liberties Union, 2012; Dannefer & Phillipson, 2010; Grant, 1999; Nokes & Emlet, 2006), although considerable differences exist between jurisdictions in both policy and practice. For example, Gubler and Petersilia (2006) refer to prisoners over the age of 55 as being older. In Canada, inmates from 50 to 64 years may be labelled as being older, whereas in the United Kingdom those who range from 60 to 65 years upwards are typically classified as older (United Nations Office on Drugs and Crime, 2009). For the purposes of this study older prisoners will be defined as those who are 50 years and older.

Howse (2002) notes that the vast majority of prisons have at least one prisoner of pensionable age, though in most cases the numbers are small – between one and five prisoners. The United Nations Office on Drugs and Crime (2009) reviews studies conducted in the United States, Australia, Canada and the United Kingdom which identify three main groups of older prisoners: those who committed crimes when they were younger and have become older in prison. This group of prisoners is likely to have committed violent crimes at a young age; chronic offenders who have been repeatedly imprisoned throughout their lives; those who have been found culpable of having committed offences, including sex crimes. Dannefer and Phillipson (2011) state that “…the majority of men in prison aged 60 and over (56 per cent) have committed a sexual offence: among those 6,069, 52 per cent have been imprisoned for sex-related offences, and among the over 70s it is 73% …” (p. 5). Similarly, Phillips (2006) states “…three quarters of older offenders have been convicted of violent or sexual offences; most are men” (p. 56). These groupings are similar to those proposed by the American Civil Liberties Union (2012), which are as follows:

1. Those who were first imprisoned when they reached 50 or older for such crimes as homicide and sex-related crimes.

2. Those who were first imprisoned before they reached the age of 50 and have remained in prison for 20 years for offences, such as, petty crimes or drugs.
3. Chronic offenders who have served manifold periods of imprisonment and who were imprisoned under the age of 50 for offences including unlawful entry into premises, robbery or drugs.

4. Those who were imprisoned for a sole offence prior to the age of 50 and who have not yet served 20 unbroken years for an offence including unlawful entry into premises, robbery or drugs.

What is clear is that the number of older prisoners is increasing in most western jurisdictions (Collins & Bird, 2006; Grant, 1999; United Nations Office on Drugs and Crime, 2009). Abner (2006), for example, states, “…older inmates represent the fastest growing segment of federal and state prisons [in the US]” (p. 9). In Australia, Baidawi, Turner, Trotter, Browning, Collier, O’Connor and Sheehan (2011) report that there is “…a clear trend towards increased numbers of older prisoners and the growth of this inmate group is paralleled in prisons in the United States, United Kingdom and New Zealand” (p. 1), with Metherell (2013) noting data showing that 11 per cent of the Australian prison population was aged over fifty in 2010. Abner (2006) observes, “…some estimates suggest that the elder prisoner population has grown by as much as 750 per cent in the last two decades” (pp.8-9). During the period from 2007 to 2010, “…the number of sentenced state and federal prisoners age 65 or older [in the US] increased by 63 per cent” (Human Rights Watch, 2012, p. 6). In some jurisdictions there has been an exponential growth in older prisoners.

This apparent rise in the number of older prisoners is thought to be a result of individuals tending to live longer and thus having more opportunities to commit crime. It may also be because more offenders are being imprisoned and the mechanisms for early release are less available than they were previously (Human Rights Watch, 2012; US Department of Justice Office of the Inspector General, 2013). Retributionist laws, for example three strikes legislation, may also contribute to the influx of older prisoners (Abner, 2006, American Civil Liberties Union, 2012; Human Rights Watch, 2012; United Nations Office on Drugs and Crime, 2009; Williams, McGuire, Lindsay, Baillargeon, Cenzer, Lee, & Kushel, 2010).
2.1 Older Prisoners’ Needs

Although older prisoners share common concerns and interests with other prisoners, they have distinctive needs. Needs may, nonetheless, vary between groups of older prisoners who committed offences at different ages (Tomar, Treasaden, & Shah, 2005). For example, those who committed violent crimes at a young age and who have been imprisoned for a lengthy period of time often struggle to preserve and develop social and work-related links. Another example is chronic, or repeat, offenders who have been recurrently imprisoned throughout their lives and have diminished communal and work-related supports. Finally, there are those who have been found culpable of having committed offences, including sex crimes that occur later in life. It has also been suggested that the loss of social relationships through the death of family members and associates takes a particular toll upon the mental health of some older prisoners.

2.1.1 Social and Emotional Needs

One of the most profound negative effects of prison on older prisoners is depression (Murdoch, Morris, & Holmes, 2008). When older prisoners become depressed they may “…simply reduce their activity level, withdraw, and become invisible…” (p. 213). Older individuals might become disillusioned when they become aware of a disconnection between their aspired life goals and what they have achieved (Akers & La Greca, 1988). This could be associated with confusion about personal identity and a lack of coping strategies to address stress (Aday & Krabill, 2011). As a result older prisoners may become pessimistic and lose hope that their life situations can be improved (Booth, 1989).

According to Easton (2011), “…isolation is one of the most destructive aspect of imprisonment” (p. 143). Isolated prisoners are at risk of self-harming (Crighton, 2006; Shaw & Humber, 2010; Snow, 2006) and may struggle to respond to issues, such as grief, loneliness, personal finances and safety (Stoukides, Holzer, Ritzau & Burbank, 2006a). There are particular life situations that are crisis ridden for older individuals. These include the loss of an intimate partner, degenerative health conditions and loss of work status.
Older prisoners may depend on their families in a number of ways, including for encouragement to develop a suitable diet, to exercise, and for visitation (Aday, 2003; Aday & Krabill, 2011; Wahidin & Cain, 2006). Prison can have a detrimental effect upon both family relationships and personal friendships (Aday, 2003, Aday & Krabill, 2011; Baidawi, Turner, Trotter, Browning, Collier, O’Connor & Sheehan, 2011; Easton, 2011; Fry, 1988; Mann, 2012; Wahidin, 2004) and it can be costly for older prisoners to maintain and develop connections with their families. Contact with family members may, of course, have both positive and negative implications. For example, families can help prisoners to develop a sense of identity which is not defined solely by their criminal conduct (Mann, 2012), but others may become despondent and stressed about the suffering that their family members on the outside experience. Of course, some prisoners form friendships in prison (Aday & Krabill, 2011; Mann, 2012), which can help them to overcome some of the individual challenges that they experience, including coping with a loss of social status in advancing years (Aday, 2003; Phillips, 2006).

2.1.2 Physical Needs

Older prisoners often experience significant health problems (Hayes, Burns, Turnbull & Shaw, 2012). According to Loeb, Steffensmeier and Myco (2007) inmates aged 50 years and older have a disproportionately high disease burden. Likewise Baidawi, Turner, Trotter, Browning, Collier, O’Connor and Sheehan (2011), Champion (1988), Easton (2011), Gewerth (1988), Phillips (2006), Picchi (2013) and Wahidin (2004) have all indicated that older prisoners experience failing physical and thought processes, and long-term physical and psychiatric disabilities. These might include respiratory and breathing diseases, disturbing thoughts, trauma and dementia. Dementia amongst older prisoners is becoming increasingly problematic, for example, in the United Kingdom (Moll, 2013). Other examples of the conditions that older prisoners commonly experience include “…arthritis, cardiac, and hypertensive disorders, diabetes mellitus, and cancer” (Booth, 1989). Some conditions, such as those, which impact the heart, lungs, kidneys, intestines, urinary tract, lower older prisoner’s immunity to infection (Aday, 2003; 2006; Aday & Krabill, 2011; Wahidin & Cain, 2006). As Watson (1989) states, “… to the frail elderly, a prison sentence can be a death sentence” (p. 143). Perhaps home detention or a nursing home would be more appropriate for older frail prisoners who constitute low security risks.
Prison architecture can create additional problems for older prisoners (Gideon, 2013; Wahidin, 2006). Prisoners in institutionalised care, for example, are three times more likely to fall than their peers who are living in the community (Stoukides, Holzer, Ritzau and Burbank, 2006b). In addition, prisons may have inadequate temperature controls and insufficient lighting (Aday & Krabill, 2011, Booth, 1989). Noise can also be an issue, particularly for older prisoners and their cellmates (Moore, 1989). Older prisoners may snore and this can disturb other’s sleep and contribute to stress (Aday & Krabill, 2011).

2.2 The Challenges

Aday and Krabill (2013) state, “…prisons have been slow to respond to the social, physical and mental health needs of…[older prisoners]” (p.203), despite Wahidin’s (2004) recommendation that prisoners should have, “…educational, recreational and adequate medical facilities available to elders…” (p. 86). Dannefer and Phillipson (2011) call for the development of comprehensive policies to address the needs of increasing numbers of older prisoners. According to Mann (2012):

“There needs to be a clear examination of the main problems encountered by older offenders in order to deduce what changes need to be made to the foundations of the prison service in order for it to meet the needs of the whole population, and prevent the long accepted disregard of what is potentially the most needful section of the prison population” (p. 101).

Older prisoners’ needs and situations risk being lost in the general prison population and services should be adjusted to meet their requirements.

There may, for example, be benefits to establishing special needs units for older prisoners, employing specialist staff, and developing specialised post-release services (Aday, 2003; Dannefer & Phillipson, 2011; Moore, 1989; Smyer, Gragert, & Martins, 2006). Aday (2003) sees the necessity of “prison nursing homes” (p. 1). Proponents of segregation indicate that this can help to protect older prisoners from younger ones who may have more physical capability (Aday, 2006; Aday & Krabill, 2013; Fry, 1988; Oakes, 2013), although concerns have been expressed that age segregation may also contribute to older prisoners becoming chronically dependent upon institutional care to meet their needs (Mann, 2012). In addition, both Mann
(2012) and Booth (1989) suggest that correctional professionals may be confused by their roles and act more as custodians rather than carers towards older prisoners.

The Florida House of Representatives Criminal Justice and Corrections Council Committee on Corrections (1999) and Wahidin (2006) both estimate that the costs of maintaining older prisoners are about triple the costs of those for younger inmates. The Committee (1999) argued that “…failure to begin addressing the problems and costs associated with older inmates may lead to a corrections crisis similar in proportion to that of the early nineteen nineties concerning the availability of inmate beds” (p. 61). There is a role for applying preventative approaches to address challenges and expenses that are associated with older prisoners. Societies as well as prisoners pay for the costs that are linked to imprisonment (Bachand & Chressanthis, 1988).

2.3 In Summary

In conclusion, in this chapter this researcher has defined the population of older prisoners and has begun to articulate the context for current research by identifying the specific needs and the challenges that correctional administrations face. There is a lack of agreement as to when a prisoner becomes older. Definitions of older prisoners range from 50 to 65 years. Retributionist legislation, such as, three strikes laws and barriers to obtaining early release have contributed to increasing numbers of older prisoners (Woodard, 2013). Older prisoners may have unique needs particularly if they have been in prison for lengthy terms and have depleted personal, social and vocational resources. They could become inactive and depressed in prison. Segregation can help to lessen incidents when older prisoners are subjected to others victimisation. A possible disadvantage of segregation is that older prisoners could become chronically dependent upon institutionalised care to address their needs. The next chapter considers the human rights context in which older prisoners are imprisoned. Rights are placed into four groupings including dignity and privacy, social and political liberties, equality, safety and well-being.
CHAPTER 3: HUMAN RIGHTS AND REGULATORY ENVIRONMENTS

In the last chapter this researcher mentioned definitions, numbers, requirements and problems linked to older prisoners. In this chapter aspects of human rights and regulatory environments are commented upon. These rights are diverse and may range from the rights of privacy to safety. In the first research question this researcher asked, “How can correctional professionals address the needs and rights of older prisoners?” One-way of addressing this is to recognise that rights are often embedded in regulatory environments. Rights might exist in name only unless they are upheld through the courts. However, legislation and regulatory frameworks may not be adequate to address attitudinal factors that have an impact upon older prisoners’ needs and rights. The public including correctional professionals could have negative attitudes towards older prisoners and perceive them to be a burden upon taxpayers.

In 2009 the House of Commons Justice Committee indicated, “The Prison Service's statement of purpose reads: Her Majesty's Prison Service serves the public by keeping in custody those committed by the courts. Our duty is to look after them with humanity and help them lead law-abiding and useful lives in custody and after release”. Key aspects of this purpose include public service by retaining people who have been sentenced in custody. This appears to be in contrast to the treatment, for example, of African-American prisoners during the American Civil War. This War was fought from 1861 until 1865 (McPherson, 2014). Witt (2013) suggested that the Confederate States of America viewed African-Americans as being “… either slaves in insurrection or abolitionists stirring up insurrections. They announce in no uncertain terms that their approach will be to execute those black soldiers. They’re not soldiers. They’re just criminals”. When States and groups consider that people, including prisoners are less than human, questionable and even cruel practices towards them might occur.

A significant group of older prisoners in this study had military backgrounds. Experiences of direct engagement with enemy forces could involve witnessing death or fearing for theirs sand their comrades’ survival. These experiences are not new ones. Tragically military members and civilians from both the Confederate and Union States of America suffered injuries and deaths during the American Civil War. The Union States of America were informed by
Lieber’s Code. Solis (2012) states, “Francis Lieber, then, was the first to promulgate a codification of the law of war for soldiers”. At center focus in Lieber’s code was the notion of “military necessity” (Solis, 2012, p. 42). There are negative consequences when people linked to their ethnicities, age or unlawful acts are subject to summary execution or punishments. When such acts occurred States might have argued that they took lives or detained prisoners to weaken their enemies out of military necessity (Solis, 2012). Carnahan (2013) and President Lincoln seemed to condemn treating prisoners including those of war cruelly or executing them linked to their custodian’s needs for vengeance. This approach was later reflected in, for example, common Article 3 of the four Geneva Conventions (International Committee of the Red Cross, 2014).

Each era in corrections has had a particular set of practices and policies. During the 18th century jail was considered to be a form of retribution; jail environments were harsh and there were chaotic, dirty and overcrowded conditions. In the late 19th century prisoners from the Union States of America at, for example, “Fort Sumter” were subject to harsh conditions, including an absence of the necessities of life, such as, food and water, and overcrowding (Solis, 2012). In the early 20th century emphasis was given to attributing criminal activities to individual deficiencies rather than social dysfunction (Munn & Bruckett, 2013). During the 1970’s greater attention was paid to the goal of rehabilitation (and debates about whether this was possible), before the “tough on crime” approaches characterised by harsher sentencing began to prevail in the 1990s (Aday & Krabill, 2011). It is nonetheless accepted that “…discipline shall be no more restrictive than what is necessary to ensure custody and order” (Standard Minimum Rules for the Treatment of Prisoners). In other words, punishment for wrongdoing is sufficient when individuals are imprisoned. The Prison Service has obligations to treat prisoners humanely and to develop their skills to become successfully reintegrated into the community.

Varying conceptual frameworks have been applied to describe what human rights comprise. These include both natural law and positivist approaches. A focus in natural law is on equality. Natural law supersedes positive edicts or human made law. In contrast, positivists often perceive that there is an authoritative sovereign, which upholds enacted laws and derives – “sanction from coercion” (Shestak, 1998). It is beyond the scope of this thesis to consider in greater detail these outlooks; suffice it to say that each right seems to involve both subject matter
and a personal scope and all individuals can claim that right. These rights often involve particular liberties, immunities, and advantages \textit{(American Convention on Human Rights, art 7; European Convention on Human Rights, art 5 (1); General Comment No 6: The Right to Life (art 6): (30/04/82) s 2)}.

Under the \textit{European Convention on Human Rights} the right to life is protected although this is subject to limitations. These limitations comprise a court imposed death sentence and the necessary use of force for the objects of self-defence, arresting a person, or to prevent an insurrection or civil disobedience. Presently in peacetime the European States forbid the taking of life under s 2 of the \textit{European Convention on Human Rights}. The \textit{International Covenant on Civil and Political Rights} does not include reference to a maximum age limit for administering capital punishment. The following exceptions seem to be applicable to the right to life. These exceptions include being a combatant or taking actions against an aggressor who causes an imminent threat to a hostage.

Human rights are mentioned in both the \textit{Universal Declaration of Human Rights} and the \textit{International Covenant on Civil and Political Rights}. The \textit{International Covenant on Civil and Political Rights} theoretically protects “…civil and political rights, such as the right to life, freedom from arbitrary detention, and freedom of expression” (Joseph, Schultz & Castan, 2005, 7-8). The 1st amendment incorporates such rights as those pertaining to freedom of creed, speech, media, assembly, and to appeal to the government for remedies to address complaints \textit{(The Bill of Rights, 1791)}. The right of Internet access seems to be applicable to such civil and political rights as freedom of speech. Computers and the Internet can be important communications tools to help prisoners including older ones to maximise their potential (United Nations Office of the High Commissioner for Human Rights, 2009). Email can be a means for prisoners to be able to communicate with their counsel. Furthermore, prisoners may contribute to newspapers, through their electronic submissions and develop their literacy skills.

If prisoners, including older ones, do not have access to or have severe restrictions on their use of computers and the Internet which prevent them from being able to access email and other online materials this may offend 1st amendment rights under the US Constitution \textit{(The Constitution of the United States of America; Jaksic, 2006)}. These rights might be limited to maintain security in jail \textit{(Jones v North Carolina Prisoners' Labor Union [1977])} and, of course,
there are legislative limits to freedoms of speech and the press, for example, copyright infringement (*Convention on Cybercrime* 23.XI.2001 [enacted into force 1 July 2004]; *Copyright Act* 1968 [Cth]; *Computer Misuse Act* 1990 [UK]).

Prisoners do not automatically lose these inalienable rights when they are imprisoned. Human rights instruments, such as, the *Charter of Rights and Freedoms* 1982 (C) could be societal codes that are intended to safeguard the liberties and freedoms of all citizens including prisoners. It is important to note that the European Court of Human Rights has rejected the adoption of blanket policies to cover every unique circumstance that prisoners might encounter (Easton, 2011). There are, of course, competing rights including those that are linked to individual and community liberties. There are tensions between the rights of the community to be protected and the rights of the individual (HM Chief Inspector of Prisons, 2004; Vess, 2010). The risk to the public in releasing some older prisoners may, however, be negligible. In their 2012 report, the American Civil Liberties Union recommend the use of conditional release for older prisoners who constitute minimum risk to the public. There can be merit in developing “medical parole” for those who may not be expected to live longer than twelve weeks (HM Chief Inspector of Prisons, 2004; Neumeister, 2013).

International instruments, such as, the *International Covenant on Civil and Political Rights*, are useful in understanding the current way in which services respond to human rights as experienced by older prisoners. In this research particular attention is given to those aspects of human rights that are linked to dignity, privacy, education and equality (Madrid International Plan of Action on Ageing, 2002; Manitoba Law Reform Commission, 1999). These instruments provide a useful lens through which to view the current way in which services respond to the needs of older prisoners. For example, *Principle 12 of the United Nations Principles for Older Persons* (1991) recognises the rights of older people to be autonomous. Correctional professionals are responsible not to act in an arbitrary manner and to respect the autonomy of prisoners (Human Rights Watch, 2012). Prisoners have rights to be treated with regard for their personhood (*Basic Principles for the Treatment of Prisoners*, 1990, ss 1-2). Thus, at all times correctional professionals and prisoners should be treated with respect for their personhood (Human Rights Watch, 2012; United Nations Office on Drugs and Crime, 2009). There are, however, no absolute rights other than perhaps freedom from enslavement. Countries, such as
the, USA, Canada, Australia and New Zealand have different legal duties. For example, the latter countries are not subject to the *European Convention on Human Rights*. Nonetheless, human rights-based approaches that are adopted to work with older prisoners in one region may assist another jurisdiction to develop both policies and practices to assist older prisoners (Dannefer & Phillipson, 2011). Perhaps at center focus is respect for the inherent dignity and privacy of persons, as well as broad principles linked to duty of care (Allison, 2012).

3.1 Dignity and Privacy

Respect for the inherent dignity and privacy of persons are key human rights principles (*European Convention on Human Rights* art 8; United Nations Office on Drugs and Crime, 2009; United Nations Principles for Older Persons, Principle 17). Older prisoners may not always enjoy the benefits of these rights. Prisoners who age in institutional care and require medical care, for example, are likely to experience threats to their privacy. Fry (1988) defines privacy as “… an absence of environmental irritants, including crowding” (p. 176). A lack of privacy can have a detrimental impact on prisoners’ coping capacities and relationships with their families (Aday & Krabill, 2011). Prisoners’ connections to their families may be interrupted by prison transfer, for example, to institutions that are further away from their relatives than the ones in which they were previously located (Aday & Krabill, 2011; Easton, 2011). Under arts 8 and 12 of the *European Convention of Human Rights* there is a right “…to private and family life” (Easton, 2011). There can be advantages to fostering (rather than interfering with) family relationships. Families can provide emotional and instrumental support to prisoners and ex-prisoners.

3.2 Social and Political Liberties

The right to education is recognised by the United Nations (*Basic Principles for the Treatment of Prisoners*, 1990 s 6; United Nations Office of the High Commissioner for Human Rights, 2009). Smyer and Gragert (2006) also refer to the right to education. The United Nations Office on Drugs and Crime (2009) has suggested that “…staff bias against the participation of older prisoners in prisoner programs has been noted in some research… factors that are associated with this bias include misconceptions that older prisoners are not likely to progress and resources to assist them are likely to be wasted” (p.125). On release in the community older prisoners’ educational and employment prospects of success are limited. Burnett (1989) states,
“…when the offender is old, the legal issues become entangled with aging issues” (p. 9). Aging issues include illness and disability. Older prisoners may be too sick or disabled to find gainful employment or may not be eligible for work-related assistance because they have inadequate employment histories. Effort should be made for prisoners to access schooling, training and behavioural modification. Prisoners who are illiterate should have access to schooling to address this problem (Easton, 2011).

3.3 Equality

Often human rights are linked to equality. Ward and Birgden (2007) refer to “…equality before the law, and freedom from discrimination on the grounds of religion, gender, disability, or some other feature considered to be irrelevant for the ascription of individuals' moral status” (p. 631). Maybe all persons should have a right not to be discriminated against and to have equal protection under law (Universal Declaration of Human Rights, 1948, s 7). Each individual without being subject to discriminatory practices should enjoy liberty, security of person, confidentiality, a satisfactory living standard, health maintenance and instruction (Council on Social Work Education, 2008, s 2.1.5). Bias and discriminatory practices might be overt or latent (Burnett, 1989; Feinberg & McGriff, 1989). Burnett (1989) states, “Most criminal justice agents are not aware of their own biases to the ages of their [clients]…” (p. 5). When correctional professionals work or are otherwise involved with older prisoners often issues pertaining to both the law and age arise.

