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Prisoner Society in an Era of Psychoactive Substances, Organised Crime, New Drug Markets and Austerity

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Abstract

Framed by the limited and now dated ethnographic research on the prison drug economy, this article offers new theoretical and empirical insights into how drugs challenge the social order in prisons in England and Wales. It draws on significant original and rigorous ethnographic research to argue that the 'era of hard drugs' has been superseded by an 'era of new psychoactive drugs,' redefining social relations, transforming the prison illicit economy, producing new forms of prison victimisation, and generating far greater economic power and status for suppliers. These changes represent the complex interplay and compounding effects of broader shifts in political economy, technological advances, organised crime, prison governance, and the declining legitimacy and moral performance of English and Welsh prisons.

Key Words: prisons, drugs, psychoactive substances, violence, organised crime, ethnography

Introduction

"Now it isn't so much that the economy runs on burn [tobacco] or gear [heroin]. The money is all in Mamba [psychoactive substances] at the moment."

In an article entitled 'Prisoner Society in an Era of Hard Drugs,' and one of few British empirical accounts of the prison drug market, Ben Crewe argued that the presence of hard drugs (notably heroin) had redefined the prison drug economy and restructured prisoner social relations (Crewe, 2005). Crewe's use of ethnographic methods to 'pierce the skin' of the prisoner society produced a compelling insight into the ways heroin use had come to dominate the English prison drug economy, 'deeply imprinting upon' and transforming the prisoner social world, its hierarchy and the ways in which power and status were gained and lost by drug users and dealers (2005: 457). Beyond prison drug users and dealers, the presence of heroin had a much wider impact upon prison life, ultimately undermining 'a culture of inmate solidarity, trust and goodwill' (2005: 466). Thus, the use and supply of narcotics contributed to an already existing decline in the cohesion of prisoner society which has been documented – certainly in the US context – from the 1950s onwards (Jacobs, 1977; Irwin, 1980; Skarbek, 2016). Since the publication of Crewe's work, little further ethnographic research on the prison drug economy has emerged, either in the British context or more widely (for a notable exception, see Mjåland, 2014). Consequently, Crewe's published work remains one of few ethnographic accounts concerning the consumption and supply of hard drugs within the unique and largely concealed prison world. Since then, prison drug use has continued to increase (Ministry of Justice, 2019), despite a renewed focus on supply reduction tactics (Ministry of Justice, 2015, 2016, 2018a), the availability of opiate treatment programmes (Penfold, 2005), and various attempts to create drug recovery wings within prisons and, in the case of HMP Holme House, a drug recovery prison (Wheatley, 2019). Moreover – and perhaps most crucially, the drug economy has changed beyond all recognition: prisoner society in England and Wales is no longer defined by an era of *hard* drugs – as argued by Crewe (2005) – but an era of *new psychoactive drugs* (PS). This fundamental change is accompanied by a profound shift in the nature, culture character and ultimately the legitimacy of contemporary prison conditions in England and Wales. Thus, there is a deep and enduring need for immersive ethnographic research to better understand: the complexities of contemporary prison drug economies; how they evolve; how they shape the context, culture and character of prisons; and, the tangible harms, costs and pains for those who live and work within them.

This article seeks to address this gap, drawing on original ethnographic and qualitative research to critically analyse the transformations in the drug economy, social relations within prison, and prisoner culture. It begins by briefly reviewing the available literature, examining the context within which our research was conducted and setting out our methodological approach. The article then analyses the novel and unique ways in which the trade in psychoactive substances (PS) has redefined social hierarchies and produced new forms of victimisation, as well as the extent to which the mutating drug economy is supported by technological advances, organised crime, and wider social and cultural change beyond the prison wall. Early explanations for the growing appeal of PS centred on its early status as a 'legal high,' its odourless qualities, and the flaws of mandatory drug testing (MDTs) – urine tests used to detect the consumption of drugs within prison. However, as our research revealed, it was the low cost, the ease of transportation and consumption, increasing demand caused by, and the profit margins, that have sustained PS use post-prohibition and since the introductory of MDTs for PS. In the 'era of hard drugs', the prison was a marketplace for the sale and supply of narcotics (Crewe, 2005, 2006); in the 'era of new psychoactive drugs,' this once marginal trade has become mainstream. The prison is a marketplace for drug dealers operating both within the prison and within the community – a marketplace increasingly mimicking the violence of illicit drug trade in the community (Treadwell et al, 2019; Ancrum and Treadwell, 2017). Once a place for a "lie down," the prison is now a place to "graft" and "do big business."

Prison Drug Dealing through Ethnographic Lenses

Drug use has long been a central feature of prison life (Edgar and O'Donnell, 1998; Bullock, 2003; Cope, 2003; Crewe, 2005; Penfold et al, 2005), principally for three reasons. First, a large proportion of prisoners engage in recreational or habitual drug use prior to imprisonment (Crewe, 2006; Wheatley, 2016) and seek to continue or re-establish such habits inside, either as a way of avoiding detoxication or because it offers a way of coping with confinement and/or the trauma, abuse or loss experienced earlier in life. Second, some prisoners will use drugs to 'self-medicate', particularly if they cannot access prescription medication or as a means of mitigating their own risk of self-harm or suicide (Cope, 2003: 168; Wheatley, 2016: 208). Third, drugs are often used to manage, suspend or 'kill' time (Wheatley, 2016, Cope, 2003). 'Doing time' constitutes a perpetual and unforgiving problem (Gooch and Sheldon, 2019) and in this context, as Crewe noted in the context of heroin use, drugs can offer 'sanctuary, diversion and relief' (2005: 463). That said, the freedom with which dealers trade and the extent to which users feel compelled or motivated to engage in drug use varies between prisons. Like other indicators of prisoner distress - such as suicide, self-harm and suicide ideation - the prevalence of drug misuse is one indicator of how painful life within that prison can feel. Moreover, the extent to which drug dealers can trade with impunity is an indicator of how ordered and controlled a prison is, and the extent to which staff are able to consistently use their authority with competence, confidence and legitimacy (Skarbek, 2016). Thus, whilst drug use might be a central feature of prison life, the extent to which it *dominates* daily routines, behaviours and social interactions varies between prisons.

