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## Welsh Prisoners in English Jails

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## **Abstract**

This paper presents the results of research into the experiences of prisoners from Wales incarcerated in England. The context for the research is first set and the relevance of language and identity in Wales are explored. The results of a research project conducted in 2005 with 181 prisoners from North Wales held in an English Jail is then presented. Their responses to a postal questionnaire exploring their perceptions about their treatment and their experiences are detailed. The paper highlights that a subset of Welsh prisoners- and primarily those who are Welsh speaking, problematise their incarceration in England.. The reasons given for this are explored. The paper concludes with some observations about the implications of the research for penal practice with Welsh prisoners in England and Wales.

## **Introduction**

On the first of July 1999 secondary legislative powers were formally transferred from the UK Government to a devolved administration in Wales. The Welsh Assembly assumed most of the powers previously held by the Secretary of State for Wales but no devolved powers were therefore conferred on the Welsh Assembly in relation to criminal justice matters.

Renewed concerns about the operation of criminal justice in Wales have arisen in light of this. For example, in reviewing the workings of the Criminal Justice System in 2001 Lord Justice Auld argued that the need for bilingual juries in Wales needed to be considered further (Auld 2001). In 2002 The Lord Chancellor's Standing Committee on the Welsh language stated that its perception was that language provision across a range of criminal justice agencies in Wales needed upgrading (2002) Scholarly works have appeared in press which have also explored criminal justice practice in Wales. Articles have appeared exploring probation service practice (Madoc-Jones and Buchanan 2003) youth justice practice (Hughes and Madoc-Jones 2005) and criminal justice practice more broadly (Madoc-Jones and Buchanan 2004).

More recently questions have arisen about the practice of imprisoning Welsh people in English prisons. Elfyn Llwyd, currently Leader of the Plaid Cymru in Wales and

Westminster suggested in 2003 that those sentenced to custody from North Wales courts faced discrimination because there was no prison in their locale (<http://news.bbc.co.uk/1/hi/wales/2818181.stm>.) Then, as currently, adult male offenders from North Wales were placed at Altcourse prison in Liverpool, young offenders at Stoke Heath YOI in Shropshire, whilst young and adult female offenders went to Styal prison and YOI in Cheshire. In 2006 Hywel Williams MP lodged parliamentary questions about provisions made for Welsh speakers in English jails (HC Deb (11 July 2006) Questions 1787W). Concern about young offenders from Wales being placed in England has prompted the Youth Justice Board to survey a number of sites for the building of a new youth offending institution in Wales (Hughes and Madoc-Jones 2005). This heightened concern and activity has more recently led the Welsh Affairs Select Committee at Westminster to initiate a consultation exercise regarding the issue of Welsh prisoners in English jails. This committee will begin to hear evidence from interested parties about this issue in late 2006

This article explores the practice of imprisoning Welsh people in English jails, reporting upon research conducted with adult male prisoners from North Wales in 2005. The rationale for doing this research was that the prisoner perspective is under researched and theorised. Equally however alternative sources of data are hard to come by. Answers to parliamentary questions for example show that little information is gathered about Welsh prisoners in England including data on numbers, availability of resources such as library books, educational services and linguistically relevant media (HC Deb (11 July 2006) Questions 1787W). The latest annual report by the Chief Inspector of HMIP makes no mention of Welsh prisoners (HMIP 2005b) and inspection reports on prisons housing Welsh prisoners make little or no reference to the needs of this group of offenders (HMIP, 2000a, 2000b, 2001, 2005a),

Goulding (1998) suggests that within the research process there is an orthodoxy which suggests that the researcher should enter a research context as a neutral observer who is untainted by pre-existing knowledge. Glaser (1978) however highlights the importance of existing knowledge and theory in sensitising the researcher to emerging concepts. Glaser suggests that without such sensitisation pattern recognition would be limited to the superficial. Accordingly this article begins with a section which seeks to sensitise the reader to the issues and controversies surrounding the placement of Welsh people in English jails. Next the research is described and the results of it presented. Following on from this an interpretation of what they might highlight is offered. Use of the term interpretation foregrounds the

paradigmatic approach that is taken by the author. The results capture only elements of the situation of Welsh prisoners in English jails and the author offers one interpretation of the data. Whilst the convention of presenting data in tabulated and statistical form is followed, this practice should not divert attention from the qualitative rather than the quantitative nature of this research.

## **Background information**

### **Linguistic Issues**

In terms of language, when Bellin questioned people in south-east England in 1992, he found that the majority thought that the Welsh language was a little used quaint relic of a bygone age in Wales. In fact however, as the 2001 UK population census shows, the Welsh language is a significant feature of contemporary Wales, a language spoken by 20.5% of the Wales population (around 550,000 people), and a language whose popularity is growing. In some areas of North Wales up to 70% of the population is Welsh speaking (OPCS 2002).

A person's language ability and proficiency in terms of their grammar and the lexical range is clearly likely to determine the extent to which they are able to understand and engage with the world around them. Some have argued that Welsh speakers forced to communicate in their second language face discriminatory treatment (Pugh and Jones, 1999; Davies, 1994; Dobson, 1996; Cwmni Iaith 2002, Misell 2000, Roberts et al 2005, Drakeford and Lynn 1999, Davies 1999, Roberts and Paden 2000, Lindsay et al 2002).