Both older and younger prisoners should enjoy security of person. The State has a duty of care to safeguard older prisoners from attacks from younger prisoners (Abner, 2006; Human Rights Watch, 2012; United Nations Office on Drugs and Crime, 2009) and older prisoners may not have the physical, cognitive and emotional strength to defend them against bullying. According to Ireland (2006) bullying involves physical, affective, or spoken unprovoked and repeated aggression, which the bully anticipated, would cause the victim to become afraid for their safety. Older prisoners could be victimised by younger and other prisoners and staff (Human Rights Watch, 2012). Care also needs to be taken in the allocation of older prisoners to provide for their safety (United Nations Office on Drugs and Crime, 2009; Wilson, 2005). For example, older prisoners may become isolated, be unable to contact staff through a call system in their cells or hear staff call their names (HM Chief Inspector of Prisons, 2004). Adequate
clothing should also be provided to give opportunities for older prisoners to participate in exercise programs (HM Chief Inspector of Prisons, 2004).

3.4 Safety and Wellbeing

Broadly human rights include the right to life, not to be subject to violence, torture, degrading or discriminatory treatment (Brooke, 2001; Convention Against Torture and Other Cruel, Inhuman or Degrading Punishment, Human Rights Watch, 2012; Kindred Saunders, Brunnee, Currie, McDorman, deMestral, Mickelson, Provost, Reif, Toope, & Williams, 2006; Singh, 2001; United Nations Office on Drugs and Crime, 2009). Under art 1 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Punishment torture denotes every action in which “…severe pain or suffering, whether physical or mental, is intentionally inflicted on…” an individual. There is much wisdom in not being cruel to prisoners as Solis (2012) indicates. Solis (2012) writes, “Self-interest dictates an avoidance of needless cruelty, lest that same cruelty be visited upon ourselves”. Prisoners should not be subject to cruelty or torture.

Torture that is directed towards attaining from a person or a third party an admission is unlawful under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which came into being in 1984 (Solis, 2012). Punishments that comprise torture of a person or a third party for actions that the individual or a third party has enacted or is alleged to have undertaken are illicit. Torture “…does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions” (Convention Against Torture and Other Cruel, Inhuman or Degrading Punishment, art 1). The State is prevented from consenting to carrying out discriminatory treatment that is intended to threaten or coerce a person or a third party to disclose information.

Prisoners, staff and the public have the right to be safe (HM Inspectorate of Prisons, 2004; Human Rights Watch, 2012; Scott & Ward, 2001; United Nations Office on Drugs and Crime, 2009; Wilson, 2005). In sum, the State has a specific duty of care to safeguard older prisoners from attacks from younger prisoners (Abner, 2006; Human Rights Watch, 2012; United Nations Office on Drugs and Crime, 2009). Older prisoners may not have the physical, cognitive and emotional strength to defend them against bullying and can be victimised by younger and other prisoners and staff (Aday & Krabill, 2013; Bajkowski, 2013; Human Rights Watch, 2012, Viner, 2013). Care also needs to be taken in the allocation of older prisoners to
provide for their safety so that they are not subject to bullying (Fry, 1988; United Nations Office on Drugs and Crime, 2009; Wilson, 2005).

3.5 In Summary

There has been an exponential growth in the number of older prisoners. Limited budgets may contribute to older prisoners' needs and situations being neglected in correctional contexts. This could in time result in cruel and unusual punishment occurring in prisons (Brown v. Plata (2011) 131 S.Ct. 1910; Robbins, 1999). Problematic conditions might trigger older prisoners' distress, self-harming behaviours, premature ageing and victimization from others in prisons. Government organisations have a duty of care to assist older prisoners. Correctional professionals’ perspectives were placed at center stage in this thesis. Notable writers who have added to the literature that is connected to understanding older prisoners situations include Aday (2003, 2006); Bramhall (2006); Dannefer and Phillipson, (2011); Gubler and Petersilia (2006); Johnson (1988); Murdoch, Morris, and Holmes (2008) and Smyer, Gragert and Martins (2006). This researcher has contributed to the literature. She combined works that are linked to older prisoners in Chapter 2 with broader readings linked to human rights in this chapter.

Four groupings of rights have been included in this chapter. These include dignity and privacy, social and political liberties, equality, safety and well-being. There are particular human rights instruments, such as, the American Convention on Human Rights; the Bill of Rights; the Charter of Rights and Freedoms; the Constitution of the United States of America; the Convention Against Torture and Other Cruel Inhuman or Degrading Punishment; International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The common theme that binds these instruments is the recognition of varying aspects of human rights. This researcher has often cited first hand domestic and international rights instruments, for example, to develop awareness about the depth and breadth of these entitlements.

In this thesis knowledge from the established literature in Chapters 2 and 3 and from 33 participants from six countries in Chapter 5 have been combined. A focus in human rights instruments is often on maintaining and developing dignity of persons and upholding social and political rights. All humans have equal claims to rights, such as, equality, safety and well-being.
Critiques of human rights suggest that they are entrepreneurial and are dependent upon the good will of the State to be realised. Participants have had opportunities to be involved in this study through both the questionnaire and interviews. Information about the research methodology and methods appear in the next chapter.
CHAPTER 4: RESEARCH METHODOLOGY AND METHODS

In the last chapter four groupings of rights, the regulatory environment in which they are situated and this researcher’s contribution to the literature were mentioned. In this chapter there is reference to the methodology, research participants, procedure and analysis. A major aim of this thesis is to honour and recognise expertise by privileging professional perspectives on how to improve the needs and situations of older prisoners. There were two main research questions that drove this research. There is merit in researchers who undertake qualitative analysis choosing the most appropriate methodology for the research questions. In the first research question this researcher asked how correctional professionals could address the needs and rights of older prisoners. The second research question asked how correctional professionals who have had interaction with older prisoners comprehend their roles with them. To address these questions a hermeneutic phenomenological methodology was employed in this study to identify the multifactorial and contextual aspects that impact upon professional practice.

4.1 The Participants, Research Methodology and Methods

Pearlman and Maclan (1995) describe research participants as those who self-identify as having the requisites to be included. In this study those who self-identified as working with or being otherwise involved with older prisoners were invited to complete the questionnaire and to be interviewed. They were recruited after contact was made with government departments in six countries, and included prison and parole officers, psychologists, social workers, counsellors, nurses, the clergy, and medical practitioners. These correctional professionals all hold knowledge that is relevant to the treatment of older prisoners from a human rights perspective. There were 33 participants in total and these included 17 females and 16 males. Participant’s places of birth and countries of residence included Australia, Canada, England, Ireland, New Zealand, and the United States. Their first language was English with the exception of one participant whose main language was French.
Questions raised in the context of this study were addressed through a hermeneutic phenomenological perspective. van Manen (2003, p. 180) combines “descriptive (phenomenological)” and “(interpretive) hermeneutic” approaches. Whilst phenomenology tends to place emphasis on life experiences hermeneutics often places onus on interpretation (Cherry, 1999; Hyde, 2005; Kinsella, 2006). Hermeneutics has been applied in a number of disciplines, including the sciences and theology (Cohen, 2000; Ihde, 1998; Klemm, 1986).

Hermeneutics involves the philosophy and implementation of interpretation (Klemm, 1986; Van Manen, 2003). A focus on hermeneutics might be on understanding participants’ everyday responses and how they address novel situations. At such times their regular practices might not work (Little, 2008; Quinn, 2011). Hermeneutics can offer a frame of reference to assist researchers to develop their understanding of happenings in an organisational milieu (Kerdeman & Odman, 1999; Palmer, 1969; Schmidt, 2006). Hermeneutics could be an approach to enhance open communications, to interpret different phenomenon and to interact with others (Palmer, 1969). Phenomenological approaches can explain practices that occur in personal and social contexts (Schmidt, 2006; Thompson, Pollio, Locander, 1994; van Manen, 2003).

Hermeneutic phenomenological research could assist participants to identify and explore varying possibilities to develop personal insights into problematic situations (Misgeld & Jardine, 1989). Hermeneutic phenomenological approaches may involve life experiences, communication, elucidation and translation (Bjorn & Kristin, 2013; Palmer, 1969). These experiences might include day-to-day personal and social relationships (Merriam, Caffarella & Baumgartner, 2007). Individual experiences and insights have the potential to transform organisational cultures (Brockbank & McGill, 2012). This approach can help researchers to understand how individuals comprehend and make meaning of their lives (Kahn, 2000; Kerdeman & Odman, 1999, Palmer, 1969).

Through a hermeneutic phenomenological inquiry participants’ personal experiences and quest to develop meaning may be noted (Steeves, 2000; Thompson, Pollio, Locander, 1994). There does not appear to be “cookie cutter” approaches to carrying out hermeneutic phenomenological research and these kinds of studies can vary in both form and content. Focus in this research is on how participants mark and comprehend their work or other involvement with older prisoners (van Manen, 2003). A hermeneutic phenomenological approach places
emphasis on the researcher venturing beyond personal perspectives and subjective experiences to consider social and contextual factors (Cohen, 2000; van Manen, 2003; Wahidin, 2004). When this researcher applied a hermeneutic phenomenological approach in this study her emphasis was on understanding the meaning of the subject matter based on participants’ experiences. These participants self-identified as being involved in the field of corrections.

A questionnaire (see Appendix 1) was administered to correctional professionals who work with or are otherwise associated with older prisoners. Each question was designed to invite participants to respond to, for example, how the delivery of support to older prisoners could have improved their rights to equality, safety, dignity and education. Perhaps if correctional professionals recognised and upheld these rights older prisoners’ emotional, physical and social needs might be developed. In Questions 1 to 11 this researcher sought out participant’s demographic information. This information included participants’ ages, country of birth, where they resided, occupations and employment status. If participants’ worked on a part time basis they were asked to comment on this. Furthermore participants were questioned about the organisations for whom they worked and if these were, for example, government administered or otherwise. Participants were asked how many staff there were at their places of work. In questions 11 to 14 participants were questioned about how they would define an “older prisoner” and their association as correctional professionals who work or are otherwise involved with older prisoners. Participants were asked to mention their duties at work. Questions 15 to 18 were centred on understanding participants’ experiences, definitions, understanding and roles linked to older prisoner’s equal protection, and limiting discrimination against them.

In Questions 19 to Question 20 participants were asked to mention how important it was to them that older prisoners’ well-being and dignity were considered, how they might go about promoting these rights whilst overcoming obstacles that might prevent them from being actualised. Furthermore, this researcher was interested in hearing from participants about what the concept of prisoners having access to education, and what they might have done at work to advance educational initiatives. It was recognised that there could be limits that participants would need to traverse to assist older prisoners to access educational services. In Questions 22 to 23 participants were asked to define prisoners’ equal rights and the value they placed on older
prisoners’ entitlements. Participants were asked to comment upon how they might go about advancing older prisoners’ equal rights and what obstacles they may have faced in doing this.

This researcher asked participants in Questions 24 to 25 about the value that they placed on older prisoners’ privacy and safety, how they might help to have these rights realised and what limitations they may have faced in protecting these. In Question 26 participants were questioned about safety linked to staff, prisoners and visitors. This researcher asked participants in Question 27 about their work conditions and how these could be changed. In Questions 28 to 30 participants were asked if culture, emotional or institutional challenges have an impact upon their experiences with older prisoners. This researcher asked participants in Question 31 to note the most positive aspects linked to their work or involvement with older prisoners. Finally in Questions 32 to 34 participants were questioned if they had strategies to address older prisoners’ needs. They were also asked if they had any questions about this research. Participants were given opportunities in the questionnaire and interviews to make further comments. Participants’ backgrounds and demographic characteristics are described in more depth in Appendix 2.

The data sources for this study included materials that were generated through questionnaire and interviews. Interviews are consistent with a hermeneutic phenomenological approach to research (Cohen, 2000; van Manen, 2003). There is an inner conversation in the hermeneutic circle and from there researchers might apply metaphors, explanations and background understanding to interpret what they hear or interpret about an interview (Love, 1994). This situation is illustrative of a “hermeneutically circular” style (Addison, 1989). This study has not been contained by isolated elements and has ventured beyond these (Eden, 1997; Packer & Addison, 1989a). As rich understanding about a whole data set develops researchers can analyse differing explanations, for example, for work-based activities (Cohen, Kahn & Steeves, 2000). These processes can occur in hermeneutic circles.

4.2 Procedure

Participants had options as to whether or not they chose to answer a question or otherwise. The procedure for administering the questionnaire and interviews was developed following a pilot study conducted in August 2012. Through the questionnaire and the interviews participants had opportunities to disclose in their own words the answers to the questions that this researcher asked of them. The professional group from which participants came was noted.
Participants were associated with a number of backgrounds including practice and policy making. Participants had varying thoughts and experiences, but they shared a common situation: a linkage to the field of corrections. Participants’ voices were heard in the context of this study as to how to address older prisoners’ emotional, physical or social needs (see Appendix 2). State departments and networks were asked to provide details about the study to their staff and members. A total of 16 government organisations participated in this study. Ethics approval was obtained from each of these organisations (see Appendix 3).

There are advantages to surveys or questionnaires being transmitted electronically to participants. For example, these kinds of research instruments can be convenient and offer researchers flexible design and delivery choices (Roster, Albaum & Smith, 2014). Participants were emailed a plain language statement, a consent form and a questionnaire. Interviews took place over the phone at a mutually convenient time for the participant and this researcher and were audiotaped. The telephone-based interviews were goal directed towards understanding older prisoners’ needs and situations as participants perceived them to be. Each interview was time limited (this lessened the time for reflection, re-assessment and modification of participants’ thoughts). Often participants took time off their busy schedules to have contact with me. Others at their work needed to make up for their absence during the interviews. The average duration of the interview sessions was twenty to forty minutes. Participants were asked to email, fax or post-relevant materials to this researcher. Data sources included materials from informal interviews and individual consultations, and any other relevant literature. Data were collected from October 2012 to September 2013. A draft thesis was then emailed to key organisations with which this researcher had written contractual obligations. This provided these organisations with opportunities to give feedback to her. For the purposes of confidentiality all participants were given pseudonyms and substantive identifying information was not reported.

4.3 Analysis

The analysis of research data is based on the research questions and theoretical underpinnings. It is important in a hermeneutic phenomenological approach to develop understanding about participants’ circumstances, viewpoints on particular subject matter and social milieus (Packer & Addison, 1989a). Studies, such as, this one may involve creative processes to develop an in-depth understanding of data (Minichiello, Aroni, Timewell &
Alexander, 2000; Vogel, Epting and Wester, 2003). There can be merit in noting when participants are silent and have gaps in their accounts (Cohen, Kahn & Steeves, 2000). Meanings may be inferred from the context in which data is generated (Lapan, Quartaroli & Riemer, 2012; Merriam, 1998).

This researcher collated and organised forms of data from the questionnaire and interviews and became immersed in the research material (Wahidin, 2004). Focus in this study was not on counting the number of times key words arose per se, but to evaluate latent and overt concepts that arose from data sources. This researcher documented substantive points in data sources. She looked beyond the data and considered pertinent literature and the broader social context in which this research was embedded. Aspects of the data ranged from sole words to participants’ answers to open questions. Later data sources were compared and contrasted against the existing themes. Patterns arose in the questionnaire and the interviews in response to particular questions that this researcher asked participants. Patterns occurred and this suggested to this researcher that new concepts could be emerging.

As this researcher collected forms of data she generated provisional inferences for phrases, written texts and conduct that arose in the context of this study. These are activities that Klemm (1986, p. 23) says build a “hermeneutic circle”. This researcher transcribed forms of data and she was keen to have an overview of information before she considered its association to the unfolding materials. This researcher analysed data sources and this kept the interview process fresh in her mind. Emphasis was on considering how a part of the research data was associated with the whole set of materials. The data sources were organised into differing themes that reflected participants’ various comments. Consistent with van Manen (2003) this researcher created sub-themes to systematically manage the intricacies of the subject matter (van Manen, 2003). Through the process of thematic analysis particular codes and meaningful patterns were identified.

This thesis served to document participants’ idiosyncratic voices. When the interpretive analysis was carried out; data sources were organised into sections (Cohen, Kahn & Steeves, 2000). This researcher collected information and then coded this. She placed coded data into specific sets to connect themes with each other (Coholic & Blackford, 2003). In the process of identifying metaphors and broadly ideas this researcher drew on her judgement and perceptions.
about what participants had been saying to her. As data sources emerged they needed to be compared against the context of the whole study.

4.3.1 Codes and Themes

Codes assisted this researcher to manage and reduce complex data. Codes were linked to phenomena that arose in the questionnaire and interviews. There are differing types of codes these include theoretical, affiliations, viewpoints, participant features, and location codes (Bradley, Curry & Devers, 2007). As this researcher created the codes she reflected upon, for example, the purpose, behind practitioner’s activities, what outcomes they were able to achieve and their understanding of work-related practices. As this researcher coded data sources she organized and noted important aspects of materials that formed common themes or dissimilarities.

The codes gave rise to themes, which in turn led to statements, phrases or groupings, which were the subject of analysis. Key themes arose from the interpretive analysis (Patton, 2002), which were associated with distinctive issues for participants and how their latent and overt thoughts and points of view appeared to impact upon their professional practices (Selman, Schultz, Caplan & Schantz, 1989). When researchers analyse texts they could locate themes and part themes and reduce data sources often to make them manageable. They create orders of themes and half-themes (Ryan & Bernard, 2003). Examples of themes include “…the treatment of and conditions for older prisoners” (HM Chief Inspector of Prisons, 2004). This researcher conducted a “thematic review” (HM Chief Inspector of Prisons, 2004). Examples of themes in this study include those that are associated with human rights, such as, dignity and privacy, social and political liberties, safety and well-being. Themes were compared against the whole set of data sources to locate interconnections or otherwise between phenomena. This researcher considered how the themes might address the research questions.

4.4 Limitations Of This Research

Participants were involved in this study on a voluntary basis. They signed informed consent forms. In this study contact was made with participants through email and phone. There may be problems in conducting Internet research that uses email. A participant may not be able to determine if the sender of an email is who they claim to be (Rutty, 2005). There might be difficulties for senders in transmitting unsolicited email to participants; for example, the
messages may be placed into junk mail (Geist, 2002). Thus, recipients might not have been aware that this researcher had contacted them. Some participants may expect to be able to access electronic materials in different formats and their buy-in may be limited if this does not happen (Hunter, Corcoran, Leeder & Phelps, 2013).

Participants’ available time for interviews was limited to 20 to 40 minutes. Given the nature of hermeneutic phenomenological inquiry, this period of time limited the conclusions that can be drawn from data sources. Individual accounts could be piecemeal and this might interrupt data continuity. A limitation of this method is that themes may be open to differing interpretation by various readers. According to Wilcke (2003) a hermeneutic phenomenological approach is a kind of qualitative research. In qualitative methods there is a subjective interpretation of data, which might emerge through the generation of codes, themes or patterns (Hsieh & Shannon, 2005; Palmer, 1969).

A focus in this research was on participants’ subjective circumstances and perspectives. This research should not be generalised or be considered to be representative of a broader population of correctional professionals and older prisoners (Gosling, Vazire, Srivastava & John, 2004). The sample size in this study that applied phone and email to connect with participants was small. The small sample was not representative of professionals who work with older prisoners; however participants’, for example, locations and backgrounds were diverse (Gosling, Vazire, Srivastava & John, 2004). A focus in this study was on having a small sample size. This provided this researcher with opportunities to acquire knowledge about participants’ lives and circumstances. The small sample size in this study provided opportunities for participants’ perspectives and experiences to be heard (Lapan, Quartaroli & Riemer, 2012; Packer & Addison, 1989b). There is merit in focusing depth of analysis on a few participants rather than having surface knowledge about many (Merriam, 1998; Patton, 2002).

Some critics have questioned the acceptability of many approaches under qualitative frameworks because of the challenges that can be associated with replicating this kind of research (Minichiello, Aroni, Timewell, & Alexander, 2000). The approach that this researcher adopted to select participants enabled her to develop in-depth perspectives from participants about, for example, “…the treatment and conditions for older prisoners” (HM Chief Inspector of
Prisons, 2004, p. 42). In this study this researcher explored themes as mentioned by correctional professionals from a human rights perspective. Thematic analysis may not pick up on subtle differences in the data.

There is merit in readers reasoning beyond broadly quantitative terms, such as, “...objectivity, proper procedures, reliability and validity” (Bogdan & Biklen, 1998, p. 205). Packer and Addison (1989c, p. 288) write, “Those who seek fixed validity criteria are requiring something of interpretive inquiry that, in actuality, not even natural science can provide”. According to Heisenberg’s uncertainty principle researchers have an impact upon entities when they seek to study them (Clark, 2014). Clark (2014) refers to the human impact in research upon particles, but this has implications for research with human participants. Furthermore, participants might change their behaviours and practices when they are cognizant of being the subjects of inquiry. This phenomenon is indicative of the Hawthorne effect (Jones, 1992).

Research activities are not neutral nor are they detached from the context and time in which they are undertaken (Palmer, 2007). Critics who question the validity of personal views or feelings are likely to subscribe to the belief that “…the subjective self is the enemy most to be feared – a Pandora’s box of opinion, bias, and ignorance that will distort our knowledge once the lid flies open” (Palmer, 2007, p. 52). Research activities, researchers and participants are often impacted by social, financial, economic, technological, demographic and legal circumstances that are linked to inquiries. However, this researcher aimed to suspend her judgments before she acted on her assumptions. Added to this, this researcher allowed time to reflect upon the subject matter before she reached her conclusions (Van Manen, 2003). This helped to reduce researcher bias (Kopelman, 1999).

According to Wolcott (1988, p. 192) “The strength of fieldwork lies in its [triangulation] obtaining information in many ways rather than solely one”. The multiplex word “triangulation” appears to have a common use in qualitative research although its meaning may be interpreted differently by various researchers (Bogdan & Biklen, 1998). Triangulation might refer to studies where more than one data source is applied in a study (Bogdan & Biklen, 1998; Naumes & Naumes, 1999, Neuman, 1997). This researcher in this study was not confined to one data set alone. This helped to limit bias in this study.
4.5 In Summary

The research tools were designed to identify and collect information about participants’ personal, social, circumstantial and demographic aspects. Interviews and questionnaire provided suitable approaches to generate understanding about participants’ conduct and viewpoints (Alreck & Settle, 1995; Love, 1994). The questions provided an overview of the phenomenology that is linked to older prisoners (Gorgen, 2006). Each question was developed to elicit responses about how the provision of help to older prisoners could enhance their equality, safety, dignity and, educational rights. Participants were invited to contribute to this research on a collaborative basis. Through these processes including interpretive analysis themes emerged (Fade, 2004). Overall this was an interdisciplinary study, which could not cover the entire conceptual landscape that was linked to professional perspectives about older prisoners (Andrejevic, 2013; Palmer, 1969; Punch, 1998).
CHAPTER 5: THE ANALYSIS: PARTICIPANTS’ VOICES

In the last chapter reference was made to the participants, research methodology and methods. The procedure that was followed and the analysis that was undertaken in this study were included. Furthermore, the limitations of this research were mentioned. In this chapter focus is on understanding participants’ experiences and perspectives linked to older prisoners. The research questions that drove this research are as follows:

1) How can correctional professionals address the needs and rights of older prisoners?

2) How do correctional professionals who have had contact with older prisoners, understand their role with these prisoners?

To address these questions it was important to locate and develop participants’ voices (Zinn & Rodgers, 2012).

