Committees of Inquiry and Penal Policy in England

BY SEAN MCCONVILLE

Committees which influence criminal policy in Britain are of three types. Firstly, the largely confidential departmental or interdepartmental committee or working party, usually comprised entirely of civil servants, but sometimes including co-opted outside experts. Secondly, the standing advisory body, such as the now-suspended Advisory Council on the Penal System (ACPS), which advises on policy and adminstration in fairly general terms, and which is composed of academic experts, experienced practitioners and other assorted wise men, supported by a civil service secretariat, but deliberating independently on remits from the Minister. The third type is the Royal Commission, or other public committee of inquiry, set up by the Minister or by Parliament, to conduct a major review, often in the wake of a mishap or in the face of a crisis.

Civil Service Committees

For the most part, the issues dealt with by civil service committees or working parties, which are a common feature of administrative decision and policy making, are of a technical or confidential nature, and do not result in a public report, although the information and conclusions thus produced are considered at a variety of levels in and between departments. Since their establishment may, in the first place, be a response to political pressures, or an institutional crisis or scandal, some working parties have published reports on matters of a wider and even controversial kind. Although civil servants are supposedly limited in the extent to which they pronounce upon matters of moral and political principle, it is difficult to see how, in social or penal policy, discussion of values can be avoided.

Politicians are influenced substantially by the way in which issues and facts are set out form them, by the reaction to policy discussion documents of lobbyists, academic commentators and backbench politicians. Thus, both directly and indirectly, civil service committees significantly shape policy and administration. The reports by working parties of civil servants on *Bail Procedures in Magistrates' Courts* (1974), *Adjudication Procedures in Prisons* (975) and *Vagrancy and Street Offences* (1974) all attracted a good deal of public and political attention. Another working party, on subversive prisoners, recommended the establishment of the controversial 'control units'. This recommendation was implemented covertly, and eventual disclosure led to particularly heated parliamentary and pressure-group reaction and a civil action, *Williams* v. *the Home Office* (Leigh, 120–7).

In the last six years a civil service body of a type new to Britain has also made its contribution to criminal policy. This is the Crime Policy Planning Unit (C.P.P.U) whose establishment in 1974 was encouraged by the recommendation of the Fulton Committee on the Civil Service (HMSO, 1968, paras. 163–171) that policy planning should be conducted by a departmental planning unit. The function of the C.P.P.U., is to

> "identify issues which span across Home Office departments concerned with criminal justice agencies, service a forum for discussion, and develop thinking as far as it can with the help of the relevant parts of the machine" (Morris, 136).

It is not intended that the C.P.P.U. should undertake the policy role of the various sections of the Home Office but, insofar as its resources will permit (and it consists of only four officials) the unit seeks to act "as a useful catalyst for transdepartmental thinking and action" (ibid.). This is regarded as a particularly useful contribution to the work of an office of government as large and multipurpose as the Home Office, where changes of policy and adminstration in one de-

partment, such as prisons, may have significant effects on other such as probation or policing. The C.P.P.U. services a monthly Crime Policy Planning Committee attended by department representatives at assistant under-secretary level. This body in turn reports to a higher, Crime Policy Steering Committee, which meets twice a year.

So far the Unit has come to the notice of those outside the administration mainly through its publication *A Review of Criminal Justice Policy 1976,* which surveyed developments in the previous decade, and drew some general conclusions as to future priorities. Subsequent to this the Unit undertook a prediction exercise, material from which has been circulated and discussed internally, but has not yet been published. The Unit is also supervising the development of a mathematical model of the criminal justice system, and is active in the encouragement of other research which is considered to be particularly important to current criminal policy (Morris, 138/9).

The C.P.P.U. is probably best seen as a device for stimulating thought and research on criminal policy, and as an additional mechanism of coordination. Given the complexity of the British criminal justice system, the diversity of political and administrative interests involved, and the size and standing of the Unit, it would be unrealistic to expect to be more than a go-between. At best it will help to clarify existing philosophies and priorities, rather than establish its own.