In the court context O'Barr (1982) has researched the experiences of witnesses and defendants using their second language. She suggests that such individuals were disadvantaged because they responded or gave evidence in broken narrative which was then rated as indicting the speaker was less competent and trustworthy than those who are more fluent in their articulations. According to Patten in highly stressful contexts, such as hospitals or courts of law, or in contexts involving a particularly technical vocabulary..."even a quite fluently bilingual person can find it easier to communicate in their own language" (2001, P.696). In the prison context the inability or limited ability to speak the major language of the institution can lead to problems including the ability to engage with peers and staff, to engage with educational and offending behaviour services, and navigate the organisational bureaucracy.

Whether Welsh speakers face disadvantage when using the English language requires further exploration. Henley and Jones (2003) and May (2001) suggest that there are virtually no monolingual Welsh speakers in Wales and the population is bilingual. Whilst Davies (1994) argues that the ambilingual person, a person with equal proficiency in more than one language is relatively rare, Pavlenko (2005) suggests the problems this gives rise to in many bilingual contexts is likely to be limited. She distinguishes between compound and subordinate bilinguals. Compound bilinguals, like Welsh speakers, are those who tend to learn a language as they grow up. Subordinate bilinguals are those who tend to learn a language later in life. Pavlenko (2005) identifies that compound bilinguals tend to have fewer problems in using two languages because they develop two lexical items that are attached to one representational system. Subordinate bilinguals on the other hand can experience problems because they tend to superimpose a new lexical system onto an existing representational system. Even if language difficulties do exist they may be surmountable. Many staff in public services are non-British nationals who do not have English as their first language. Communication difficulties can arise routinely in the context of a globalised world, but they are often surmounted when additional attention is paid to the issue of understanding.

Making provision for all minority languages would be very complex. According to some authors however the situation of the Welsh language ought to be given particular attention. Arguments, or discourses, for making particular provision for the Welsh language are usually premised on ecological concerns (Crystal, 2000; Harmon 1995, Muhlhausler 1996, 2000, Maffi 2000, 2001, Nettle and Romaine 2000, Skutnabb-kangas and Phillipson 1994, Kontra et al 1999) The Linguistic ecology argument begins from the principle that indigenous languages are special because they are able to claim a history within a particular territory. In the case of migrated languages, these languages are in the minority due to the relative numbers of speakers that happen to migrate into a country. In case of indigenous languages however the language is native and is often in the minority only as the result of the deliberate promotion of another majority culture and language. In much the same way as attempts are made to save species that have become endangered as a result of the activities of human beings, the ecological perspective holds that indigenous minority languages should be restored to their natural place in the linguistic landscape.

## **Cultural/Identity concerns**

In their pure forms, biological/medical, behavioural, psychodynamic, humanistic and systemic identity frameworks offer distinct explanations for identity. However in practice, from all the perspectives, the fragmentation of identity is often associated with the stresses and strains of sustaining a positive and coherent self identity in conditions when that identity cannot be adequately expressed or developed (United Nations 1999). Goffman (1963) and Rosenhan (1973) have referred to the whole process of depersonalisation that has been a feature of institutional service provision over the last few decades and the impact this had on individual's health. Their work has highlighted the importance of personalisation in any institutional context.

For some theorists, who might be termed 'linguistic determinists', personalisation necessitates the existence of opportunities for individuals to use their first language. This is because language and identity are seen as having a close link. According to May (2001) the theory of linguistic determinism has a long pedigree that can be dated to the work of Herder in the late eighteenth century and his contention that it is the possession of its own distinctive language that constitutes the essence of a people (2001)

The concept of linguistic determination was explored further by Whorf (1956) who suggested that the structure of a particular language influences the way that speakers of that language know themselves and understand the world around them. He suggested that each language has what in German is termed *Sprachgefühl* or 'speech feeling', that directs its speakers towards a particular way of thinking about the world and their place within it. According to Sapir

No two languages are ever sufficiently similar to be considered as representing the same social reality. The worlds in which different societies live are distinct worlds, not merely the same world with different labels attached (1929, 207).

Davies (1994) illustrates an example when such a dichotomy of worldviews was claimed by quoting the experience of the writer John Barnie who learnt Danish and stated

I had the common experience that speaking another language alters the 'I' that is being expressed. I had not realised before that what you are is largely formed by what you speak. (Davies, 1994, p.3)

From this perspective a person's sense of self will be different depending on the language they use. Therefore requiring a service user to use their second language would be a significant example of depersonalisation.

In a similar vein not providing other opportunities for an individual to perform their culture could have depersonalising consequences. As Anderson (1991) and Billing (1995) state, national identity, a component of self identity along with, or indeed associated with, race, gender and sexuality, is often expressed and represented in banal routine practices. Welsh national identity can be associated with practices as diverse as speaking Welsh, supporting a particular football or rugby team, voting, attending eisteddfodau or other concerts, singing, associating oneself with a particular geography, watching or listening to certain TV or radio programmes to name but a few activities. It could be argued that the absence of opportunities to perform such activities could result in a loss of identity.

Against this however must be set the reality that Wales and England have shared similar cultural paths over the last few centuries. Given this common history it might be difficult to sustain an argument that the Welsh language contains a separate understanding of reality than the English language, or that a separate Welsh culture exists. The Welsh are, like all other groups, a diverse group and a person's identity will be shaped by many factors such class, race, sexuality, gender and religious affiliation. It is therefore not at all clear what practical relevance being Welsh or having to use the English language might have to most Welsh people or Welsh speakers in the context of being in a jail in England.