The analysis presented below begins with a summary of participant views about the nature of the older prisoner population. This includes their views about definitions of older prisoners and the challenges that they present. In this analysis this researcher considers participants’ views about human rights aspects, before reporting their suggestions about how to improve current services. Each of the participants expressed concern about older prisoners. They suggested that there could be an exponential growth in the number of prisoners and that there was a need to develop government awareness about older prisoner’s needs and situations. They reflected that they were working in a context that lacked adequate resources; including sufficient time, personnel and funds. For example, Doreen attested, “...elderly people tend to be afterthoughts in the prison system”. Older prisoners generally may be less likely to be disruptive than other inmates. These prisoners might become lost in the broad inmate population.

5.1 Definitions

According to Aday and Krabill (2013) “Defining old as it applies to the prison setting is an extraordinarily challenging task for correctional administrators due to biological, psychological, and social positions of offender populations.” (p. 206). Participants expressed
various views as to the age when a prisoner becomes an older one. For example, Ruby defined an older prisoner as being 45 years or older. In Ruby’s jurisdiction prisoners of all ethnicities are considered to be older prisoners when they attain the age of 45 or older. This was in contrast to Samuel who thought that an older prisoner was 65 years of age and above. Bronwyn mentioned that linked to the retirement age in the USA she would define an older prisoner as being 65 years or older. Based on the questionnaire David, Josephine and Lorraine too would consider an older prisoner to be 65 years and above. The range between these definitions is 20 years.

Raymond, Carla, John, Jasmine, Marilyn, Darcy, Doreen, Daisy, Lucy and Arianne all considered an older prisoner to be 50 years and older. Raymond and Arianne both indicated that this might be considered young; their practice suggests that prisoners often prematurely age in custody. Paul indicated that an Aboriginal person might be considered to be older when he or she reaches the age of 45 years. He explained, “I think it is based on mortality data. Certainly the much higher prevalence of chronic disease. There are a few problems in Indigenous populations. Their shortened life spans because of their health problems”. Paul considered that in the non-Aboriginal population, 55 and above was considered to be older.

Carol, Arnold, Heather and Ryan considered an older prisoner to be 55 years and above. Arnold said that he would consider older prisoners to be those who are 55-65 years of age or older. He based his definition on such factors as retirement ages and social trends. Jeeves considered older prisoners to be 60 years and above. There appears to be no common definition as to when prisoners are viewed as being older ones. This can contribute to challenges in the development of research and practice in this field.

5.2 Challenges

Challenges in the field of corrections were discussed in the interviews. For example, participants felt at risk at their work of being assaulted and outnumbered by prisoners including older ones. They noted that there might not be sufficient purposeful activities, such as, work and treatment planning for older prisoners to be meaningfully occupied in prisons. Frail older prisoners, sex offenders, informants and other special needs groups were regarded as more likely to experience abuse from younger and more able-bodied prisoners than those who are in the general population. Frail older prisoners could be aged, ill and vulnerable. In addition, some older prisoners were thought to experience what was referred to as a “traumatic overlay”, which...
especially when imprisoned away from their family and friends, imprisoned late in their lives, or when they have military backgrounds. Older prisoners who experience trauma and other health-related conditions could be subject to victimisation and there may be a role for their segregation from other prisoners.

5.2.1 Older Prisoners’ Their Victimisation and Segregation

Frictions escalate when older prisoners have cellmates that are mismatched for them. Older prisoners who snore, or that have challenges with hygiene might be at particular risk of victimisation by aggressors in prison environments. In the questionnaire Bernard, for example, noted that frail older prisoners could be victimised by younger ones. Conditions for correctional professionals and prisoners, which are overwhelming, can foster cultures of fear and violence. Dean said during the interview, “No one can learn to participate in a group if they feel threatened. Or feel as if they are not secure in a certain area”. Raymond said that on the basis of age alone he couldn’t see merit in segregation. However, he acknowledged prisoners “…are vulnerable because of age… We do have older prisoners who I have spoken to who sometimes fear for their safety etc., but that’s when the staff come in and “keep an eye” on those prisoners to support them well. Quite often that’s successful”. Paul mentioned that, “I can’t recall too many assaults on our older patients that are vulnerable. In terms of physical assaults some of the older people are being pressured to divert medications”. However, Paul has not directly observed an older prisoner being assaulted by another to access his or her medication. Paul indicated that older prisoners in their later 70’s to 80’s are imprisoned for a prolonged period. These prisoners can become frail. Paul continued, “I must admit the older ones I can’t say we see a lot of recidivism – keep coming back. We do have people in prisons sort of late 70’s, 80’s. Those people don’t come back”. Perhaps when these older prisoners are released from prison they are reunited with their families or become homeless.

Prisoners who commit sex crimes may be victimised in prison environments. Paul explained that older prisoners who have committed sex crimes might be vulnerable to abuse and assault. In the best interests of these prisoners they may be segregated. Paul mentioned, “I guess one of the side effects of segregating these prisoners is that you are putting them together and giving them an opportunity to make that group”. Neil could see the benefit at times of segregation, for example, that separated older from younger prisoners. Arnold said, “Mixing
general population with segregations seems to lead to abuse”. Lucy indicated that when prisoners are segregated from others for their safety these inmates might stay in an infirmary in isolation from others. She sees the merit of making decisions about segregation on an individual basis, for example, linked to prisoners’ health conditions.

When older prisoners are segregated care needs to be taken to ensure that they have similar access to programs as other inmates. Paul comments, “Small prisons tend to be where some of our segregated prisoners are sent so a lot of the first time prisoners the older prisoners are concentrated in one or two small prisons. So yeah they would not have the same opportunity for programs as they would if they stayed in one bigger prison”. During the interview Doreen said that correctional professionals at her work generally do not practice segregation. Samuel indicated that there are four cellblocks that are primarily made up of older prisoners. He added that prisoners might be segregated for security purposes; for example, they may be vulnerable to exploitation. Added to this, Bronwyn worked with a unit that accommodates 96 male sex offenders who were undergoing treatment.

Many participants mentioned that segregation occurs at their work. A few participants mentioned that it was either not feasible or desirable to segregate older prisoners from younger ones. One participant thought that this might not equip them for life outside of the prison where they could be called upon to learn to cope with people of various ages. There can be differences between prison and community life. Healthy older prisoners who have not been harmed by younger or more able-bodied inmates could adapt better to life in the community than older ones who have lived in prisons under continual threat of assault or worse form others.

Concern was expressed that older prisoners can become chronically dependent upon institutionalised care. Some lifers may not be released into a community outside of the prison. Under such circumstances they begin to plant psychological roots into prison grounds. According to Paul older prisoners may have such challenges as “… limited mobility, chronic illness, sensory deficits, multiple medications, poor mental health”. In the questionnaire Lorraine referred to older prisoners and wrote, “…they are hard of hearing, struggling with cognitive issues and dealing with the many forms of dementia…” Under such circumstances older prisoners may be disoriented and afraid of being harmed in prison.
Older persons might originally oppose the institutionalisation process. If and when their coping capacities are exhausted they may become passive victims. To blame older prisoners for this could be equivalent to victim blaming. Lenny mentioned that he knew of an 83 year old who lacked both mobility and motivation. He said that this particular prisoner “…would just want to lie on his bed and watch television all day. He needed assistance in getting out of bed to shower”. Apparently over his years in correctional services Lenny has seen other “… higher dependency type people”. Ruby also mentioned that older prisoners “…know the ins and outs of the prison. They could probably quote policies to me better than I can”. Nonetheless, some prisoners may have been sentenced to prison at an older age. These prisoners might not be familiar with policies and practices and they could struggle to meet demands in prison environments.

Paul said, “People that aren’t managing out in their cells because of poor hygiene, or mobility or because of their crime - corrections try to separate them out and concentrate them in one prison”. Daisy explained, “Housing inmates with physical limitations together limits the threat of other younger or stronger prisoners taking advantage of these types of prisoners or using their assistive devices as weapons”. Staff at her work had sought funding for “…a 10-bed long term care unit to house the infirmed elderly and disabled prisoners”. However, they had not been successful in gaining the necessary funding for this unit. In contrast, Kallum thought that segregation should not happen unless older prisoners have “special circumstances”. He did not elaborate upon what these circumstances were.

Conditions in prisons can become tense and in some situations dangerous. Older prisoners may be quite vulnerable in such situations and might not have the necessary strength for self-defence. Carol reported that she had concerns at her work about the lack of accessibility to educational programming. Carol explained, “…that the education floors have three flights of stairs”. Physical barriers could prevent older prisoners from being able to improve their situations. Josephine referred to particular adjustments that have been made at her workplace for prisoners. These range from making a non-slip map accessible to bringing in services to prisoners from outside the prison. Similar to Lenny’s place of work Raymond’s organisation seems to make reasonable adjustments for prisoners with special needs including older prisoners.
In the interview Josephine referred to a care facility for prisoners with high dependency needs, which is located in Wellington. These prisoners “...can be showered and looked after by caregivers”. Before prisoners are transported to such facilities care is taken that they are not removed from being accessible to their families. Older prisoners could have life experiences that are shaped by separation from their families, their multiple disabilities including audio deficits and confusion.

5.2.2 Older Prisoners: Life Experiences and Stability

Some older prisoners may not be particularly well educated, but they might have life experiences to share with others including younger inmates. Arnold and Bronwyn both recognised that older prisoners have extensive life experiences. During the interview Elizabeth mentioned to this researchers that she remembered an older male prisoner:

“He was approaching 80 I think and he had committed a murder and he was never been in jail before. I think he murdered his wife right at the courthouse or something, but any way he was there for a very long time. We put him on the mental health unit. It’s a quiet unit with only a few other inmates, but he had in that sense a stabilising effect. Everybody sort of he was sort of the central person and he was sort of the mental father figure I guess.”

Carol also commented that well older prisoners might bring their positive influence upon younger inmates. However, she also noted that frail older prisoners might be subject to victimisation by younger inmates when they experience physical disabilities or dementia. These older prisoners may be overwhelmed “... by wariness, the fear, the ever present opportunities of being bullied or coerced”. Carol commented if older prisoners had access to funding they might be coerced to pay protection monies to younger prisoners.

One group of older prisoners of particular concern were those who experience dementia. During the interview Arianne explained, “With an ageing prisoner population there will be men and women who develop dementia through the course of their sentence no matter how good the initial assessment might be. It could happen three, four, ten years later”. Sally also suggested that as participants age they might experience dementia or neurological deficits in some form. Lucy suggested that a symptom that can be associated with dementia is memory loss - some
prisoners may not remember why they are in prison. Arianne wrote in the questionnaire that all staff who assist older prisoners should “… know how to recognise the signs of mental health problems and the onset of dementia”. There could be merit in having regular health checks to detect such conditions as dementia.

The loss of bodily function can be humiliating. Every attempt should be made to address prisoners’ health needs for their dignity to be preserved. Josephine referred to an older male prisoner who had a colostomy. To address his need a good care plan was developed for this prisoner. Arianne attested that care plans should be made within 48 hours of prisoners’ arrival in jails. She called for care plans to be based on the needs and interests of individual prisoners. Neil referred to an older male inmate who could not manage his colostomy bag and needed to be transferred to the infirmary. Josephine mentioned that her workplace has had some prisoners who are terminally ill. These prisoners need to be placed in an “end of life care” facility. Josephine said that it could be problematic to assist prisoners to gain “compassionate release”. Another need that many prisoners share is to develop their literacy skills. Paul posited that the government has a duty to provide health services. He added, “If you are going to authorise private health service then the State has to be willing to pay for those services. Prisoners can’t pay for it”. Older prisoners with meagre finances should not be excluded from health and other services because they cannot afford to pay for these. The State often has a duty of care to provide for these needs.

Prison environments can be particularly difficult for some older prisoners. If the designs of buildings are not up to standard, then duty and international law calls for these to be updated. Neil explained, “When suggestions have been made to provide a first floor dormitory setting with an assigned caregiver inmate to each bunk to reside with the geriatric, the idea was met with resistance”. Prisons may be risky environments for vulnerable inmates including older prisoners and allowances need to be made for them. Paul added, “There are problems in just getting around the prison - mobility from a cell to wherever they have to get to”. Furthermore, there are problems for older and other prisoners in sharing toilets. Perhaps the prisoners that Lorraine mentioned would be better placed with their families if they are no longer a risk to the community. Alternatively these prisoners could benefit from being in the secure wings of nursing homes.
Older prisoners’ plights can be untenable and architectural obstacles often need to be removed to address their needs. Josephine referred to “double-bunking”. This involves two prisoners who share a common cell. Darcy commented, “When you get a bunch of people 30, 40 or 50 in one place and wall to wall bunk beds and they don’t have any privacy whatsoever and there’s only like maybe one or two staff members there at a given time well you know trouble happens”. According to Darcy when overcrowding is particularly problematic they transform the gym into sleeping quarters for 200 prisoners. This heightens problems with “…bathroom facilities, taking a bath and washing using a rest room and things like that”. Under these circumstances tensions can escalate.

Ruby and Sally both mentioned that prisoners might need to be moved because they cannot climb to second bunks. According to Ruby these prisoners may require a double mattress or a first floor bunk. Prisoners who have health needs could be apportioned to a lower bunk or a cell of his or her own. Carol referred to the matching of inmates who share cells at her work. Cal said that tensions could arise if prisoners are mismatched. She referred to her at work, “They have to take into consideration gang affiliation, ethnicity, religious beliefs, age differences, health differences when they are housing two inmates together”. There is merit in this kind of assessment. Space can become very confined in prison environments particularly so, when it is shared between prisoners over what can be such a long period of time.

Paul commented that he saw a “a handful” of prisoners in their 50’s. He referred to the merits of keeping prisoners motivated to limit, for example, their negative behaviours. Challenging behaviours could become exacerbated where prisoners are confined to small areas and lack social, cognitive, vocational and physical opportunities to maintain or improve their health. Paul explained, “...then in turn that gives problems in maintaining the security and correctional dignity. I think security is one issue. Cost does actually set a line to this”. Older prisoners may feel that they are going to lose benefits if younger ones cause trouble. Arnold indicated that under such circumstances older prisoners may administer “broom closet justice” to keep younger inmates in check. Arnold reported, “As it happens sometimes you get the older guys putting a lot of pressure on those younger guys who are only in for a couple of years on a marijuana charge”. Some older prisoners at Arnold’s work had been in prison for 20-30 years and were well versed with prison rules and processes. The circumstances and requirements of
long term and older prisoners, who are frail, who have military backgrounds, might differ to the needs of older inmates who have committed sex offences.

5.2.3 Older Prisoners with Military Backgrounds

Participants advised that they would find it useful to know whether or not prisoners have military backgrounds. Most participants did not have access to this kind of information, although one participant said that prisoners at her prison were routinely asked about their military history at intake. When Paul was asked if he “…sees individuals who have past military history?” he replied, “We don’t specifically ask for it. I would think so, but we don’t ask for it”. Paul added, “In our community we see a little bit of post-traumatic stress related to military history. It’s only a small percentage we see in prison have the problem”. Cal said that at his work they are trying to develop more programs for veterans as their needs for assistance are recognised. He commented that they are still seeing prisoners who served in Vietnam. Doreen and Daisy during their interviews also commented that there are veterans in prison from the Vietnam War. Also Carol mentioned that represented amongst the older prisoners are “…retired military veterans”. She added, “In fact we have a strong veteran’s club and they’re making a veteran’s memorial inside the institution it’s just going to be absolutely amazing”. Carol and Cal both noted that veterans might be suffering from post-traumatic stress disorder. Lenny indicated that he had little contact with prisoners who have past military histories. Elizabeth’s and Lenny’s perspectives are in contrast to Arianne’s observations. Arianne noted:

“There are quite a few veterans. One or two prisons we have been to have separate support groups or forums for them… We are interested to know what the kind of percentages of ex-military personnel. We like you noted that it was something that was maybe on the increase we needed to think about this when carrying out inspections.”

Samuel mentioned that many prisoners would disclose to him that they served in the military. Likewise Kira indicated that she meets prisoners with military backgrounds “quite often”. Sally has also come across veterans at work. Dean mentioned that soldiers who have returned from active service need support to become integrated into society. Also older prisoners who have committed sex offences are in need of such support.
5.2.4 Older Prisoners and Sex Offences

Participants advised that a substantive number of older prisoners have committed sex crimes, including against children. Bernard indicated that paedophiles are amongst the “most common” amid older prisoners. Bernard was asked about other groups of older prisoners. Bernard replied, “Mixed broad, on drugs and some sex offenders as well. It’s predominantly paedophiles”. Paul advised during the interview that, “A lot of these older people are in prison because of sex crime”. Likewise Doreen, Carol, Daisy and Sally indicated that many older prisoners are sex offenders. Sally reported that at her work there was no treatment for sex offenders. Furthermore, she thought that if such interventions were offered then prisoners would not accept them. David commented that sex offenders might re-offend even if they are older. He explained, “The area of sexual deviance has not been properly treated or sufficiently treated. The risk or the potential risk may remain...” During the interview Lenny commented “Again we are quite fortunate because we actually have a unit that holds the majority of our paedophiles”. According to Lenny this unit has the capacity to hold eighty prisoners who live and work together. Attitudes amongst a few participants to sex offenders were quite negative. There could be a role for substantive policies, procedures and training in an attempt to address correctional professionals negative attitudes towards older prisoners.

5.2.5 Older Prisoners: Inadequate Regulations, Education and Training Opportunities

Doreen suggested that an organisational obstacle for her is linked to poor regulations, which do not maintain a safe and secure environment for older prisoners including frail ones. Doreen indicated that policies and procedures are in need of revision or are not being followed. Staff could benefit on having targeted education and training about vulnerable groups, such as, those with dementia, Alzheimer’s and learning disabilities. Darcy indicated, “Security staff members themselves seem to be the least trained”. This situation was compounded when they are seemingly understaffed at Darcy’s work. In the questionnaire Carla wrote, “Correctional staff must be trained in the special needs associated with the aging”. Such training can inform professional practices with prisoners.
Raymond said, “I would suggest that just across my area of protected characteristics, such as, age and disability etc. I would say virtually every person would say you need to put this in the training”. Raymond intimated that training couldn’t practically include every aspect of work in prisons. A focus in the training at Raymond’s work seems to be on problematic situations with prisoners that staff may encounter. Raymond reported, “For example, we could use the fact that we are handcuffing an older prisoner, for example, we would ask them to consider other differences. Are there any needs so we try to develop equality?” Staff training at Raymond’s work used case studies. Raymond added, “...we present them with case studies of different individuals like race or sexual orientation or age and we ask about these issues”. Staff at Raymond’s work were encouraged to reflect upon these studies. Their training curriculum is often augmented with “... resources online through our Internet through NOMS where we put staff online about dementia or autism – a number of things so they can access research whilst they are training”. Likewise Carol mentioned that the training curriculum for staff at her work included “... a whole segment on special needs inmates. And the elderly fall into that category”. Similarly Daisy called for training that was linked to addressing the needs of older and disabled prisoners. Correctional professionals might have difficulty in accessing training that is suitable for their needs due to budget shortfalls.

To address challenges that might arise between competing demands there can be a role for ethics education or training. Paul described a tension between the role of being a health care provider and a custodian. According to Daisy the duality of roles between being a custodian and a health care professional is more pronounced for new recruits to prisons. Paul mentioned that an issue at his work was linked to data exchange between staff. He suggested that correctional professionals in health services should be faithful to their calling and not neglect this in favour of security. Paul said, “Health can make recommendations regarding patient care. But we’ve got no authority to see these actually impacted... Absolutely it is a major source of frustration. It’s the biggest restriction on what we can provide”. Lenny commented on how well correctional staff who work as custodians and those who offer health services work together to address prisoners’ well-being. Although legislation might require prisoners including older ones to engage in purposeful activities there may be inadequate opportunities for prisoners to remain occupied.
5.2.6 Older Prisoners: Inadequate Opportunities and Purposeful Activities

There appears to be a lack of purposeful activity for older prisoners. Prisoners who are obliged to undertake work that they perceive to be meaningless can experience psychological difficulties and become, for example, depressed or defiant. Purposeful activities may include educational initiatives across varying jurisdictions. John referred to the benefits of these kinds of activities to limit prisoners’ idleness and perhaps destructiveness. Dean said, “There’s just not enough floors to be swept or yards to be mowed or feelings or industrial jobs to be had within the institution”. Likewise Darcy suggested that windows and floors could only be cleaned so often before these activities become meaningless. Darcy indicated that some businesses might be threatened by prison labour and could view this as being unfair competition. Josephine mentioned that at her workplace there are many prisoners who are on “release to work”.

Whilst they are in custody prisoners are able to work at such places as dairy farms, forest areas and gardens. However, as Ruby commented not all prisoners have the capacity to work. Ruby said, “Most of the work positions that we have inside the facility they require listening or being able to move equipment”. Prisoners who cannot lift 50 pounds or more might have limited work choices in Ruby’s prison environment. Furthermore, work in these environments may require prisoners to stand for long periods. Added to this, older prisoners might not have the physical stamina that is required to push items. This again can restrict their options at work. Broadly policies at Raymond’s work call for integration rather than segregation. Raymond also mentioned that there is a legal requirement that his work make reasonable adjustments to meet the needs of older prisoners. He mentioned examples of adjustments being bigger living units, “…grab rails, wheelchairs. We train peer mentors, supporters for older prisoners”. Part of the challenge in being able to make reasonable adjustments include the older facilities in which older prisoners are housed. Raymond observed, “… some of our older buildings are Victorian and they are not easily adaptable”. Prisons can be old and not have suitable architectural adaptions, for example, for older frail prisoners.

Doreen mentioned that older prisoners might work as “tear workers”. This may involve them in walking up and down the cells to assist other prisoners to reduce suicide ideation. Bernard advised in the questionnaire that older prisoners could become involved in “stores re-stocking”. Arnold comments that another job for prisoners could be to take photographs of
prisoners, for example, when their families visit them. He reported that prisoners might also
develop their skills in printing publications, working at a call centre or developing businesses.
Both Kallum and Daisy commented that there is a role for prisoners to push disabled inmates in
their wheelchairs. In the questionnaire Bernard said that older prisoners could be willing to act as
tutors to develop other prisoners “literacy and numeracy” skills. They also might phone others
prisoners friends and families on their behalf. Dean said, “I think that we don’t utilise the inmate
population enough”. Dean indicated that amongst prison populations there are educated inmates
who could tutor others. He suggested that these inmates should be screened for, such factors, as
their experiences and attitudes linked to education.

Samuel and Carol recognised the role of prison carers with older inmates. Carol
mentioned that the tasks of prison carers include helping prisoners with their medications,
traveling to appointments, personal hygiene needs and pushing them in wheelchairs. She said
that prison carers are paid for their work. Samuel said these carers are often qualified and trained
before they begin to help these inmates. Dean does not expect prisoners to be compelled to be
tutors, however, he thinks that many of them would appreciate this kind of opportunity.

Older prisoners may also participate on a voluntary basis with religious services. Ruby
observed, “Most of our volunteers have some sort of religious affiliation”. Sally commented that
at her work there were over 2000 volunteers many of who had religious affiliations. She
supported Ruby’s observation. Doreen mentioned prisoners and their linkage to religion. Doreen
referred to prisoners at her work and said “Most of the crimes that they’re in here for is crimes
against morality rather than drug offences and things like that”. Doreen said, “Prisoners if they
are not guided and checked on will with their own version of a religion”. Prisoners in theory
have freedoms of conscience and religion.