Advisory Bodies

Before turning to the standing advisory body, in this case the ACPS, it is necessary to look at its predecessor, the Royal Commission on the Penal System, which was established in 1964, by the Conservatives, under the Chairmanship of Lord Amery. Its terms of reference were comprehensive:

"In the light of modern knowledge of crime and its causes and of modern penal practice here and abroad, to re-examine the concepts and purposes which should underlie the punishment and treatment of offenders in England and Wales; to report how far they are realized by the penalties and methods of treatment available to the courts, and whether any changes in these, or in the arrangements and responsibility for selecting the sentences to be imposed on particular offenders, are desirable: to review the work of the services and institutions dealing with offenders and the responsibility for their administration: and to make recommendations" *(HCDeb.* vol. 693, 16th April, 1964, cols. 601–2).

It is now apparently accepted wisdom that these terms were unmanageably wide. Morgan, for example, describes the brief as being of "staggering proportions" (Morgan, 3). Leon Radzinowicz, who became one of the Commissioners, thought that progress would be made only if the Commission selected within its broad remit "a series of specific and related themes and tackles them in their appropriate order". (Radzinowicz, 22) His objections, however, seem to have been based less on the scope of the inquiry than upon the method of work, since he observed with regard to the 1959 White Paper, *Penal Practice in a Changing Society,* in the same address to the Howard League, that "penal policy in a modern large-scale state, like so many other kinds of policies, economic, fiscal, social or educational, requires much more than makeshift isolated advances here and there" (Radzinowicz, 14). He strongly criticised the method of work which most Royal Commissions and similar bodies traditionally had followed, arguing that "to elicit the experience and views of the usual list of organizations and of various meritorious individuals and weigh them up in an hour or two's discussion from time to time is not enough". He urged, therefore, that the Commission should have an effective and energetic secretariat and that it should commission research in support of its deliberations.

On his becoming a member of the Commission, Radzinowicz's doubts about methods of work were apparently confirmed. Proposals for new penalties, such as suspended sentences and indeterminate sentences were unsupported by evidence, and much time was spent considering statements of penal philosophy. In his essay, 'Criminology and Penal Change', Roger Hood restates criticisms of such an abstract mode of proceeding:

"There was no sign anywhere of the consideration of the issues in the light of any knowledge about offenders: no surveys, no reviews of criminological theory to glean any relevant information, no special studies of the effects of measures nor even a thorough-going enquiry into prison conditions and the current status of prisoners" (Hood, 387–88).

In 1966 Radzinowicz and some other Commissioners came to the conclusion that because of those weaknesses the Commission would come to nought. Following the resignation of six members the Labour Home Secretary decided to dissolve the Commission.

Would Radzinowicz's criticisms necessarily

hold against a modern Royal Commission? In his statement announcing the dissolution of the Commission, the Prime Minister said that

"six of the members have felt increasingly that the time is not opportune for a single review of the penal system, leading to a comprehensive report, which could set the direction for a generation. They are in favour of early experimental changes in the system, but they believe that such changes, combined with the relative lack of conclusive research results, will make it difficult in the near future to offer solutions designed to last for a lengthy period" (*HCDeb.* vol. 727, col. 704, 27th April, 1966).

Presumably the main ground on which the six resigning Commissioners felt it inappropriate to proceed to a comprehensive report was that insufficient empirical evidence was available to support suggested changes. One must question, in the light of events since then, whether the time ever will come when in criminal policy empirical evidence will acquire this role. Etiological studies of crime have proved to be remarkably disappointing both intrinsicly and as policy indicators. Almost invariably they point to wider social, political and economic considerations. Moreover, such evidence as has been accumulated on the efficacy of penal measures in the prevention of recidivism, indicates that we have not yet, and may never, obtain effective reformatory penalties (e.g. Brody, McConville). Principles such as containment, deterrence and retribution are becoming increasingly prominent in discussions of punishment, yet these lend themselves much more to the political and ethical discourse rejected by Radzinowicz and his colleagues as inappropriate for the proceedings of the Royal Commission.

This is not to deny the need for information about the working of the criminal justice system. Social statistics about convicted offenders, and detailed accounts of the working of the prisons, police and courts have been grossly inadequate in Britain until very recently, and are only now as subjects for research beginning to escape the slur of 'head counting' cast upon them by academics to whom respectability in social research was largely synonymous with theory-building.

Moreover, the two types of inquiry (moral and empirical) are not mutually exclusive. The recent Royal Commission on Criminal Procedure conducted its investigations both in terms of political and ethical discourse *and* empirical research which it reviewed and commissioned.