### **Identity and prejudice**

Identity is likely to be damaged further in conditions where considerable prejudice exists against a particular group. A substantial body of national and international research purports to show how different minority groups experience discrimination in



criminal justice systems, including groups as black people in the UK and the USA (Carlen,1994; Chigwada-Bailey, 2003; McPherson,1999), people with learning disabilities in the UK (Sharp 2001,Cooke et al 2002), gay and lesbian people in the USA (Bernstein and Kostelac 2002) and in the UK (Harcourt 2003), aboriginal people in Australia, South Africa and the USA (Evans 2002, De Klerk and Barkhuizen 2002, Eades 2004) and people who are sight or hearing impaired in the UK (Miller and McCay 2001).

Contemporary evidence of prejudice towards the Welsh could be assembled. Its relevance however largely depends on the degree to which incidents reported in the media are held up as examples of prejudice and indicative of prevailing attitudes towards the Welsh. In 1997 the writer A.A. Gill commented in the Sunday Times

We all know the Welsh are loquacious dissemblers, immoral liars, stunted, bigoted, dark, ugly, pugnacious little trolls. (Sunday Times, 14.9.1997)

In 2000 Polly Toynbee, a respected journalist, described Welsh as 'that useless language' (Radio Times 23-29 September, 1995). In 2000 Jeremy Clarkson microwaved a map of Wales on his televised talk show 'Clarkson', arguing the country and its people were backward and of no value (BBC2, 26<sup>th</sup> and 29<sup>th</sup> October 2000). In 2001 Anne Robinson, a popular television quiz show host, referring to the Welsh people asked 'What are they for?', before proceeding to question the nature and purpose of the Welsh language (BBC2, 'Room 101', 5 March 2001). As a result of her comments there was some media debate as to whether derogatory comments towards the Welsh language constituted a significant form of oppression. This debate was explored at some length by Blackledge (2002) who suggested that within the media it was conducted in demeaning and derogatory terms. Blackledge (2002) comments that in an age where overt racist comments for example would be heavily censured, oppressive comments towards language were tolerated even in the face of negative reaction to them.

According to Wardhaugh "There is a long history in certain Western societies of people actually "looking down" on those who are bilingual" (2002, p.98). Matched guise experiments such as those done by Lambert (1972) and Dixon et al, (2002) provide some evidence of this phenomenon. . A number of authors comment that prejudice against minority language speakers is very common. Grillo (1989) refers to

the “ideology of contempt” that is consistently displayed towards minority languages and that “minority languages are despised languages” (1989, p.174).

## **The Research**

Having synthesised the reader to some of the issues, the research that was undertaken with Welsh prisoners in England is now discussed in more detail. The aim of the research was to discover what accounts Welsh prisoners would give of their imprisonment in England and whether they would make reference to issues such as language, prejudice, discrimination, loss of identity or geography.

To this end the author, in accordance with the regulations concerning research with prisoners provided by the prison service, approached the Governor of Altcourse Prison in Liverpool to seek permission to conduct research with the prison’s Welsh population. Time and security considerations dictated that the research would have to rely on a questionnaire format. Clearly limitations derived from this involving the difficulties with formulating non-leading questions and encouraging responses and overcoming the poor literacy skills of many offenders (SEU 2002)

As its promotional material highlights, HMP Altcourse was the first designed, constructed, managed and financed private prison in the UK. An Inspection of the prison by Her Majesty’s Inspectorate of Prisons in 2000 described HMP Altcourse in very positive terms, citing 45 examples of good practice and describing the establishment as the ‘jewel in the crown of the Prison Service’ (2000a p.15). Given its status as a private prison it is to be commended that the Governor of the prison allowed research to take place with prisoners from Wales. In so doing a concern with good practice clearly took precedence over other considerations.

## **Sample**

Identifying Welsh prisoners within Altcourse presented a challenge. It was necessary to proceed on the assumption that those sentenced to custody from north Wales courts would primarily be those who would identify themselves as being Welsh. Staff at HMIP agreed to distribute a bilingual Welsh/English questionnaire to such prisoners. 181 prisoners therefore received a 21 point questionnaire representing around 17% of the population of HMP Altcourse. To provide some incentive for

prisoners to complete and return the questionnaire, they were informed they would be rewarded with five pre-stamped envelopes for their own use if they included their prison number on their returned form.

### **The Questionnaire**

The questionnaire was in three parts and contained 21 questions. Part one attempted to gather base data about prisoner's age, home area, sentence, language use. Part two enquired about prisoner's perceptions about prison in general and how important was factors such as location, activities, availability of appropriate resources, ability to mix with other Welsh prisoners and staff. Part three enquired about prisoners perceptions about their treatment and how they perceived they have been treated whilst in prison in light of their Welshness.

### **Response rate and sample**

Because all returns were anonymised the research could only involve a single trawl. 70 responses were received, a response rate therefore of 39%. The mean/average age of respondents was 25 years, though the most common age (the mode) was 22 years. 38 individuals answered questions related to the length of sentence. The average sentence length was 15 months with the most common sentence being 18 months.

