

Briefing note on current pressures and priorities in the prison system

Contents

1. Current operational risks in the prison system	1
2. Safety and staff numbers	1
3. Why has violence risen so much?	2
4. Will more staff solve it?.....	2
5. Rehabilitating rehabilitation.....	2
6. Less imprisonment	2
7. Does it make a difference how prisons are run?.....	Error! Bookmark not defined.
8. Deregulation.....	3
9. Note on Prison Population	3
10. Suggested messages now:.....	Error! Bookmark not defined.

1. Current operational risks in the prison system

There are plenty of pressures in the prison system. Governors who saw steady improvements for 15 years to 2010, have seen negative consequences from the 25% reduction in staff since then. However, talk of meltdown is still overdone.

Summer is a peak time for riots because

i) It is peak staff leave season, so there is increased locking down of wings because of staff shortage. This is spread systematically across different wings in turn, to minimise frustration and risk.

ii) Good weather is more conducive to concerted indiscipline of all kinds.

This summer has seen more than the usual amount of unrest, but the expertise of the prison system in containing and ending these events has improved over the years and was evident this year.

Unrest does lead to people being moved out, often to quite distant prisons. This can be destabilising but the numbers are not really enough to make the difference between stability and instability in any particular prison.

2. Safety and staff numbers

In the last 3 years, it is not true to say that violence has risen in line with a fall in staff numbers. In fact staff numbers fell sharply between 2010/11 and 2013/4, and have remained fairly level since 2014. Assaults on staff ran about something under 1000 a quarter from 2003 to 2013, and then started to rise very sharply in 2014. That rise has been sharp and consistent, and now stands at about 1800 a quarter.

The additional staff are beginning to come through now. It is nothing like sufficient to restore to 2010 levels, but the government is moving in the right direction. There have recently been

suggestions that the training is inadequate. While the calibre of some new staff may be lacking especially in low unemployment areas like the south-east, I have met many very good new staff, and I know of no evidence that the training is of poor quality.

3. Why has violence risen so much?

- The cuts in staff on landings, and the increased amount of lock-up resulting from fewer staff, have certainly contributed to the rising violence. But there must be other reasons as well why violence, especially assaults on staff, have risen.
- Psychoactive substances are a significant factor. There is a remarkable persistence of younger adult prisoners taking substances which they know will have unpredictable and potentially painful effects. When you ask them why, they often say that they have nothing to lose.
- There has also been a cultural change reducing the inhibitions on attacking staff. I have noticed this particularly in the willingness of prisoners, especially young prisoners, to assault female as well as male staff (formerly a bit of a taboo). Violent crime has risen in the last year in UJK society, after a long period of decline; too early to say whether the rise in prison violence matches trends in society.

4. Will more staff solve it?

Staff numbers are certainly still a priority. HMPPS is acutely aware of retention and attrition problems, and trying to address them. Partly in line with society norms, but in a more obvious way, being a prison officer has changed from being a 'career' in the eyes of many younger adults, to being a useful stopgap job before moving to something else. The exceptions are areas of high unemployment where prison pay seems more attractive.

One good aspect of HMPPS planning is that they are not pretending that just putting more officer boots on the wings will solve anything by itself. David Lidington has identified himself with the Gove-Truss trajectory of moving towards a more rehabilitative culture (a favourite HMPPS phrase). Hence the injection of extra staff into 30 establishments to pilot a system where every prisoner has 45 minutes every week 1-1 with their named officer.

5. Rehabilitating rehabilitation

We have had 20 years of a 'punitive turn' in the politics of imprisonment (since Michael Howard initiated that turn and politicians found it electorally useful). It is high time for putting rehabilitation back into its proper position at the heart of prison. That means not fashionable nostrums such as slick psychological interventions or clever IT, but a whole-prison approach that knows that, while security is the essential condition of doing imprisonment properly, rehabilitation is the essential task of the prison system. There is no other justification for the huge expense of prisons.