The scientific model of policy-making was at the height of its attractiveness in the mid-sixties, and indeed was one of the main points upon which the Labour Party went to the country in 1964, and triumphed decisevely in 1966. A telling indication of the extent to which this optimism has ebbed came from Sir Leon Radzinowicz himself in the first Peter Scott Memorial Lecture at Broadmoor Special Hospital in May 1980, in which he observed that "criminology has itself buried many of the hopes" it once encouraged. As long as it could be argued that reformative and rehabilitative measures would bring a reduction in recidivism, those mainly interested in preventing crime could accept with equanimity the employment of such provisions alongside, even instead of, more primitive ones. Criminological investigations to date, however, have afforded scant evidence to back up these claims, whether in terms of individual therapy or broader social intervention" (Unpublished lecture).

A number of the leading reform bodies and pressure groups have changed their methods of work, and now by no means confine themselves to unsupported statements of penal philosophy. As anyone can discover from reading, for example, the minutes of the *Fifteenth Report from the Expenditure Committee* (Education, Arts and Home Office Sub-Committee), (House of Commons, 1978), the modern style of pressure group politics rests heavily on well-researched lobbying, and the presentation of arguments substantially buttressed with empirical data. Such bodies, even whilst pursuing their various ideological objectives, go a long way to meet the call for recommendations to be backed by empirical analysis. In some ways they do so in a form which is more satisfactory than the potentially illiberal, and certainly spurious notion of value-free information being supplied by the politically and ideologically disinterested 'scientific' criminologist. Finally, it is entirely legitimate for statements of principle, of penal and social objectives, to be considered by a Royal Commission. Whilst these are not reducible to 'fact' the can be examined in a perfectly satisfactory manner with regard to their social and administrative implications, their ethical and political soundness, and their degree of conflict, one with another. The political and ethical responsibilities of a Royal Commission or similar body are inescapable; all that one can ask is that their judgements are made as explicit as possible.

Besides questioning the over-empirical outlook of some of those who in 1966 urges the dissolution

of the Royal Commission, one must also doubt whether the terms of reference of the Royal Commission were too broad. Although such a comprehensive remit may have been too broad to expect a thorough and wholly satisfactory investigation of all parts of it, events in Britain now make it aboundantly clear that policies with respect to the criminal law, sentencing, and penal sanctions and their administration all hang together in a manner that ensures that changes in one will affect one or all or the others. Knowledge cannot ever be perfect and complete, but there is a case for saying that as many aspects of the criminal justice system as possible ought to be examined together, to as great an extent as possible, in order to obtain reasonably long-term solutions. Edward Heath, leader of the Opposition, in responding to the announcement of the dissolution of the Royal Commission, argued that the Advisory Council could not substitute for it in the long-term examination of penal problems and that

"Although there will be a body to advise on certain specific items, there will be no substitute for the Royal Commission, which, in itself, is a matter for widespread regret. We all share the disappointment that the Commission should have been dissolved" (*HCDeb.* vol. 727, col. 705, 27th April, 1966).

The Advisory Council on the Penal System which followed the Royal Commission on the Penal System, was appointed in September 1966, and was intended to work on narrower, supposedly more manageable issues, to which it would be possible to apply 'scientific' reasoning and information. Its terms of reference were:

"To make recommendation about such matters relating to the prevention of crime and the treatment of offenders as the Home Secretary may from time to time refer to it, or as the Council itself, after consultation with the Home Secretary, may decide to consider" (*HCDeb.* vol. 733, col. 677, 4th August, 1966).

In the ten and a half years of its existence the ACPS produced nine reports. Some were short reports, dealing with technical or relatively non-controversial aspects of penal policy. Others were just the opposite: the Radzinowicz Report (*Regime for Long-Term Prisoners in Conditions of Maximum Security*) dealt with a highly contentious issue, with a spectacular political background, and by recommending the dispersal rather than the concentration of top security prisoners, had a profound and long-standing effect on the prison system. The 1974 report, *Young Adult Offenders,* sought completely to re-organize the provision of penal methods, custodial and non-custodial, for those in the age group 17–21. The resource implications of these latter recommendations, together with a number of policy objections from legal practitioners, academics and politicians, meant that government action was slow even though the basic proposals were accepted. The new Conservative government has in essence rejected the reproach of the 1974 report, and has embarked on a very different course.

