

CHAPTER III

RECEPTION, CLASSIFICATION AND DISCIPLINE

Admission into a penal institution can be a convicted offender's first taste of prison life. The reception procedure which follows immediately and the decisions taken by the Reception Board may determine the kind of life the offender would lead while inside and also probably outside the prison after discharge. Wolff is of the opinion that a man's arrival at his prison may mark the most important point in his prison career.¹ Likewise, discipline in prison affects a convicted offender's prison career, he can decide whether to abide by the rules and regulations of the prison or to violate them to show his disregard for such life and to evade any attempt on the part of the Prison Authority to rehabilitate them.

A. Reception and Classification

A new arrival at the Special Prison is led to the Reception Room where he is photographed, finger-printed and his personal characteristics, his past history including particulars about his parents' age, occupation and character, his previous occupation,

¹W. Wolff, Prison, Eyre and Spottiswoode Publishers Ltd., 1967, p. 7.

ambitions, reason for committing the offence are taken down. He is then given a number which replaces his name and is assigned to his cell.

The admission procedure, the writer feels, is a routine to both the prison officers and habitual offenders. The Reception Officer faces the tedious task of asking the same questions over and over again whenever there is a new arrival in the prison. He seldom takes into consideration the fact that first-time offenders may enter the prison with fears, resentment and confusion, afraid to ask questions but can only answer questions in a haze. These offenders would not therefore be in a proper state of mind to enter into a rehabilitation programme. The recidivists, on the other hand, are too familiar with the procedure. They are able to answer questions without thinking deeply and such answers would therefore not reflect their actual state of mind. Further, if such procedure is carried out again, whatever unhealthy and misguided impressions the inmates have received on previous admissions would not be corrected or eliminated. These inmates would not be able therefore to appreciate the rehabilitation programme planned for them.

The writer, therefore, recommends that group sessions be held whereby the Reception Officer together with the new arrivals discuss the treatment plan, prison life, prison regulations and foreseen difficulties so that fears will be dispelled enabling

the new inmates to embark on the treatment programme with an open mind. Recidivists must be made to feel that imprisonment is not merely "a holiday" from crime but that they should make an effort to change into better law abiding citizens.

Every new arrival is interviewed by a Reception Board² who will consider what arrangements are to be made for his training.

Rule 21(1) Prison Rules 1952 provides that:

21(1) At every prison there shall be a Reception Board consisting of the Officer-in-Charge and such other persons as the Commissioner may determine, who shall, as soon as possible after his reception in prison, interview every prisoner, and consider what arrangements are to be made for his training.

Further, the inmates are classified having regard to their age, character and previous history as

- (a) Young Class Prisoners
- (b) Star Prisoners consisting of:-
 - (i) first class offenders
 - (ii) well-behaved prisoners who have no vicious tendencies or habits;
- (c) Ordinary Class Prisoners (generally called Black Spot prisoners) consisting of recidivists and all other convicted prisoners; and
- (d) Unconvicted Class Prisoners.

'Classification' in the field of rehabilitation means a method by which diagnosis, treatment planning and execution of the programme are carried out having regard to the individual inmate's needs rather than for the whole inmate population. It goes beyond the aim of placing inmates into types or categories for administrative purposes. Rule 34(1) of the said Rules aptly states the aim of classification as "Facilitating the training of convicted prisoners" and "minimising the danger of contamination."

The needs of individual prisoners are catered for in Rule 34(2) which provides that "a prisoner may be removed from any class if . . . his character renders him unfit for that class." Thus if a convicted offender is over the age of twenty-one and is a first-time offender but is reputed for his bad character and strong influence, he will be classified under the "Black Spot" category, that is in the Ordinary Class together with the recidivists. Such a step is taken to prevent contamination by hard-core criminals as well as to suit the treatment programme to the individual's needs.

As regards the suitability of a particular offender to a particular class and particular form of training, careful study must be made into the background and personality of that offender. In this matter, the Reception Board should be guided by records of the Court concerning the particular individual so as to ensure that the correct class is allocated to that offender.