There can be some excellent programs for prisoners; however, if they are inadequately
resourced programs might exist in name only. David mentioned that the responsibility of
educating older prisoners is primarily with correctional rather than parole authorities. He
suggested that over the last few years with restructuring emphasis was placed on fiscal restraint.
David mentioned that the existence of services for prisoners has been reviewed although this has
had its own set of challenges. He explained, “I would say that this is more a problem of
transition right now so probably more punctual than a permanent trend, but it is of concern at
the moment”. If too many resources are taken from programs their quality and accessibility could become compromised.

Older prisoners who experience literacy problems might experience difficulties in becoming involved in purposeful activities including those that are associated with training and education. Raymond suggested that literacy was a significant challenge for prisoners irrespective of their ages. Literary levels may vary substantially amongst prisoners. He explained that, “…our statistics show that there are low literacy and numeracy rates of offenders. Virtually every prison in England and Wales. I can’t give you an exact number. But a very, very high percentage”. To address this challenge limited education is offered to prisoners. Educational programs might be available to prisoners on a part time basis. Raymond noted, “We even do something called toe-by-toe where we have peer prisoners who help other prisoners in media initiatives”. Raymond commented, “We have huge contracts in education at local colleges, but again there is a limit to that resource…Again it’s about budget. Yes we do have some prisoners who are studying at University. We have prison service instruction”. At Raymond’s work a range of educational services seem to be offered. There is also a role for prisoners to have access to post-release and community services so that they can be supported to remain arrest-free.

5.2.7 Older Prisoners: Post-Release and Community Services

Post-release support in the community presents particular challenges. Raymond referred to community services and said that this “…was a very grey area in the UK with regard to prisoners that it still is to some degree. There’s a Bill in Parliament at the moment will clarify that”. Raymond suggested that it was problematic when community services will only assist older prisoners who are located in their area of service provision. He commented, “They did not fund prisoners who were perhaps 70, 80 miles away. You wouldn’t get social services that was 130 miles away coming down to offer and provide social care”. There are problems for staff in being able to locate housing or employment for prisoners. Raymond commented:

“There are bottlenecks in society more generally. Of course what we also have there is how is seen by the community outside prisoners. It’s sometimes seen as prisoners are getting preferential treatment when in fact they are getting equal treatment. That creates headlines if you like in the newspapers that can create difficulties for us, but we still try.”
Lenny described a concerning situation, “What actually happened over here in New Zealand as well when they closed down the psychiatric unit in particular what we call them the half way houses – folks by themselves out in the community a number of them ended up in prison”. Dean also refers to the deficiencies of community supports that are available to prisoners on their release from jail. He explained, “It’s the basic things that we fall short on. We fall short on helping them get the jobs, providing the transportation, providing the housing that helps them to get where they need to be”. For older prisoners community services seemed to have considerable gaps in them or to have been non-existent. There also appears to be inadequate support for individuals who experience mental health problems in the community. This seems to be insufficient to address the needs of individuals who are in positions of “double jeopardy” in that they are ex-prisoners with mental health problems.

5.3 Human Rights and Older Prisoners

As illustrated above, the needs and situations of older prisoners, correctional professionals, and the general prison populations can vary. Nonetheless, policies, programmes and services that are guided by human rights can help to inform both policy and practice linked to prison policies and procedures that are often associated with older prisoners. Groups of rights are considered in the following sections.

5.3.1 Dignity and Privacy

A central focus in various applications of human rights is on dignity. Neil stated, “I feel that maintaining a man’s dignity is done when speaking with them, gaining permission from them when doing something, and making them feel as if the decisions are being made together”. Dean stated that he endeavoured to preserve dignity by having clear and overt communications with prisoners and to hear what they are saying. In the questionnaire Arlene interwove privacy and dignity. Arlene stated, “Elderly prisoners still have a right to dignity and part of this is having privacy”. Overall, Bronwyn, Dean and Sally indicated that security should not be neglected in favour of privacy.

Arianne was asked during the interview what challenges there might be in developing privacy in the prison. According to Arianne these included the absence of choice as to who you would share housing with, for example, cellmates might be of different ages. Bronwyn said in the questionnaire “If they are embarrassed or ashamed they don’t improve much”. During the
interview Elizabeth attested, “In terms of privacy everything is the same throughout the Centres. They all have the cells – have the same amount of privacy. So there’s nothing that’s more”. Marilyn mentioned how important privacy can be. She said that in her work with older prisoners she advises them of the limitations of her safeguarding their privacy.

During the interview Ruby mentioned that showers and bathrooms are considered to be private areas in prisons. Darcy said in the questionnaire that such a space might be found in the library or the chapel. She said that prisoners’ privacy was respected even when inspections were done in search of smuggled goods including when prisoners had strip searches. Ryan wrote in the questionnaire “Health records are always private…” If prisoners do not think that their privacy is going to be safeguarded their personal progress may be undermined. Darcy indicated that there could be difficulties in keeping information confidential at his work. He explained that prisoners might overhear sensitive information. This could have negative implications for older prisoners’ rights including their social and political liberties.

5.3.2 Social and Political Liberties

Social and political liberties are rights that safeguard personal liberties from intrusion by government sources. Personal rights include privacy and freedom of association and thought. Prisoners like other members of society should in principle be able to gain access to differing social, political, economic rights and freedoms. However, there are restrictions on the scope of rights that prisoners enjoy. Prisoners do not by virtue of being imprisoned surrender all rights. For example, they have a limited right to access education.

Marilyn supported prisoners’ access to education for prisoners including older ones. She noted in the questionnaire, “…education can play an important role in reducing recidivism, increasing prisoners’ feelings of self-efficacy/self-esteem, and improving prisoners’ overall quality of life”. When Bernard was asked about how often older prisoners could gain access to library facilities he mentioned that they could gain access twice or thrice weekly. Bronwyn, Dean, and Daisy indicated that prisoners gained access to legal resources at the prison library. Lenny said that there were mobile library services for some prisoners.
Computers and the Internet may hold an untapped potential for prisoners to be able to engage in a range of educational activities. Jeeves mentions that prisoners at his prison have access to correspondence studies. Bernard referred to prisoners undertaking studies at high school or higher although he pointed out that they do not enter into University level programs. He explained that this might be linked to “Several reasons, lack of interest, lack of ability to be able to do it”. Elizabeth commented that prisoners could have access to educational programming up to Grade 12 and may have opportunities to undertake correspondence studies at a higher level than Grade 12 although at her work there were only prisoners “…who are serving on remand status of course or are serving sentences of two years less a day”. Elizabeth commented that prisoners could be on average in prison for 33 days. This makes it challenging to offer them substantive educational programming. She said that if prisoners were at the prison on a longer-term basis, “…we definitely would provide it or have some – find some means to provide it”. Likewise Arianne mentioned that there was more opportunity to provide substantive distance education to prisoners who were imprisoned for longer periods of time.

Like Arianne, Raymond said that prisoners’ access to the Internet was controlled. Raymond explained, “They can’t actually access laptops and things for legal cases etc. again strictly governed and strictly monitored. They can access computers for legal purposes after the need has been assessed”. Prisoners limited access to computers and the Internet was linked to security. Raymond commented, “We have lots of security breaches. However, that hasn’t preventing prisoners from accessing the Web for educational purposes”. Prisoners including older ones should be able to realise their rights to access education, communicate with others and visit with their families. Computers and the Internet can be tools to help prisoners to benefit from these rights. Older prisoners might not have the benefit of equal protection in prisons or in communities.

5.3.3 Equality

Like younger prisoners, older inmates often need access to physical activities, work, and vocational or educational opportunities in prison. Arlene advised in the questionnaire that the way that she worked towards equal protection is by “Raising the issues to government ministers to the needs of the ageing prisoner population”. Individuals should have sufficient room to move to prevent their health from suffering. During the interview Bronwyn said that she had seen
evidence of an older male prisoner having insufficient movement. He had sores on his body as a result of this: “If they can’t become involved in regular activities their health may degenerate particularly so, if they experience conditions, such as, arthritis”. Heather mentioned that all persons including prisoners and non-inmates need to have equal protection and to be treated in the same way. Heather advised that the US Constitution protects this right under the 14th Amendment.

Elizabeth indicated that at her work prisoners, including older ones, had equal access to work-related and educational programs. Lucy and Lorraine both suggested that if older prisoners chose not to undertake the GED then other educational options were available. Lucy wrote in the questionnaire “Other types of education, i.e. spiritual, cognitive, etc.”. In contrast to the situation that Elizabeth presented, Ruby said during the interview:

“We tend to put the younger offenders into the classes because education, they tend to pick the offenders they can use for their grant purposes and the young guys are more – are going to be more likely to use the GED diploma when they get back out as compared to the older offenders who may be can’t work when they get back out or on social security or Medicare or Medicate or disability or welfare”.

Arianne mentioned that the Equality Act had been established in the UK. She indicated that the European Convention on Human Rights bound Britain. During the interview Arianne commented, that she had encountered clients who had experienced victimisation or discrimination. Arianne referred to organisational restructuring at her work. She mentioned that prior to this restructuring there were eleven regions in England. Each one of these regions had an equality adviser. After the restructuring linked to budgetary constraints, there were (at the time of the interview) only four advisers for this nation.

Arianne and Elizabeth during the interviews also commented to this researcher about equality. There can be obstacles to achieving equality. There is a role for comprehensive interventions to lessen older prisoners’ perceptions of having been victimised by the authorities. During the interview Elizabeth said that each prisoner has a caseworker and a case plan. Added to this Elizabeth commented, “If they are having mental health issues and they’re transitioning back into the community we have transition workers that might help them in that regard. So
there’s nothing that they’re missing out on”. Elizabeth saw the merit of both case management and outreach when prisoners were released into the community to develop equality between them and other community members.

Jeeves said that community services in his jurisdiction tend to be bottlenecked. Ruby commented on work-related challenges with sex offenders. For example, it can be difficult to help sex offenders including older ones to transition from the prison into the community. Ruby explained that many community-based services that tried to help prisoners were situated near schools or religious facilities. This tended to preclude prisoners including older ones from being able to gain help in community settings as they were often confined to the outskirts of towns and cities.

Ruby commented, “...the additional point is that nobody wants them”. She provided an illustrative example of the kinds of problems that older prisoners particularly sex offenders might experience. Ruby referred to “…an older gentleman living in our front lobby for two days because he had nowhere to go and nobody would take him and he was wheelchair bound and there was just physically nowhere to go”. Linked to the nature of his offence this older gentleman was estranged from his family. For 48 hours this older prisoner had nowhere to which he could be released. Ruby added, “Simply because of the physical limitation of being welfare bound and being a sex offender and being older”. A recurrent theme was that released prisoners and especially sex offenders were not welcome in “my backyard”. These are amongst the fundamental problems that ex-prisoners may experience on their release from prison into communities.

Lenny commented that “child sex offenders” might be estranged from their families on their release from prison. Conditional release for these kinds of prisoners could be based on offenders “... having to disconnect away from their family ties”. In these kinds of situations staff are often responsible to strengthen and develop networks other than those, which involve their families. It can be important for ex-prisoners to have access to informal supports. These might need to be augmented by official networks.
5.3.4 Safety and Well-being

During the interview Bernard was asked about prisoners’ apparent premature ageing. Bernard thought that this early ageing process could have been brought about by such factors as their stress levels. He referred to prisoners and explained:

“They are always on guard. They don’t have any holidays or anything. So I imagine that they are under threat. They are worried and keeping an eye out to make sure that people don’t assault them or the like. They are always stressed because they are always looking out. They don’t have downtime. No space to relax.”

Bernard mentioned that prisoners in his facilities might be separated from each other and accommodated based on their ages and offences. Another stress that older prisoners could experience is other inmates stealing items from them. Perhaps for fear of retaliation from others older prisoners are not likely to report thefts. Eventually staff might notice that older prisoners have missing items when, for example, they conduct cell searches.

During the interview Elizabeth mentioned that staff tend to be more observant of older prisoners than of other inmates. She said “I don’t have any concern about their treatment or any sadness with respect to their time in jail because they get well looked after”. Elizabeth suggested that individuals in the community might “…actually commit crimes to go into jail because they get taken care of so well”. Perhaps some homeless people would prefer to escape cold weather conditions by being in prison.

According to Doreen prisoners who were in receipt of hospice care could have spent a night with their family members. However, Doreen mentioned that in her jurisdiction conjugal visits were not permitted. Jasmine commented that in her work situation if doctors considered that prisoners were terminally ill a process, which involved medical leave, could be initiated. She reported that in her jurisdiction prisoners had the qualified right to waive healthcare. However, if correctional professionals who offered health services assessed that this waiver was “… creating a life or death situation then we can seek intervention”. Bronwyn mentioned that if prisoners don’t choose to become involved in counselling they may not be paroled. Overall there are limitations as to how far waivers extend.
John and Daisy, said that prisoners with, for example, cancer and broadly terminal illnesses could obtain medical parole/release. Medical release may be denied because of the nature of the crime that the ill offender committed. Bronwyn mentioned that medical release could be difficult for prisoners at her work to obtain. Carla indicated in the questionnaire that the sheer number of medical paroles is increasing in her jurisdiction. A step in this process of obtaining medical leave is for Jasmine to meet with other staff to develop a plan for the seriously ill prisoner. A patient’s criminal history is also taken into consideration here. Jasmine and Cal have observed that some seriously ill prisoners become fearful of dying in prison. These prisoners might have witnessed the death of others at the infirmary where Jasmine works. She reported “…we have some that have been really good about making amends where they can especially once they find out that they have a terminal condition”. Jasmine observed that some families might not make contact with their dying members in prison. She reflects, “No one should die alone”. This could be significant fear for older prisoners, particularly so for those who have been alienated from their families.

Kallum mentioned that rapport could develop between correctional professionals and prisoners. For example, Kallum attested:

“We actually go right into the operating room with inmates …I cannot tell you how many times prior to the anaesthesiologist putting the inmate to sleep the inmate tells my officer please make sure that they don’t do anything bad to me or please make sure that I wake up and that’s trust”.

Darcy commented that some ex-prisoners might fear dying lonely deaths on the streets. He attested, “At least in prison they know somebody’s going to take responsibility to make sure that they are buried”. In the area of corrections Jasmine and others might see the best and the worst aspects of humanity in their work environments.

Doreen indicated that volunteers bus family members to the prison. During the interview Arianne referred to a government initiative to be able to assist low-income families with being able to see individuals in prison. She commented, “OK. The only problem you have with it is you have to pay for your ticket first and then claim the money back… It would be better if they were just given a cover warrant rather than having to get the money together rather than having to claim the money back afterwards if that makes sense”. Both Samuel and Daisy mentioned that
there could be a role for videoconferencing to facilitate contact between prisoners and their families. In the interview Lenny mentioned that prisoners are encouraged not to reveal their offence histories for their safety. Human rights including to have contact with family members and for safety may need to be enforced through open and accountable grievance procedures.

5.4 Support Strategies for Correctional Professionals and Prisoners

Bernard said that he is only covered at his work for two sessions of Employee Family Assistance. Bernard finds that his friends and family provide him with support outside of his work situation. To de-stress after work he exercises, has time with his family and otherwise socialises. He also enjoys the opportunity of going on holidays. Bernard commented that he saw the merits of keeping prisoners busy with purposeful activities in prison. Paul placed importance on incorporating health and social services in prisoners’ release plans. Bronwyn indicated that when prisoners are released they might lose social networks that they had established in prison. Furthermore, Bronwyn mentioned that released ex-prisoners are prevented from associating with known felons or victims. This could cut off family support particularly so if the victim was a household member. Under these circumstances Bronwyn attested, “…that’s a major issue for us to try to get them to have a support system when they leave here”. She mentioned that this kind of issue could be heightened for prisoners who have been in custody for 10 or 15 years. To try to address this issue correctional professionals might offer prisoners a form of social skills training.

Bronwyn mentioned that she has worked with some sex offenders over a two-year period. On their release from prison Bronwyn advised that her past clients who might be in crisis have contacted her. Bronwyn saw the merit in having continuity of care for these released prisoners. However, she commented that her colleagues might be concerned that this situation could contribute to counsellors having a conflict of interests, for example, involving self-referral or between their work at prisons and released prisoners.

Support for correctional professionals and prisoners may include counselling. During the interview Bronwyn, for example, suggested that those with developmental delays might not benefit from group counselling. Bronwyn called for these kinds of prisoners to have access to individual counselling. However, according to Bronwyn sex offenders only have access to group counselling. Marilyn saw the merit of group and individual counselling. According to Bronwyn
there can be a role for this kind of counselling through social role modeling to develop pro-social behaviours. However, one size may not fit all sizes (Crighton, 2006; Wahidin & Cain, 2006).

There are seemingly budgetary constraints to offering both correctional professionals and prisoners individual counselling from additional counsellors including through Employee Family Assistance Services. Bronwyn mentioned, “We only have 5 staff people for I don’t know 3,000 inmates. About half of our population in prison are sex offenders”. She saw the benefit of prisoners who are sex offenders having both group and individual counselling. Cal mentioned that it could be important to apply interventions that can help to address prisoners’ often-low self-esteem. Arlene supported this premise and mentioned how vital it is for older prisoners to have self-esteem.

Heather indicated that prisoners at her work needed counselling to address their anxiety issues. During the interview David also commented upon the need for resources for older prisoners in the community. Ruby commented that the Department of Corrections to which she is attached does not have as much access to funding as community services in her region do. David mentioned that there should be more community services that are responsive to older offenders’ needs including for housing. He said that services include at times the “... very physical organisation of places and making sure that these halfway houses are accessible with people that may have some mobility challenges. The halfway house may be accessible, but they can’t get out of their hallway houses because in that neighbourhood there’s no sidewalk”. Furthermore, David said that these older offenders may not have the capacity to access public transportation. These factors can contribute to limited or no accessibility for older offenders who experience mobility problems.

David suggested that challenges which correctional professionals and prisoners experience go beyond the confines of corrections or parole. He said, “I recognise this it’s much more comprehensive and holistic in terms of our society, but it certainly does have an impact upon our ability to reintegrate older offenders in the community – it’s already a challenge. The offender not in my backyard is still very present in our community”. There can be opposition and nervousness in the community connected with establishing a halfway house for offenders. David said that these houses tend to be located “...on the outskirts of the urban centres -maybe in a post-industrial area and so on. It does present a challenge for all offenders. That challenge is
increased obviously for older offenders who require more accessible resources and services”. Perhaps the development of offender friendly houses in the community and prison services has been limited in an era of fiscal restraint in Western nations. David explained: “… I would say the last five or six years. There has been a trend in this country to invest maybe a bit more in correctional institutions per se – in prisons rather than community resources”. David indicated that a safety net would include, for example, parole officers who are available, knowledgeable and are able to regulate and support prisoners.

David recognised that the needs of older and younger prisoners may vary. Prisoners who have help from their families may be less needy than those who don’t have this support. David mentioned that older offenders could have financial needs and parole officers can help by arranging for them to gain access to pension benefits. Older prisoners, particularly so those who struggle with substance abuse issues might find it difficult to make do when they are released from prison.

Older prisoners may also need help in the community with their medication management. David concluded, “So it’s a combination of resources and control mechanism where there’s a reporting method to the parole officer or having the parole officer being able to get in touch with that because they have more difficulties maybe in terms of mobility”. David called for clear reporting mechanisms and follow up to assist older prisoners. Joshua mentioned the benefits of case review, which might include staff, supervisors and psychologists. He recognised the role of interdisciplinary teams. Arianne also called for interdisciplinary teams to address older prisoner’s needs. She mentioned that certain requirements can be met by appropriate “discharge planning”.

In sum, Bronwyn attested that there was insufficient staff to service the needs of individual sex offenders. In any event Bronwyn commented, “But lawsuits work around here. If we get sued that’s how things tend to get done here”. By way of background Bronwyn said, “Women from the women’s prison sued us because they said that we weren’t getting the same services as the men”. There can be alternatives to litigation that could help to address prison conditions for both correctional professionals and prisoners. Bernard suggested that one such approach could be through programing including preventative health care and regular medical check-ups.
5.5 Prison Programs, Planning, Training and Mediation

During the interview Arianne commented that to enhance conditions for older prisoners there is merit in developing leadership and guidance, for example, from central administration. Arianne said to address prisoners’ needs that at local prisons there needed to be effective administration. Arianne also called for appropriate inclusive education that, for example, assists correctional professionals to recognise their particular roles in their work environment and to meet meaningful outcomes. Arianne thought that the outcomes of initiatives should be appraised: “You’d need to be looking at whether or not men who are older have equal access to gym facilities, work, facilities, opportunities for education...”. Carol referred to the benefits of a National Taskforce. She envisioned that membership of this Taskforce would include professionals from across the USA. The workings of a Taskforce could improve correctional practices.

In the questionnaire Neil advised that he supported lifelong learning. He thought that education could help to augment personal development. Neil referred to prisoners and said “…they support making education mandatory and that if they had had the ability they now possessed then they would never have gone into prison the first place”. Education can have a role throughout the life span as Arnold suggested. Raymond referred to the advantages of policy development, which can guide practices in prison environments. According to Raymond policies can be informed by “…consultation with our staff and prisoners”. During his interview, Dean called for prisoners to have access to computers and the Internet. He said:

“I know one hundred inmates right now who would be taking online college courses if they were allowed to do it. Right now. Just not allowed to do it. That’s a travesty to me. That’s wasted time, wasted space, wasted opportunity because there is free education. I have the access to get a Harvard education on the Internet”.

Dean indicated that individuals could gain access through computers and the Internet to a State library system and lectures by experts in their fields. Heather and Jasmine both mentioned that the local community college tried to assist prisoners at her work to attain their GED. During her interview Jasmine reported that at her workplace if prisoners did not have “…a high school education” that they would be enrolled in an educational program. However, Jasmine said that prisoners who were involved in educational programs would not have access to the Internet.
Jasmine reports that authorities at her work had given some thought to establishing a computer laboratory for prisoners. Similarly Bronwyn said, “They can do classes here. They can get their GED, which is their high school, equivalent and they can also take college classes. They can also do some basic classes that we have here like how to use a computer. That kind of stuff.”

Doreen mentioned, “We’ve created an onsite seminary. The first in the nation where inmates can earn from accredited University. We have a branch of the college actually on the grounds of the facility”. Resources in this facility have been donated and the prisoners took leadership and educational roles. However, the staff check in on the workings of this facility included its religious underpinnings. Doreen explained that correctional professionals would not permit prisoners to manipulate religious activities to make them “…recruitment tools, so we’re very aware of that possibility”. This facility offered chef management, parenting, victim awareness, substance abuse, anger management, and financial planning programs often in the form of a one hundred hour curriculum. Doreen explains, “It’s a continuous plan that he’s working through and out”. Doreen said that on their release prisoners can continue to access the curriculum through telephone and correspondence based communications. Focus is also on establishing a mentoring system for inmates in prisoner’s home communities.

