



# The PGA Newsletter

## History Repeating Itself

*A chance to learn from previous mistakes*

By Andrea Albutt  
PGA President

Admiral Raymond Lygo was tasked by the Home Secretary in August 1991 to review the management of the Prison Service in the aftermath of the disturbances at Strangeways and elsewhere. He reported back in December 1991 that "The Prison Service is the most complex organisation I have ever encountered and its problems the most intractable" He was very critical of the gulf between civil servants who created operational policies for the Prison Service and operational managers and staff who had to deliver them. He said "If the Prison

Service is to achieve the direction and unity for which successive reports have called for, it must be allowed to operate much more independently of the Home Office" he went on to say "The critical factor in the success or failure of any new arrangement will be the ability of Ministers to allow the Prison Service to operate in an almost autonomous mode while retaining their responsibility to Parliament for the overall policy and conduct" His report led to HMPS gaining Agency status in 1993.

In September 1994 the escape of six prisoners from the Special Secure Unit at HMP Whitemoor prompted another external report from an ex-Chief Inspector of Constabulary Sir John

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Woodcock. He said "The relationship between the Prison Service and Ministers since the Service became an Agency, imposes clear responsibility for the day to day management of the Service on the Director General. There exists at all levels within the Service some confusion as to the respective roles of Ministers, the Agency HQ and individual Prison Governors. In particular the Inquiry has identified the difficulty of determining what is an operational matter and what is policy, leading to confusion as to where responsibility lies." This inquiry was quickly followed by another inquiry into a Category A escape on 3/1/95 from HMP Parkhurst which also dealt with issues about the management of the Service. The report was commissioned from Sir John Learmont a retired General and Sir John Woodcock also contributed to this inquiry. The inquiry was very critical of the blizzard of instructions and communications Governors received from HQ and commented on the

gulf between the Policy Makers at HQ and Governors and their operational staff. Derek Lewis (formerly of Granada TV) the first DG of the Agency was sacked and replaced by Richard Tilt the first ex-Governor to have held this post and a founder member of the Prison Governors Association.

A further external Review of Prison Management was conducted by Lord Laming in 2000 commissioned by the Prisons Minister, Paul Boateng. His review supported strong line management from Director General through to Deputy Director General to Area Managers. It recommended against adding further layers in. It also recommended that Ministers should set Strategy but not be involved in operational detail.

Our Service needs to be empowered and adequately resourced with the number one priority stabilising prisons and making them fit for purpose.

You will see there is a theme running through this, Ministers regularly want to

interfere in detailed operational policies of the Prison Service. Inquiries

have recognised that such involvement is unhelpful and that operational policies developed by officials with little or no prison experience, working to Ministers have contributed previously to operational problems and weakened the effectiveness of clear line management and leadership of the Service.

It is important that we reflect on the past and more recent history this decade. Austerity measures which reduced HMPS budget by more than a quarter in recent years has plummeted our Service into crisis. A virtually impossible task was placed on the shoulders of our most senior leaders to reduce cost and at speed. With hindsight the much maligned Prison Benchmarking has been criticised by many of us and justifiably so. That said, the expectation from Ministers that this level of budgetary cuts with no reduction in prison population could be achieved without a massive impact on stability, decency and safety was naïve to say the least.

The response from Government to the current situation is Reform. The White Paper, Prison Safety

and Reform has failed to learn from past inquiries and once again we are in a position where we seem to have two masters, HMPPS and MOJ. Policy and operations have been split and there is no clear lines as to what sits where, disempowering the Agency at a time when it needs to own the tools required to respond in a timely manner to the crisis. This has led to confusion and unnecessary bureaucracy for those working in prisons. Concentration on budget cuts and the constant change this decade has meant that our key purpose of caring for the men and women has been severely compromised and evidenced in the quarterly safety statistics we now wait for with dread.

The Government needs to read and reflect on past inquiries that they themselves commissioned and learn from previous mistakes. Our Service needs to be empowered and adequately resourced with the number one priority stabilising prisons and making them fit for purpose. Only then can we talk about rehabilitative culture and reducing re-offending.

Finally in light of criticisms in recent HMIP Reports, the

following quote from the Woodcock Report seems as pertinent now as in was in 1994,

***“The more senior the manager the more necessary it is for him or her to concentrate on the change agenda. There was no space for senior people to spend time checking compliance with basic procedures. On those the principle has to be management by exception; that is to give attention to specific problems as they came to attention. Simultaneously to tackle change on the scale required and to have a high level of checking of basic procedures would have needed many more resources than the Prison Service were given.”***

It’s an uneasy truth but we can’t do it all!

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# Stop the Drugs, Stop the Violence

By Mitch Albutt  
PGA National Officer

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We all know the depressing state most of our Prisons are in, despite the enormous effort and hard work our members and staff deliver every day. One awful aspect of this are the levels of violence which have reached epidemic proportions, however there is a potential solution should the holders of the purse strings choose to fund it.