Thus by means of Classification, the present and future needs of prisoners should be entered for. It is submitted that hard-core criminals in the Ordinary Class should be subjected to more treatment in reformation of the mind rather than in vocational training which they have already acquired in previous terms of imprisonment. On the other hand, there should be an equal allocation of time and effort between the teaching of vocational skills and that of social education for young offenders and Red Spot prisoners. Further, reclassification should be available whenever a particular inmate shows sign that there should be a major change in his particular treatment programme. It is only by this way that a realistic, effective programme can be formulated and seen to reap ripe fruits even though this process may take a long time.

During the new inmate's interview with the Reception Board, the Board has, inter alia, to assess whether the prisoner is likely to make an attempt at rehabilitation. The Welfare Officer has an important part to play in this aspect. In order to assess the rehabilitative tendencies of the offender, knowledge of his background, his family life and social problems should be revealed and it is up to the Welfare Officer to visit the offender's home to attain these facts. Moreover, it is essential even at this stage to find out whether the conditions of the offender's home facilitate his rehabilitation after his discharge from prison.

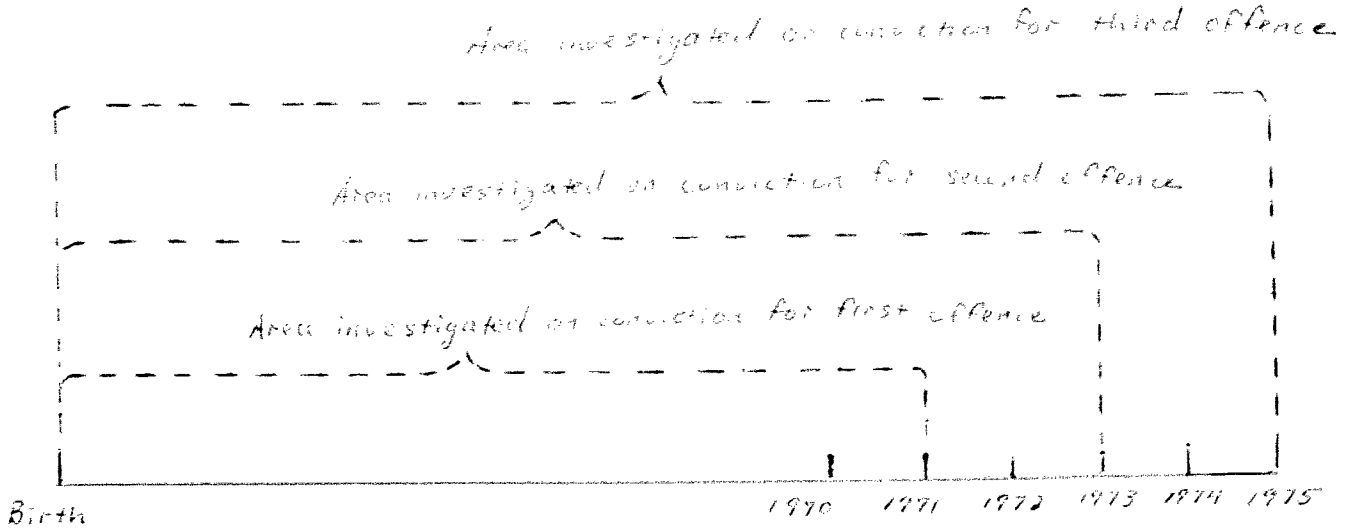
The machinery of the Reception Board however, may not, by itself be very effective. New arrivals are apt to feel sorry for themselves and angry with society. Recidivists, through experience, will answer questions in the same way they have answered many times before, not revealing their personal problems. It is difficult, therefore, to make a proper estimate of the character of the prisoner. As a result, the Reception Board may go by the Prisoners' Records but surely this is the last thing to judge them by, since rehabilitation means making a new start. The prisoners are bound to feel, "We're damned before we start: they just don't give a man a chance."³

It is suggested, therefore, that the reception procedure be modified to some extent. So far as first time offenders are concerned, the existing procedure can still be used but care should be taken to explain to these new arrivals of the part their answers can play in their treatment programme. Recidivists, on the other hand, should only be questioned on the period of their life which they have spent between the last conviction and the present one. It is important that the underlying cause of commission of the present offence be assessed and analysed by the Prison Authority, for example, if the underlying cause for recidivist A to steal again, is unemployment, the Prison Authority would concentrate in training A in vocational skills and help him to obtain employment after discharge.