Perhaps the most controversial of all the Advisory Council's report was its last, *Sentences of Imprisonment.* This was a review of the manner in which the 'tariff' had grown up in sentencing, together with suggestions as to how sentences might proportionately be reduced. Its publication was badly handled, there was a good deal of press hostility, and it was attacked by Leon Radzinowicz and Roger Hood on the grounds that the proposed two-tier sentencing system, arrived at by statistical inference in an attempt to avoid conflicts in values, introduced the "exceptional sentence" for the protection of the public in a form which "would be received with open arms by any authoritarian state". Two of Hood and Radzinowicz's comments are worth special note, in the light of the debate in 1966 about the Royal Commission: their insistance that statistical means cannot be used to bypass the question of values, and their claim that the ACPS did not pay sufficient attention to the likely effects of the changes on other parts of the criminal justice system (Radzinowicz and Hood, 721–24).

I do not want to deal further with the Advisory Council's reports, other than to make two points. The Council does not appear to have been any more successful in applying 'scientific' judgements and avoiding ethical and political commitments than the Royal Commission had been. Moreover, some inquiries got the worst of both worlds with regard to scope: they were not sufficiently discrete as to allow an easy technical resolution, and they were sufficiently broad as to have implications, which could not be fully examined, for other parts of the criminal justice system.

Looking more generally at the Advisory Council it can be seen that it also fell between two stools with regard to its status. Although there were many distinguished and experienced persons among its members, it did not have the political impact of a Royal Commission. By tackling issues

of varying degrees of importance over a period of several years, in accordance with the notion of restricting scope in order to allow for the most effective application of empirical methods, and by attmepting to reorder criminal policy in a pieemeal fashion, it frittered away its political influence. One great advantage in a Royal Commission, Select Comittee or other once and for all report, is that it can provide the political impetus to launch its policies. The ACPS did not have the political weight to do that, and by dealing singly with issues it invited the reaction that delay and further reflection, and a sifting of its various proposals, was not only acceptable, but on the basis of the Advisory Council's own methodology was desirable. Further, since the Advisory Council did not publish minutes of evidence, proceedings and submissions, the basis on which judgements were made was much less clear than in the case of a Royal Commission, which is a public inquiry. In some quarters this encouraged the belief that the Council merely gave the *imprimatur* of'expertness' to debatable moral and political judgements, for which, unlike the more openly political type of inquiry it was not accountable.

It is hard to escape the conclusion that the ACPS was an inappropriate substitute for a Royal Commission, that it was founded on an over simple and outdated model of policy-making, that for effective and efficient change the issues in criminal policy, from sentencing to the form and administration of criminal sanctions, require simultaneious alteration, and that only a major Commission or Committee issuing one carefully prepared report would be able to lend sufficient weight to its recommendations to allow government to overcome diverse and substantial opposition and carry through the necessary wholesale changes.

Is there a role for a newly constituted Advisory Council on the Penal System? I think not. It would be silly to argue that a major and comprehensive reordering of criminal and penal policy by a major Royal Commission would lead to eternal efficiency and peace thereafter. Conflicts over policy are inevitable and essential in a democratic society. Changing circumstances would ensure that coordination, adjustment and a reconciliation of interests will continue to be necessary in various spheres of policy and administration. Undoubtedly there will be *causes célèbres* from time to time, and no end can be envisaged to the steady stream of minor (and not so minor) institutional crises and scandals that are an unavoidable feature of penal administration. Most of these difficulties can be dealt with by means of the normal processes of administrative accountability. The government recently announced the appointment of semi-independent inspector of prisons, for example, and for those instances that lie outside his field, *ad hoc* committees of inquiry, of varying levels of status, and differing mixtures of civil servants and outside experts, can easily be provided. Independently of such ministerial reactions there will be increasingly effective parliamentary scrutiny. This will be conducted as at present, by individual MPs, and by an occasional specially appointed Select Committee of inquiry, and entranced and placed on a more continuous and systematic footing by the new Select Committee which 'shadow' departments of government.

Parliamentary Committees

There is much apparent similarity between a specially appointed parliamentary Select Committee and a Royal Commission, and in the past they have frequently overlapped in their work: both have extensive powers to call for witnesses and papers, and both may be set up with broad terms of reference. There are a number of differences, however, which are worth noting.