Language data was gathered. The Results of this research are broken down according to language ability because language is an important dimension in Wales and especially in North Wales (Fevre et al 1999) Linguistically speaking of the 69 prisoners who responded to the question concerning language skills, 28 spoke no Welsh ( 40%) , whilst 41 stated they spoke some Welsh (60%). Of the latter group 16 indicated that they spoke Welsh fluently (22.8%) 25 that they spoke Welsh "a little" (37%).

### **The Results.**

#### **Relative Importance of various factors**

Prisoners were invited to indicate on a scale of 1-11 how important various factors were to them in a prison. 45 prisoners answered this question, overall the prisoners ranked the factors presented to them as follows

1. Closeness to home
2. Good food
3. Exercise facilities
4. Access to TV
5. Good staff relations
6. Opportunities to work
7. Ability to socialise with other Welsh people

Opportunity to use Welsh, to attend educational or offending behaviour classes were ranked the least important.

When the responses of those who did not speak Welsh were excluded the ranking changed somewhat and as follows

1. Closeness to Home
2. Good Food
3. Access to TV
4. Opportunities to socialise with other Welsh people
5. Opportunities to use Welsh
6. Good staff relations
7. Exercise facilities

Looking only at those who speak Welsh fluently opportunities to use Welsh move up to 3<sup>rd</sup>, but location and good food remain first and second.

These results suggest that closeness to home is the most important factor for Welsh prisoners. Whilst opportunities to socialise with other Welsh people and opportunities to use the Welsh language is not high up the agenda of most Welsh prisoners, it is higher up the agenda of Welsh speakers.

### **Prison Preferences**

Prisoners were asked to respond to the question “Would you prefer to be in a prison in Wales or England”

The following responses were obtained (broken down by language ability)

	All respondents	Welsh fluent	Speak a little Welsh	Speak No Welsh

Yes :	49 (71%)	15 (94%)	23 (92)	11 (40%)
No	2 (3%)	0	0	(7%)
No preference:	18 (26%)	1 (6%)	2 (8%)	15 (54%)
Totals :	69 (100%)	16 (100%)	25 (100%)	28(100%)

The data suggests prisoners would prefer to be in Wales as opposed to England, with that tendency be more pronounced as language ability increased.

The reasons given by the 49 who stated they would prefer to be in a prison in Wales were explored in a supplementary question. Only 34 prisoners responded to the invitation to explain their answers (12 Welsh fluent 16 who spoke some Welsh, 6 who spoke no Welsh). In some instances multiple reasons were given. Their answers were analysed and coded, in this process it became clear they could be related to three key themes which became termed – location, prejudice and matters of culture/nationhood

	Overall	Fluent	Little	no Welsh
Location	26 (77%)	9 (75%)	12 (75%)	5 (83%)
Prejudice	11 (32%)	5 (42%)	4 (25%)	2 (33%)
Culture/nationhood	9 (27%)	6 (50%)	3 (18.75%)	0

### Location

Location was the theme to emerge most frequently. The theme was identified from the following typical responses:

I would be closer to home, it would be easier to travel to

it would be easier for my family

easier to get to

Just as long as its close for visits-30mins to 45 mins is suitable

The numbers who responded to this questions are too small for comparative purposes. Overall however 77% of respondents cited matters that could be grouped thematically as related to location. It is perhaps relevant that the response rate from those who spoke Welsh was higher. It could be that the issues involved may have

been more pertinent to them. Welsh speakers in general, and in line with their tendency to be located to the North west of north Wales, live further away from HMP Altcourse than non-Welsh speakers. The average distance a respondent lived from HMP Altcourse was 43 miles, for non-Welsh speakers this was 31 miles, for Welsh speakers this was 52 miles.

### Prejudice

The experience of prejudice emerged as a theme. The theme was identified from the following typical response:

some English don't like the Welsh

we don't get on

If I was in a prison in Wales it would be easier all-round due to the way Welsh people get looked down upon in English jails

There was a tendency for this theme to emerge more frequently in the responses of Welsh speakers, but again the numbers who responded to this section are too small for any definitive conclusions to be drawn. Again, what can be noted is a greater proportional tendency for Welsh speakers to respond to the invitations to explain their views, leading to the possibility that the issues are perceived them as being more salient.

### Culture/ Nationhood

Culture/nationhood emerged as a theme. The theme was identified from the following typical response:

because I live in Wales

I'm Welsh

Because it is my country

our culture and language is very important and it would help maintain it

Whilst the response rate here is no greater, the greater tendency for Welsh speakers to refer to such matters is more visible.

## Perception of Treatment

Prisoners were asked to respond to the question- Do you think that being placed in an English Prison makes prison life more difficult because you are Welsh?

64 responses were made to this question and as follows

Response	Overall	fluent	little	no Welsh
Yes	35 (57%)	14 (93%)	13 (54%)	8 (32%)
No	29 (43%)	1 (7%)	11(46%)	17(64%)
Total	64 (100%)	15 (100%)	24 (100%)	25 (100%)

The data suggests some prisoners thought that being placed in an English Prison made life more difficult for them. Again this tendency was more evident as language ability increased.