The range of drugs available within prison has remained relatively consistent over time, normally consisting of heroin and opiates, crack-cocaine, cannabis, amphetamines, anabolic steroids and prescription medication - what has varied has been the popularity and dominance of any one drug within the drugs economy. It was Crewe's contention (2005, 2006) that during the 1990s, heroin became more attractive and more available within prisons. Quite why heroin became so prominent is undoubtedly due to the complex interplay of factors both within and beyond the prison. The shift from cannabis to heroin arguably reflected broader shifts in drug use in the community (Dittion and Speirits, 1982; Stephenson and Richardson, 2014, Parker et al, 1998), increased heroin production (Morgan, 2014), falling prices (Parker et al, 1998), increasingly sophisticated distribution networks (Parker et al, 1998), and the 'normalisation' of recreational drug use (Coomber and Moyle, 2014; Coomber, Moyle and South, 2016). The transformation in the *prison* drug economy was also

described as an unintended consequence of the introduction of mandatory drug testing (MDT) in prisons (Edgar and O'Donnell, 1998). The primary aim of MDT was to 'increase the detection of those misusing drugs and to send a clear message to prisoners that if they misuse drugs they will have a greater risk of being caught and punished' (Her Majesty's Prison Service, 2005). In the post-Woolf era, the introduction of MDT reflected a deliberate shift away from liberal practices that had given way to 'laxity, indulgence of the offender, a failure to demand responsible for action, and poor outcomes in terms of public safety' (Liebling, 2004: 15). Whilst these problems were clearly the result of confusion and ambiguity regarding Lord Woolf's recommendations and how to implement them, when coupled with the high-profile escapes of the 1990s, a new era of prison policy dawned – one where basic entitlements were defined as privileges to be earned and prisoners were expected to actively 'engage' with the prison regime and system. Crewe explains, 'by linking rewards and sentence progression to behaviour, their aim was to incentivize prisoners to invest in institutionally desirable behaviour, and to take responsibility for the terms of their own incarceration' (Crewe, 2007: 258). Ultimately, then, the introduction of MDT was part of a wider attempt to 'eliminate residual resistance and secure a new mode of compliance' (Liebling, 2004: 484). Yet MDT tests are imperfect (see O'Donnell, 1998; Wheatley, 2016; Singleton et al, 2005). While cannabis can be traced in urine samples for 28 days, heroin remains in individual's body for only three. This obvious flaw in the MDT system was quickly apparent to prisoners (MacDonald, 1997), and when combined with the increased availability of heroin, that quickly become *the* prison drug of choice (Boys et al, 2002, Crewe, 2005).

What quickly emerged following the introduction of MDT was a body of evidence focusing on its effectiveness, and the extent to which it might explain the changes in the drug economy. In this respect, Crewe's contribution was unique. Less concerned with *why* heroin was popular, and more concerned with the ways in which this influenced social relations more broadly. Thus, his research provides crucial insights into the influence of drug economies on prisoner society itself. Crewe argued that although drug use was a normalised and accepted aspect of prison life, critical distinctions were made between drug users who could control and afford their habit, and the 'smackheads' who could not. It was the latter group of prisoners who attracted stigma and disdain: their dependence on heroin signified weakness and a "physically and socially" deficiency (2005: 468). Thus, whilst heroin use provided temporary relief from the demands of prison life, it was also accompanied by "social, symbolic and economic degradation" (2005: 472). Conversely, the drug dealers held 'powder power' (2005: 471): "a form of power rooted in the drugs themselves and the financial clout that they engendered. While drugs dealers were not necessarily respected in terms of their behaviour and values, they had to be given respect because of the influence they could wield" (2006: 360). Thus, some dealers would only have power over others in the prison for as long as their supplies lasted. Dealers could influence what happened on the wing but were resented by other prisoners because they contravened an inmate code which precluded the exploitation and extortion of others. In addition, the ability of "otherwise ordinary inmates to climb the social ladder" was begrudged by other prisoners (2005: 471) – it was only those who had some physical or social capital that could maintain their elevated status. Taken together, the presence of heroin served to 'accentuate existing inequalities between the power and the vulnerable' and increase the amount of power available within the prison (Crewe, 2005: 476), ultimately leading to greater victimisation and exploitation and further eroding social cohesion.

The Enduring Legitimacy Crisis in English and Welsh Prisons

When Crewe published his research, it would have been difficult to predict that less than a decade later, the narcotics-based economy would give way to new organised, criminal drug markets based on PS and creating new "*business models*" and "*drug empires*" capable of once again transforming prisoner society. PS can mimic almost all psychoactive drugs and often include a highly toxic and potentially fatal cocktail of stimulants, sedatives, psychedelics or hallucinogens and synthetic cannabinoids. More commonly known by

generic street or brand names (including 'Spice', 'Black Mamba' (or 'Mamba') and 'Annihilation'), PS is largely synthesised in a laboratory (although there is a burgeoning small-scale home production industry) dissolved in solvent, then sprayed onto plant material or paper, which is most commonly smoked. The increasing availability of e-cigarettes has diversified consumption methods, with drug-soaked paper being dissolved into vape fluid, thereby increasing the potency of PS. When PS first emerged, they were initially described as 'legal highs', reflecting their absence from the Misuse of Drugs Act 1976 and, consequently, their ambivalent legal status as a commodity. The Psychoactive Substances Act 2016 was hastily introduced to alter the status of PS as 'legal' entities and make the production and supply of PS a criminal offence (Kalk *et al*, 2016). Reflecting burgeoning anxiety about the perceived but misunderstood (Gooch and Treadwell, 2015) links between the use of PS and rapidly accelerating rates of prison violence (Her Majesty's Chief Inspector of Prisons, 2016; Ministry of Justice, 2016), the Act also made possession of PS specifically within custody (but not the community) a criminal offence attracting a maximum sentence of two years imprisonment even for those already serving a prison sentence.

PS has rapidly overtaken and transformed the drug economy. In 2010, there were as few as 15 recorded seizures of PS in English and Welsh prisons; by 2018, this had risen to recorded 4,667 seizures: more than a three hundred-fold increase (Ministry of Justice, 2019). Such official data is imperfect, only capturing the number of seizures (rather than distribution and consumption) and influenced by operational practices and priorities. Other measures, however, also evidence a shift in the drug economy. For example, in 2005 and when Ben Crewe's article was published, cannabis accounted for 4,483 positive MDTs and opiates accounted for 2,294 positive MDTs. By 2018 – the first year for which data is available – psychoactive substances accounted for 6,636 positive mandatory drug tests with figures for cannabis decreasing to 3,067 and for opiates, 1,257 (Ministry of Justice, 2019). Again, this data is an incomplete measure of drug consumption, only representing those people who were tested (rather than using) and at the mercy of a test that can only identify some but not all psychoactive drugs. Taken together, however, the official data is indicative of a trend that we witnessed empirically as drug misuse increased and PS began to dominate the drug economy.

