

# Prison Governors Association

Representing: The Prison Governors of the United Kingdom since 1987



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## PRESS RELEASE

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### PGA 30<sup>th</sup> ANNUAL CONFERENCE 10 -11 OCTOBER 2017 – PGA PRESIDENT’S OPENING ADDRESS

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Please see below the opening address to PGA Annual Conference, which takes place at the Radisson Blu East Midlands Airport Hotel between 10 and 1100hrs, from Andrea Albutt, PGA President: -

**G**ood morning Conference and welcome to a third year at the Radisson Blu. I am delighted at the turnout this year and hopeful for a stimulating and feisty debate on many of the issues facing us. Whilst I know that there are delegates in this room who are working in prisons which against the odds are doing really well and I want to acknowledge that, but the crisis in many of our prisons is having a knock on effect on you in some way or other. It may be preventing you from progressing your career, you may have seen colleagues removed from prisons following poor HMIP’s, or you may just be feeling the emotions of watching something you have dedicated your working life to for many years slipping into the abyss.

It is well documented and felt by all working for and in prisons the impact that Government Policy has had on our Service this decade. Five Justice Secretaries over that last seven years has meant that we have had to react constantly to a changing position and direction resulting in an inability to consolidate any programme of change. The impact has not been to reform our prisons but to destabilise them to such an extent that we are currently floundering in the mire unable to react in a responsive manner to the crisis we face. I feel it is time to reflect on the journey travelled the last seven years and the key decisions I see as contributing to quite frankly the horrendous situation people working and living in our prisons face on a daily basis.

In 2010, the then Justice Secretary, Ken Clarke, inherited a Prison Service not perfect by any means, but performance was good, stability was good and self-inflicted deaths, whilst never wanted, were low. *‘Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders’* was published in June 2011 promising to end inefficiency and bureaucracy and make prisons places of hard work and training. Men and women would be expected to work a 40 hour week with money being deducted from these earnings to support victims’ groups. Access to illicit drugs would be addressed with tighter security and those in prison with drug addiction would be placed in Drug Recovery Wings to address the scourge of the habit.

This all sounded very promising, but initiatives like these require money and investment, both in infrastructure and people to deliver them. Mr Clarke was expected to make cuts due to the substantial

reduction in the MOJ budget agreed with the Chancellor so it was never going to be fully funded. Some money was forthcoming, but not enough to deliver such widespread change. Only a small number of prisons had workshop places which could accommodate prisoners working 40 hours a week. The majority of jails dabbled in these concepts but with little verve and commitment because it was almost an impossible task.

In July 2011, Mr Clarke announced a competition strategy for nine existing prisons, eight of which were Public Sector. This process duly began, with the usual Private Sector companies of G4S, Sodexo, and Serco putting their hat in the ring along with some new players and the Public Sector deciding to bid for all prisons at significant cost to the public purse. Little did we know that this was the real start of the race to the bottom to achieve stringent cuts with far reaching consequences for prisons.

In 2012 we had a change of Justice Minister. Chris Grayling came into the Ministry with a clear agenda of reducing costs further whilst bringing in Reform. His May 2013 *'Transforming Rehabilitation: A Strategy for Reform'* was very much built on Through the Gate Services (TTG), ensuring there was consistency between custody and community. A laudable concept and one which is absolutely right. In simple terms this is how it translated into policy. National Probation Service as we knew it would be disbanded. CPA's would be put to competition with CRC's bidding for them. Those people serving 12 months or less would now get supervision on release through the CRC's. Resettlement Prisons would be created and men and women in prison would be located or returned to these prisons in their home CPA and benefit from the TTG Services. The highest risk offenders would continue to receive supervision from the much smaller National Probation Service. This policy was implemented with dangerous consequences for prisons.

Research shows that a younger population and high churn increases instability. We all know the initial few weeks of first reception into prison are the riskiest with violence, self-harm and suicide most likely to happen, with it generally reducing after a number of weeks. Transferring between prisons has the same effect on individuals. In creating Resettlement Prisons churn increased significantly and as it included 18 to 21 year olds the age profile became younger within these establishments. Furthermore due to supervision of previously unsupervised under 12 month sentenced offenders, the level of recall to prison increased creating a further churn previously not seen. Interestingly this policy is continuing with Reception Prisons. In essence, a policy decision was implemented which contributed to the downward spiral of instability, although other factors came along which created the perfect storm and I will talk about them now.

The competing of the 9 prisons came to a halt during Chris Grayling's tenure. Only HMP Acklington and Castington (now called HMP Northumberland) were competed, with Sodexo the winning bid. Public Sector Bids during this process (and the Birmingham competition) showed that NOMS believed they could run safe, secure, and decent prisons far more competitively, so competition was stopped. A policy decision was made to benchmark all Public Sector Prisons massively reducing cost per prisoner place with the savings being delivered virtually immediately, unlike contracted prisons whose savings tended to be at the back end of long contracts. A Sword of Damocles was waved over our heads, saying this is the only way forward to stave off privatisation and it must be done. This was very palatable to Chris Grayling. The much maligned and justifiably so Prison Benchmarking began; the race to the bottom was in full swing.