It is clear that those in our care cannot engage in a rehabilitative journey if their environment is unsafe. Drugs pervade every aspect of Prison life effecting those around it with particular notoriety to New Psychoactive Substances (NPS) also now referred to as PS. This one particular label causes chaos in our Establishments and can turn a healthy individual into a medical emergency or a trusted orderly into a frenzied ultra-violent assaulter.

I believe that due to many compounding issues the Organised Crime Gangs (OCG) have gained a substantial foothold in our Prisons and in some instances have greater

authority and control than staff.

The Offender Rehabilitation Act (ORA) was introduced resulting in short term prisoners being released on licence. Evidence details the abuse of ORA by OCGs, they coerce individuals to commit minor breaches of their licence conditions resulting in them returning to custody for 7 or 14 days. However the OCGs will have these individuals "plugged" (illicit items concealed in a bodily orifice), then dropped off at a Police station to hand themselves in and thus the illicit items end up in our prisons. In fact I have heard colleagues describe this as a very lucrative business model. To give an idea of how lucrative intelligence at one Establishments indicated that NPS with a street value of £200 would return a profit of £2000. With the control of the supply of drugs comes the violence, beatings are ordered and rival mules "spooned", an item (usually a spoon) is inserted into the anus to retrieve any secreted package. This pervasive environment of threats and violence exposes individual's vulnerabilities

resulting in increased levels of self-harm, suicide and requests for segregation or transfer, (which is evidenced in HMPPS data). All of these factors divert valuable limited resources away from the delivery of a structured engaging regime resulting in general frustration and increased levels of anxiety and incidents. This ultimately effects the resilience of our staff causing issues with attendance and retention. Thus we descend further into the inescapable grip of the maelstrom.

Although we deal with the symptoms of drugs in our prisons we need to bring greater focus and energise our ability to deal with the causes. If we are able to choke off the supply routes then the OCGs will eventually abandon a money losing business model.

In 2015 the Prisons Minister Andrew Selous and Justice Secretary Chris Grayling were so impressed with the Body Scanner technology that one was promised to every Prison, with the Centre for Social Justice quoting it as a game changer. I recently visited HMP Belmarsh to view this equipment and hear first-hand from the team that use it. To say that I was

mightily impressed is an understatement, the team enthused its abilities and showed me evidence of how it detected illicit items secreted externally and internally on prisoners. They also used it if a prisoner was suspected of receiving an item during visits or in fact any

We sincerely hope the holders of the purse strings commit to deal with the causes rather than the symptoms of a prison service in crisis.

intelligence led requirement. It is most effective if used (as part of an overarching strategy) and with a small group of well-trained dedicated staff and if it has the potential to mitigate all of the above then why would you not devote your resources to achieve this endeavour. The hard outcomes that this approach can deliver are:

- Reduction in medical emergencies and the associated staffing resource and cumulative stress.
- Reduction in violence and the associated staffing implications and cumulative stress.
- Reduction in incidents of self-harm and suicide

and the related staffing resource and cumulative stress.

- Reduction in external hospital escorts where prisoners state they have swallowed something and the associated staffing requirement and risk of escape.
- Reduction in the need to respond to incidents and

the associated staffing.

- Managing fewer incidents allows managers to spend more time in their function delivering outcomes.
- Reduction in the disruption to the delivery of an effective regime.
- Reduction in stress levels for all staff which should help with wellbeing / resilience and improve attendance and retention.

HMPPS have submitted a bid for specific money to enable more body scanners (currently there are only two), to be put into our Establishments and the PGA fully support this bid. National Officers have been pursuing this issue at every

opportunity and have lobbied the new Secretary of State (David Gauke), the Prison Minister (Rory Stewart) HMPPS and the media. We sincerely hope the holders of the purse strings commit to deal with the causes rather than the symptoms of a prison service in crisis.

Finances are very limited but there may be opportunities at local level to secure funding or collaborate with partners to fund such technology. If you would like more information or have any questions about this article then please contact National Officer Mitch Albutt.

Particular thanks to the Governor of Belmarsh Prison Rob Davis, his body scanner project manager Adrian Knight, their dedicated team of staff, and Steve Wright and Emma Prince who manage the pilot at HQ.

ADDENDUM: Just prior to issuing this article the following was published in the media:

**Prison minister vows to bring in airport style body scans ...and veterans**

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**NEW Prisons Minister Rory Stewart has vowed to “get back to basics” and repair all the broken windows in jails to stop**

## drugs being smuggled in by drones.

*PUBLISHED:*

*PUBLISHED: 00:01, Sun, Feb 4, 2018*

*Prisons Minister Rory Stewart (L), Belmarsh in south London (R)*

*In his first interview after just three weeks in the job, Mr. Stewart said he was also considering installing airport-style scanners in the worst 30 prisons and recruiting more ex-military personnel to improve discipline.*

*Speaking after an inmate was stabbed to death in Wormwood Scrubs on Wednesday, the old Etonian Tory MP said he would be focusing on “straightforward security” rather than “abstract policy”, saying his priority was “windows, searches and walls”.*

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## **Urgent Notification**

The PGA is keeping a watchful eye on the Urgent Notification process. We recognise that potentially this can be a tool to support and improve some of our most challenging prisons, but not at the

detriment of members working in them. We will represent and respect the wishes of those affected by the process.