The speed at which PS has overtaken the prison drug economy appeared to take policymakers and practitioners by surprise. Traditional detection methods were quickly rendered ineffective, with both 'drug dogs' and mandatory drug tests (MDTs) unable to detect PS. The Courts and Criminal Justice Act 2015 extended the powers of prisons to include non-controlled drugs - such as PS - within MDTs, although as yet, it is still impossible to test for the full and growing range of chemicals contained within PS. More recently, Rory Stewart, then Prisons Minister for England and Wales, announced the introduction of new body scanners and more trained sniffer dogs in all prisons, with a greater financial investment in the 10 prisons described as experiencing the most 'acute problems' (BBC News, 2018a). Whilst these initiatives were accompanied by the most significant prison officer recruitment campaign for a generation, a growing interest in 'rehabilitative culture', and a recognition of the need to increase time out of cell, the political narrative and policy response has largely positioned the emergent drug problem as a security problem, emphasising supply reduction strategies, 'deterrent' measures and law enforcement initiatives (Ministry of Justice, 2015, 2016, 2018a, 2018b).

Yet the emphasis on supply reduction has neatly overlooked the ways in which the rapidly escalating demand for drugs was both symptomatic of, and created by, a wider decline in the 'legitimacy' (Liebling, 2011; Sparks *et al*, 1995) of the prison system caused by: deteriorating prison conditions (Her Majesty's Inspectorate of Prisons, 2017a); increasingly impoverished regimes; austerity measures; and, the development of an increasingly lean staffing model within public sector prisons (House of Commons Justice Committee, 2015), leading to staff shortages, low staff morale, declining staff confidence,

and, certainly in some prisons, a decline in the legitimacy of staff-prisoner relationships and staff authority, permitting the emergence of forms of 'extra-legal governance' (Skarbek, 2016) - or to us 'illegitimate governance' - where prisoners were increasingly occupying roles of power and authority previously the preserve of prison officers (also see Gooch and Treadwell, 2019). Fewer prisoners were (and are) being unlocked and fewer still accessed meaningful activities. For example, Her Majesty's Inspectorate of Prisons 25% of prisoners were spending less than 2 hours out of their cell during the week; in Category B Local Prisons, this number increased to 37% as an average, and as much as 47% in the worst examples (Her Majesty's Inspectorate of Prisons, 2019). Moreover, the prison 'regime' became increasingly unpredictable and inconsistent, fuelling frustration amongst prisoners (Her Majesty's Inspectorate of Prisons, 2019: 34). In addition, when confined to their cells, too many prisoners were (and are) detained in squalid and unsanitary conditions, exposed to the elements, vermin and pests and with little or no clothing or bedding (National Audit Office, 2020).

These changes generated growing unease that the prison estate was (and is) experiencing an "enduring crisis" (House of Commons Justice Committee, 2019: 6) – a crisis that has manifested in growing disorder and unrest (Ministry of Justice, 2019), increasing violence, self-harm, suicide and homicide (Ministry of Justice 2020) and strained industrial relations, including 'walk outs' and industrial action by prison staff (BBC News, 2017a, 2018b). For example, between 2000 and 2018, the number of assaults on prisoners per 1,000 prisoners quadrupled from 9,440 to 34,223. Similarly, serious assaults (including fractures, strangulation, slashings and stabbings) on prisoners increased from 12 to 47 per 1,000 prisoners. Assaults and serious assaults on staff also increased fourfold (Ministry of Justice, 2020). Prisoners were not just harming others, but also themselves. In 2016, 124 prisoners killed themselves, the highest number recorded since 1978 (Ministry of Justice, 2020). During the period 2004 – 2018, the number of self-harm incidents per 1,000 prisoners increased from 19,702 to 55,598 incidents – a three-fold increase (Ministry of Justice, 2020). Thus, the imposition of austerity measures was expensive in terms of lives lost and harm suffered.

Questions of legitimacy have extended further still, beyond the prison system and as far as the Courts and Parole Board, with prisoners increasingly serving longer sentences and remaining many years (and even decades) post-tariff, particularly in the case of those serving the now defunct sentence of imprisonment for public protection (see Her Majesty's Inspectorate of Prisons, 2016). Under the leadership of Nick Hardwick, the Parole Board made a concerted effort to release as many of those who were still in prison after their tariff had expired (Parole Board, 2018), but against a trend where more than half of those released were recalled to custody (Beard, 2019). Not only was (and is) the prison population continuing to expand, the route to release was increasingly fraught with uncertainty and unpredictability creating a growing sense that such prisoners were simply languishing inside - hopeless, 'stuck,' and 'lost'. As our research found, the sense of falling 'deeper' within the system (or being 'buried') and pulled further away from the prison gate, encouraged some to turn to drugs to either "*melt the bars away*" or as a means of attempting suicide (also see Prison and Probation Ombudsman, 2016).

Taken together, prisons became places where *both* the demand for drugs and the opportunities for supply were increasing. Initially at least, it was Category B and Category C prisons that were more deeply impacted by the changes detailed above, and where the presence of PS was initially most marked. Thus, the relationship between the prison conditions and an evolving drugs economy is difficult to discount. Moreover, the shift in the prison drug economy from heroin (and cannabis) to PS appears to have disproportionately impacted English and Welsh prisons. In Australia and New Zealand, for example, prison drug economies are primarily based on methamphetamine (known as 'Ice') with no evidence that PS yet (Gooch and Doolin, *forthcoming*). Across Europe, cannabis, heroin and cocaine

remain the drugs of choice with PS only representing an emerging concern in a small number of countries such as Germany, Finland, Poland and Sweden (European Monitoring Centre for Drugs and Drug Addiction, 2018). Similarly, in the United States, media sources have begun to note the presence of a synthetic cannabinoids (known as K2) in Federal and State jails and prisons in States such as Florida, Texas and Pennsylvania (Ward, 2017; Blaskey, 2018; Esak, 2018) but as yet, such reports are anecdotal and little research has yet emerged.