³ Wolff, loc. cit., p. 150.

DIAGRAM A

EXISTING RECEPTION PROCEDURE FOR A RECIDIVIST

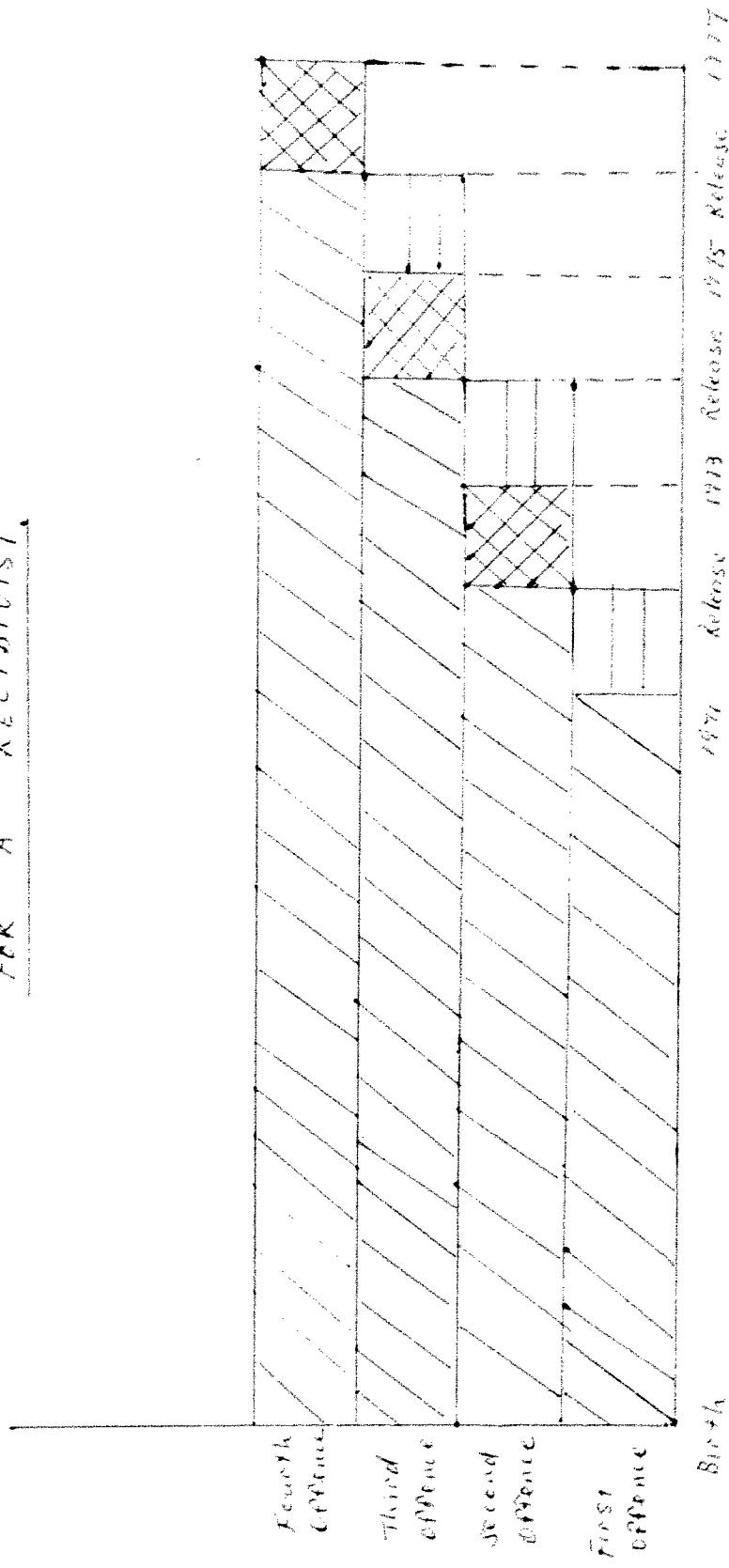


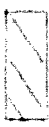


SOURCE: DISCUSSION WITH SUPERVISOR

Assuming that the recidivist is first admitted into prison in 1971, he will be questioned on his life history between birth and 1971. But when he is again admitted in 1973, he is again questioned on his life history. The same procedure is applied in 1975 when he is again admitted into the prison. As stated previously, such a procedure is tedious and not thought-provoking enough to enable the recidivist realise the seriousness of the situation and participate fully in the programme prepared for him.