30 of the 35 who said yes took up the invitation to explain their answers further (12 fluent, 12 little 6 no Welsh). Their responses were analysed thematically and very similar themes to those previously identified emerged- relating to location, prejudice and culture/nationhood

Theme	Overall	fluent	little	none
Location	23 (76%)	9 (75%)	10 (83%)	4 (66%)
Prejudice	19 (63%)	11(92%)	6 (50%)	2 (16%)
Culture	4 (12%)	4 (33%)	0	0

### Location

Location was the theme to emerge most frequently. The theme was identified from the following typical response

difficult for family to visit

its hard for visits

### Prejudice

Prejudice also emerged as a theme from the following typical responses

I am Welsh, it is separate to the UK, the English don't get on with the Welsh

Some English lads don't like Welsh

racism, inequality (sic)

not a lot of Welsh lads here speak Welsh..those who do speak it in front of other prisoners they think you are offending them

### Culture/Nationhood

Culture/nationhood emerged as a theme from the following typical response:

not being able to keep up with Welsh news

no Welsh books in library, no Welsh speakers

I don't get to speak Welsh here

its like being in England and I'm Welsh

### **Discussion**

Altcourse prison was generally well regarded- in response to questions prisoners reported on good staff relations, and the availability of a range of resources and activities. In numerous instances prisoners took the opportunity of beginning their responses with positive comments about Altcourse, one respondent commenting

the people who run this place should build one in Wales

Several additional themes emerged however specifically concerning the imprisonment of Welsh prisoners in England.

The most important consideration for all Welsh prisoners was closeness to home. Their responses suggest an assumption was made however that being in Wales would automatically mean being nearer to home. This is clearly not going to be the case for many prisoners. At HMP Cardiff, prisoners from North Wales would be in Wales. However they would be considerably further from their home area than they would be were they housed at HM Altcourse in Liverpool.



In terms for distance, the latest data that this author could find suggests that Welsh prisoners at Altcourse are not especially disadvantaged compared to other prisoners in the UK. As note above, the average distance a respondent lived from HMP Altcourse was 43 miles, for non-Welsh speakers this was 31 miles, for Welsh speakers this was 52 miles. In 2002 the Secretary of State for the Home Department was asked what the average distance from home is for adult male prisoners. The figures as at 30 September 2001 were as follows:

Miles	Average distance from home
Population Group	
Adult male prisoners	
18 to 20-year-olds	49
Over 20-year-olds	53

(HC Deb (27/ Feb 2002) Questions Column 1394W)

Distance may arise as a particular issue in North Wales however because the rural nature of the region makes travelling the distances involved especially difficult.

A number of Welsh (speaking and otherwise) respondents mentioned that they perceived themselves to be looked down upon, with a tendency for this to be mentioned more often by Welsh speakers. This finding must be considered within the broader context that experience of oppression is fairly common within the prison context. For example in 2000, the CRE reported on racism between Welsh and English prisoners at a Welsh prison, with English prisoners subjected to anti-English and racist abuse (CRE 2000). Nonetheless, any experience of oppression is concerning in the prison context and needs to be addressed.

HMP Altcourse takes bullying and discrimination seriously. The HMIP inspection on the establishment comments on its pro-active action in this area (2000a). Given an emphasis however on racism and the low level of approbation directed at anti-Welsh comments when they have appeared in the media, the institution would have to make significant efforts to ensure that abuse faced by Welsh people were taken seriously. Whilst oppressive comments and practices towards Welsh people do not draw upon the same shameful legacy of violence and brutality as racist comments and practices, a number of authors argue that over the years Wales has been economically marginalized within the UK and its culture has been systematically

eroded. Such authors would accord great significance to the loss of a way of life and a language and emphasise the effect this has on individuals (Pugh and Jones, 1999; Davies, 1994; Dobson, 1996; Cwmni Iaith 2002, Roberts 1994, Misell 2000, Roberts et al 2004, Drakeford and Lynn 1999, Davies 1999, Roberts and Paden 2000, Lindsay et al 2002).

Little direct reference was made by Welsh prisoners (Welsh speaking or otherwise) to issues such as access to Welsh news, papers, Welsh speaking staff, Welsh tv (s4C), access to education in Welsh or offending behaviour courses in Welsh. One respondent commented that Welsh language letters seemed to take longer to process, and one that

it can be hard doing the time especially if you re not strong English speaker

but there was rarely direct mention of communication problems across languages or mention of procedural problems that have arisen because of language difficulties.

This lack of reference by Welsh speakers is a little surprising given that when asked which language they had used in court and why, of the 16 fluent Welsh speakers, six stated they had elected to have their trials in Welsh and 1 bilingually. Another 5 made responses which suggested they had wished to use their Welsh language but felt they could not. Many of the 16 therefore preferred to use Welsh, but this preference did not show itself in this research with reference to problems arising in the use of English. What references that were made to culture and the opportunities to perform culture were general and might be summed up by the respondents who commented:

I was brought up to speak Welsh in Wales, did my crime in Wales, I should do my time in Wales

our culture and language is very important and it would help maintain it

This response contains implicit reference to principles related to national sovereignty, belonging and language as opposed to practical difficulties arising in using English or being in an English jail. The principles appear to be that Welsh matters ought to be processed in Wales and that an indigenous language like Welsh can only be resuscitated when its use is embedded within a country and lived out within its institutions.

There was a greater tendency for Welsh speakers to make reference to issues of distance, prejudice and nationhood/culture. This phenomenon is explicable if language and Welsh identity is linked more strongly. A number of authors note that language and identity are linked in Wales (Pritchard-Jones 1982, Scourfield et al 2003, Scourfield and Davies 2005). Davies (1993) for example argues that the Welsh national identity has historically been bound up with the Welsh language, whilst Drakeford and Williams state that consideration of the Welsh language is central in any discussion of national identity in Wales.