6. Less imprisonment

Sentencing policy, and the need to use imprisonment only for those who merit and need it, are still very live issues, and both Prison Reform Trust and the Howard League constantly

stress that it is the only way to tackle the root of the prison problem. Factors involved in the rise include:

1. Longer sentences for e.g. sexual and violent offences
2. Less confidence in community sentences, consequent greater use of imprisonment
3. Increased recalls to prison (especially following the 2014 introduction of licence conditions for sentences under 12 months)

At end 2016, 43% were serving sentences of 4 years or more. 9% were on recall and 8% on sentences of less than 12 months. This understates the number of short-sentenced prisoners, since it is based on a snapshot, and shorter-termers come and go all the time.

The number of indeterminate sentences (lifers and IPPS¹) doubled between 2005 and 2010. This partly reflects the number of sexual offences, including many in the past. Otherwise length of sentence has remained fairly stable.

Most of us would welcome the Scottish government's line on shorter sentences – it has created a presumption against prison sentences of 13 months or less than 3 months, and is consulting on such a presumption against sentences of less than 12 months. Ken Clarke tried to introduce a similar approach, without success.

7. Deregulation

A move for greater autonomy of Governors was begun by Michael Gove and continued to some extent by Liz Truss. It was an undeveloped project which needed revisiting. There is much criticism of the number of Prison Service Instructions (PSIs) on specific issues, as if they were putting governors in a bureaucratic straitjacket which prevents them from giving leadership. It is not really like that. Mostly, PSIs just save governors from having to reinvent wheels; and they support legal compliance and consistent delivery (the latter is key because prisoners are moving constantly between prisons, and equitable treatment matters).

8. Note on Prison Population

The prison population was relatively stable between 1915 and 1945. From 1940 the prison population has grown steadily, although there was a small period in the early 1990s when it decreased (for four consecutive years) before rising steeply in the subsequent decade. Between 1995 and 2010 the prison population increased by 66%, an average of about 4.5% per annum. Between 1990 and 2010 the figure is 88%. Since 2010, the average prison population has again remained relatively stable, apart from a short-term rise following the riots in 2011. The prison population is now 86,388. A year ago it was 85,134. So there are grounds to be wary about a renewed upturn. Most of us would welcome the Scottish government's line on shorter sentences – it has created a presumption against prison sentences of 13 months or less than 3 months, and is consulting on such a presumption against sentences of less than 12 months.

¹ Indeterminate Sentences for Public Protection – introduced in 2003, abolished 2012, but still over 3,000 are in prison on these sentences, most over the original tariff.

The England and Wales now there are 182 in prison per 100,000 of population. Between 2011 and 2016 the proportion of the population in prison actually went down, which it had not done for any decade since 1940.

9. Current themes for Christians

1. We pray for safety and peace in our prisons, so that staff can do the work of preventing future victims of crime by doing constructive work with those who have committed crime. We are grateful for the skill of HMPPS, at all levels, in containing and stopping disorder when it has broken out.

2. Staff and managers in prisons have a very challenging job to do, especially when reductions in staff numbers mean that officers are busy throughout their shift with specific tasks, without time to build the relationships with prisoners which have always been the foundation of the positive achievements of our prison system in this country. We support the efforts to restore staff:prisoner ratios to their level at the beginning of this decade.

3. We believe that even if containment is the function of prisons, their main purpose is rehabilitation. The great strength of the British prison tradition is that it is founded on relationships, especially constructive relationships between staff and prisoners. The government should give maximum support to HMPPS' determination to create a 'rehabilitative culture'.

4. Assaults on staff have been rising sharply for the last three years – three years in which the staff numbers have remained fairly level. This may be partly the gradually increasing impact over time of fewer staff: but it is also about a growing culture of violence, partly but probably not wholly driven by the destabilising effects of new and dangerous drugs. Prisoners who assault staff are responsible, in almost every case, for their actions; they need to learn this, both by being held to account, and by well-resourced programmes to help them change their attitudes.

5. Many people agree that we need to have a proper look at sentencing policy, to see if we can find better ways of bearing down on crime than putting more and more people into prison for longer and longer periods. If we cannot afford to run prisons safely with 85,000 prisoners, then we cannot afford to imprison that many people and we need to use research and technology to design more effective ways of reducing crime in the community.

6. In the middle of the tough conditions of our prisons, chaplains are on the wings every day, playing a vital part. Their ministry is not an add-on, but a vital part of helping people to stay safe and offering them resources for change.

Martin Kettle, MPA, August 2017