DIAGRAM B

PROPOSED RECEPTION PROCEDURE FOR A RECIDIVIST.



-  Life history to be investigated
-  Rigorous investigation after release but before commission of another offence.
-  Period of imprisonment

SOURCE: DISCUSSION WITH SUPERVISOR.

It is proposed that on a convicted offender's first admission into the prison, he should be questioned on his life history between birth and the time of admission, that is, in 1971. When he is again convicted in 1973, he should be questioned in detail on his activities between the period after his release from prison for his first offence and the second offence. If he is discharged in May 1972 and is subsequently convicted for the commission for another offence in June 1973, the period which requires thorough investigation is that between May 1972 and June 1973. Emphasis should be laid on his employment status, social contacts, family life, all of which may have an important bearing on the recidivist commission of another offence.

Further, there may be a tendency on the part of old officers to "break in" new arrivals. The attitude of officers at this early stage plays an important part in either creating or destroying any rehabilitative tendencies in the new arrivals. It is recommended, therefore, that Prison Officers, especially the Reception Officer, show a readiness to help new arrivals and disregard their prison records.

The writer advocates the changing of members of the Reception Board from time to time⁴ to relieve monotony and to

⁴A proviso is incorporated into the suggestion, that is, that the Reception and Welfare Officers should be adequately trained and not just serve on the Board on the basis of rotation.

eradicate prejudice. Prejudice can be based on signs and long experience. Most enlightened prison staff subscribe to the slogan 'You never can tell'; only, they add under their breaths; 'But on the whole I can.'⁵ Such an attitude will hinder the rehabilitation programme.

Therefore since Reception plays such a vital role in the rehabilitation process, care should be taken that the wrong emphasis is not projected, that is, fulfilling the requirements of procedure, rather, stress should be laid in familiarising new arrivals with the rehabilitation programme and giving them an opportunity to vent their sorrows constructively.

B. Discipline

Discipline is defined as " . . . training that develops self-control, character, orderliness and efficiency; the result of such training, self-control; orderly conduct; . . . treatment that corrects or punishes."⁶ Discipline is necessary for the rehabilitation of offenders so that in the future they will not give in to the temptations of committing theft, robbery or housebreaking again. A disciplined man will seldom, in the face of harsh economic conditions, turn to criminal activities as an outlet from poverty.

⁵Wolff, loc. cit.

⁶Definition in Webster's New World Dictionary, Collegiate Edition (1962).

But while discipline is a prerequisite for reformation, it must not be too harsh so as to restrict every movement of the inmates and to limit the scope of their activities.

Rule 3(1)(a) Prison Rules 1953 states that

3(1)(a) discipline and order shall be maintained with fairness but firmness and with no more restriction than is required for safe custody and to ensure a well-ordered community life.

Through discipline, group order is enhanced, the administration machinery runs smoothly, inmates do what they are told to do. But once there is a breach of discipline, chaos may break out. Measures are therefore provided by Rules 122 - 126 of the said Rules to deter and punish such offenders.

Table 3.1 illustrates the commission of prison offences and the punishment meted out to them.

TABLE 3.1

ILLUSTRATION OF BREACH OF DISCIPLINE AND CONSEQUENT PUNISHMENT

DATE	RULE IN PRISON RULES	OFFENCES COMMITTED	PUNISHMENT
DECEMBER 1967	(a) R.120(12)	(a) Leaving without permission of a prison officer the gang to which he is attached.	(a) Forfeiture of remission not exceeding fourteen days.
	(b) R.120(43)	(b) Disobeying any lawful order of a prison	(b) Forfeiture of remission not exceeding fourteen days.
DECEMBER 1968	(a) R.120(5)	(a) Common assault on any other prison.	(a) Restriction of food and confinement in cell.
	(b) R.120(4)	(b) Showing disrespect to any other prison officer.	(b) Loss of privileges.
DECEMBER 1969	(a) R.120(3)	(a) Secreting any article whatsoever	(a) Restriction of food and confinement in cell.
	(b) R.120(5)	(b) Common assault on any other prisoner.	(b) Same as (a)
	(c) R.120(13)	(c) Leaving without permission the yard	(c) Same as (a).
	(d) R.120(41)	(d) Immoral, disorderly behaviour.	(d) Loss of privileges
	(e) R.120(43)	(e) Disobeying any lawful order of a police officer.	(e) Same as (d).