There was no science to Benchmarking. The blunt tool of 1:30 was used to assess Prison Officer numbers and applied across the majority of prisons. Resources were reduced in administration functions and Senior Management Teams. What it failed to do was acknowledge that every piece of work in Public Sector Prisons required people because IT infrastructure was non-existent. We still relied on bits of paper being moved around the establishment by people to deal with the most basic of queries! Hardly any prisons had in cell IT. To reduce excess staff at speed, a Voluntary Early Departure Scheme was implemented across all grades of staff with significant take up. This resulted in prisons losing thousands of years of experience and the associated destabilising effect it created. The tap was turned off recruitment and the consequences of this decision is still reverberating in 2017.

At around this time a new Workforce Strategy was implemented called *Fair and Sustainable*. Its purpose to streamline and flatten management structures, reduce the costs of pay by lowering starting salaries and

the use of a job evaluation scheme to ensure fairness across pay structures and reduce equal pay claims. This coupled with reform of pensions made joining HMPS a far less attractive option even if the recruitment tap was turned back on, which it was not for another two years.

Demographics of prisoners began to change. We had younger more volatile men in prison more likely to resort to violence, less respectful of authority, more likely to be part of a gangland culture. New Psychoactive Substances started to infiltrate our jails. These substances formerly called Legal Highs easily bought in the community became a very cheap and readily available substance of abuse. Its effect on prisoners was horrific. It caused fits, violence, zombie type behaviour and often required emergency attendance at hospital. It was used to bully and threaten prisoners, and became part of organised crime due to its profitability. Numerous deaths in custody have been attributed to these substances.

In May 2015 Michael Gove took up office. He was well known as a Reformer whilst Secretary of State for Education, although his policies were divisive within that sector. Mr Gove wanted to test his Academy Schools model in prisons. A number of establishments across England were identified and began testing *Autonomy*. Mr Gove believed that prisons could become independent legal entities. Those working in prisons knew this could never be the case. As a National Service prisons rely on each other for operational stability and resilience. These pilots received some pump priming money, but the rest of the prison estate continued with the austerity measures and levels of violence, suicide and self-harm continued to rise.

Michael Gove lasted 14 months and Elizabeth Truss took up office in July 2016. She was the first Secretary of State this decade who accepted prisons were in crisis and argued for extra funding for the beleaguered Service. In November 2016 *Prison Safety and Reform* was published. It moved away from autonomy to empowerment of Governors, once again claiming to remove bureaucracy and inefficiency (Ken Clarke promised the same in 2011 and Chris Grayling in 2013 and both failed miserably). This empowerment was seen as central to improving our prisons. The autonomous pilots from the Gove era came back into the fold and all prisons were now embarking on the Reform Agenda. 2,500 more prison officers were to be recruited, still far short of the 7,000 lost over the previous 3 years. Liz Truss decided to split operational delivery from policy. NOMS was no more and we were reinvented as Her Majesty's Prison and Probation Service focusing on delivery in prisons, with MOJ leading on the Prison Safety and Reform Programme. This policy decision has been shown to be an expensive, unresponsive model that as yet has had no tangible outcomes for prisons.

The Prison Safety & Reform Programme is led and predominantly run by generalist civil servants with little or no understanding of the very complex nature of prisons and their inhabitants; we are about as far away from being the Civil Service as it gets. Like many wheels of bureaucracy it is slow and cumbersome and unresponsive to the critical situation in prisons. It is a machine requiring information, information, and more information from an already extremely stretched prison system. The feeding of the machine is taking management teams in prison away from the job of keeping prisons safe and decent. The added frustration for Governors is that nothing seems to come back from MOJ to improve their jails. Rather than feeling empowered, Governors are feeling under more scrutiny than ever, assurance seems to be increasing and they are still governing prisons whilst shackled to centralised bureaucracy.

In June 2017 Liz Truss was replaced with David Lidington as Justice Secretary. It is early days but we are continuing on the reforms started by Mrs Truss.

October 2017 and this is the current state of play in our prisons.

None of the Justice Secretaries this decade have made a firm commitment to reduce the number of prisoners. Currently our prisons are full to bursting. The Prisons Estate Transformation Programme is now compromised, as those prisons which were to be closed and rebuilt by 2020 will now remain open until 2019. The aspiration of 10,000 new places by 2020 appears to be a distant dream. Too many of our prisons are old and dilapidated with no serious investment for decades. The decision by Chris Grayling to compete Facilities Management has proven expensive and disastrous with the prison estate worsening due to unresponsive contractors.

Violence, suicide and self-harm statistics are the worst we have ever seen. Due to staffing issues we are unable to deliver a rehabilitative regime in prisons. We have 40 prisons of concern, 10 of which are very concerning. We have had a year of concerted indiscipline across our prisons, with many more low level incidents happening daily. It feels like this is the new norm and we are becoming desensitised to this situation.