Graduates from this seminary could have opportunities to teach and mentor new recruits to this program. Doreen mentioned, “We actually are measuring the effectiveness of mentor-based leadership when it comes to the training aspect and when these short term inmates get out”. Josephine and Carla both referred to prisoners helping to guide others through mentorship. Carla also mentions that prisoners can help other inmates to become oriented to the prison. Lenny mentioned that at his workplace staff have approached prisoners and have asked them if they wanted to assume responsibility for older prisoners. The prisoners were provided with “…a background and reasoning on why”. Likewise Doreen mentioned that at her work there are prison carers. Prison carers may not be adequately prepared for emergencies situations in prisons.

In Europe there is a right to family contact, which is recognised under their Convention on Human Rights. With this in mind this researcher asked Raymond about the use of the Internet for family visitation. According to Raymond the Internet is used for this although he mentioned that there were “…electronic family booking systems”. Lenny referred to “The Prisoners’ Aid
Rehabilitation Trust”. This organisation assisted prisoners’ families to visit their imprisoned family members by having provided practical support, such as, petrol vouchers. In Daisy’s jurisdiction visits between some family members and prisoners depended on where the older prisoner was located.

Emergency situations can occur in prisons. This calls for emergency plans, for example, to have a list of prisoners who might require assistance to leave such areas as their cells in case of a crisis, such as, a fire. Arianne mentioned that each prisoner should have a “Personnel Emergency Evacuation Plan” in place. She referred to the benefits of each staff member knowing that there was an emergency plan in existence and what his or her role was in emergency situations. Some staff might not have known that there was an emergency plan much less what they should do in a crisis situation. Arianne said, “In some places you will find that there are lists on notice boards to remind staff who are the people with emergency evacuation requirements. Or there might be notes on their cell door to say that in case of emergency this person requires particular assistance”. During the interview Raymond said that there might be a role for staff learning about communication skills. Raymond commented that the training of staff could be limited. He indicated that a training curriculum should include coverage “... of protected characteristics, such as, race, age and disability etc. I would say that virtually every person would say you need to put this in the training”. Lenny mentioned the merits of training staff so that they are aware of the side effects involved with prisoners’ medications.

Medication can be valuable and often become a form of currency in prison. Anxiety medication can be sought after and, with this in mind, administration at Bronwyn’s, Cal’s and Daisy’s workplaces restrict supply. Two ways of doing this was for prisoners to have, according to both Bronwyn and Daisy, crushed medication under supervision in a medical facility. Lenny saw a role for continuous staff training in medication management. Arianne mentioned that the retraining of staff should include capacities, personal growth, obstacles and help for administrators.

Paul mentioned that prisoners could be bullied linked to others gaining access to their main medications. Ruby explained, “...we are working with a diverse group inside the institution that just clashes cultures, clashes on issues that had happened on the street before they came in”. There can be disputes in prisons between correctional professionals and prisoners and amongst
the inmates. Samuel, Sally, Carol, Kira and Dean mentioned that mediation could work in prison settings. Kira said that for mediation to be effective at her work, “I would think that it would need to be done in-house”. Dean said, “A lot of grievances or misunderstanding is from what I see is stubbornness on both parts”. Dean continued that write-ups and litigation could be avoided “if they were to sit down and say what’s the issue what’s the problem”. Perhaps an apology could be useful to limit hostilities. According to Dean mediation can create a situation where there is ownership of wrongdoings and open accountability.

Dean mentioned that there could be drawbacks if mediators were not familiar with prison environments. For example, he was concerned that such mediators might not be aware of “...small subtleties of security and safety and vigilance and how slippery the slopes on the outside can be in terms of sliding in the wrong direction in here”. Dean and Kira both thought that a panel, such as, a conciliation board could help. Kira mentioned that it might be important for prisoners to buy into and to develop processes associated with a panel. Carla mentioned about the “instrumental role” of inmates in the development of other programs to maintain and develop equal protection. Members of these panels could include staff and prisoners from the jail and independent experts. Individuals from the prison could provide a rationale to experts as to why certain practices are encouraged or limited in the prison. Dean indicated that a panel could give him an opportunity to provide others with his input and eventually a collective decision could be made. Through a panel he would be unlikely to be singled out for making unpopular decisions that might have an adverse impact upon his colleagues or prisoners.

Prisoners’ can fall through “safety nets” and professional turnover might exacerbate this process. One of the benefits of mediation could be that it can be a preventative approach. Parties may apply this model to lessen incidents, which involve litigation or to bring about out of court settlement. However, preventative law and litigation can help to bring about open and transparent accountability and broadly improve prison conditions. Likewise Lenny mentioned that there was a role for mediation to improve prisoner and staff relationships.

Prisoners are not a homogenous population and their needs and situations can be quite different (Lister & Wall, 2006; Powell & Wahidin, 2006). Under such circumstances both prisoners and correctional professionals could benefit from counselling services. Correctional professionals may struggle with emotional issues and find that they have inadequate Employee
Family Assistance Programs. Tensions between prisoners and correctional professionals can become substantive and there may be a role for mediation to address conflict. Forsyth and Gramling (1988) referred to the need for programs to focus on meeting older prisoners’ needs. These kinds of programs are called for today. Added to this there is a clear role for programs and planning that are informed by human rights principles, which include valuing individual dignity, and right to become involved in civil and political activities.

5.6 In Summary

In this chapter obstacles that have implications for older prisoners were considered. Correctional professionals seemed to believe that government was asking them to do more with less finances and staff. Legislation may require prisoners to be gainfully employed; however they lack opportunities and the capacity to become involved with purposeful activities (Measure 17 Inmate Work Act, 1995). These activities can keep prisoners occupied and this could help to disperse tensions. Conflicts in institutional environments could be associated with older prisoners, for example, having poor hygiene and colostomies. Before they were imprisoned older prisoners might have been in rival gangs from each other. There may be security risks associated with purposeful activities and other inmates might target prisoners who have access to monetary resources. Prisoners with military backgrounds could also constitute security threats. Mobility may become challenging in older and inappropriately designed facilities.

Older prisoners could become traumatised with prison conditions that are far removed from their families and friends. Frail older prisoners may also be victimised by more able-bodied and younger inmates. This situation can be exacerbated for sex offenders who are an unpopular prison group. This could call for segregation to occur, for example, for older prisoners with health conditions, such as, dementia. Older prisoners might find it to be troublesome when prisoners who may be in jails for short periods of time undermine the status quo. Under such conditions older prisoners may dispense “broom closet justice”. Under these circumstances it can be important for grievance procedures to be accessible to both correctional professionals and prisoners. Post-release and community supports may be inadequate in meeting older ex-prisoners needs and circumstances. Interdisciplinary teamwork between, for example, case, parole and transition workers are called for to provide assistance to older prisoners. In the final chapter this researcher’s reflections are revealed. Reference is made to improving grievance procedures,
prison regulations, programs, planning and services, and carrying out further research and development.
CHAPTER 6: REFLECTIONS AND CONCLUSIONS

In the last chapter characteristics linked to older prison populations as perceived by correctional professionals were raised. These included how older prisoners are defined and challenges in working with them. Human rights and their relationship to older prisoners were explored and four groups of rights were mentioned. Next support strategies for both correctional professionals and older prisoners were included. Services, “extended Employee Family Assistance and general counseling could be offered to correctional professionals. There is merit in leadership development and guidance from administrators. Continuing education and training were considered to be interwoven with personal development. Training could include coverage of special characteristics, for example, linked to older prisoners’ race, age and disability. One participant commented that a National Taskforce could help to develop prisoners’ well-being. Some participants called for older prisoners to have regular case reviews, medical check ups, access to library facilities and online lectures from experts in their respective fields. Furthermore, there should be clear emergency plans to assist vulnerable prisoners including older ones to be evacuated in case of need. A need to restrict some medications, such as, those that might be prescribed for the treatment of anxiety that could become currency in prisons was also mentioned. The last chapter ended with mention of prison programmes, planning treatment and mediation. In this chapter this researcher deliberates, for example, that complaint mechanisms and corrections responses, such as, through services, programs, planning and policies to older prisoners could be improved.

Under the Declaration of the Rights of Man (1789) it is stated, “The aim of all political association is the preservation of the natural and imprescriptible rights of man. These rights are liberty, property, security, and resistance to oppression.” Overall all peoples have rights by nature of being humans. Prisoners often have limited freedoms, including personal property and conditions in prisons might comprise bullying and harassment, but prisoners are still humans. States often have obligations under, for example, international law to have due regard for their personhood and to limit the use of harsh disciplinary measures that involve torture or ill treatment (Optional Protocol to the Convention Against Torture). Furthermore, the Standard Minimum Rules for the Treatment of Prisoners and Basic Principles for the Treatment of Prisoners (1990) appear to be reflective of international agreement regarding prisoners’
treatment. Prisoners should not be excluded from legal protections and environments that respect and uphold human rights.

Often professionals are called upon to lessen the costs of imprisonment and this can have negative implications for prisoners’ needs and rights (Raynor, 1996). Just as prisoners should have safe living environments professionals need to have safe work conditions. States might be liable for hazardous conditions that have adverse impacts upon professionals, prisoners and others in prison environments (Clarke & Devereux, 2008). Furthermore employers may be liable for their employees’ negligent behaviours (Clarke & Devereux, 2008; Fenwick, 2006). Perhaps there is merit in supporting, including training, more so than blaming professionals for their work conditions. These conditions might be adverse for prisoners, professionals and others due to diminishing resources including shrinking budgets for corrections.

There is a role for quality post-release and community services. These services might include social skills training, anti-bullying and “peer programs” (Kazemian & Farrington, 2010). There could be merit in assisting prisoners including older ones with anger management, housing, financial planning and medication management. She calls for older prisoners to have access to computers and the Internet, education and training initiatives. To develop knowledge and to guide prison programs, planning and services this researcher calls for continuing research and development.

There were two guiding research questions in this study. The first one asked how correctional professionals can address older prisoners’ needs and rights. To realise prisoners’ rights it can be important to have clear, transparent and timely grievance procedures. To address older prisoners’ needs they should not be neglected in favour of inmates in the general jail population. Prisoners could be assisted to develop their skills and capacities through access to computers and the Internet, education and training. It is often important for the government and non-government sectors to consult with and learn from the experiences of correctional professionals. One way of doing this is to conduct research and development that notes correctional professionals’ experiences and perspectives. Human experience and understanding is associated with description and interpretation. Hermeneutic phenomenological research often places stress on keeping dialogue open between those who are involved in the field of
corrections. There is merit in having open dialogue, developing personal and cultural thought, and understanding.

There can be different ways of knowing including scientific, and phenomenological and hermeneutic approaches. A hermeneutic phenomenological model was adopted here to go beyond description and explore participant’s idiosyncratic experiences linked to older prisoners. A focus was on developing knowledge about the social, emotional, physical, practical and moral obstacles that correctional professionals experience when they seek to address older prisoners’ legal, health, and integration needs (Jacques, 2006). Hermeneutic phenomenological research of this type does, however, have some restrictions. For example, it is not exhaustive (Allen, 2005; Cain & Pringle, 1995) and there is a rich network of relationships, including between correctional professionals and older prisoners, which is not likely to be captured in one thesis alone (Crighton, 2006).

This analysis suggests that working with older prisoners is often demanding, especially when they are sex offenders, have military backgrounds, or are disabled. There are legal and social options when support is given to sex offenders (Watson, 1989). It was apparent that professional attitudes towards older prisoners could be shaped by what has been termed “apocalyptic demography” (Chappell, Gee, McDonald, & Stones, 2003, p. 24). The apocalyptic view of older prisoners includes perceptions that society cannot afford to support elderly people, much less older prisoners. In addition, conditions in prisons can be frightening and deplete personal hope about the future. According to Akers, La Greca, & Sellers (1988) developmentally older peoples “…long-range goals have already been either achieved or abandoned” (p. 45). This can have implications for older prisoners who may nonetheless be assisted by services that are delivered in ways, which are consistent with human rights, including, respect, dignity, wellbeing, equality and safety.

Aday (2006) writes, “Most prison departments see the rising cost of providing adequate health care as the biggest challenge in meeting the needs of an ageing prison population” (p. 213). Participants commented that they lacked resources including funding and staff to meet the demands of prison conditions. They offered endorsement for Forsyth, Walsh, O’Hara, Stevenson, Hayes, Short, Webb, Challis, Fazel, Burns and Shaw’s (2013) observation that, “There is a lack
of integration between health and social care services because of ambiguity regarding responsibility for older prisoners’ social care” (p. 1). A minority of participants mentioned that custodial and health services worked well together. Participants in this study thought that these kinds of difficulties limited the extent to which fundamental human rights could be met, despite their belief that older prisoners should not be subjected to discriminatory practices linked to such factors as age or disability. This awareness contributed to this researcher’s reflections and conclusions.

6.1 Reflections

6.1.1 Grievance Procedures

A specific recommendation from this study is to develop panels, consisting of correctional professionals, prisoners and independent experts, to review both the policies and practices that have an impact upon older prisoners. Under s 5 of the Treaty of Waitangi Act 1975 (NZ) a Tribunal was established to query government decision-making and to develop recommendations, for example, that are linked to indigenous land rights. A tribunal or a panel that can advise on legislation and provide recommendations on cases linked to older prisoners could help to protect older prisoners rights and interests. Panels can be a conduit to conciliation and provide an informal resolution process for older prisoners (The Department of Commerce and Consumer Affairs, 2014). Panels could help prisoners to reach solutions to the problems that face them in cooperative, voluntary and informed ways and provide advice as to legal interests, rights and duties. In short, a human rights framework provides a guide that can usefully inform decision-making by government organisations.

There may be an argument to introduce grievance procedures to hear human rights concerns. These could build upon the First Optional Protocol to the International Covenant on Civil and Political Rights. When jurisdictions ratify and incorporate this Protocol into their domestic legislation, under art 1 they consent to the Human Rights Committee hearing grievances from applicants who allege that the State has breached their rights (Butler, 2004; Poynder, 1997). If applicants have exhausted all domestic remedies that are available to them they can make written submissions to the Committee under art 2 (Goodman, 2002; Harland, 2000; Joseph, Schultz, & Castan, 2005; Viljoen, 2004).
Before an application under the Optional Protocol is made the following issues should be considered. Thought needs to be given to whether or not the facts substantiate that the State has transgressed international law. Expert witnesses, for example, in the area of forensic medicine may be called upon to substantiate the facts of a case (Blanco Abad v Spain CAT 59/96). Thought should also be given to whether or not the State has ratified both the International Covenant on Civil and Political Rights and its First Optional Protocol. If this has not occurred these legal instruments are unlikely to be pertinent and the application is likely to be inadmissible under the Covenant. Furthermore, the relevant State might have reservation instruments that should be considered. If parties are in doubt about the meaning of, for example, art 7 the literal and commonplace meanings of this section may need to be determined. Medical and legal reports and broadly state records should be consulted to substantiate that the State has a case to answer. If an allegation of torture cannot be substantiated and does not fall under the provisions of the First Optional Protocol art 7 then it is inadmissible.

**6.1.2 Prison Programs, Planning, Policies, and Services**

Prisoners including older ones should be able to benefit from intensive and challenging programs, planning initiatives, policies and services, including “psychological therapy programs” (Thomas-Peter, 2006, p. 51). Programs will also ideally address older prisoners’ cognitive and other needs (Alzheimer’s Australia NSW, 2014). Programs that are designed to strengthen prisoners’ family and social support networks could also be called for (Aday & Krabill, 2011; Kleyman, 2013). Older prisoners can further benefit from proactive planning and policies including those linked to prison operations and administration, for example, to overcome architectural problems that are associated with prison design (Aday & Krabill, 2013; Alzheimer’s Australia NSW, 2014; Hayman, 2006). To limit the damage to family and broader social networks it may be important to imprison inmates including older ones close to their homes and cultural networks (Hayman, 2006).

Policies could include those that are linked to segregation or integration of older prisoners (Amir, 1989; Australian Institute of Criminology, 2011; Oakes, 2013, Wahidin, 2006). Wahidin (2006) state, “Segregation provides a concentration of specialised staff and resources for elders…” (p. 184). Furthermore, according to Aday and Krabill (2013) “…while the
majority of elder inmates indicate that they would prefer to live in age segregated housing (Aday, 2006), this option is not always possible” (p. 216). There might be merit in older frail prisoners being able to on a regular basis elect whether they will be segregated from or integrated with other inmates.

Prisoners should have access to physical, mental health services and the necessities of life (Hayman, 2006; Plata v. Schwarzenegger). Older prisoners can benefit from having medical, dental, physiotherapy, and other allied health services (Booth, 1989). Mental health services can include group and individual counselling (Aday, 2003). Correctional professionals could benefit from having access to comprehensive Employee Family Assistance Services (Geary, 2008). According to Booth (1989) “However, it is clear that the elderly have a right to health services and there rights cannot be ignored any more than the possibility that massive expenses might be incurred by a prison system if it can be demonstrated that elderly prisoners’ death is attributable to some treatable health condition which was neglected, ignored, or not reported in a timely manner by LEJP” (p. 197). Some participants advised that litigation including class action suites could improve this older prisoners situation (Clark v. State of California 1997 US 9th Circuit; Prison Law Office, 2009).

Burnett (1989) mentions the importance of correctional professionals (for example, in the areas of policy, direct practice and research) collaborating to assist older prisoners. There can be a benefit to interdisciplinary teamwork that reaches beyond frictions between correctional professionals who work as custodians and others who are health professionals to develop collaborative alliances (Crighton, 2006; Crighton & Bailey, 2006).

6.1.3 Access to Computers and the Internet, Education and Training

Prisoners may benefit from supervised access to the Internet and technologies, such as, computers (Murphy, 2012). These technologies can, for example, help prisoners to access continuing and distance education. Furthermore audio-visual software that is linked to computers and the Internet could help to develop contact between prisoners and their family and friends (Walther, 1996). Evidence before The House of Commons Justice Committee (2013-2014) called for prisoners to be connected like others in society to digital services. Prisoners who have been imprisoned for a long period of time are not likely to be familiar with computers and the Internet. This could have negative implications for them at home or work.
There is merit in assisting older prisoners to develop computer literacy. Computers and the Internet could undermine security measures. There are certain methods available to lessen concerns about security issues in providing access to the Internet. These include automating access through code (Committee on Cyberspace Law, 2009), the use of passwords and firewalls to limit access to particular kinds of data (Broadcasting Services Act 1992 (Cth); Gutnick v Dow Jones & Co Inc. [2001]; Vanderbilt University, 2006), and filtering faculties (Kampmark, 2001). Security awareness can be developed by implementing policies and practices linked to risk appraisal and avoidance, recognition of hazards and education.

Overall, the Internet could be a service to which all individuals including older prisoners should have access. However, prisoners right of access to the Internet needs to be balanced against security concerns for public safety that might emerge from upholding this right. There may be a role for educating custodial staff about safety issues including those linked to the secure management of data (Australasian Centre for Policing Research, 2000; Brenner, 2004; Electronic Frontier Foundation, 2000).

There can be benefit to correctional professionals and prisoners gaining access to comprehensive education and training (Aday, 2003; Aday, 2006; Alzheimer’s Australia NSW, 2014; Burbank, Burkholder & Fournier, 2006; Penhale, 2006, Wahidin, 2004). This training should be connected to addressing older prisoners’ health, educational and legal needs. There is a call for “Ethical Guidance for Professionals” to assist them, for example, with novel and emergent situations (Towl, 2006, p. 64). According to Penhale (2006), “…practitioners do not operate in a vacuum from the wider society and therefore need the direction of national government and employing bodies to ensure that standards of practice are clear and at an appropriate level” (p. 160). Governments could benefit from making informed decisions that are attuned, to research and practice.

6.2 Further Research and Development

There is merit in undertaking further research and development associated with older prisoners, including those of them who experience double disadvantage linked to, for example, having ongoing physical and mental health problems, being sex offenders, or veterans (Gideon, 2013). In this thesis focus has been on analysing older peoples’ requirements and experiences as
perceived by correctional professionals who work with or have other involvement with older prisoners. This research provides a background to the challenges that both older prisoners and correctional professionals who assist them might experience. Correctional professionals’ experiences and perspectives shaped the subject matter in this thesis and a hermeneutic phenomenological approach provided opportunities for this researcher to understand personal and social aspects that are linked to older prisoners needs and rights.

In this study an integrated approach was adopted and this included sensemaking processes that are linked to participants’ everyday activities (Clarke, Pruyne & Hodgkinson, 2006). Clarke, Pruyne and Hodgkinson (2006) state “…the constituent activities of sensemaking will prove attractive to practitioners since it relates change stimulants and outcomes via organisational processes using constructs that are meaningful to the challenges they face in their everyday work” (p. 57). Workplaces including correctional ones may be beset by substantive changes and restructuring. Under these circumstances adequate notice, warning and explanation about downsizing or related issues should be communicated to professionals. This researcher suggests that changes in correctional systems should occur to develop support for professionals in their work with prisoners. Changes could happen gradually or suddenly and if these are not addressed then organizational systems including professionals, prisoners and others may suffer.

The development of international law appears to be linked with an exponential growth of globalization (Global Policy Forum, 2007). International law could guide States to “…carry on their day- to-day intercourse along orderly and predictable lines” (Harris, 2004, p. 5). These lines might include minimum standards for the treatment of prisoners. Perhaps the development of international law has led to an emphasis on accountability in the workplace (Fenwick, 2006). Furthermore, we live in a post “9/11” era and are weathering the crises that this generated. “9/11” has ushered in, for example, psychological, political and legal changes.

Witt (2013) states, “If you take the goal of international humanitarian law – the 21st Century to minimise suffering in war, well Lieber’s subversive claim, is the best way to minimise suffering in war is to have sharp wars because there will be fewer wars and they won’t linger on”. Older veterans who have fought on behalf of their President or Her Majesty seem to experience the aftermath of war and their suffering might be ongoing. The HM Inspectorate of Prisons (2014) states, “…further research has also identified that in the male prisoner population,
ex-Service personnel may now comprise the largest occupational subset.” (p. 3). Further studies could be conducted into ex-Service personnel who are in prison. Other groups of older prisoners that were identified in this study included people with disabilities, including those with cognitive and learning deficits, and mental health problems.

Williams and Poijula (2002) mention that crisis frequently significantly alters the situations of traumatised individuals. According to Gorkin (2005, p. 9) “Hardy players viewed change as a stepping stone not a stumbling block” (p. 9). There can be merit in contingency management to address work-based and societal changes to mitigate the direct impact and unintended consequences of transformations (Gorkin, 2005). Psychological, technological, social, economic, financial and political transformations could be unavoidable in knowledge-based societies, however change often needs to be tempered by legal and ethical factors. Perhaps ethical vicissitudes in correctional systems are something that should often be embraced rather than feared.