The Prison Drug Economy through New Ethnographic Lenses

Despite the resurgence of British prison ethnographic and qualitative research (see for example, Liebling, 2004; Liebling et al, 2010, 2011; Crewe, 2009; Drake et al, 2015; Jewkes, 2014), how daily prison life has changed in the last decade has not yet been well documented. In 2005, and like others before him (Simon, 2000; Wacquant, 2002), Ben Crewe lamented:

We understand relatively little about how life on the landings has been affected by the significant changes that prisons have undergone in recent years, changes that are embedded in the broader context of late modernity that has, likewise, transformed the world outside the prison in which its inhabitants are socialized. (2005: 458)

Such comments are equally as salient today. Despite Crewe's emphasis on the importance of the 'ethnographic lens' in understanding drug economies (2005, 2006), few subsequent qualitative accounts of prison drug use and dealing have emerged (although note Hughes, 2000; Cope, 2003; Penfold, 2005) and certainly no ethnographic accounts. Although more recent British research, such as that of Ralphs *et al* (2017), has shared an ethnographic sensibility, it remains based on a small sample of prisoners in a single institution. Consequently, and as Ralphs *et al* (2017) acknowledge, the use of PS in prison populations, and the markets that have emerged as a result, are largely under-researched.

This article draws on a multi-site, team ethnographic research conducted over the course of three years (October 2014 – October 2017). Three English prisons were visited, including a young offenders' institution (YOI), a Category B local prison and a Category C prison holding only men convicted of sexual offences. The purpose of the research was to assess why prison violence was prevalent (and sometimes serious) in two of the prisons (the YOI and Category B Local) but low (and largely absent) in a prison accommodating men convicted of sex offences. We sought to not only understand how to prevent prison violence, but also why some men chose to avoid violent confrontation. In so doing, the relationship between prison violence, drugs and the illicit economy quickly emerged. Considerable time was spent immersing ourselves within each prison. With the consent of the Governing Governors, keys were carried by all the researchers in each prison. We were able to witness and observe all aspects of prison life including association periods, reception, induction, segregation, visits, education and workshop activities, adjudications and mealtimes. We could move freely around the respective institutions, thus mitigating (although not entirely absolving) the impact upon resources and staff time.

Underpinning the ethnographic data gathered were over 120 formal, semi-structured interviews conducted with prisoners. Initially, we interviewed prisoners implicated in prison violence, either as the aggressor or the victim, before inviting those who had not been identified by official records to understand violent events. The interviews varied in length ranging from 50 minutes to two and a half hours and covered nearly all aspects of prison life. These interviews were subsequently transcribed and analysed. With informed consent, all the interviews were digitally recorded. Pseudonyms have been used for all participants to preserve anonymity. The interviews and ethnographic data were supplemented by an analysis of institutional data and documents. Moreover, our ethnographic approach enabled

us to engage in countless hours of informal, ongoing dialogue with prisoners, staff and senior managers.

The ethnographic fieldwork commenced in October 2014 – at which point PS was beginning to emerge as an issue in some prisons – and over the course of three years, the need to reduce drug use and supply frequently dominated the political narrative regarding prison reform, as did associated issues of prison disorder and violence (Ministry of Justice, 2016). The ethnographic approach not only provided a rich insight into the social dynamics of each individual prison, but also allowed us to observe and understand how the illicit economy functioned, when and where prisoners used drugs, how trading and indebtedness fuelled prison violence, and the effects of substance misuse on individuals, staff and the prison as a whole. Trading had an air of mischief – prisoners enjoyed the thrill of defying and “*getting one over*” on staff and such activities were tinged with a cheeky smile, a wink of the eye or a sly laugh, as well as the covert, hidden and concealed. We observed items being quickly concealed in the hand or underneath clothes, deals being brokered, incidents where the real reasons for violence were never disclosed to staff, occasions where staff were manipulated into cell moves, and occasions where prisoners were able to move to the wrong location to co-ordinate deals, set terms, trade and punish non-payment. Long term immersion gave us unrivalled insights into the dynamics of the wing and the trade (see Crewe, 2006).

As we moved from being conspicuous strangers to being part of the landscape of daily prison life, prisoners would smoke PS in front of us as they conversed together on prison landings. As we became familiar with the chemical odour of PS, which was distinct and distinguishable from the smell of tobacco or cannabis, it was quickly apparent that claims that prisoners were incentivised to use PS because of its odourless quality were not borne out and lacked credibility. Side-effects ranged from mild seizures and fits, skin infections, palpitations, psychotic episodes and hallucinations, to life changing injuries and death. Conditions such as unconsciousness, seizures and cardiac arrest typically necessitated paramedic response. During the fieldwork, a prisoner at the Category B prison died having taken a toxic and ultimately fatal cocktail of PS and (diverted) prescription medication, reflecting a growing trend of drug-related deaths across the prison estate (Prisons and Probation Ombudsman, 2016). We witnessed for ourselves what effects PS had on individuals, and how “*Mamba attacks*” and calling the “*Mambulances*” could disrupt the regime as staff responded to alarms. The frequency with which staff (including prison and medical staff) were diverted to respond to an individual(s) who needed urgent attention prevented efforts to proactively prevent drug use, support drug misusers, supervise prisoners or reduce opportunities for supply. At times, drug consumption and distribution was discreet and hidden within prisoner’s cells; at others, prisoners routinely gathered together to consume or sell drugs on prison landings in groups and in ‘plain sight’. Staff vigilance varied, and where staff had withdrawn – either physically (to the back stages and offices of the wing) or psychologically (present but disengaged) – trading and consumption happened easily and with little disruption. Staff who were invested in detecting and punishing drug consumption were typically caught up in ‘cat and mouse’ games - trying to find drugs and drug paraphernalia in security searches but leaving the wider factors that were generating demand unaddressed.

Although we concluded our empirical research for the project on prison violence in October 2017, our involvement in other prison projects since that time – including a Category C, a Category C/YOI, a Category B Local, and Category A prison – has provided a degree of continuity to our research. This ongoing engagement has given us a confidence that the findings presented here remain current at the time of writing (January 2020). In addition, the opportunity to not only discuss our findings with senior practitioners, policy makers and Governing Governors but also present the research to large audiences of Governing Governors, Deputy Governors and Functional Heads (e.g. Heads of Security) has assured

us that the findings presented here are mirrored more widely across the prison estate, particularly in Category B and Category C prisons, and - despite the increased security – that PS is now increasingly prevalent in Category A prisons.