“if a shortlist were to be drawn up of claims upon which Welsh nationhood could rest, language would be high upon it” (2001 p.161).

Hourigan (2001) comments “The Welsh have a highly developed sense of nationhood linked to the language” (P.83), Thompson and Day (1999) note that “the Welsh language...for many in North Wales is the decisive signifier of Welshness”. The Welsh Language Board suggests that 82% of Welsh people believe that speaking Welsh increases a sense of Welsh identity and Welsh speakers generally consider themselves to be more Welsh than non-Welsh speakers (Bwrdd yr Iaith 2000). In this regard Evans and Trystan (1999), and Fevre et al (1999), note from an analysis of the vote for devolution that most Welsh speakers in Wales voted for devolution whilst most- English speakers did not. That Welsh speakers made greater reference to problems of distance, prejudice and culture most often, suggests a greater alienation effect upon them of being in an English prison.

The research highlights that pragmatic and principled considerations run through the debate concerning Welsh prisoners in England. It is possible to imagine a scenario where one set of concerns trumps the other. One example of this would be if it were decided that Welsh prisoners ought to be housed in Wales when one consequence of this could be that they are further away from home than they might otherwise be.

### **Welsh Prisoners in England: Foreign Prisoners?**

Welsh prisoners in England might be considered foreign prisoners. This appears to be the approach adopted by HMIP. For example in relation to Welsh prisoners at HMP Altcourse, the inspectors use the subheading “Foreign Nationals” to discuss their needs:

## Foreign Nationals

8.129 The establishment had recognised that there was a significant number of prisoners who were Welsh speakers and all written prisoner information had been translated into Welsh. One Welsh language paper was provided to each unit daily. This was good practice.

(HMIP 2000a, p.134)

Linguistic, psychological/cultural and geographical issues are foregrounded in research which looks into the experiences of foreign prisoners (Richard et al 1995a, Richards et al 1995b, Davies 2001, Finkelstein 1997, Bhui 2005) This research has indicated that similar linguistic, psychological/cultural and geographical issues arise in the case of Welsh people. One way of addressing the linguistic and psychological/cultural issues faced by foreign nationals in jails is through the provision of linguistically and culturally relevant resources. Another way is through providing the opportunity for them to serve their sentences in their home country. This sets the agenda for managing Welsh prisoners. Notwithstanding that little mention was made of it by prisoners in this research, prisons could seek to address the needs of Welsh prisoners by increasing the linguistically and culturally relevant resources available to Welsh prisoners. Equally however in much the same way as foreign nationals are given the opportunity to apply to serve their sentences in their home country, the same right might be afforded to Welsh prisoners. Such a choice would clearly only be meaningful above the geographic level however were it to be the case that existing or a new Welsh prison provided a culturally and linguistically relevant context for Welsh prisoners.

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## Bibliography

Andersen, B (1991) *Imagined Communities*. London Verso.

Auld, Lord Justice (2001) *Review of the Criminal Courts of England and Wales*. London, Stationary Office.

Bellin, W. (1992) 'Delwedd Cymru a Phroblemau Cymhathu Newydd-Ddyfodiaid' / 'The Image of Wales and problems of Assimilating Newcomers', in L.L. Dafis (ed.) *Yr Ieithoedd Llai- Cymhathu Newydd-Ddyfodiaid / Lesser Used Languages – Assimilating Newcomers*. Proceedings of the conference held at Camarthen 1991. Camarthen, Wales. Joint Working Party on Bilingualism in Dyfed

Bernstein,M and Kostelac,C (2002) lavender and Blue: attitudes about homosexuality and behaviour towards lesbians and gay men amongst police officers. Journal of contemporary Criminal Justice. Vol 18. No3 302-328

Bhui, H. S (2005) Developing Best Practice with Foreign National Prisoners. Prison Service Journal , No 158, pp 17-23

Billing.M (1995) Banal Nationalism. London: Sage.

Blackledge,A (2002) What Sort of People Can Look at a Chicken and Think Dofednod?:Language, Ideology and Nationalism in Public Discourse. Multilingua 21 pp 197-226

Bwrdd yr Iaith (2000) Beaufort Report The State of the Welsh language available from [www.bwrdd-yr-iaith.org.uk](http://www.bwrdd-yr-iaith.org.uk) (last accessed 1/8/06)

Carlen,P(1994) Crime, Inequality, and Sentencing in Duff and Garland (eds) A reader on Punishment. Oxford, Oxford University Press

Chigwada-Bailey,R(2003) Black Women's Experiences of Criminal Justice : race, gender and class : a discourse on disadvantage. Winchester, Waterside Press.

Cooke, P., Laczny, A., Brown, D. J., Francik, J (2002) The virtual courtroom: a view of justice. Project to prepare witnesses or victims with learning disabilities to give evidence. Disability and Rehabilitation vol 24; part 11/12 ; pp 634-642

CRE (2000) Race Equality in Prisons. CRE. London

Crystal, D. (2000) The Cambridge Encyclopaedia of Language. Cambridge: Cambridge University Press

Cwmni Iaith (2002) An overview of the Welsh Language Provision in Care Homes for older people in Wales' Eight Most Welsh-Speaking Counties. Cwmni Iaith. Cardiff

Davies, D (1999) Welsh psyche: Implications for Psychological Services. International Review of Psychiatry, 11 197-211

Davies, E. (1994) They All Speak English Anyway. Cardiff: CCETSW

Davies, J (1993) The Welsh Language. University of Wales, Bangor

Davies,R.H (2001) Prisoner 13498 A True Story of Love, Drugs and Jail in Modern China. Edinburgh, Mainstream Press.