6.3 In Summary

This researcher has made a contribution to the literature and has combined interlocking perspectives in works linked to older prisoners, domestic and international human rights. By way of reminder, older prisoners in this study were considered to be 50 years and above. The focus in this research on human rights is not entirely novel. As Mann (2012) notes the issue of human rights has long been a dominant one within the discussion of imprisonment, and yet the contribution of this thesis is to apply this focus to professional perspectives about older prisoners’ needs and situations. Accordingly in this thesis this researcher reported an analysis of the understandings of 33 correctional professionals who had contact with older prisoners in the course of their occupational roles. Participants were from Australasia, Britain, and North America. Each participant was distinctively positioned to facilitate understanding about policies and practices with older prisoners, although participants in this study did not form a homogenous group they had contrasting personal and social histories, emotional and biological attributes. The common theme that bound participants together was their work or other involvement with prisoners including older ones. Participants shared their primary day-to-day activities in this field; they often described their work environment with candidness and reflection.
Thematic analysis afforded an adaptable method of evaluating the study materials. According to Van Manen (2003) each interpretation of what participants have said could be revisited in an iterative process of enquiry. Words and phrases can be affected by social constructions and differing contexts (Lapan, Quartaroli, & Riemer, 2012; Van Manen, 2003). In qualitative research including hermeneutic phenomenological approaches theme identification is a researcher’s central activity (Ryan & Bernard, 2003). This researcher identified patterns and exclusions that emerged in data sources to compare and contrast participants’ information (Krueger & Casey, 2000). Thematic analysis was suitable for data sources that were drawn from participants in differing countries. This approach enabled this researcher to collect and extend forms of data from one individual to encompass 33 participant’s partial experiences. The interpretations of the themes were reinforced by the data. Rights, such as, privacy and safety have been compared against each other. Currently prisons often struggle to meet human rights requisites to provide conditions to older prisoners that are humane. There could be a role for community placement, for example, in residential care facilities of older ex-prisoners who constitute low risks to the public safety. Alternatively older prisoners’ segregation in special needs units might be called for.

Overall in this study this researcher provided an overview of what is known about older prisoners, their requirements and the obstacles that they faced in meeting their needs were presented. It is concluded that human rights issues pervade many aspects of the experiences of correctional professionals who work with older prisoners, and yet these are rarely conceptualised in this way. The challenges that professionals face in their work with older prisoners relate to their capacity to meet social and emotional needs, ensure dignity and privacy, social and political liberty, equality, safety and wellbeing.
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University.


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Appendix 1: The Questionnaire

PLAIN LANGUAGE STATEMENT AND CONSENT FORM
TO: Participants or Organisations
Please return this questionnaire within four weeks of receipt.

<table>
<thead>
<tr>
<th>Plain Language Statement</th>
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</thead>
</table>

**Date:** 16 January 2013  
**Full Project Title:** Older Prisoners: A Human Rights Perspective.  
**Principal Researchers:**  
Professor Andrew Day  
Professor Donald Thomson  
**Student Researcher from Deakin University:**  
Dr. Jen Geary

It is important for you to carefully read each page in this document.

1. **Your Consent**  
You are invited to participate in this research initiative. You have an opportunity to participate in this research project because of your active role with older prisoners. If you wish to participate please sign the Consent Form. You should retain a copy of the Plain Language Statement and Consent Form for your records.

2. **Purpose and Background**  
The aim of this study is to explore factors as experienced by corrections professionals including prison officers, Parole Board staff or Board Members, psychologists, social workers, counselors, the clergy and lawyers related to supporting older prisoners. Focus will be on investigating the degree to which older prisoners’ human rights are or are not being met. It is planned that 20 people will participate in this research project.

3. **Funding**  
This research is funded by Deakin University.

4. **Methods and Demands**  
All research participants will participate in this study by answering a set questionnaire which will be emailed, faxed or mailed to them. Each participant is asked to complete a questionnaire preferably he or she will select to be interviewed. Participation in this study could be about two hours. The interview will be audio-taped. The audio-tape and notes will be held under lock and key. Sample questions from the questionnaire include:  
→ Please indicate what your age is as of today’s date?  
→ What do you understand is meant by the term ‘older prisoner’?

5. **Possible Benefits**  
Services that are designed for younger persons will often be unproductive or impractical for persons who are aged over fifty years. There is a role in targeting the needs of older prisoners towards preventing problems from occurring before they reach damaging proportions (Florida House of Representatives Criminal Justice & Corrections Council Committee on Corrections,
1999, p. 1). Older prisoners can benefit from prisons that place as much emphasis on their needs and circumstances as young individuals who are not people with disabilities. We cannot provide any warranties or promises that you will derive any benefits from this research.

6. Possible Risks
The privacy of your information including your identity will be safeguarded and the researcher’s computer system will be regularly monitored for cookies.

7. Privacy, Confidentiality and Disclosure of Information
Data, which arises through this research, will be stored under lock and key. Only the researcher will have access to this information. It is planned that outcomes of this research will be recorded in: publications that are linked to professional discussions and journals; reporting to Deakin University and domestic and international communities. There are limits to confidentiality, for example, when disclosure is necessary for the proper administration of justice, criminal proceedings, or where there is an impending risk of injury to you or others in situations, for example, of abuse or negligence. Participants will not be identified and the views sought will be of a general nature about the needs of older prisoners.

8. Results of Project
Project outcomes, reports and data about resulting publications may be available at Deakin University.

9. Participation is Voluntary
Participation in the project is voluntary. Whether or not you take part in this research will not impact upon your relationship with Deakin University. Prior to your making a decision as to whether or not to participate in this study the researcher is available to answer any questions that you might have.

10. Ethical Guidelines
This project is undertaken in accordance with the National Statement on Ethical Conduct in Human Research (2007), which was established, by the National Health and Medical Research Council of Australia. Furthermore, the Human Research Ethics Committee of Deakin University has approved of the ethical orientation, which is undertaken in this initiative.

11. Complaints
If you have any questions about this research then you may contact:
1) Professor Andrew Day
Email andrew.day@deakin.edu.au
Phone 613403 0642
2) Professor Donald Thomson
Email donald.thomson@deakin.edu.au
Phone 613924 464
If you have any complaints about any aspect of the project, the way it is being conducted or any questions about your rights as a research participant, then you may contact: The Manager, Office of Research Integrity, Deakin University, 221 Burwood Highway, Burwood Victoria 3125, Telephone: + 61 3 9251 7129, Facsimile: +61 3 9244 6581; research-ethics@deakin.edu.au. Please quote project number HEAG-H 140/2011

12. Reimbursement for your costs
You are not remunerated for your participation in this research.
13. Further Information, Queries or Any Problems
You may obtain a summary of the results through Deakin University web site. In the meantime if you require additional data, wish to withdraw your participation and/or if you have any challenges that are linked to this project contact the researcher:
Dr. Jen Geary
Email: jilgeary@deakin.edu.au
Phone: 1403 678-2918
PLAIN LANGUAGE STATEMENT AND CONSENT FORM

TO: Participants or Organisations

Consent Form

Date: 12 January 2013

Full Project Title: Older Prisoners: A Human Rights Perspective.

Reference Number: HEAG-H 140/2011

I have read, and I understand the attached Plain Language Statement.

I freely agree to participate in this project according to the conditions in the Plain Language Statement.

I have been given a copy of the Plain Language Statement and Consent Form to keep.

The researcher has agreed not to reveal my identity and personal details. The researcher will not disclose my personal details through publication or public presentation. I understand that my participation involves the use of audio taped material. The data will be retained for a period of six years. After the six year period has elapsed records will be shredded.

Participant’s Name (printed) …………………………………………………………………………………

Signature ……………………………………………………………………….

Date ………………………
Questionnaire

Research Questions

These are the current research questions:

1) How can correctional professionals address the needs and rights of older prisoners? These needs include: emotional, physical and social. Examples of correctional professionals include prison officers, parole officers and Board members, psychologists, social workers, the clergy, counsellors and lawyers.

2) How do correctional professionals understand the rights and needs of older prisoners? How do correctional professionals who have had contact with older prisoners, understand their role with these prisoners?

You do not need to respond to questions that you chose not to answer. Please only consider the questions in relation to older prisoners.

Section One Questions

Demographics

1) Please indicate what your age is as of today’s date?

2) What is your country of birth?

3) a) What country do you presently live in?

   b) How long have you lived in this country?

4) Is English your main language?

5) What is your main language?

Section Two Questions

Your work

6) What is your occupation?
Please circle which professional group to which you belong:

- prison officer
- parole officer
- parole board member
- psychologist
- social worker
- the clergy
- counsellor
- lawyer
- other

7) Are you presently employed on a:

(Please circle the appropriate area.)

- Full-time
- Part-time
- Locum or casual basis.

8) If you answered that you are presently employed on a part-time or locum or casual please signify the main reason from the following:

(Please circle the appropriate area.)

- To care for children.
- To care for another member of my family
- Part retirement
- My sickness or disability
- Individual choice
- Other

9) What kind of organisation do you work for?

(Please circle the appropriate area.)

Private Practice
Not for profit organisation
Community organisation
Corporate
Government
10) How many staff work in your:

(Please circle the appropriate area.)

Section?
Ministry?
Organisation?

Section Three Questions

Key Terms and Processes

11) What do you understand is meant by the term ‘older prisoner’?
12) Tell me about your work or association as a professional with older prisoners.
13) How would you describe your involvement as a professional who works or is associated with older prisoners?
14) What are the key duties with older prisoners that are expected of you in your position?
15) What are your specific experiences with equal protection and discrimination towards older prisoners?
16) How would you define equal protection and discrimination?
17) What are your understandings or perspectives on equal protection and discrimination as they pertain to older prisoners?
18) What role, if any, do you think you have in maintaining equal protection for older prisoners’ so that they are not discriminated against?
19) How important is it to you that the well-being of older prisoners is considered. Why? How do you help to achieve this in your work? What limits your ability to do this?
20) How important is it to that older prisoners’ dignity is maintained? Why? How do you help them to do this in your work? What limits your ability to do this?
21) How important is it to you that older prisoners have opportunities to engage in education? Why? How do you help them to do this in your work? What limits your ability to do this?
22) How would you define equal rights for prisoners?
23) How important is it to you that older prisoners have equal rights to younger prisoners? Why? How do you help them to achieve this in your work? What limits your ability to do this?

24) How important is it to you that older prisoners have privacy? Why? How do you help them to achieve this in your work? What limits your ability to do this?

25) How important is it to you that older prisoners feel safe? Why? How do you help them to achieve this in your work? What limits your ability to do this?

26) Do you have any statements you would like to make about safety at prison, which involves:
   i) staff
   ii) prisoners or
   iii) visitors

27) What would you most like to be changed in your work or involvement with older prisoners? For example, higher wages or better hygiene?

28) In your view does your culture impact upon your experiences with older prisoners?

29) Do you experience emotional challenges in your work with older prisoners?

30) Do you experience institutional obstacles in your work with older prisoners?

31) What do you think are the most positive aspects linked to your work or involvement with older prisoners?

32) Tell me about some of the strategies that you may use to address the needs of older prisoners?

33) Do you have any questions about this research?

34) Is there anything that you would like to include in this questionnaire?
### Appendix 2: Participants

#### Table 1: Participant Details

<table>
<thead>
<tr>
<th>Name</th>
<th>Profession</th>
<th>Age Group</th>
<th>Birthplace</th>
<th>Country/Employed</th>
<th>M/F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bernard</td>
<td>Prison Officer</td>
<td>36-40</td>
<td>Australia</td>
<td>Australia</td>
<td>M</td>
</tr>
<tr>
<td>Arlene</td>
<td>University Lecturer</td>
<td>36-40</td>
<td>United Kingdom</td>
<td>United Kingdom</td>
<td>F</td>
</tr>
<tr>
<td>Joshua</td>
<td>Director, Correctional Services</td>
<td>56-60</td>
<td>Canada</td>
<td>Canada</td>
<td>M</td>
</tr>
<tr>
<td>David</td>
<td>Parole Board Member</td>
<td>56-60</td>
<td>Canada</td>
<td>Canada</td>
<td>M</td>
</tr>
<tr>
<td>Heather</td>
<td>Parole Officer</td>
<td>26-30</td>
<td>USA</td>
<td>USA</td>
<td>F</td>
</tr>
<tr>
<td>Ruby</td>
<td>Inmate Classification Officer</td>
<td>26-30</td>
<td>USA</td>
<td>USA</td>
<td>F</td>
</tr>
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Table 2: Participant Demographics

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Table 3: Participant Occupations

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<td>Counsellor</td>
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<td>State Nursing Administrator</td>
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Total 33
1 Participants’ Individual Descriptions

1.1 Arianne

Arianne was 52 years of age when she participated in this study. She had worked in England. She described her occupation as being a “Prison Inspector”. Arianne worked for the government on a full time basis. There were three employees in her team and more broadly 50 in her overall organisation. Arianne revealed in the questionnaire that in her view older prisoners should not be locked in their cells during the day.

During the interview Arianne disclosed some work-related and personal information. Arianne said that she has worked in the field of corrections including in administration, investigations and training. She said that for of six years she was the “… head of Finance, Personnel and Administration”. Arianne reflected, “I am in the vicinity of 50. I don’t feel anywhere near ready to be called an older person.” Often Arianne is nearby prisoners at her work. Arianne needs to wear glasses to help her to read and these help her to view text in fine print. Furthermore, as she ages she becomes aware of noise levels. She surmises that prisoners who live at her work place could experience this challenge with sound levels. Arianne suggested that at her work there is not a pressing need for resources. She focused at her work on completing reports and “…once you are on an inspection talking to people and talking to staff to see what’s going on observing us as much as possible”. Clearly Arianne places emphasis on correctional professionals developing communication and observational skills to improve prison conditions.

1.2 Arlene

At the time that the interview was conducted Arlene worked in Ireland for a government educational institution. In the questionnaire she revealed that she was born in the United Kingdom. Arlene identified as being a University lecturer in Criminology who worked on a full time basis. She revealed that there is 80 staff in her section. She disclosed that her responsibilities at work included to “Improve prison conditions and advise prison policy.”
1.3 Arnold

Arnold was 35 years of age. He was born and lived all his life in the USA. He defined his occupation thus, “Corrections Officer”. Arnold mentioned in the questionnaire that there was 150-175 staff at his work.

1.4 Bernard

In the questionnaire Bernard revealed that he was 40 years of age. He was born, lived and worked in Australia. He holds a Bachelor of Applied Science and he identified his occupation in the questionnaire as being a “prison officer”. Bernard worked with a government department. He advised in the questionnaire that his responsibilities included keeping prisoners safe. Prisoners can be grouped into particular collectives based, for example, on their ages and offences. In the questionnaire Bernard advised that a minority of prisoners might be amoral. These prisoners could not be deterred by the risk of sanctions for their unlawful behaviour and they may constitute security risks.

1.5 Bronwyn

Bronwyn was 42 years of age. She was born, lived and worked in the USA. She defined her position as being a psychiatric social worker who is a sex offender therapist. Bronwyn explained that her primary responsibility was to provide counselling services to sex offenders. Bronwyn mentioned that at her work there were five employees who provided counselling services. She commented, “There’s a bunch of people usually elderly people that are kind of unable to hurt any people anymore that would benefit from maybe being in a secure nursing facility versus being here”. Perhaps there is a role for frail and homeless prisoners to transition from prison to a nursing facility.

1.6 Cal

Cal was 51 years of age. He was born, lived and worked in the USA. He was a prison chaplain who worked for a government department on a full time basis. Cal commented that at his work there were about 2000 prisoners and about 300 staff. Usually there are about 100-150 prisoners in a housing unit with two corrections officers. In the questionnaire Cal advised that his involvement with older prisoners included “Counselling, advocacy, teaching and simply being present.” Cal’s work activities ranged from counselling to advocacy.
1.7 Carla

At the time of the interview Carla was 42 years of age. She had lived and worked in the USA for her entire life. Carla described her occupation as being an “Assistant Warden/Inmate Programing”. She is presently employed for the government on a full time basis at a “maximum-security prison”. At Carla’s work there are “…1400 (security and non-security staff).” Carla advised that her responsibilities at her work included “… daily decision making and planning with security, medical, administrative and programming staff to support the mission of public safety by ensuring the constitutional care and secure custody of the inmate population”. Carla was regularly involved in work with older prisoners. She has worked in the correctional sector for twenty years.

1.8 Carol

Carol was 67 years of age. She had lived and worked in the USA all of her life. Carol worked on a full time basis for a state government agency. Carol reported that she had worked for an “assistant superintendent”. The section with which Carol worked had 30 staff. She worked for a government agency for about ten years prior to her interview. In the questionnaire Carol wrote, “I spent many years caring for each of my parents as Alzheimer’s took their lives so I am deeply aware of what these poor fellows face in their future.” Perhaps based on these experiences and others Carol began to develop empathetic engagement for older prisoners. She also spent summer months with her grandparents. These experiences might have been broadened even more when she completed her Master of Gerontology degree.

1.9 Daisy

Daisy indicated in the questionnaire that she was 58 years. She had lived and worked in the USA all of her life. Daisy said that she was a “State Nursing Administrator” who worked for the government on a full time basis. She mentioned that she worked with 100 staff. Part of Daisy’s responsibilities at her work included the supervision of health and dental services at her work. Prisoners’ chronic and other needs were serviced 24/7 through hospice and broad health services. Daisy was also responsible for ensuring that staff had access to the necessary medical equipment. She had elderly parents who she assisted periodically to have quality of life. Daisy mentioned that at her work the number of prisoners who were 50 years and above was small.
1.10 Darcy

Darcy was 61 years of age. He was born, lived and worked in the USA. In the questionnaire Darcy advised that he was a “Correctional counsellor/case manager”. Darcy and Jasmine both commented that they were aware of incidents where older prisoners have been bullied, for example, by younger ones. However, Jasmine commented “In my experience, older offenders tend to be less involved in assaultive behaviours, obey prison rules better and receive less disciplinary than the younger offenders”. Kallum, Carol, Lucy and Daisy both noticed that older prisoners were subject to bullying from others. For example, older prisoners might be victimised into giving their canteen items to younger able-bodied prisoners. Darcy reported that he had worked in the corrections sector for 23 years.

Darcy mentioned that older and younger prisoners could be regulated by the “inmate code”. If they don’t adhere to this code - prisoners might have their safety and survival threatened. He mentioned that during the night prisoners including older ones might be assaulted by a group of younger prisoners. If the victims should report this assault then they could be at risk for disclosing this information to staff. Darcy continues “We have very few instances where someone gets like severely wounded or killed in our inmate population”. Darcy mentioned about a lack of supervisor accountability. He explained, “Too many yearly evaluations are performed by supervisors who either don’t know the employ or are good friends of the employee.” He concluded, “There is no way of promotion through merit.” He said that there have been few escapes from the prison where he had worked.

At Darcy’s work if they can’t locate a prisoner in 15 minutes inmates are often placed on “Escape status”. The few prisoners who had managed to escape might have been able to do so because of understaffing. Darcy commented, “In America we have an awful lot of people incarcerated who are no threat to society whatsoever.” Darcy is concerned that prisons are warehousing prisoners. Darcy and Daisy referred to class action lawsuits. Litigation can be a means to improve prison conditions for staff and prisoners. For example, Daisy said “In a way they can assist us in times where we are financially not getting enough support from the State.” The possibility of adverse litigation can give rise to improvements in prison conditions.
1.11 David

In the questionnaire David mentioned that he was 58 years of age. He was born and lived in Canada. David’s main language was French. He worked as a member of a government Parole Board on a full time basis. He mentioned in the questionnaire that in his regional office there are “55 staff, 3 senior managers and 18 Board Members”. In the questionnaire David said that he needed to make judgments linked to the conditional release or otherwise of prisoners who were imprisoned for two years or more. Other situations that David assessed are those that involve the supervision of prisoners who are in custody for prolonged periods and pardons, records and suspense matters, which involve prisoners.

1.12 Dean

Dean was 35 at the time that the interview took place. Dean was born and had worked in the USA. He said that his key responsibilities at work require him to “...interact, meet, discuss. Listen and redirect inmates”. There was 438 staff at his work. Dean mentioned that he was a prison transportation officer and that he had also been a prison instructor of “...a basic computer class”. A prisoner had told Dean that with help he was able to assist his daughter with retrieving a document that she thought was lost to her. This experience helped this prisoner to have a sense of accomplishment. Dean professed to becoming frustrated when prisoners experience barriers to their use of the Internet. At such times he might say to his colleagues “The fear of computers we need to get over... I look at Microsoft and IPads and ICLOUDs and everything. We’re running out of time to even start implementing these things because more and more software is not accountable in hard copy, or a book or a CD or a thumb drive.” Dean attested that the only way that an end user can access some software is virtually.

Dean said that there are more inmates than staff at his place of work. He attested, “The real true reality of it is that they’re 1700 inmates here...if they were mad and they wanted to do something there is nothing that 200 of us could really do. That’s mob mentality”. Dean called for alertness to lessen the risk of his workplace being under siege. He draws parallels between being in the military and in corrections. For example, Dean explained that he “...can understand being under threat or the potential of threat at any moment.” He commented, “We as staff our definitely outnumbered by the inmates to us. So we have to have each other’s back”. Likewise in the questionnaire Cal said “Staff work in a hostile environment without any weapons and are...
outnumbered about 11:1”. John indicated that an occupational hazard for him at his work was the possibility on a day-to-day basis that he could be assaulted. He added, “I have been assaulted before years ago but again you can’t go around looking over your shoulder all the time”. Bernard indicated that such assaults should be limited to increase safety at his work.

John mentioned that it is also possible that there could be a hostage-taking situation at his work. Kallum was concerned about the impact upon correctional professionals at his work of working over a prolonged period on concrete floors in prison. Kallum surmised that this gave rise to staff having feet and other problems. John said that the fear of being assaulted is more likely to be worse for prisoners who may be in fear of gangs. In the questionnaire Carol said, “Being constantly vulnerable can take an emotional toll on an elderly person and they may begin spending an unhealthy amount of time in their cell to avoid bullying”. Older inmates might become hyper vigilant in an attempt to lessens risks from others in prison environments.

Dean and Samuel each seemed to see the similarities between work in the military and in corrections. Sally indicated that both corrections and police officers are called upon to be alert at their work. Bronwyn is concerned that being aware of some of the risks of her work may not be sufficient to safeguard her small children. Recently she recommended that a prisoner should be considered to be a “sexually violent predator”. This would have had severe legal implications for this prisoner. Bronwyn drew boundaries between her work and family life. Bronwyn kept her private life hidden as much as possible to develop her security. She lived on acreage with motion security lights to ward against intruders. Bronwyn applied ritual to maintain boundaries between work and home. She reported that she ritualistically wiped off her shoes at the door of her home.

Dean had some advice for correctional professionals and others who work in prison environments. He mentioned that prisoners have the potential to commit horrific acts. Dean referred to prisoners and said “They’re capable of doing horrendous things to you and/or transferring to you whether its through faeces or blood or whatever you have to assume those universal so you can go about your daily life.” He indicated that his work as a transportation officer for officers could be more secure for all concerned if he knew that he was working with prisoners with military backgrounds. Likewise Neil said that older prisoner’s military backgrounds are not disclosed at his work. Dean explained, “…they may have specialised training to do certain things you know their skill level in what they had to do and the things that
they’ve had to live through and or do over time has made them who they are.” Without this kind of background information “I would not know if somebody interactively participated in the military.” Dean applied aspects of business strategies to describe his work context. For example, he attested “If you look at corrections like a business society is our customer... We have to add value to our product”. He called for correctional professionals to add value to prisoners by developing society’s “…reasonable expectation that they can succeed within that society”. Dean commented that to de-stress from the demands of his work that we would go running in his leisure time.