To date Liverpool, Wormwood Scrubs and Nottingham have been visited by either the President, Vice President or National Officers. Branch meetings have been held and concerns voiced which we will communicate to those we feel need to be influenced.

The greatest concerns have been the pace of change required. Is it realistic and achievable and at what cost both financial and human? Is the money new money or is it redistribution of existing budgets? How sustainable is this?

Following the UN at Liverpool, National Officers met with Chief Inspector Peter Clarke. It was a positive meeting where we stressed that reports must contextualise where responsibility lies in the narrative of the report. Peter seemed responsive to this. We will continue to scrutinise reports as they are published and maintain constructive dialogue with HMIP.

We have regular meetings with HMPPS and MOJ most senior officials where we continue to stress the level of challenge you face on a daily basis with limited resources and a much more violent culture. This was also communicated to Justice Secretary David Gauke by our President in January at our first meeting with him. We will do the same in March when we meet Rory Stewart, Prisons Minister.

Finally Urgent Notification has Principles, Governance and a Sustained Improvement System. These are currently words in a document with little translation into reality. We are keen to explore these terms with HMPPS to better understand what help, resource and support is given to prisons and our members under UN.

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# Fair and Sustainable – Governor Empowerment

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By Mitch Albutt  
PGA National Officer

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We have recently experienced new roles or structures in establishments being created and then advertised with no consultation with the PGA. These have been highlighted by our members and we have then raised with HMPPS.

There used to be a “check” in place ensuring that a new job could not be advertised until it had been through the JES process. Unfortunately, it transpires that the move to SOP removed this barrier and has resulted in confusion.

The Prison Reform White Paper promoted Governor Empowerment and, with increased accountability, Governors are being innovative with their structures and the roles

within them to try and achieve improved outcomes for their Establishments.

There is nothing wrong with this, so long as the innovation does not breach certain principals of Fair & Sustainable, remains JES compliant and is done fairly and decently with no detriment to our members.

It is worth noting that the PGA does not engage in Local Collective Bargaining. We are a small independent trade union as well as a professional advisory body, so we can only operate by way of National Collective Bargaining. Therefore any changes that directly or indirectly effect our members have to go through the “Annex A” consultation process. This process was introduced by HMPPS to alert unions to proposed changes so should be conducted prior to any change and not after it. It is appropriate to discuss new ideas at local level, but Annex As should

be sent to our office in HQ addressed to James Bryant.

Our discussions with HMPPS have highlighted the risks of equal pay claims being successful if the Fair & Sustainable framework was not abided

with. Following those discussions, HMPPS recently wrote to Governing Governors

reminding them of the requirement to abide by these principles.

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The Annex A process was introduced by HMPPS to alert unions to proposed changes so should be conducted prior to any change and not after it.

# John Attard

In March 2018, one of the stalwarts of the Prison Governors Association, John Attard, retires. John joined the PGA in 2008 having previously been a Branch Chair in the Prison Officers Association. In 2010 he joined the National Executive Committee and, having been an active and passionate member for several years, he was elected as a National Officer in 2014. The then newly formed structure of the PGA consisted of three part time posts as National Officer and, alongside Mark Icke and Dave Hoskins, John set about replacing the previous full time post of General Secretary. It was in this role that John was instrumental in reinvigorating the PGA, restating and emboldening its stance on members' rights and terms and conditions of employment.

Quickly getting into the role, John took responsibility for managing the PGA response to the Safety and Reform agenda and was nominated as the



National Officer representative liaising with the Northern Ireland PGA (in addition to the normal day to day work of the trade union). He visited Northern Ireland often and was supportive of its members through all sorts of difficulties, the likes of which we have (thankfully) not experienced in England, Wales and Scotland.

John was quick to hold the employer to account, a trait that led to us having many interesting meetings, with HMPPS, the PSPRB and the elected representatives in the Ministry of Justice. They will all miss him, though perhaps not so much as we will!

One of the few remaining experts in the minefields of the Job Evaluation Scheme, his knowledge routinely helped us to avoid the worst excesses that manipulation of such a scheme may otherwise have brought.

Perhaps John's biggest strength though was his dogged determination not to allow a member to be disadvantaged by any malpractice, either

deliberate or accidental. He would work tirelessly and indefatigably on personal cases, presenting well prepared, expert evidence in support of his colleagues. He took this approach with more formal processes too, such as negotiations with the employer and hearings at ACAS etc.

John hasn't disappeared, he has just retired. He was made a Distinguished Life Member of the PGA at our Annual Conference in October 2017, so we should see him at Conferences for years to come, though he will struggle not being able to ask so many awkward questions of our guest speakers! If you do see him, ask him about the "Borg entity", rebuilding a spoked motorcycle wheel or making complicated wooden things in the shed! You could buy him a glass of wine to express your gratitude for all he has done for the PGA, but make sure it's a classy one or he will pull a face!

Thanks John, and best wishes for a long and productive retirement.



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