Firstly, although experts of various kinds may give evidence to a Select Committee, or may work for it in an advisory capacity, only members of parliament may serve upon it.

Secondly, a Select Committee is deeply conscious of the parliamentary timetable; its deliberations cannot be too prolonged, and it may even run the risk, in the event of an unexpected election, of being dissolved before a report has been agreed. This gives a sense of urgency to its work.

Thirdly, it cannot remain unaffected by party-political issues. Although backbenchers often show a commendable disregard of party interests in pursuing their inquiries, their basic loyalty must be to party rather than the committee, and since government supporters, usually constitute a majority on a committee this must affect its work. Party issues also manifest themselves in the appointment of committees; not all members of which are nominated by the Party whips on the basis of aptitude or ability.

Finally, although members of parliament are frequently very good all-rounders, quick to learn and to get to the political essence of issues, they have only limited energies. Their careers are unlikely substantially to be helped by an interest

in criminal or penal policy, and they have many more demands on their time. To present them with an amorphous subject for investigation over a long time would be inappropriate.

Conversely, with a reasonably narrow and possibly controversial topic, their particular skills and standing can work to best advantage. Since members of parliament are one of the chief constitutional means by which an administration is held accountable, they can press their investigations vigorously. They have numerous informal means of contacting ministers, and can (although they do not always wish to, or even if they wish they may not succeed) bring pressure to bear on civil servants. They can make a considerable fuss, which would be inappropriate to members of a Royal Commission of Departmental Committee, not least because politicians depend on their constituents rather more than their minister – even though he may strongly influence their political careers.

In the last year there have been encouraging signs of increased backbench independence. This may well be a feature of a parliament in which there is a safe government majority, or it may mark a deeper shift in attitudes. The new Select Committees* to shadow departments are still feeling their way, but have already made something of a mark. Although the Treasury Committee has attracted most attention, the Home Affairs Select Committee has conducted investigations into deaths in police custody, immigration procedures, and the law allowing the arrest and prosecution of 'suspicious persons'. The results of larger inquiry into the Public Order Act of 1936 were published in September 1980. These new Committees, which largely took over from the Expenditure Committee and its several sub-committees, have complete freedom to make decisions about investigations: they do not have to seek the approval for a topic from a parent committee or from the House of Commons; they are not allocated topics for inquiry; and they submit their report directly to the House. This means that they can develop their own priorities and may, moreover, respond quickly to matters of public concern, since they are not limited to one inquiry at a time. It has been decided as a matter of policy by the Home Affairs Select Committee that Royal Commission type inquiries should be avoided. Indeed their inquiry may take the form of a one-session interview with a minister or civil servant, the publication of which is the end of that activity. The formal powers of the Select Committees are extensive: they can summon any citizen of the U.K. and demand answers to questions without any of the safeguards provided against incrimination, risk of civil action, professional confidentiality and the like extended to those who appear in courts. In practice, civil servants are presumed to be acting on the instructions of their minsiter, and so may sometimes seek to be excused from answering questions on the ground that it concerns a policy matter within the control of the minster, and which is therefore appropriate to him only. Ministers, being Members of the House, and servants of the Crown, cannot be compelled to attend, except by resolution of the House. It is unknown for a minister to refuse to attend, however, and although the position with regard to members' rights to refuse to answer is not clear, normal examination to pinpoint sensitive areas would be most effective. In virtually all circumstances ministers and civil servants are anxious to be seen as co-operative by committees and the House, and a disinclination to answer would have to have a strong justification. Select Committees' powers to demand papers are complicated, but in essence only the House itself may make the demand, and since government continues in power at the will of the House, it is not possible, short of an overturn of government, to complet production. Nevertheless a skillful use of informal pressures in most cases yields useful results.