Organised Drug Markets Move Inside: Understanding Prisoner Society in an Era of Psychoactive Drugs

Whilst narcotics, cannabis, anabolic steroids and prescription medication continue to form part of the illicit prison drug economy, ‘Mamba’ has quickly become the drug of choice within prison despite the relatively low levels of consumption in the community (Ralphs et al 2017; HMIP, 2015). ‘Mamba’ is a ‘prison drug’ – one that individuals turn to in custody but have no intention of using on release - it is a solution to existential problems and crisis:

“You have to remember a lot of these guys are just substituting what they were on before for Mamba.” (Andrew, Category B)

“You can say that in here, well, life is mainly about drugs. For a lot of the lads in here, it gives them a purpose to their day, scratching about to get themselves something, looking forward to it, it structures their life and gives them a meaning. For a few in here, it funds their life basically.” (Robert, Category C)

Market factors are described as motivating factor for PS use in the community (Stephenson and Richardson, 2014), yet it is the lucrative prison market that reaps the most financial rewards. PS is cheaper than heroin and cannabis (in the community and in prison); it is easily concealed and distributed; and, the sale of PS generates significant profit margins (also see HMIP, 2015): *“If it is easy to get out there, then it is easy to get it inside.”* Prisons create a captive market where demand for illicit drugs is high – especially in the age of austerity when prison regimes became increasingly impoverished, where idleness was common, and where the use of ‘Mamba’ allowed prisoners to engage in ‘confined escapism’ (Gooch and Sheldon, 2019) – physically present but able to transcend the prison walls and *“have their day out of prison”* (Chris, Category B). Declining prison conditions, and the inability to access even basic necessities such as clothes, toiletries and food, led one prisoner to tell us: *“there are more drugs in here than food”* (Martin, Category B). Such claims were by no means isolated, and we saw for ourselves how the illicit economy flourished in response as such scarce items were traded for drugs.

Prisoners who relied on drugs to manage their confinement would sacrifice clothes to access PS, leaving little in their cell. When this happened, cash amounts were demanded, with debt quickly spiralling out of control. But beyond that, the secure conditions of the prison mean that drugs transported into prison had a higher value than in the community - as much as five to ten times higher but sometimes more (Gooch and Treadwell, 2019; Treadwell et al, 2019). This inflation was compounded by the non-repayment of debts: prisoners who owed small amounts of prison could quickly find themselves liable for hundred, or even tens of thousands of pounds of debt through punitive interest rates levied by lenders in prison. Thus, a *“business model”* has developed whereby contraband – including drugs, mobile phones, alcohol, weapons and tobacco/associated paraphernalia - were purchased in the community for the sole purpose of smuggling them into prisons:

“Right, I will put it this simply, [drug dealing] puts food on a lot of lad’s tables out there and in here, you get me? We need to keep earning, and there are ways to do that. Big money, as much money as can be earned on the out, on road [in the community]. Lads will do what they have to do on the outside, you get me, and they will do what they have to do on the inside too.” (Steve, Category B)

In giving them access to cash and material goods, the prison market not only sustained the *“Businessmen”* in prison, but, as the quote illustrates, it generated financial gain for those in

the community. Historically, a prison sentence largely created a 'hiatus' in business and criminal activity but had come to represent a business opportunity where drug supply was "*big business*" for entrepreneurial individuals who could take advantage of the organised crime markets anchored in the community. The apex of the prisoner hierarchy was reserved for the "*Businessmen*" – those who were controlling and profiting from drug supply, often serving long-sentences, with established reputations for violence and criminality. Continuing a trend described by Crewe (2005, 2006), index offence was no longer sufficient to guarantee status, and the "*Businessmen*" had largely usurped and supplanted the armed robbers of the past.

Those who occupied positions at the apex of prisoner hierarchy were necessarily fewer in number, and bitter disputes could arise to maintain dominance over the drug markets. Conflict within prison could be brutal and even lethal, as with the murder of Jamal Mahmoud in HMP Pentonville who was fatally stabbed following a dispute over control of the supply of drugs and phones (BBC News, 2017b). Generally, drug dealers were not drug users, mirroring the behaviour of heroin drug dealers (Crewe, 2005). Those who were operating the "*drugs empires*," were also keen to maintain a degree of distance from direct involvement in the "*dirty work*" involved in sustaining the drug trade. They relied on willing accomplices in the form of "*middlemen*" and "*foot soldiers*" - devolving much of the trade and sharing some modicum of the profits, largely mimicking criminal drug markets in the community (Hobbs, 2013):

"You get a lot of respect, like the people who sell drugs in here ... everyone respects people who are selling [Mamba] and have got it. They use other prisoners as sheep really. That way it can't come back on them." (Sam, YOI)

Such 'dirty work' included: collecting throw overs, bringing contraband into prison via reception or visits, passing and circulating contraband around the prison, storing contraband and weapons in their cells, concealing 'debt list' and bank account details, enforcing payment, passing notes and threatening prisoners, punishing non-payment and other "*violations*". The "*Businessmen*" were the archetypal 'puppet masters', able to 'pull the strings' of others around them through a blend of either threat, menace or bribery. The "*Businessmen*" competently maintained a legitimate and complaint 'front' with officers, whilst also actively operating their illegitimate business affairs. For many, they were simply replicating a well-rehearsed *modus operandi* developed over many years in the community where they maintained 'legitimate' business (such as gyms, tanning shops, hairdressers) as a front for organised crime, drug supply and money laundering. This approach has received attention in criminological accounts of community expressions of criminality and organised crime (Hobbs, 2013), but has received little attention in prison scholarship. However, the marginal demand for heroin was always destined to be superseded by something more – in this case, a more organised, mainstream and profitable drug economy linked to the community where money was easily exchanged and where community associates would collect debt and enforce repayment.