De Klerk,V and Barkhuizen,G (2002) English in the Prison Services: A case of Breaking the Law?. World Englishes. Vol 21, No 1 pp9-22

Dixon,J.,Mahoney,B and Cocks,R (2002) Accents of Guilt: Effects of Regional accent, Race and Crime Type on Attributions of Guilt. Journal of Language and Social Psychology. Vol 21, No 2 pp162-168

Dobson,R. (1996) Doctors in Wales Should Learn Welsh. British Medical Journal Vol 13 No 4, pp 216-224

- Drakeford, M and Williams, C (2001) *Social Work in Wales*. In Malcolm Payne and Steven M. Shardlow (eds) *Social Work in the British Isles*. London, Jessica Kingsley Publishers
- Drakeford M., Lynn E (1999). *Becoming a Social Worker in Wales: language, teaching and inclusivity in professional training* *International journal of inclusive education* vol3 no 2 pp. 151-165
- Eades (2004) *Understanding Aboriginal English in the Legal System: A Critical Sociolinguistics Approach*. *Applied Linguistics* Vol 25 No 4 491-512
- Evans, G. and Trystan, D (1999) 'Why was 1997 different?' in Taylor B and Thomson K (eds), *Scotland and Wales: Nations Again?* Cardiff: University of Wales Press.
- Evans, J (2002) *Indigenous Australians: Language and the Law*. *International Journal for the Semiotics of law*. 15: 127-141
- Fevre, R., Borland, J., and Denney, D (1999) *Nation, Community and Conflict: Housing Policy and Immigration in north Wales*. In Ralph Fevre and Andrew Thompson (eds) *Nation, identity and Social Theory*. Cardiff, University of Wales Press.
- Finkelstein, D. S (1997) *Ever Been in a [Foreign] Prison?": The Implementation of Transfer of Penal Sanctions Treaties by U.S. States*. *Fordham Law Review*. Vol 66; No 1 pp 125-164
- Glaser, B. (1978) *Theoretical Sensitivity* Mill Valley: The Sociology Press.
- Goffman, E (1963) *Stigma-Notes on the Management of Spoiled Identity*. Englewood Cliffs, N.J.: Prentice Hall
- Goulding, C. (1998) *Grounded Theory: the missing methodology on the interpretivist agenda* *Qualitative Market Research: an international journal* 1(1) pp.50-57.
- Grillo, R (1989) *Dominant Languages: Language and hierarchy in Britain and France*. Cambridge: Cambridge University Press.
- Harcourt, B. E (2003) "You are entering a gay and lesbian-free zone": *Journal of Criminal Law and Criminology* Vol 94 No 3 pp 503-550
- Harmon, David (1995). *The Status of the World's Languages as Reported in The Ethnologue*. *Southwest Journal of Linguistics* 14:1&2, 1-28
- Henley, A & Jones, R.E (2003). *Earnings and Linguistic Proficiency in a Bilingual Economy*. *Royal Economic Society Annual Conference 2003* 106, Royal Economic Society. (<http://ideas.repec.org/p/ecj/ac2003/106.html> last accessed 1/8/06)
- Her Majesty's Inspectorate of Prisons (2000a) *report on a Full Announced Inspection of HMP Prison Altcourse 1-10 November 1999*. HMIP London.
- Her Majesty's Inspectorate of Prisons (2000b) *HMYOI Stoke Heath: Report of an announced Inspection 2-6 October 2000*. HMIP London.
- Her Majesty's Inspectorate of Prisons (2001) *Report of an Unannounced Inspection of HMYOI Stoke Heath 29-31 May 2001*. HMIP London.

Her Majesty's Inspectorate of Prisons (2005a) Report on an unannounced full follow up Inspection of HMP and YOI Styal 26 October- 4 November 2005. HMIP London.

Her Majesty's Inspectorate of Prisons (2005b) Annual Report of HM Chief Inspector of Prison 2004-2005. London: The Stationary Office

Hourigan, N (2001) New Social Movement Theory and Minority language Television Campaigns. *European Journal of Communication*. Vol 16 (1) pp. 77-100

Hughes, C and Madoc-Jones, I (2005) Meeting the Needs of Welsh Speaking Young Offenders. *Howard Journal*. Vol 44, No 4 pp374-386

Kontra, M., Phillipson, R., Skutnabb-Kangas, T., and Tibor, V (eds.) (1999). *Language: a Right and a Resource. Approaching Linguistic Human Rights*. Budapest: Central European University Press.

Lambert, W.E. (1979) Language as a Factor in Inter-Group Relations. In Giles and StClair (1979)

Lindsay, G., Soloff, N., Law, J., Band, S., Peacey, N., Gascoigne, M. and Radford, J (2002) *Speech and Language Therapy Services to Education in England and Wales*.

Lord Chancellor's Standing Committee on the Welsh language: A report of the criminal justice sub-committee on the use of the Welsh language in the criminal justice system in Wales. (2002) Lord Chancellors Department.