Much of a Committee's influence is exercised simply through the publication of its report, minutes of evidence and submissions. Much more weight, however, may be given if a parliamentary debate is obtained. Here the record of the now defunct Expenditure Committee, is particularly relevant and slightly depressing. In the period 1970–78 it made 76 reports to the House, only 16 of which were actually debated by the House. Even the influential report, *The Reduction of Presures on the Prison System,* obtained a short debate only two years after publication, for example. It is unlikely that the House would wish to offer a debate until the Department had had an opportunity to consider a report, and give its observatons upon it. The average interval for a reply to the Expenditure Committee was six months, and this obviously undermined the work of the Committee. We shall have to wait to see what delays and how many debates occur under the

* For the background to these Committees see the *First Report from the Select Committee on Procedure,* and *The Times,* February 19th, 1980.

new structure. Indeed, besides the energy and abilities of members and their staff, the amount of support the committees received from the House will make or mar them. It seems clear however, that the Home Affairs Select Committee is a potentially powerful tool for a range of investigations, from the details of procedure, to discrete areas of policy. Provided that it acquires a distinctive identity as a working committee, and can establish its own priorities without too much reference to party matters and is taken seriously by the House of Commons, it will do all that the ACPS did in its less sweeping inquiries, but, hopefully, more speedily and to more effect.

Summary and Conclusions

Many of the objections to the Royal Commission on the Penal System of 1964–66 were either mistaken or no longer apply. Advisory bodies, such as the Advisory Council on the Penal System seem particularly inappropriate to the field of penal policy. They cannot avoid making judgements on moral and political issues, but since they sail under the false colours of scientific disinterestedness they are much less accountable than a body of Commissioners or politicians entrusted with the responsibility of making such judgements, and publishing minutes of evidence. In that sense many Advisory bodies intrinsically are irresponsible. Moreover, the recent history of criminal and penal policy in England shows that satisfactory results cannot be expected to emerge simply from the piecemeal accumulation of recommendations, no matter how sound they individually may be. These considerations and our continuing penal crisis in England suggest that the appointment of a new Royal Commission on the Penal System should seriously be considered. The development of policy in technical and very narrowly defined fields, and its testing and scrutiny may properly be left to civil service committees and to parliament.

References

(Unless otherwise indicated the place of publication is London).

S.R Brody, *The Effectiveness of Sentencing: a review of the literature*, HMSO, 1976

Lord Fulton (Chairman), *Report of the Committee on the Civil Service*, HMSO, 1968, Cmnd. 3638

Home Office, *Penal Practice in a Changing Society*, HMSO, 1959, Cmnd. 4214

Home Office, *Report of the Advisory Council on the Penal System: Regime for Long-term Prisoners in Conditions of Maximum Security* (Radzinowicz Report), HMSO, 1966

Home Office, *Bail Procedures in Magistrates' Courts*, HMSO, 1974

Home Office, *Report of the Advisory Council on the Penal System: Young Adult Offenders*, HMSO, 1974

Home Office, *Report of the Working Party on Vagrancy and Street Offences*, HMSO, 1974 and 1976

Home Office, *Report of the Working Party on Adjudication Procedures in Prisons*, HMSO, 1975

Home Office, *A Review of Criminal Justice Policy 1976*, HMSO, 1977

Home Office, *Report of the Advisory Council on the Penal System: Sentences of Imprisonment*, HMSO, 1978

Roger Hood, 'Criminology and Penal Change: A Case Study of the Nature and Impact of some Recent Advice to Governments', in Roger Hood (ed.) *Crime Criminology and Penal Policy*, Heinemann, 1974

House of Commons, *First Report from the Select Committee on Procedure*, HMSO, 1978, HCP 588, I–III

House of Commons, *Fifteenth Report from the Expenditure Committee: the Reduction of Pressure on the Prison System*, HMSO, 1978, HCP, 662, I–III

David Leigh, *The Frontiers of Secrecy: Closed Government in Britain*, Junction Books, 1980

Sean McConville, 'Future Prospects of Imprisonment', in Sean McConville (ed.) *The Use of Imprisonment*, Routledge and Kegan Paul, 1975

Rod Morgan, *Formulating Penal Policy: The Future of the Advisory Council on the Penal System*, National Association for the Care and Resettlement of Offenders, 1979

R. M. Morris, 'Home Office Crime Policy Planning: Six Years On', in *The Howard Journal*, XIX (3), 1980, pp. 135–141

Leon Radzinowicz, *Criminology and the Climate of Social Responsibility*, Cambridge: W. Heffer & Sons, 1964

Leon Radzinowicz, 'Crime and Politics', (First Peter rection for Sentencing Reform', *Criminal Law Review*, December 1978, pp. 713–724

Hansard's Parliamentary Debates

The Times

Leon Radzinowics, 'Crime and Politics', (First Peter Scott Memorial Lecture), delivered 6th May, 1980 at Broadmoor Special Hospital. As yet unpublished