

Prison Reform Trust response to the Justice Select Committee inquiry on the prison operational workforce — January 2023

The Prison Reform Trust (PRT) is an independent UK charity working to create a just, humane and effective penal system. We do this by inquiring into the workings of the system; informing prisoners, staff and the wider public; and by influencing Parliament, government and officials towards reform. The Prison Reform Trust provides the secretariat to the All Party Parliamentary Penal Affairs Group and has an advice and information service for people in prison.

The Prison Reform Trust's main objectives are:

- reducing unnecessary imprisonment and promoting community solutions to crime
- improving treatment and conditions for prisoners and their families
- promoting equality and human rights in the criminal justice system.

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Introduction

1. In 2009, the Justice Select Committee concluded its report into the role of the prison officer with this statement:

“The evidence we have heard has shown not only the opportunities prison officers have to tackle a prisoner’s offending behaviour but the difficulties prison officers face in trying to have a positive impact in the current prison system. Overcrowding, staff shortages and the high incidence of prisoners with unaddressed mental health, drug or alcohol problems mean the system is constantly at crisis point, leaving little or no time to build productive relationships with prisoners.”¹

2. In a surprisingly robust response, which rejected most of the committee’s recommendations, the government of the day said:

“The Government does not accept...that the prison system is constantly at crisis point.”²

3. No-one familiar with our prisons will fail to see the tragic irony in that complacent response given the history of the 13 years since.
4. In one sense, very little has changed since the 2009 inquiry. That committee heard expert evidence about the “British model” of prisons built on relationships between prison staff (predominantly officers) and prisoners, where every aspect of the prison’s objectives — from safety and security to rehabilitation, decency and the maintenance of hope — depended on

¹ House of Commons Justice Committee. (2009). *Role of the prison officer*. HM Stationery Office. <https://publications.parliament.uk/pa/cm200809/cmselect/cmjust/361/361.pdf>

² Ministry of Justice. (2010). *Government response to the Justice Select Committee’s report: “Role of the prison officer.”* https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/228951/7783.pdf

the success with which those relationships were nurtured. The seminal text remains “The Prison Officer” by Alison Liebling and David Price, published in 2001 and updated in 2010³, and it would still be hard to improve on their analysis of the sophisticated and complex role it describes. All of the best practice we see in prisons and that is reported by the Prisons Inspectorate and others is supported and facilitated by prison officer work in that tradition.

But in another sense, everything has changed.

5. In 2009, it was still reasonable to expect that in the majority of prisons, most prisoners would be unlocked for most of the day to attend work or education, and that they would have time unlocked in the evenings and throughout the weekend. It was also reasonable for most prison officers to expect a workplace where violence against them was possible rather than probable. And of course it was a workplace where the majority of staff had some experience of managing the relationships Liebling and Price describe. The 13 years since the Justice Committee last considered this issue have destroyed all of those assumptions. The opportunities for staff and prisoners to meet have reduced dramatically, levels of violence have soared⁴, and the proportion of staff with experience of working in the sort of environment that was common in 2009 has dwindled to a small minority⁵.
6. Prisons in general have been in perpetual crisis, and remain so, and perhaps the first requirement of reform is to face up honestly to that fact. Our model for running safe and purposeful prisons has disintegrated under the very pressures of overcrowding and staff shortages which the committee described in 2009, a process accelerated by the disastrous austerity cuts made from 2012 onwards and only partially reversed. The measures taken to control infection during the pandemic have substituted an entirely different and inferior model, based on excessive confinement in cell — a model now in danger of becoming entrenched despite the clearly expressed desire of the service’s senior management that it should not.
7. The government must take the opportunity of this inquiry to commit to the fundamental changes that are now needed to ensure that we have prisons built on relationships rather than coercion. And the prison service should only recruit and seek to retain staff who are motivated by the satisfaction of performing the subtle role described by Liebling and Price.
8. To assist the committee, we have sought the views of members of our Prisoner Policy Network (PPN) in compiling this submission. No-one understands more precisely the difference between a good and a bad prison officer than prisoners, and we would encourage the committee also to seek their views directly and face to face. Our report, “Prisoners Reforming Prisons”, summarising learning from a series of “Active Citizens” panels in prisons, demonstrates the value of doing so. It is a relatively recent prisoner-led endorsement of the relationship-driven approach to living and working in the custodial environment.⁶

³ Liebling, A., Price, D., & Shefer, G. (2011). *The Prison Officer* (2nd ed.). Willan.

⁴ Ministry of Justice. (2022). *Safety in Custody Statistics, England and Wales: Deaths in prison custody to March 2022 assaults and self-harm to December 2021*.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1073437/safety-in-custody-q4-2021.pdf

⁵ Table 4. Ministry of Justice. (2022). *HM Prison and Probation Service workforce quarterly: March 2022*. <https://www.gov.uk/government/statistics/her-majestys-prison-and-probation-service-workforce-quarterly-march-2022> and earlier editions

⁶ Prison Reform Trust. (2019). *Prisoners reforming prisons*.

<https://prisonreformtrust.org.uk/publication/prisoners-reforming-prisons/>

Why staff are leaving the prison service

9. PRT does not pretend to speak for prison staff. But we would encourage the committee not to conclude that the answer to poor retention lies in recruiting more “resilient” people in the first place. A prison should not be a frightening or demoralising place to work, and it is a failure of strategy and management if it is. The solution to the current staffing crisis starts from the same place as the solution to all the many failures of our current prison system — demand for imprisonment must be brought into line with supply of the means to deliver it. Demand management in turn requires a re-thinking from first principles of our approach to sentencing for more serious offending, and we particularly recommend to the committee the report of the Independent Commission into the Experiences of Victims and Long-Term Prisoners (ICEVLP), chaired by Bishop James Jones⁷.