1.13 Doreen

At the time of the interview Doreen was 55 years old. She had lived and worked in the USA all her life. She worked on a full time basis for the government. At her work there were about 600 staff. During the interview Doreen mentioned that she was an “…assistant warden for inmate programming”. She worked on a full time basis for a government department at the time that the interview took place. At Doreen’s place of work there were 1400 security and non-security staff. The staff included “Correctional Officers and we’re accredited by the American Correctional Association”. Other staff included those linked to the health, recreational, educational and clerical sectors. Doreen said that some staff have been at her work for 20 to 40 years. Doreen’s place of work was “…a maximum-security prison but 5000 of our 60000 inmates work together in open-ended dormitories with no dividers between their space.” Doreen worked at what she described as being her “States’ only maximum security prison which means that everyone that gets sentenced for 50 years or more for a violent crime comes here.” This facility has farming and harvests its own agricultural products.

Doreen’s responsibilities included those, which did not involve medical and security matters. Rather Doreen’s duties at her work encompassed education, legal and visitation services. Her work extended to training officers in her corrections environment. Doreen has worked in the field of corrections for 21 years. She reflected on her practice and indicated that she with others “We’ve done ground breaking things.” These things were in the areas of hospice, educational, documentary work and victim/offender communication. Heather also referred to communication between prisoners and correctional professionals. She had this to say, “If you can communicate with them like the people they are you won’t have any problems with them. Not
one.” Heather based this premise on her years of contact with prisoners in “...the tiers and walking on the street”. Dean referred to the benefits of prisoners having opportunities to learn about computers, the Internet and other technologies. One such benefit is that they can then communicate with their families about content that is different from their experiences in prison.

Doreen mentioned that hospice work involved interdisciplinary teamwork. Members of the team included “...security, fitness, the doctors, the nurses and chaplain staff and social workers...” Doreen cared for her aged and ill parents. To relax outside of her working hours Doreen mentioned that she enjoyed walking with her dog.

1.14 Elizabeth

In the questionnaire Elizabeth revealed that she was 54 years of age. She was born, lived and worked in Canada. Elizabeth advised that she worked on a full time basis for a provincial government with 1,300 staff. She wrote that she was in “Senior Management”. In the questionnaire Elizabeth revealed that this involved her in establishing policy and inquiring into best practices. Furthermore, she “...is responsible for responding to any Human Rights complaints that are submitted on behalf of offenders.” Linked to Elizabeth’s involvement with prisoners a central question emerged for her. This question is, “What has your life circumstances presented that you would have ended up in a place like this at your age?”

1.15 Heather

Heather was 29 years of age at the time of the interview. She had spent all her life in the USA. Heather described her work as being a parole officer who was employed on a full-time basis. She advised that there were 200 staff in her organisation. Heather’s work with the government provided her with opportunities to assist both older and younger prisoners. Focus in this research was on Heather’s experiences with older prisoners. In the jurisdiction in which Heather worked all prisoners went to State rather than to County prisons. Samuel drew a distinction between prisoner and staff contact in State and County prisons. In the County prisons there are constant intakes of prisoners. Both Heather and Cal described the older prisoners as preserving the peace. Cal indicated that there are exceptions to this where older prisoners may victimise younger inmates. Often according to Heather the older prisoners did not accept
younger ones coming into disrupt their homes and assisted the prison administration to maintain the status quo.

1.16 Jasmine

At the time of the interview Jasmine was 47 years old. She had been born, lived and worked in the USA. Jasmine described her position at work as being in case management and health administration. There was 23 to 30 staff in Jasmine’s section at her work. Jasmine reported that these staff included “...physicians, nurses, dental staff and an eye doctor”. She said that she keeps abreast of prisoner’s health status. At her work there was a “24 hour care-facility”. Jasmine commented “...there are a number of offenders who are coming into the system later in life. They are getting older and older and not getting out and so that population grows”. Similar to Jasmine Carol mentioned that older prisoners might begin spending time in prison in their mid-fifties. Jasmine had work in the correctional sector with government for about 18.5 years.

Jasmine commented that she tried not to think that sooner than she would like it to be she is likely to become 50 years of age. Jasmine and her colleagues tried to mention to others about audio-visual impairments that older prisoners might experience. These disabilities may prevent these prisoners from being able to follow custodial staff’s instructions to them. Sally advised that older prisoners might not hear the instructions with which they have been issued. Under these circumstances they are often not being disrespectful to security guards.

1.17 Jeeves

Jeeves was 50 years of age at the time of the interview. He was born, lived and worked in the USA. Jeeves described his position at his government work to be as the “Unit Lieutenant”. He saw merit in addressing prisoners’ “...emotional, physical and social needs”. He revealed that his father served for 27 years in the United States Army. His grandfather had also been in the United States Army. During the interview Jeeves called for correctional professionals to, “Try not to judge other people for what they’ve done. And some of them are products of their environment. That’s what I tell my staff because some of them have had miserable childhoods where they themselves were mistreated.” Adult children who have been mistreated by their caregivers may end up in prison.
1.18 John

At the time that the interview was conducted John was 50 years of age. He was born, lived and worked in the USA. Notwithstanding this, John wrote in the questionnaire that he was “...stationed for 5 years in the UK with the US Air force”. He described his position at his government work as being a “Correctional Lieutenant in a Special Housing Unit”. John said his work was located at a “…maximum security unit for the prison.” This unit consisted of 12 tiers. He worked with “…six officers and 85 inmates”. John has worked in the correctional sector since the 1990’s.

1.19 Josephine

She indicated in the questionnaire that she was 57 years of age. Josephine was born, lived and worked in New Zealand. She mentioned that she was a Health Manager and part of the health staff at her work. Josephine worked for the government on a full time basis. In the section that she was attached to at work there were 13 staff members. Josephine reminisced that she had visited Montreal in Quebec. She had found the city to be lovely. Josephine commented that prisoners’ autonomy has been lost as a result of being in prison. She hoped that in the future there would be “More facilities with an area specifically to house older prisoners and health care assistants that could be available around the clock…” Josephine recognised that older prisoners may have intensive needs for medical and housing services.

1.20 Joshua

In the questionnaire Joshua identified as being in the 56-60 year age group. He was born and has lived in Canada throughout his life. Joshua described his occupation as being a “Director, Correctional Services” for a government organisation. He worked on a full time basis with a provincial government department. Joshua’s Ministry had 500 staff. He advised in the questionnaire “I am legislatively responsible for elderly prisoners and those serving community-based sentences”. Joshua was responsible for both case and risk management. He disclosed some personal information during the interview. Joshua professed to be a “socialist” who has worked on the “soft side”. He said that he has worked in the area of regulatory rather than elective services. Joshua provided an example of regulatory services namely “adult parole.” He reflected:
“What I have found – I have been in this business for 35 years. But I love it. But the end is near. I do things that are physical i.e. trimming hedges. But what I would say at the end of the day – I am the Director. I report to the Deputy Minister. Because of many years and the range of that I have done I understand the legal side of it. I understand the technical knowledge side of it and I understand how these people feel. I pride myself that over the number of years I have worked nobody has shot me or hit me or stabbed me or threatened the same.”

1.21 Kallum

He was 48 years of age at the time that he completed the interview. Kallum mentioned in the questionnaire, “My Team Transports prisoners to Doctors outside the prison into the community for treatment.” This transportation service can assist prisoners to gain necessary medical services. Kallum mentioned that he was an army veteran. He disclosed that his father-in-law was a veteran who had served in Vietnam. Part of his motivation to have been at his work as a past soldier was to assist others who experienced stressful situations. Kallum had indicated that he had participated in what he found to be a worthwhile initiative namely a “Wounded Warriors Project”.

1.22 Katrina

Katrina was 61 at the time of the interview. She was born and has lived all of her life in the USA. She worked for the government on a full time basis. There was about 400 staff at Katrina’s work. Katrina described her position as being a “Correctional Counsellor”. She noted that Counsellors might be called upon to intervene with health, housing, programing and other matters. When they intervene into prisoners’ lives they might need to assess where they are vulnerable, for example, because of their cognitive development. A key task for counsellors included locating appropriate services for prisoners. Staff seemed to feel vulnerable at their work linked to prison conditions. Katrina referred to financial limitations at her work. She mentioned that visitors were mostly safe when they were present at the prison.
1.23 Lenny

In the interview Lenny revealed that he was 36 years of age. He was born, lived and worked in New Zealand. Lenny spoke two languages. One is a derivative of the Maori language. Lenny described his occupation with the government as being a “Principal Corrections Officer”. Lenny mentioned that there were about 8000 employees in his Ministry. Lenny worked on a full time basis with 17 staff. According to Lenny these include “…officers and corrections officers”. Lenny mentioned that he worked with prisoners who have different convictions and who will be remaining in prison anywhere from six months to life. When Lenny encountered prisoners he aimed to act with integrity and to respect prisoners’ life experiences. He commented that he has mainly worked with sex offenders. Most of the older prisoners that he has met have been culpable of sex offences. Lenny referred to older prisoners and said that he focused on “Providing assistance and understanding that they are elders within our environment and to treat them with patience, respect and know that some of their needs may be of higher dependency to other prisoners.” Lenny’s parents raised him and he grew up with elders. He developed and supported programs for older prisoners.

1.24 Lorraine

She revealed in the questionnaire that she was 60 years at the time that the interview was conducted. She was born and lived in the USA. She worked on a full time basis for government. On Lorraine’s section there were other Assessment CoOrdinators, counsellors, managers and correctional officers. She described her occupation as being a “Prison Assessment CoOrdinator”. Often a few days after prisoners arrive in the prison they are placed in a group or a class. Each prisoner completed a self-assessment form. Lorraine mentioned in the questionnaire that during the assessment process CoOrdinators consider the prisoners “…work history, education, math and reading tests, drug and alcohol use and family life”. If older prisoners were in the infirmary at the time that these assessments were conducted they might have completed the evaluation with one CoOrdinator. Lorraine posited that if prisoners were considered to be high profile cases they might be placed into administrative segregation. Lorraine revealed in the questionnaire that her “…first career was in geriatrics –my love – and passion is preserving elderly integrity…” She seemed to value her work with older prisoners.
1.25 Lucy

At the time that the interview was conducted Lucy was 56 years old. Lucy was born and lived in the USA. There was two staff in Lucy’s section. She was a member of the clergy with the government. Lucy described her responsibilities at work as including “Spiritual counselling, advocacy, emergency notifications, supervision, assisting with end of life issues”. Lucy was called upon to support prisoners including older ones to address crisis and bereavement issues.

1.26 Marilyn

She was 30 years old when the interview took place. Marilyn was born, lived and worked in the USA. She described her occupation with the government as being a “Behavioural Health Therapist”. Marilyn’s responsibilities at work include health identification, assessment, care and crisis intervention. Marilyn mentioned that she also assisted prisoners to understand what sort of service options they had. There was 448 staff at Marilyn’s work that assisted many older prisoners.

1.27 Neil

Neil said in the questionnaire that he was 40 years of age. He was born and has lived in the USA for his entire life. He was a probation and parole officer with the government who, for example, considered case plans for prisoners. He worked with another eight officers and there was a Chief Justice at his work. Neil worked for the government in the field of corrections for 19.5 years. During that time he said in the questionnaire he had worked in various roles “From supervising and assigning them within the unit to a bed on a specific pod to arranging for their specialized care.” Although Neil’s primary focus was not in medical services he had been in communication with health services, which have been responsible for, issuing medical passes. Neil has had training through “…the NH Police Standards and Training”. Through this training Neil reports that he had become alert to physical signs that prisoners are being victimised.

1.28 Paul

In the questionnaire Paul wrote that he is 60 years of age. He was born and has lived in Australia all of his life. He was a health professional namely a medical practitioner who undertook mainly clinical work. Paul indicated that he worked on a full time basis with a government prison service, which comprised 140 staff. His work-related responsibility,
“…ranges from direct facial contact in medical clinics with a whole range of medical and mental health type problems, drug and alcohol problems. Then there’s supervision outside of the medical workforce. There are clinical standards and clinical protocols etc.”. Paul mentioned that at his work there was no formal assessment or management approach especially for older prisoners.

1.29 Raymond

In the interview Raymond indicated that he was 51 years of age. Raymond was born, lived and worked in the United Kingdom. He also worked in England and at the time of the interview he was working full time for the government in the area of operational support. Raymond disclosed that there was about 45,000 staff in his organisation. The professions that are represented in his organisation included “…prison staff. People working in prisons, prison officers and governors. Then we’ve also got child professionals, we’ve got policy writers, we’ve got commissioners, we’ve got auditors. The list is almost endless.” He revealed that, “Before the Equality Act came around in the UK we were already considering the needs of older prisoners. We are acutely aware of a greying ageing population in prisons”. He commented that, “I am British and am of mixed race from African American British”. Raymond indicated that he was aware of ethnicity. Raymond said, “I emphasise through experiences of race have then led onto empathy for other issues and other protected characteristics”. Raymond was the leader of a small team that developed best practices with prisoners. He also gathered data from a national undertaking to understand older prisoner’s experiences. In sum, Raymond seemed to be aware of diversity issues and policies and laws to address, for example, older prisoner’s needs.

1.30 Ruby

During the interview Ruby mentioned that she was 29 years of age. Ruby has lived and worked in the USA throughout her life. She worked for a government organisation. Ruby described her work to be as an “Inmate Classification Officer” and a “Counsellor Supervisor”. There was about 17 staff in Ruby’s unit. Prisoners in Ruby’s work environment included those who were serving five years or less in prison. She described her roles at her work. These included supervision, screening and classification. Her responsibilities as a supervisor involved Ruby in ensuring “… that the other counsellors are following through with the due dates on classification, reviewing the risk assessments, addressing more administrative stuff while
overseeing the other counsellors.” David mentioned in the questionnaire that age is one of a number of factors that were taken into consideration in risk assessments. Ruby was also directly involved with the classification board. Prior to this Ruby had been a counsellor at the prison.

Ruby mentioned that counsellors at her work often undertook risk assessments and treatment planning. Counsellors were available to assist prisoners at Ruby’s workplace from when inmates first arrived to when they are released from the prison. Ruby attested that her studies at a college did not prepare her for the demands of practical practice that are often encountered in her work in a prison environment. She said that work with prisoners was not as rewarding as she had originally thought that it would be for her. Ruby explained, “It is just not the salary issue but there’s really no way to move up.” She mentioned that correctional professionals often don’t have pay raises and that it is difficult to achieve career advancement. Ruby said, “I can’t get a raise based on performance”. However, she noted that unlike work in the private sector in government operations “I don’t really have to worry about something like downsizing or the company losing profits so they have to out employees.” Government work might have offered Ruby job security. Business models could be applied in government work.

Dean described the field of corrections, as being like a business and the end product was inmates.

1.31 Ryan

Ryan was 54 years of age at the time that he participated in this research. He was born, lived and worked in the USA. Ryan described his position with a government organisation on a full time basis as an “RN Director of Nursing”. Ryan mentioned that there was about 26 staff in his section of the prison where he worked. He wrote in the questionnaire that he was an offender advocate. Ryan was concerned that rather than assisting prisoners to rehabilitate his entire jurisdiction was warehousing inmates. During the interview Ryan reminisced that his son was a prisoner. Ryan’s son had committed crime linked to his substance abuse. Ryan advised that to his grandson he was a psychological father.

1.32 Sally

Sally was 58 years of age when she was interviewed. Sally was born and has lived in the USA all of her life. Sally mentioned that she felt empathy for older prisoners linked to her age. She was a member of the clergy. The Religious Department that she worked with included 27
employees. These comprised chaplains, clerks and support staff. Sally wrote in the questionnaire “As a chaplain, I am aware of the special needs possibly required of older prisoners.” Towards addressing these special needs Sally has resource materials available in large and regular print, and CD formats.

Sally considered that she was middle aged rather than old. Sally commented that at her work there are two managers two or three office workers but the office for these workers was located outside of the prisons. She spent her time at both a women’s and a men’s prison. Sally noted that at her work they undertook regular physical and psychological testing, although they don’t administer tests to detect if an older prisoner experienced a medical condition.

Sally had assisted her mother who at the time was 81 years and was in hospice because of cancer. Furthermore, Sally’s grandparents were a meaningful part of her life. She said, “I think that they have just given us understanding of life, of older people growing up and ageing as graceful as you possibly can and being active”. Sally seemed to have empathy for older, vulnerable and perhaps ill prisoners. Furthermore her upbringing had apparently encouraged her to place value on social justice and fairness. She had opportunities to phone, sit and listen to older and other prisoners.

1.33 Samuel

Samuel was 45 years of age at the time of the interview. He indicated that at the older prison where he worked that there were many older prisoners some of whom experienced Alzheimer’s. Samuel indicated that there was a ratio of 560 prisoners to 4 staff. Samuel mentioned that there was a clear command structure at his work. He commented that his sergeant was responsible for managing a cellblock. Furthermore, Samuel commented, “Each tier has an officer”. The officer’s experience could vary from 20 to 10 years to him or her being a novice.

Samuel said that he regularly checked in on older inmates. Furthermore, at his work “We’ve been doing a lot of updates as far as the camera systems throughout the institution.” However, both Samuel and Sally observed that there are blind spots in the institution. Darcy commented in the questionnaire that at his work they were understaffed and this included security personnel. He added, “We depend too much on cameras that are sometimes not watched or don’t work”. Samuel indicated that occupational hazards for staff included being assaulted or
threatened at work or outside of this. Samuel referred to the prisoners and said, “A lot of them understand you have a job and you’ve got a family. Most of them are respectful towards me”. He recognised that his role was not to punish prisoners for their wrongdoing. Likewise Carol said, “We’re not the punishment they’re already getting it, they’re there. That’s sufficient”. Similarly Daisy commented, “Being placed in a prison is the penalty for committing a crime.” Punishment is the time served and prison conditions should not be harsh. Instead Marilyn attempted to generate a therapeutic context where prisoners could address their feelings. Doreen highlighted older prisoner’s requirement for a safe environment that staff regularly assess.

It can be important to make accommodations for older prisoners and this includes having appropriate programs and housing for them. Daisy commented in the questionnaire that currently at her work “There are currently no programs available that have been specifically geared to the needs of the aged prisoner”. Part of the reason for this was that there were limited financial resources, limited numbers of prisoners and geographical factors. Samuel came to the prison at an older age, as previously he had served in the US military. He found that his life experience assisted him to recognise some older prisoner’s mobility and physical limitations. Samuel reflected that his own father suffered from dementia.

2 Further Excerpts from Participants

2.1 Older Prisoners: Towards Human Rights Development

The transcription of participant’s verbatim accounts can call for considerable time to be expended through research (Annand & Haughey, 1997; Merriam, 1998). An interview log may be a viable alternative to verbatim transcription. Participants were asked what groups make up the population of older prisoners. There were two main groups that were identified. These groups were older prisoners who had committed crimes of a sexual nature and veterans.

During the interview this researcher asked Arianne “What would you consider to be an older person?” Arianne replied: “The Inspectorate would say 50. There are often signs of them being older than the rest of the population.” In contrast Ruby said in the interview, “In XXXXX we have this project for older prisoners that’s run through the Centre for Justice. One of their requirements to be looked at for services, is they consider geriatric 45 and older. So because they come up with that figure that is kind of what I have gaged as my determination for what we consider older prisoners.” There appears to be a lack of consensus as to when prisoners become
older ones as Daisy suggests. During the interview this researcher asked Daisy, “How do you arrive at the age of 50 or above for older people?” She replied:

“I arrive at that because that’s basically what – it’s an arbitrary number I guess. But when we talk within our organisation we talk about aged inmates. That usually the age that we refer to is 50 or above. It was something that was common place within my organisation that they sort of use as a cut off point I guess.

Generally it’s pretty well known that inmate populations are physiologically at least ten years older than they are by their regular age so...Yes. That’s basically how we come up with that figure. Because then we are looking at person who is physiologically who probably is at age 60 or even greater. Even they are chronologically just so...Certainly. Just the muscle wasting and the decrease in strength and that makes them feel a vulnerable population and certainly within what is going on in the States.”

Individuals including those who are vulnerable should often have rights, for example, to both dignity and privacy.

2.1.1 Dignity and Privacy

In the questionnaire Arlene attested to the advent of older prisoners and that they have particular needs, which need to be addressed. Arianne commented, “When a prison becomes aware of its older population they tend to become much better at dealing with it.” Doreen attested, “…elderly people tend to be afterthoughts in the prison system.” Doreen mentioned, “It only takes one inmate to commit suicide, to commit a murder to stay and change everybody’s day so we really focus on the individual needs as much as we can”. Suicides and homicides in prison environments can create emotional shock waves in institutional contexts.

2.1.2 Social and Political Liberties

During the telephone based interview this researcher referred to older prisoners and asked Raymond - “What sort of needs have you noticed?” Raymond replied:

“Well the obvious one is health care needs for example. Screening programs to make sure that things like Healthy England are aware of this accelerating ageing process for prisoners. Therefore they have something like a screening process to meet the needs
and the cost of education and things like that. There would also be things like capacity building projects where we give grants to community organisations to help connect the outside world to the inside world in preparation for release, for example. So one of the things that we did recently was a younger prisoner whose leaving prison. We will routinely work with younger prisoners to train that job seeker.

We can’t find all of our prisoners or all of our older prisoners accommodation or employment or whatever to meet the need but we are getting better. We include the needs of older prisoners accommodation or employment or whatever to meet the need but we are getting better. We include the needs of older prisoners.”

Later also in the interview Raymond said, “We offer education but again its limited in its resource and in what it can provide. So, for example, many prisons will do Part Time education.” This researcher referred to older prisoners and asked Raymond, “Do they gain access to the Internet?” Raymond replied, “They can but it’s very limited for security purposes. So yes it is used in education. We have education classes for prisoners. Yes we encourage the use of the Internet. Obviously in a supervised manner due to the security implications if they do it unsupervised.

This researcher asked Raymond “So would it be Internet or Intranet?” Raymond responded, “They can go on the Internet but obviously there are restrictions for that. So there are blocked actions they cannot take. What is available to them is largely linked to the curriculum they have”. Next this researcher asked Raymond “Can they access a law library?” Raymond answered, “Yes. We have instructions on this. We have policy on this. They can’t actually access laptops and things for legal cases, for example, - again strictly governed and strictly monitored. They can access computers for legal purposes after the need has been assessed – the risk has been assessed.” Raymond continued, “We have lots of security breaches. However, that hasn’t stopped us from preventing prisoners’ access to the Web for educational purposes.”

During the interview this researcher asked Daisy “Do you have concerns over the misuse of computers?” Daisy replied, “Right now – no. Because we provide computers for inmates but they don’t have Internet access...Yes it would be Intranet and they are just very self-contained. They might be within a single computer training room using the Intranet.” This researcher asked
Daisy “And you’ve had no security breaches?” Daisy responded “Not that we are aware of. They can’t go beyond just the little programs and things like that we have for them”. Daisy mentioned that these programs included “…education programs. They have their training programs for – we provide some computer software programs so that they can become computer literate.”