DATE	RULE IN PRISON RULES	OFFENCES COMMITTED	PUNISHMENT
DECEMBER 1970	(a) R.120(2) (b) R.120(3) (c) R.120(5) (d) R.120(33)	(a) Quarrelling with any other prisoner (b) Secreting any article. (c) Common assault on any other prisoner. (d) Refusing to take reasonable care of materials entrusted to him.	(a) Confinement in cell. (b) Loss of privileges. (c) Same as (b). (d) Same as (b)

Source: Prison Data Charts of Special Prison, Seremban.

From Table 3.1 it can be seen that only a handful of offences are committed every month. But, though few in number, if unchecked, these offences will increase rapidly thus disrupting order in the prison. The commission of every prison offence is a reflection of the inadequacies of the treatment method. But on the other hand, it can also be argued that few offences reflect the success of the programme to some extent. Whichever interpretation is taken, the basic point is that discipline is necessary for the development of self-control of the inmates and that the rules should evolve around the theme of rehabilitation.⁷

Another way to evaluate the effectiveness of the disciplinary provisions is through the views of

- (1) the disciplinary-enforcing authority, that is, Prison Officers, and
- (2) those who are subjected to discipline, namely, the inmates.

(1) Prison Officers and Punishment

In a question phrased, "What will you do if you discover a breach of Prison Rules?"⁸ majority of the Prison Officers answered that they would only advise and warn first offenders of these rules. If such warning is not effective

⁷The effectiveness of the punishment provisions for breach of Prison Rules is discussed in Chapter VIII.

⁸Questionnaire to Prison Officers of Special Prison on 1 May 1976.

then a report will be lodged to the appropriate authority. The minority, however, feels that it is their duty to report the offender as soon as there is a breach of Prison Rules. They feel that if they relax, they could lose face and would be subjected to severe criticisms from the inmates as well as fellow officers.

It is also interesting to note that those officers who would give the minor offender a second chance are experienced officers who have served many years in prisons. The minority group consists of newly recruited staff who are not well-versed with the reactions of inmates in such situations. It can be evaluated, therefore, that experience shows that more good may emerge in advising most offenders than punishing them. If warning is first given, the offender may reflect on his wrongdoing and repent the commission of it. But, the writer submits, that warning should be given only to first offenders of Prison Rules. Hard-core offenders of Prison Rules should be reported since previous warnings did not seem to affect them in any way, but, the punishment, however, should be commensurate with the offence committed.

(2) Discipline and Inmates

Mark Benny sums up the attitudes of inmates: "since the smiles and frowns of the officer carry such weight, there is yet another incentive to emulate the "big shots", to adapt whole

heartedly the furtive, shifty, dissimulating habits of a jailbird."⁹ The author is of the opinion that the prisoners comply to rules and regulations of the prison only in so far as they must to remain comfortable in prison but they do not themselves identify with the prison and its rules.

The inmates of the Special Prison are aware of the Rules and their reason for not violating them is to avoid punishment. As long as they themselves are not being punished, they are quite untouched by disciplinary actions enforced on their fellow inmates.

The above indifferent attitude of the inmates may be eliminated by an effective orientation programme. Through the setting up of group discussions for new arrivals as recommended earlier, the inmate may understand in a clearer way the conditions under which he has to work and live for the next few months or years. He will understand and accept what is expected of him. Further, he may influence others into accepting the Prison Rules not in order to live comfortably but because it is good for the building of self-discipline and good character.

⁹Howard Jones, A Textbook on Criminology, University Tutorial Press Ltd., Clifton House, Euston Road, London, N.W.1, 1956.