In prison, the capacity of the "*Businessmen*" to orchestrate nefarious activities, but avoid direct involvement, meant that they could mitigate or entirely avoid the risk of intelligence led searches, closed visits, sanctions and added days for violence or possession of contraband. Typically, the "*Businessmen*" remained on 'Enhanced regime' - thereby enjoying the greatest amount of rewards and incentives on offer. Often charming, convivial and likeable, they often found it easy to form useful relationships with staff, which benefitted them when seeking ROTL (release on temporary license), transfer to less secure conditions (either in a Category C or D prison), or release on HDC (home detention curfew). In addition, the "*Businessmen*" often occupied positions of responsibility and trust within the prison (such as wing cleaner, gym orderly or peer mentor) - which of course gave greater freedom and opportunity for nefarious activity (also see Gooch and Treadwell, 2015, 2019). In this respect, these prisoners were able to competently navigate, negotiate and, in some cases,

manipulate the structures of penal power to their advantage. The ‘individualisation of penal power’ described by Crewe (2009) created an opportunity, which they exploited. They recognised the demands of penal power and the need to work within them but found ways to loosen or circumvent the ‘tightness of imprisonment’ (Crewe, 2009). They had learnt to navigate both the vertical relationships with the State with the horizontal relationship with prisoners to great effect, securing the best advantages and freedoms that that State could offer from within the prison walls with the advantages of peer respect (even if based on fear), power, reputation, financial rewards and consumer status symbols.

The dominance of some prisoners benefitted prison officers in ensuring a certain amount of disruptive or non-compliant behaviour was “squashed out” (without officer involvement) by more influential prisoners who did not want any (or too much) “trouble” on the wing - behaviour that might invite staff attention, management scrutiny and additional security searches. Yet the “leading roles” (as they were described by prisoners) who appeared compliant but controlled drug markets inside and out ultimately undermined prison stability with their nefarious activities predicated on self-profit:

“People know not to fuck with me, I have a lot of added time, a lot of getting shipped and ghosted for violence, a lot of bad stuff that I have done, a lot of stuff that gets talked about, my reputation is known, I am known in other jails. I am known for what I have done, stabbed people, battered people done some proper shit. I am also known because I have the nice gear, people know what I did out there on road, and they know what I do in here. They know if they try and walk over me, they might end up having difficulty walking at all.” (Stuart, Cat B)

Officers were tolerated rather than given positive regard. Indeed, the “Businessmen” often expected some degree of ‘respect’ from prison staff, and an officer who was seen to “throw their weight around” and exercise their authority too tightly could face reprisals:

Jimmy was objecting to the way an officer spoke to him, and a heated conversation ensued. Jimmy explained: I got the hump ... he came downstairs with three warnings to get me on to Basic (regime) and get my peer mentor job taken off me. When he’s come to hand me the warnings, I’d told all the lads what he had done, they surrounded him and said, “Why are you treating him like that?” (Fieldnotes)

At its worst, renegotiating the balance of power with staff could result in officers being seriously assaulted or ‘potted’ (where urine and excrement was stored and then thrown over them). Thus, the extent to which the “Businessmen,” “Middlemen” and “Foot Soldiers” were not only able to operate with relative impunity, but also with considerable advantage, depended partly on the quality of staff supervision, the effectiveness of security intelligence analysis, and the confidence and willingness of staff to govern effectively (see further Gooch and Treadwell, 2019). When staff were lacking in confidence or ineffective, selective, unwilling in their governance and supervision, it was easier for forms of prisoner illegitimate governance (or to Skarbek, 2016 - ‘extra-legal governance’) to take root and for both the illicit and drug economy to flourish.

“That’s how they get the kilos in!”: Understanding Contemporary Prison Drug Markets

For users and suppliers, one of the most attractive features of PS is the ease with which it can be distributed. Like earlier studies (Crewe, 2006, 2009; Penfold et al, 2005), typical drug supply routes included: ‘throw overs’ (where drugs were conveyed in packages such as fruit, tennis balls, Pringles boxes), prison visitors, new receptions, staff, and, to a lesser extent, prisoners ‘released on temporary license’ (ROTL) or, as noted above, returning to prison on ‘license recall’. However, two new drug supply routes have quickly emerged: drug-soaked mail and remote-controlled drones.

Postal mail has always operated as a possible, but very limited, supply route for illicit drugs (Penfold, 2005, Crewe, 2005) - one which was susceptible to easy detection. One of the unique features of PS is the ease with which it can be sprayed on to paper, rendering any domestic or legal letters both a conduit for supply and a means of consumption. Letters were often divided into much smaller, often credit-card sized parts, each capable of sale at anything between £25-£50 – offering economies of scale and significant profits. For users, very little drug-soaked paper was needed to benefit from the effects of PS - even a one-centimetre squared piece of paper could be smoked in a 'roll up' and have an effect lasting several hours:

“They are fooling the screws now because they are spraying it onto paper and sending it through the post. They soak it in the paper because you can't detect it, because it doesn't smell. There's graded paper, so people get letters sent in, and they'll sell, like, and eighth for a sheet. A line of over £25, and it only takes, like, a centimetre square piece to get, like, four people, sort of, zombied. [...] Sometimes they'll spray it, like, five times, or six times, so somebody will be used to smoking one joint themselves, would take two drags, and then be body popping, and doing all kinds of madness on the wing.” (Category B)

Thus, the use of drug-soaked mail created an ease of conveyance and generated much greater profit margins than hard drugs. Delivery by mail obfuscated the need to attempt much riskier supply routes - such as conveyance through visits – which, if caught, would render both the visitor and the prisoner liable for prosecution. Yet here again there is a continuity born out extensively in the literature on organised crime, where familial, peer and criminal networks operate largely in just such ways at the forefront of what is considered organised crime (Hobbs, 2001).

Prison supply has also worked on the basis of technological change and innovation, Drug-soaked mail is a useful but limited supply route - it was the drone deliveries that offered the possibility of “*getting the kilos in*” and was most frequently linked to networked entrepreneurial criminal groups outside. This means of targeting prisons has emerged rapidly. In 2013, there were no recorded drone detections, but over five years, there has been a steady increase across the prison estate (MoJ, 2016), with one prisoner in our study reporting weekly “*drone drops*.” Drone deliveries often included a range of items such as PS but also other contraband such as tobacco, alcohol, hard drugs, weapons and mobile phones. Reflecting something of its proximity to the city's infrastructure, the high proportion of local men and the connectivity to the local community, it was in the Category B prison in particular where drones were a particular concern for prison staff and a popular supply route for prisoners. Drones were relatively affordable to purchase in the community and offered the advantage of a targeted delivery to a specific area of the prison (such as a prison cell window), circumventing the need to arrange for the collection of 'throw overs' by trusted prisoners. The ability to communicate using illicit mobile telephones also allowed easy co-ordination of deliveries and, if necessary, distraction techniques to divert the attention of staff to another area of the prison. For suppliers, this had the added advantage of avoiding the hazards of security searches and allowing for delivery away from the supervisory gaze of officers. Rather, it was the recipients of the deliveries – who were rarely those who co-ordinated and orchestrated such – who bore the risk:

“Well, [my cell mate] was on the bottom floor so basically, he could stick his arm outside the cell and pick up a bag of phones, which is risky because that could be anything coming in, it could be anything up to, I'm not saying there are guns in prison, but it could be a gun.” (Anthony, Category C)

If the package was ultimately intended for another prisoner and the recipient was expected to handover or re-distribute the goods, this would often require “passing” the items using

methods of varying sophistication. If a “*pad spin*” (cell search) occurred in the intervening period, prisoners risked losing the contraband and the imposition of additional days as punishment. If seizures occurred, the prisoner holding the contraband would be liable for the profit loss and there was little sympathy for those who had simply fallen ‘victim’ to the security and search operations.

Unlike the ‘plugging’ of drugs - which might only need the willing involvement of the individual concerned - the use of drones relied on much more sophisticated networks, bridging a gap between prison criminality and external criminal (sometimes familial) networks (Hobbs, 2001). For example, 13 defendants were sentenced in 2018 for their part in the co-ordinated use of drones over a 14-month period to fly drugs with an estimated value of £500,000 into prisons such as: HMPs Hewell, Oakwood, Birmingham, Wymott, Featherstone, Risley and Liverpool (BBC News, 2018c). Not only were the defendants able to organise their efforts across several different counties and to a variety of geographically dispersed prisons, but three of the defendants were already serving custodial sentences at the time. While technological advances have undoubtedly assisted such activity, criminal networks have been quick to identify the potential profits on offer through the exploitation of the (relatively) closed prisoner community. For the entrepreneurially minded ‘professional’ criminal, imprisonment can become an opportunity for “*big business*”.

The scale of the profit margins was such that some individuals released on license would deliberately jeopardise their freedom and return to custody on ‘license recall’ with the sole purpose of financial gain. Others committed relatively minor offences in the knowledge that it might attract short custodial sentences and offer an opportunity to sell drugs within the prison. There were in effect “*ghost sentences*,” masking the true reasons for an individual’s criminal behaviour. In such cases, imprisonment was not just an occupational hazard but a business venture and opportunity. These “*ghost sentences*” show the complexity of a market that operates both as a hierarchical organised venture and an individual enterprise, complicating judgements about the scale of an individual criminal behaviour and the extent to which the prison drug trade can be regarded as structured or controlled by organised criminals:

“Well, I know a lad who does nothing but little silly sentences. He’ll go and do a stupid shoplifting just so he’ll come in plugged up to make his money again, so he’ll come back out and take the missus to the Bahamas and stupid holidays, so it’s serious money. Well, one Kinder egg’s full of Spice can make you anything up to £4,000 or £5,000, so if you’ve got three of those inside you that’s 15 grand.”
(Anthony, Cat C)

Whilst such reports might initially appear anecdotal, as we continued our research, it was apparent that such patterns were more widespread, particularly in local prisons holding people on remand or for short periods (also see HMIP, 2015: 8). In some prisons, such activity was co-ordinated. For example, at the Category B prison, six prisoners returned from the same suburban area of the city at the same time with the sole aim of trafficking drugs inside. However, those who were deliberately jettisoning their freedom to sustain the drug markets did not always reap any of the financial rewards associated:

“It’s not that all recalls are earning money. There are muppets, sad cases, debtors, they are being put up to it. They are the well, the useless and hopeless sorts, they are not the ones making any money off of it, they are paying back the debts they have been driven into. It’s a business model, they come back in to pay their debts.”
(Jones, Cat C)

What was most striking was the way in which certain individuals exerted such a degree of power and control that they were able - often with the support of a network of accomplices in

the community - to intimidate, coerce and control those who had been released to return to the hazardous, conflict ridden and toxic prison environment simply to absolve their debts.

The “Mamba Muppets”: Psychoactive Substances and New Forms of Victimisation

Despite its popularity, PS is seen as an inherently dangerous, risky and unpredictable drug. The variable and unpredictable effects of PS encouraged prisoners to test the quality of the drugs on often unwitting, vulnerable or contemptible inmates colloquially known as ‘Spice pigs’ or ‘Mamba Muppets’. Earlier prisons research makes no reference to such behaviour (Crewe, 2005, 2006; Cope, 2003), and it is clear that the new drug economy has produced new forms of victimisation for perceived violations of the inmate code.

The desire to test the quality of the drugs was to some extent a form of self-preservation, preventing users experiencing unusually unpleasant or potentially lethal side-effects. For dealers, such product testing ensured that they did not lose money or damage their reputation by supplying products of inferior quality. However, these ‘product trials’ had a more sinister motive and/or could serve as a perverse form of entertainment. Since the effects of PS include confusion, lethargy, reduced inhibitions, slowed reactions and reduced cognitive functioning, those under the influence were vulnerable to demands to perform a range of activities deliberately designed to humiliate and degrade the unsuspecting victims:

“I’ve seen it where people have allowed people to get off their heads, been lying in their own sick, eating their sick off the floor, you see all sorts – people put in bins, you see people setting up other people for what they call bum fights on the wing, people knocking two shits out of each other just for the ... The winner will get obviously, a little bit of spice, and I’m thinking, ‘Well, what are you lads doing?’” (Laurence, Category B)

Not only was this shaming and degradation witnessed by those on the wing, but prisoners would record and upload photographs and videos to social media and internet sites such as YouTube and Facebook, extending the embarrassment to an unknown, online audience beyond the prison walls. Thus, the exploitation of ‘Mamba Muppets’ constituted a form of ‘*global humiliation*’ – a new form of prison victimisation made possible by the increasing availability of internet enabled mobile phones and increasing use of social media within prisons. Entertainment for one prisoner was often at the expense of others, either with little regard for the effects this would have for them or, in the worst cases, in full knowledge that such humiliation was total, enduring and for ongoing, global consumption. In some cases, the coerced experimental use of PS constituted punishment for violating prison norms such as ‘grassing’, non-repayment of a debt, losing contraband held for someone else, or failing to collect a ‘throw over’. The intent was not only to cause physical harm, but to degrade, dehumanise and expose the individual as contemptible:

“We had this lad, he had got into something over his head, so the lads, they knew they had this strong batch, and they used it on him as punishment, made him smoke it like. He was absolutely gone, but I will say, it was fucking funny like, he didn’t know where he was, so these lads, they had him in the pad, naked and thinking he was a fucking dog. They made him smoke it and do all sorts of stupid shit, a way of stripping his dignity like, because he deserved it.” (Nathan, Category B)

Such forms of punishment could be filmed on illicit phones and broadcasted more generally. The experimentation on ‘Mamba muppets’ simultaneously exposed the limits of the prison boundary as well as the capacity of the prison to entomb people within its depths. Taken together, drug trafficking, the exchange of money across the prison walls, the use of mobile telephones, and organised networks suggest the prison walls are more porous than ever before. In exposing the limits of the prison wall or fence as a penetrable and permeable boundary, the punishment, exploitation and victimisation of prisoners has the effect of

immersing people deeper within the prison walls, exacerbating the 'depth of imprisonment' and making the ability to secure relief, help or assistance appear a more distant hope, but moreover, it illustrates stark comparisons with the violent unregulated world of the community based criminal drug market more broadly (Hobbs, 2013). For those in debt with drug problems in prison, there were few options; moving wings or prisons would not necessarily resolve the problem, since sophisticated communications methods had developed to ensure that "hits" were placed on head. In addition, the unpaid debt could be passed and inherited by the existing pad mate, or the person who takes up residence in the cell left behind by the fleeing individuals. Prisoners in debt were also often reliant on family members to pay debts. Family pressure to repay was intense and frightening, including: text messages threatening to assault prisoners or family members in prison, assaults on family members in the community, and the deliberate targeting of family members or associates at their home addresses. Thus, prison victimisation extends well beyond what happens in prison – the fallout from prison conflict was felt in the community.

The rise of PS in prison has seen increasingly routine and regular structuring of prison around drug supply and demand, and this has exacerbated the stark divide between the prisoner 'haves' and 'have nots':

"It might not be that 95% are using [Mamba], it is certainly that many have tried it at some point though, but to be fair, a better question is, how many people are connected with it? There are plenty of lads round here who wouldn't use it, but the nice tracksuits, the nice tops, the nice trainers, the little luxuries, well something has to pay for that don't they?" (Marcus, Category B)

Those who were able to establish their own 'place as entrepreneurial winners in the market achieved economic power, material wealth, and a form of "*carceral capital*" (Gooch and Treadwell, 2015; Gooch, in progress). The importance of the drug economy extended beyond the use and consumption of drugs, to include real gains (and losses) in masculinity, status and reputation. Masculinity was performed not only in the proclivity towards and demonstrable skill (when needed) in the use of physical violence, but also in the acquisition of material goods, an unchanging part of prisons illicit economy (Crewe, 2005, 2006). As such, an inextricable link existed between the displays of *material machismo* and the drug economy. Where prisons are more *lawless*, the drug economy provides relief for both dealers and users. For dealers, it is a business opportunity. For users it is a way of "*having your day out*". For both groups, it is an adaptive response, but where there are clear winners and losers.

Concluding Thoughts

Drug use and supply has become a common feature of everyday life on the landings for several decades. However, the combination of low cost and efficient distribution, the ease of consumption, increasing sophistication in financial trading, the increasingly impoverished regimes, poor and declining prison conditions, the increase in organised crime both within and beyond the prison have all incentivised both the use and supply of PS. The availability of PS has done more than transform the drug economy, it has redefined the inmate code, the social hierarchy and social relations. New labels have emerged, notably the "*Mamba Muppets*", "*Spice heads*", "*Debtors*", "*Middlemen*", "*Foot Soldiers*" and "*Businessmen*". It is the "*Businessmen*" who are occupying the upper echelons of the social hierarchy, with index offence becoming less of a determining factor in prisoner leadership.

For both suppliers and users, the drug economy only temporarily addresses the individual pains of imprisonment. Suppliers can mitigate the material deprivations and even shore up profits that will be available to them on release, but it inevitably carries some risk that such actions might be discovered and penalised. Users can find temporary relief from an otherwise demanding and painful existence, but not without significant risks to self. It also

undoubtedly exacerbates the collective pains of imprisonment, increasing the likelihood of restricted time out of cell and creating conditions where intimidation, indebtedness, exploitation, self-harm, suicide and violence are common. Yet, exploitation and extortion are not always seen as punishable violations of the inmate code (cf. Crewe, 2005). Instead, prison life has become increasingly individualised, competitive and financially motivated, eroding the collective ideals and adaptations that were once attributed to prisoner society. Although Sykes notes that the prison is “shaped by its social environment” (1958:8), scholars have been slow to recognise the ways in which an increasingly atomised prisoner society was partly the product of a more hedonistic, individualised, competitive and consumerist criminal culture described by Hall and others (Hall et al, 2008, Hobbs, 2013) in the community (although note Crewe, 2009). Certainly, new techniques of penal power emerged in the post-Woolf era that demanded self-governance and deliberately sought to disrupt prisoner cohesion in ways that were intended to make further significant riots and escapes more difficult (Liebling, 2004; Crewe, 2009). However, prison culture is not simply the result of a neoliberal ideology imported into the prison (Waquant, 2001; Fassin, 2016), but mirrors a wider consumerist culture that encourages prisoners to seek out the best advantages for themselves and compete with one another for the available resources, material advantages and financial profits. Thus, the ‘individualisation of penal power’ extends further than the self-governance and regulation demanded by the State (Crewe, 2009, 2011), with prisoners demonstrating and demanding self-serving and self-interested individualistic responses with each other. In this context, inmate solidarity no longer serves to provide relief to the pains of imprisonment (cf. Sykes, 1958).

Even as we concluded the research, it was clear to us that there were a number of emerging trends that we were yet to fully understand, to include: the use of cryptocurrencies; the use of the ‘dark’ or ‘hidden’ web within the prison; the way networks were shoring up within the prison/prison estate and beyond; the links between the drug economy and the arms trade, human trafficking and child exploitation; and linked to this, the geographical spread of prison drug economies and networks both domestically and globally. It is also likely that the drug economy could evolve further still, as the synthetic production of drugs develops, and other drugs - such as Fentanyl – become more popular. There remains a pressing need for continued ethnographic prison research to further understand the changing dynamics of prison social life and the future challenges to be faced by prisoners and prison staff.

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