Literacy development could provide opportunities for older prisoners to develop skills to adapt, for example, to educational and vocational challenges that they might experience on their release from prison.

Dean during the interview commented:

“We want inmates to be as successful as we can when they get out of here. However, giving inmates access to computers. Although we do it. Limited basis here and there. Giving them complete access to understand computers and use them and operate them and the availability of the funding for them or the training of them. To me it’s a joke. That we are saying. I expect this inmate who came to prison in 1995 to be released in 2015. He’s done twenty years in prison. I expect him to go back out in the world of facebook, twitter, IPads, IPhones – everything so quick and I expect him to succeed. He’s going to go to the grocery store. He’s going to see an electronic keyboard. A self-checkout item and he’s going to say what the heck is this. He’s either going to steal it or he’s going to walk out in frustration. And we’ve done nothing to help him be successful.

I think it’s a joke to say we’re doing our best to help prepare this work. When the largest thing that changes everyday all day - I actively participate in the technology. I am definitely a linear person. I have a lineal mindset I’ve been raised in a world where I don’t know anything other than computers. So I have no idea what someone is talking about – a typewriter. I had to explain what a typewriter was - the other day. They have no idea. However, I actively participate in it and I cannot keep up with the technology. I can’t keep up with the webpages. I can’t keep up with the webpages. I can’t keep up with all the class media. I can’t even – my computer can’t be updated enough. My phone is inundated with things. And we’re asking someone who has never actively participated in this world to go out. I mean it’s the embarrassment and the shame – or the thing to go out. You go to a Home Depot. You go to a construction site
and say, “I want to get a job I have carpentry skills”. They say go to our website, fill out some stuff and they look at you – “What are you talking about? I have to go on your web. I have to go to your HR homepage”. That’s the “*, in the headlight”. We are sending guys out in the community with – I think that’s a huge downfall.

The best experiences that I’ve ever had in corrections is an inmate took a basic computer class that we were offering that I was in charge of. It was basic Microsoft Word, Excel and Power Point. They took him from the very beginning. Here how you save. This is what this bar. Here’s what this specs. Here’s what this title means. Here’s what this little spacebar – everything, word by word. He comes to me after the class and he says “I want to thank you Mr. XXXX for putting on that class. How much it means to me that we do that.” I said “Not a problem. We’re trying to educate people”. I’m not paying too much attention to what he is saying but he said “I had a conversation with my daughter who is in College. She was getting off the phone with me because she was so mad that she had lost her research paper. She didn’t know where it was. She didn’t know what she was looking for. She was just upset. She was so mad and she had to get off the phone. But I said did you try doing this and go to the start menu and use the search and go into here or how about? Go into your computer. Open it up. Use control, d, x...” – Whatever he learned and he said at that moment his daughter said “Dad how did you know that? I didn’t know you knew how to use a computer. You just helped me find my research paper. It’s right here. There’s an auto saved version of it that I have”.

“A father in prison helped his college-aged daughter find something. They connected on something that has nothing to do with prison. That to me means they have a greater chance of being successful when he gets out. He instilled a little bit of trust in her. She now respects him a little bit more. Those are the small things that ultimately I want to happen a thousand times a day. Because no matter how many houses I put out there and the things I do if we don’t create these small little things they are not going to be successful. They’re going to get out. They are going to get that feeling of mistrust or somebody’s everybody’s looking at me and they are going to revert to what they know. Now that’s negative. It’s easier to be on the inside. When someone says it’s easier to be in prison than it is to live on the street or to live around my family or to live here that
someone has given up. Completely given up on society. Reintegration. Family. Positive prosocial things. They’ve given up because it’s definitely not easier to be in prison. Yes there are meals. Yes there are beds. It’s not easier to be told what to do and when to do it.

They would be taking online college courses if they were allowed to do it. Right now. Just not allowed to do it. That’s a travesty to me. That’s wasted time, wasted space, wasted opportunity because there is free education. I have the access to get a Harvard Education on the Internet. I can sign up. I can be approved. It wouldn’t cost me anything. I could get an Honorary Harvard degree. Just by having access to the information. I can access the digital public library of Massachusetts.”

Clearly there are advantages for prisoners to gain access to, for example, computers and the Internet. There could also be disadvantages attached to this, such as, security concerns. Heather said during the interview:

“We got a grant and we’ve just got computers now and we are going to be setting up. They are not up and running because of the security issues that we’re facing. But once they get up and running they’ll have access to online schooling. So that will be a plus on our behalf. Once we get everyone up and running and everyone involved in it.”

This researcher asked Heather, “And do you see that there may be some limitations of online schooling”. Heather replied:

“Limitations. I mean problems of support with their computer because we’re not talking about hundreds and hundreds of computers. We are only talking about ten to fifteen computers per site. So yes there will be that aspect. There has to be more staffing, which again we are dealing with more money in an already constrained economy. But definitely it’s a problem that we are going to be facing there also with some of our guys. Their security threat levels which if they are high security they are not going to get access to these services because of behaviour issues.”
This researcher referred to the Internet and asked Raymond, “Do you apply it for family visitation?” He said, “No. No. We do have electronic booking systems. It is the case we have electronic family booking systems but they are not web-based but they don’t go anywhere else if you know what I mean. A prisoner can book in some of our prisons on the system, which is a stand alone system.” Likewise Daisy referred to the benefits of electronic infrastructure and said:

“The only time when there would be difficulty for families visiting in prison is – we have some inmates who are on the mainland and that increases the challenge because they are in XXXX and that’s quite a distance. We do have video visitation in those circumstances and they can certainly fly out there and visit family if they want. But generally as far as elderly patients they are usually kept in XXXX. They don’t usually send the elder ones.”

There can be merit in developing technologies, for example, computers and the Internet to assist older prisoners to gain access to education and family visitation. Jeeves suggested during the interview that some subject matter could be more useful than other content. He said:

“So I mean I’ve had offenders tell me why do I have to learn about algebra? I’ve been a labourer all my life. Why do I need to learn Algebra 101? How’s that going to help me when I’m 29 years old? How’s somebody who has never needed to work in like an office type building or professional type setting how are they going to need Algebra 101?”

Darcy said during the interview, “We do offer them the means to get a high school diploma and we do offer them a means to get a GED. We have in the past offered them the ability to take college courses. The amount of teachers that we have and the availability of higher education is a lot less now and we are very short on teachers”. There does not appear to be adequate and appropriate resources, such as, accommodation, staff or employment for prisoners including older ones. There is a need to develop equality rights.
2.1.3 Equality

As the interview with Raymond progressed he commented upon the Equality Act and said:

“We are absolutely aware of a greying population in the prisons... One of the issues I think we all have if the Bill goes through. One of the issues I think we will have is how you ensure your giving equal access to prisoners to access services within one single pot budget and like I say that you’ve got I don’t know 15 million in that budget and you want to give prisoners a piece of that and they will think that’s not fair. They’ve done wrong. The finite budget you will see can actually create some problems. But we strive from our end when we are speaking with our stakeholders in Parliament to remind them of their legal responsibilities. If not we will take the necessary action to enforce it.”

Financial challenges linked to older prisoners can in part be attributed to negative public opinions about inmates. In the interview Carol said:

“Eastside of the State everything is all on one floor. So there’s no barriers for the elderly. But at XXXX being an older facility in XXXX it is multiple stories that not having an elevator it affords very little opportunity for the elderly to participate unless they trudge upstairs and I’ve seen the elderly hold their cane over their arm and use both hands on the handrail pull themselves up multiple flights of stairs to get counsellors, to get the library, to get religious services and that’s a shame”.

Physical barriers may impede equality development. In the telephone-based interview Elizabeth had contrasting opinions about older prisoners’ experiences from, for example, Carol and Bronwyn. She referred to older prisoners and attested:

“In terms of the housing issue typically because in terms of education, work and programs that are available they have as much access to programs as anyone else. They get a caseworker like any other inmate. They get a case plan developed for them. If they are having mental health issues and they’re transitioning back into the community we have transition workers that might help them in that regard. So there’s nothing that they’re missing out on.”
Daisy suggests that mental health services on prisoners release into the community are sufficient. She stated, “We do have a pretty good adult mental health community. For the folks that have mental health issues – usually have been connected into that community before they leave here and the mental health folks are happy to help them.” Older prisoners might be experiencing mental health issues and they could often benefit from comprehensive community services.

This researcher asked Elizabeth – “So when you refer to achieving equal protection key to that could be case management and outreach on release?” Elizabeth replied “Yep. Yep.” Raymond reported, “For example, we could use the fact that we are handcuffing an older prisoner, for example, we would ask them to consider other differences. Are there any needs so we try to develop equality?” Older prisoners may be frail and they might not require handcuffs to be restrained.

During the telephone-based interview Arianne commented, “If a client had victimisation/discrimination I have certainly come across it.” Arianne describes the meaning of discrimination thus “I think that anything that leaves you to feel that you are being treated differently either deliberately or without deliberate intent because of some feature about you that is absolutely irrelevant to the wider context…Often it is about perception and if you feel that you are feeling that you have been discriminated against then that’s important.” Individuals may perceive that they are being subject to discriminatory practices. Often this calls for further investigation to occur to advance their safety and well-being.

2.1.4 Safety and Well-being

During the interview Dean said:

“For prisoners or inmates we have to ensure that basic human rights are met. We have to ensure the safety of that prisoner. We come into the prison knowing that essentially these are wards of the State. We are guardian of it. So what you need to provide as a guardian in terms of safety is the basic right to safety.”
There is a duty of care to provide for prisoners’ safety and well-being. Jeeves commented in the interview:

“But first and foremost we’re going to make sure that offenders are kept safe from other offenders, staff are kept safe from offenders and that the whole institution is as safe as it can be. So I don’t think we limit this with age especially. We try to make sure that all offenders feel some degree of safety because it is our job to keep them safe. Regardless of what they are here for we have a responsibility that we can’t send you out damaged when you come in not damaged. We have to take every precaution possible to make sure that if you report to us that you are having an issue we need to take it seriously and look into it.”

Certain activities in prison can undermine professional and prisoner safety and well-being. For example, bullying can undermine, safety for all. During the interview Paul commented:

“There is bullying around medication diversion. People that aren’t managing out in their cells because of poor hygiene, or mobility or because of their crime. Corrections try to separate them out and concentrate them in one prison. A lot of these elderly people are in prison because of sex crime. That kind of crime in general is a target of abuse and assault. For the elderly people it’s more of a risk. Corrections do try and segregate them into protection units in one prison.

The elderly prisoners are concentrated in one or two small prisons. So yeah they would not have the same opportunity for programs they would if they stayed in one bigger prison.”

Dean referred to bullying and said, “It is not as though it never happens but it does happen a small amount but it’s not usually for food it’s for other things, such as, a CD Player or running shoes. That doesn’t happen very often.” Cal revealed to this researcher his apprehension that some older prisoners may be subjected to victimisation. He said:

“The concern is for me – the main concern is looking at if an inmate might be a victim, a predator. Another inmate especially a younger inmate or a bigger inmate. So when I tour I’m always looking to see if someone is very withdrawn. I mean you’re always looking for bumps and
injuries. But if someone is withdrawn or seems very quiet or timid or fearful here we have two
dorms for older inmates.”

Older prisoners may be particularly vulnerable to physical and other forms of violence.
Dean commented:

“I think that not only in increase in terms of population of older prisoners. My
opinion our population is ageing. We know that. We understand that. The
population itself and if - we’re a potion of the population. Our prisoners are
tending to come in older. But definitely on the sex offence part. I mean it’s the
new pariah. You’re the stigma of this generation or our culture these days. I mean
some of the restrictions and some of the placements and the sheer request of
things.

You look at it and you ask how do we expect this person to be successful when
they get out when we say, “You can’t live within ten blocks of the school. You
can’t live within the park. You can’t... You have to check in here, there and then.
You have to tell every person in your neighbourhood that you’re a registered sex
offender and they basically paint a target on you.” How do we expect them to be
successful? How do we expect them to become more intoxicated and more closed
off from society, as a whole, which I think, is definitely an anti-social thing that
we do. We want them to be more open. We want them to really participate, to be
redressing and detaching from... But the requirements of some of these things – I
mean you can look at several different displacements. Based on the knowledge of
where a person can be or where they have to register or what they have to do
based on sex offences you know you’re limiting them to a very small section of
Towns, of States of Cities where they can go. I mean where they can even be.”

Dean continued:

“I think some of them are warranted and some of them are blatant overreactions.
If we believe in a system that says. It’s almost that we say well if you murder
someone and you put your time into prison and you come out that we are
essentially going to say you did your time and you served. But on the other hand
we tend to associate sex offences with something psychological that there’s a mental issue to this and yes you would have gone to prison but I don’t believe there’s that same belief that “OK you did your crime and now you did your time and now you’re done and we’re going to bring you back into society.” The stigma of well it’s a mental thing you don’t really ever fix that. You don’t really ever get over that. They are always going to have that in their brain. There’s something to do. – is a fear in society that I think we have. I think we overreact in some respects and place some very high restrictions on things of this nature.”

Heather commented during the telephone interview:

“If you have been called a snitch or been known as being a snitch you have to be very careful in the prison system. Its probably worse to be a snitch than a sex – offender in prison. It’s more dangerous. I’ll say that…. It’s the fear for safety. The again we can’t move them. It’s like high school everybody talks. The next thing you know we have to transfer them out into another prison because again it’s not going to stop the other prisoners from finding out. You need to assess those individuals who have been identified as being a snitch or we also have gangs. This gang mentality versus that gang member.”

This researcher in a summarising statement said to Ariane, “You’d mentioned about prison carers and we’d talked about current training. I imagine that what would be very important in knowing in knowing how to lift someone from a wheelchair so they don’t get injured – the prison carers or the people that they are lifting.” Angela replied: “There’s no where near enough of that training available. In some places you’ve got prisoners who are acting as carers who haven’t had training. Out of common humanity they help them as much as they can.”

Samuel during the interview referred to prisoners’ access to peer support networks. He said:

“At my particular facility we have a lot of older inmates. Some of them have Alzheimer’s or something like that. They’re finding peer support, which is basically another inmate, which becomes screened. It kind of helps them during the day and special needs that they may have. Those other inmates are kind of there to assist them with that.”
Sally said during the interview:

“We have had people in prisons where there might be somebody too specifically disabled or emotionally – not so much emotionally but physically or with an Alzheimer’s. Another inmate will be able to help them. They will push them. They will be their caregivers. They will push their wheelchair or they will make sure that they come to the meals and those particular individuals are chosen by staff. to be in that kind of capacity.

Usually the people that are – they do have some kind of training. They work in the infirmary and so they’re clerks in the infirmary. There’s always staff there but they may be doing things that a staff member wouldn’t necessarily need to do but something like doing hands on physical - changing someone’s clothing – the staff does that.

Those are – they’re actually – that’s their job. It’s like they work in the infirmary and that’s their job... Usually people who work in the infirmary – that work. There they will spend time talking with people and providing their meals. They’re also the people that will change the beds and clean up the area and do that kind of work. A lot of them are extra support systems for people that are ill.

I think it’s an awareness that older people have other needs - that somebody may not hear you and a security officer may think they’re being disrespectful... They cannot see because may be their glasses are broken or they need a stronger subscription and it’s taking too long.”

Likewise during the interview Carol commented upon prison carers:

“We also have a small caregiver program. We just advertised that in our inmate bulletin a week or two ages. That there’s an inmate and inmates can apply for caregiving positions to help the elderly when they are getting to the point when they can’t deal with things. That they normally deal with. They help them figure out their medication. They help to get them to appointments. They push them in wheelchairs. If they are incontinent they help them with their details. That program is starting to come to life. It is pretty effective as far as I am concerned.”
This researcher asked Carol, “Do they receive training?” Carol replied, “Yes I believe they do”. This researcher requested that Carol answer the following question “Is it paid or non-paid?” Carol responded, “It’s a paid position”. Prison carers who receive inadequate training might undermine their safety and those of others to whom they render assistance.

During the interview Bronwyn also spoke about challenges connected to architectural design issues in the prison she said:

“I got an issue with a guy a couple of weeks ago who – he’s much older. I don’t know into his seventies and he passed out three times on the pod – over the last few weeks. He’s been going back and forth to the hospital to try and figure out what’s going on with him. He’s like losing blood pressure, which makes him pass out. So I said to him our group is up four flights of stairs and I said to him did you get an elevator pass and he said I requested one but got denied. I was like – what you’ve had three incidents of passing out. How could they not get an elevator pass? So I called the nursing staff and I said, “Is there anyway we can change this. It seems a little ridiculous! The guys got to go up four flights of stairs and has got problems with his blood pressure. “ So they approved it and now he’s got an elevator pass which he doesn’t even use but I want him to be able to use it. If he feels the need to use it.”

There is a need to address prisoners safety and well-being and this might including their gaining access to needed services including those that are currently located in challenging areas for them.

Joshua recognised in the questionnaire that if prisons are not safe for inmates they are unlikely to be so for staff. In the interview Dean commented “…for prisoners or inmates we have to ensure that basic human rights are met. So what you need to provide as a guardian in terms of safety is the basic right to safety.” In a summarising statement this researcher said, “And that is consistent with Article 26 of the International Covenant on Civil and Political Rights and article 9 security of person and equality under article 14. I can imagine that it’s quite a juggling act in terms of being able to meet those obligations and the realities of the budget that you have.”
During the interview David said:

“One of the things that are the main area of concern that we look at when we talk about older offenders is the impact of the institutionalisation. So it’s more a question of needs rather than risks. But if the needs are not sufficiently met it may lead to disorganisation or difficulties to reintegrate in society that could eventually lead to other criminal offences.”

During the interview Ruby attested “… it all comes down to money”.

There may be quality support strategies available for both correctional professionals and older prisoners. However, these need to be funded for these individuals to optimise their potential.

2.1.5 Support Strategies for Correctional Professionals and Prisoners

The Wish List: If Arianne had a wish list it would contain the following subject matter – “The ability for staff to be resourced to the point that they can spend that extra ten minutes here and there meeting the needs of individuals, understanding the needs of individuals and learning about the needs of individuals.” Both Heather’s and Samuel’s list would have had on them requests for more staff and funding than what was currently available at their work. Ryan called for increased pay so that quality staff could be recruited and retained.

Carol mentioned that on her wish list there would be adequate funding “…for a dedicated re-entry program for them – just specifically the elderly. I think they get lost in the mount of programs that are for younger people.” Paul suggested that on his wish list prisoners would have better access to medical services than they do now. Perhaps this calls for programs, planning, training and mediation to address these needs.

2.1.6 Prison Programs, Planning, Training and Mediation

Doreen commented in the interview:

“We have a hospice program. So no inmate dies alone. We want to teach the inmate that all life is valuable and you have a role to play in that. So they really take that to heart when they see a member of their community die and realise I’m there to help. Whereas the last time that I was in the outside community I was a perpetrator and my victim was going to die and I did nothing to help… We have visits all the time. We also have inmates
with special circumstances. For example, with our hospice programs. You can have inmates that’s family can actually come and spend the night with them.

We created a job called the tear worker. When we were experiencing suicides and what the tear worker does I XXX Its usually an older guy who can’t do too much. He walks up and down the tiers in between correctional officers’ hours and just talks to the guy. We’ve reduced suicides as well because we use them for that. “

Cal also referred to a hospice program at his place of work. He said:

“We do have a hospice unit here and a hospital. So we do have many deaths a year. We do have probably on average once a month – maybe a little more. So it’s always –it’s often enough that we’re always aware of it. Which is kind of an awful thing to be thinking about if you’re an older inmate and you’ve still got some time to think about - “Might my last days really be here”. When you’re younger you’re not thinking about that.”

During the interview Carol said:

“Ideally it would be nice if there was a small facility that was dedicated to those specifically for those who were on – the outside would be on assisted living... because of the cost of wariness, the fear, the ever present opportunities of being bullied or coerced. So it would be nice if there were a place where they could go if they wanted to go.

I don’t know what happens to them if their capacity begins to diminish. If they do have anything on the outside and if they don’t have anyone to manage their affairs on the outside I have no idea what happens.”

This researcher asked Carol, “And would you say that architectural design is a barrier to access services?”

Carol replied:

“Oh definitely. Personally if I was the Director for the Department of Corrections for XXXX I would make sure that multi storied facilities had some sort of modular buildings that were dedicated to programming for the elderly who couldn’t make it upstairs. We
have plenty of ground there’s no reason why we couldn’t have modular buildings insight – in the facility. Where they could actually walk up and downstairs.”

David said during the interview:

“I think that I pointed that out at the end of the questionnaire. One of things that I believe that we need is more resource in the community that are adapted and able to accommodate the needs of older offenders and it’s not just from an intervention perspective. Its also sometimes very physical organisation of places and making sure that these hallway houses are accessible because in that neighbourhood there’s no sidewalk. There’s no accessibility for people with difficulties with - mobility is very limited.

Some older offenders will need some financial supports. So making certain that they have enough from a financial point of view to support their basic needs. That they have the knowledge and the capacity to get the access to the pension plans.”

Daisy said that it is problematic to attract funding for corrections. For example, taxpayers would rather pay for children’s’ programs. She commented that the public is not sympathetic towards prisoners. Daisy explained that prisoners are likely to be released eventually. She referred to prisoners and said, “They’re your next door neighbour and the person down the street.” Darcy indicated that there are shrinking budgets for State and Federal Government Correctional Programs. He continued, “Most older prisoners don’t have any money or resources.” Carol indicated that administrators should not use financial limitations as a reason why prison conditions should not be improved.

Carol explained, “Using budget as an excuse is unconscionable and the possibility of considering the needs of the younger offender as being more important because they have a family to care for when released is not an excuse either”. When prisoners are placed in custody society often has a duty to do more than simply warehouse them.
Appendix 3: Ethics approval

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Memorandum

To Professor Andrew Day School of Psychology
Date 29 May, 2012
From Secretary – HEAG-H Faculty of Health

Approval has been given for Professor Andrew Day, School of Psychology, to undertake this project for a period of 1 year from 29 May 2012. The current end date for this project is 29 May, 2013. The approval given by the Deakin University HEAG-H is given only for the project and for the period as stated in the approval. It is your responsibility to contact the Secretary immediately should any of the following occur:

- Serious or unexpected adverse effects on the participants
- Any proposed changes in the protocol, including extensions of time
- Any events which might affect the continuing ethical acceptability of the project
- The project is discontinued before the expected date of completion
- Modifications that have been requested by other Human Research Ethics Committees

In addition you will be required to report on the progress of your project at least once every year and at the conclusion of the project. Failure to report as required will result in suspension of your approval to proceed with the project. HEAG-H may need to audit this project as part of the requirements for monitoring set out in the National Statement on Ethical Conduct in Human Research (2007). An Annual Project Report Form can be found at http://www.deakin.edu.au/hmnbs/research/ethics/ethicssubmissionprocess.php which you will be required to complete in relation to this research. This should be completed and returned to the Administrative Officer to the HEAG-H, Pro-Vice Chancellor’s office, Faculty of Health, Burwood campus by Tuesday 20th November, 2012 and when the project is completed.
Good luck with the project!

Steven Sawyer Secretary HEAG-H

cc Professor Donald Thomson, Dr Jen Geary.