MacPherson Report (1999) (Stephen Lawrence Inquiry) <http://www.archive.official-documents.co.uk/document/cm42/4262/4262.htm>

Madoc-Jones, I and Buchanan, J. (2003) Welsh Language, Identity and Probation Practice: The context for change. *Probation Journal* Vol 50 (3) 225-238

Madoc-Jones, I and Buchanan, J (2004) Indigenous People, Language and Criminal Justice: The Experience of First Language Welsh Speakers in Wales. *Criminal Justice Studies: A Critical Journal of Crime, Law and Society*. Volume 17 Issue 4 pp 353-367

Maffi, L (2000). Language Preservation vs. Language Maintenance and Revitalization: assessing concepts, approaches, and implications for language sciences. *International Journal of the Sociology of Language*, 142.pp 175-190.

Maffi, L (ed.) (2001). *On Biocultural Diversity. Linking Language, Knowledge and the Environment*. Washington, D.C.: The Smithsonian Institute Press.

May, S (2001) *Language and Minority Rights: Ethnicity, nationalism and the Politics of Language*. Pearson, Harlow

Miller, K and McCay, V (2001) Linguistic Diversity in Deaf Defendants and Due process Rights. *Journal of Deaf Studies and Deaf Education*, 6, 226-234

Misell, A (2000) *Welsh in the Health Service: The scope, nature and adequacy of Welsh language provision in the NHS in Wales*. Cardiff, Welsh Consumer Council.

- Mühlhäusler, Peter (1996). *Linguistic Ecology. Language change and linguistic imperialism in the Pacific region*. London: Routledge
- Nettle, D & Romaine, S (2000). *Vanishing Voices. The Extinction of the World's Languages*. Oxford: Oxford University Press
- O'Barr,W.M. (19832) *Linguistic Evidence: language, power and strategy in the courtroom*. New York: Academic Press
- OPCS (2002) 1991 Census; Office for Population and Census Statistics; 1992. London
- Patten,A (2001) *Political Theory and Language Policy*. *Political Theory* vol 29, no 5 pp 691-715
- Pavlenko, A (2005) *Emotions and Multilingualism*. Cambridge, Cambridge University Press..
- Pritchard-Jones,H (1982) *Wales Gets its Own TV*. *Irish Broadcasting Review* 13 (2) pp 26-31
- Pugh, R and Jones,E. (1999) 'Language and Practice: minority language provision within the guardian ad litem service'. *British Journal of Social Work*, 29 (4). pp. 529-45.
- Richards, M., McWilliams, B., Batten, N., Cameron, C., and Cutler, J. (1995) *Foreign Nationals in English Prisons: 1. Family ties and their maintenance*. *The Howard Journal* Vol 34 No 2 May 1995, London
- Richards, M., McWilliams, B., Batten, N., Cameron, C., and Cutler, J. (1995) *Foreign Nationals in English Prisons: 2. Some Policy Issues*. *The Howard Journal* Vol 34 No 3 May 1995, London
- Roberts,G., Irvine,F.,Richardson,J.,Earles,C.,Gareth,E.,Prys,R (2005) *Report on a Scoping Survey of Language Awareness in Health and Social Care*. Bangor University of Wales.
- Robers,G and Paden,L (2000) *Identifying the Factors Influencing Minority Language Use in Health Care Education Settings: a European perspective*. *Journal of advanced nursing* 32(1) pp 75-83
- Rosenhan,D.L. (1973) *On Being Sane in Insane Places*. *Science* 179, 365-369
- Sapir, E. (1929): 'The Status of Linguistics as a Science'. In E. Sapir (1958): *Culture, Language and Personality* (ed. D. G. Mandelbaum). Berkeley, CA: University of California Press
- Scourfield,J and Davies, A *Children's Accounts of Wales as Racialised and Inclusive*. *Ethnicities* Vol 5 (1) pp 83-107
- Scordfield,J., Davies,A.,Holland,S (2003) *Wales and Welshness in Middle Childhood*. *Contemporary Wales* vol 16 pp 83-100



Sharp, H (2001) Steps Towards Justice for People with Learning Disabilities as Victims of Crime: the important role of the police/. *British Journal of learning Disabilities*; Volume 29; Pt 3 ; pp 88-92

Skutnabb-Kangas, T & Phillipson, R (1994). "Linguistic Human Rights, Past and Present. In Skutnabb-Kangas, Tove & Phillipson, Robert (eds., in collaboration with Mart Rannut) (1994). *Linguistic Human Rights. Overcoming Linguistic Discrimination. Contributions to the Sociology of Language*, 67. Berlin/New York: Mouton de Gruyter.

Social exclusion unit (2002) *Reducing Re-offending by Ex-Prisoners*. London, The Stationary office.

Thompson,A and Day,G (1999) *Situating Welshness: Local Experience and National Identity*. In Ralph Fevre and Andrew Thompson (eds) *Nation, Identity and Social Theory*. Cardiff: University of Wales Press:

United Nations ( 1999) *Indigenous People: UN Concerned About Declining Health*. UN Wire: 1 December 1999

Whorf, B. L. (1956) *Language, Thought and Reality* (ed. J. B. Carroll). Cambridge, MA: MIT Press.

Wardhaugh, R (2002) *An Introduction to Sociolinguistics*. Fourth Edition. Blackwell. Oxford.