The Recruitment Tap was turned on again, but ramping this up has proved incredibly challenging for a number of reasons with a net increase of only 75 prison officers in 2016/17 when 4,000 are required to get us to full staffing levels. The Pay and Reward Package is insufficient for the environment particularly in the South East. When we do recruit, and things are improving and the speed increasing, we have an attrition rate which is too high. It is not envisaged that we will be fully staffed until December 18 and that is if the recruitment and retention strategy works. Operating prisons with fewer staff than is needed to maintain the health and safety of all within prisons is a criminal offence under the Health & Safety Act 1974 unless the Government invokes its power to suspend it.

Without adequate staff we will not stabilise our prisons. The relationship between staff and prisoners is the single most important element to keeping prisons safe. They need to get their confidence back in a violent environment so they can take back that void which has been filled by confident, bullish prisoners. They then need to get to know their prisoners again so they can build these trusting rehabilitative relationships that keep our prisons safer than any physical security. It cannot be over emphasised how important this is. It will mitigate some of the other risks facing prisons.

HM Inspectors of Prison and Probation published a report in Oct 2016 stating Chris Grayling's Through the Gate Services delivered by CRC's were poor or non-existent with too many prisoners reaching their release date without their needs being met or even recognised. Inspectors were also concerned at the high rate of re-offending and recalls back to prison. The breaking up of the National Probation Service has not worked.

Psychoactive Substances remain a constant threat to stability, reducing already depleted and sometimes critical staffing levels further as prisoners are taken to A & E suffering from the effects. Interestingly Scotland, who have not suffered from the same level of staffing cuts, have not had the same level of violence and deaths associated with this substance. I firmly believe that staffing reductions and shortages in England and Wales coupled with a high levels of inexperienced staff have prevented us from containing NPS in our prisons,

Finally how are our Members feeling in 2017? It is my hope that over the next two days you make it abundantly clear to the NEC exactly how you feel. What you are telling us is this. Far too many are acting down to officers in order to unlock prisoners for their meals, or to attend prayers or just to make things safer. Far too many are working dangerously long hours to try and make a difference, then feeling completely defeated when the difference still stays out of reach. Far too many feel on the edge of the precipice both mentally and physically. Far too many are waiting for the sword to fall following an Inspection or audit and sadly some have had the sword fall. Far too many feel they are forgotten and incidental in the current climate. Far too many feel the void between prisons and HQ is vast and still growing. Far too many think the Pay and Reward Package is insufficient.

What is the answer? A complex one and I don't claim to have it, but whatever it is it will cost money so investment must be made.

The Government must be brave and reduce the prison population and don't worry about votes. Don't dabble, just do it because morally it is the right thing to do. 12 month sentences don't work and are pointless. This cohort must be dealt with in a different way in the community. Executive Release is possible. We have prisoners on IPP sentences years past their tariff but still in prison. We have old and infirm who are no longer a danger to society and we have far too many mentally ill people where prison is absolutely the worst place for them.

Recruit sufficient staff of the right quality and train them appropriately. There needs to be time to mentor them to reduce the attrition rate, but in stretched incident ridden prisons this is a very tall ask.

Invest in existing staff to improve capability and succession planning, but particularly Senior Management Teams who seem to have been forgotten for years and who are stretched to the limit.

Review the MOJ Prison Safety and Reform Programme to increase responsiveness and reduce bureaucracy. There must be a more timely and efficient way of delivering Reform led by people who know our business and have that emotional investment to do the best and not just put another line on their CV after a couple of years.

Invest as a matter of urgency in our existing prison estate to make it fit for purpose in the 21<sup>st</sup> century. Withdraw from the current Facility Management Contracts and replace them with something that works and is funded appropriately.

Review the policy of having high churn Resettlement / Reception Prisons and look at how we can stabilise these incredibly challenging prisons

Truly empower Governors. We know prisons and know how to run them. Release us from the shackles of bureaucracy and centralisation which basically means we are running prisons with our hands tied behind our backs. Clarke and Grayling promised to and failed to deliver, so the Truss / Lidington legacy must include this. Ensure there are sufficient operational experts within teams to give resilience and reduce the amount of hours worked by colleagues. Give us the funding and tools to at least stand some chance of being able to meet the expectations of Inspectors rather than subjecting us to humiliating published reports that are not within our gift to improve.

Finally never forget the people in our care.

As Winston Churchill once said,

*“You measure the degree of civilisation of a society by how it treats its weakest members”*

If that measure was a key performance target today we would be failing it miserably.

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Note for editors:

The Prison Governors Association was founded in October 1987 to represent the higher operational managers in the Prison Service in England and Wales. The PGA was placed on the register of Trade Unions on 6 November 1987 (No. 639T). On 28 July 1988 the Certification Officer under the Trade Union and Labour Relations Act 1974 issued the Prison Governors Association with a Certificate of Independence. The status of the Prison Governors Association is that of an independent registered Trade Union.

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