The impact on regimes of recruitment and retention difficulties

10. There is no aspect of prison life that isn't affected by the availability and quality of prison staff, both officers and OSGs. The committee will be aware of the published statistics which have in part prompted this enquiry, showing dramatically poor retention and sick absence rates.⁸ A prisoner from HMP Pentonville described the practical impact of those statistics in these words:

“The staff shortage directly impacts not simply the regime of an establishment, but the day-to-day experience for a prisoner. We all know that not being able to take a shower, and make calls to family because association has been cancelled has a massive negative impact on prisoners. But in addition, the time pressures on staff dictate that they cannot have the interpersonal interactions with prisoners required for a healthy environment and relationship in prisons.”

11. A prisoner at Long Lartin, a prison holding people serving the longest sentences for the most serious crimes, described the longer-term corrosive impact on public protection:

A settled regime is a settled person and a settled person can think about what needs to be done to get through the sentence, to maintain sanity and to be a better person on release and in the prison sentence. For all of that you need to be around people, you need to be exposed to news ways of thinking, you need to be challenged, you would need to have relationships, and you would need to feel safe enough to reach out for help.

12. In the shorter term, the implications for safety were also apparent:

When the staff keep leaving it's impossible to run the regime, it's impossible to build relationships with staff, it's impossible to feel cared for and to feel safe. Then we have to create our own safety.

13. Liebling and Price describe the “peacekeeping” role of prison officers, and show it to be a pro-active set of behaviours that go towards producing the quiet, uneventful day that both staff and managers frequently characterise as a “good day” in prison. The good day involves peace that is kept through anticipating and solving problems, communicating face to face

⁷ Independent Commission into the Experience of Victims and Long-Term Prisoners. (2022). *Making sense of sentencing*. <https://icevlp.org/wp-content/uploads/ICEVLP-Making-sense-of-sentencing-web-copy.pdf>

⁸ Ministry of Justice. (2022). *HM Prison and Probation Service workforce quarterly: September 2022*. <https://www.gov.uk/government/statistics/hm-prison-and-probation-service-workforce-quarterly-september-2022>

with prisoners within routines of work and other activity that run predictably and smoothly. Nothing could be further from the reality that in many prisons prisoners currently spend the majority of the day behind a locked cell door, unable either to solve their own problems or rely on staff and the prison's systems to do so either.

14. Multiple inspection reports since the pandemic continue to describe this reality in a variety of different types of prison. In his annual report, the Chief Inspector commented:

In many of the prisons we visited since we resumed full inspections in May 2021, prisoners were locked up for even longer than they were in 1982: some for 23 hours a day or more. In category C training prisons, in spite of their remit, the situation was often little better, with prisoners spending their time sleeping or watching daytime television rather than engaged in the work, education or training that would help them to resettle successfully in the community on release⁹

15. IMB reports and our own communication with prisoners, including prison visits, confirm that the system as a whole is falling very far below the ambitions for it set out in the government's Prison Strategy White Paper in January 2022. So it is disturbing to read that the prisons minister considered in November 2022 that *"The majority of prisons are delivering a full or near full regime"*¹⁰. In practice, the definition of a "full regime" appears to have become whatever the Governor thinks they can deliver with the resources available. There is no central monitoring of how many prisoners are spending how long locked behind their cell door, and no standard for what the regime in any given category of prison should be¹¹. So it is perhaps unsurprising that the Chief Inspector should encounter wildly different standards of performance in apparently similar prisons.

Are projected staffing levels sufficient to future needs?

16. We reiterate our argument that the government needs to direct its attention to curtailing the demand for imprisonment by looking at sentence lengths for serious offending. We acknowledge that reducing demand for imprisonment is politically difficult — but increasing it requires merely the stroke of a pen. The government's recent changes in the criteria governing the transfer of indeterminate sentence prisoners to open conditions is just the latest example of "tough" rhetoric under the pressure of critical media coverage leading to very long-term consequences for which no provision has been made¹². Projected staffing levels will never match need if politicians of all parties continue to treat imprisonment in the same casual manner.

⁹ HM Chief Inspector of Prisons. (2022). *Annual report 2021–22*. HM Stationery Office. <https://www.justiceinspectorates.gov.uk/hmiprison/inspections/annual-report-2021-22/>

¹⁰ House of Commons. (2022, 15 November). *Written question UIN 83725*. <https://questions-statements.parliament.uk/written-questions/detail/2022-11-09/83725>

¹¹ Dawson, P. (2022, August 8). *Time out of cell — is the ministry telling the truth?* Prison Reform Trust. <https://prisonreformtrust.org.uk/time-out-of-cell-is-the-ministry-telling-the-truth/>

¹² Dawson, P. (2022, October 19). *Blog: Parole reforms see fewer people getting chance to prepare for release*. Prison Reform Trust. <https://prisonreformtrust.org.uk/blog-parole-reforms-see-fewer-people-getting-chance-to-prepare-for-release/>

How effective is HMPPS at retaining of OSGs and prison officers, and what more could it do to improve job satisfaction and staff morale?

How effective is the initial training, professional supervision, and continuous professional development provided to prison staff?

17. The prisoners we asked were very sympathetic to the pressures officers and OSGs are facing. One said:

“It appears that no strategy has been implemented to provide a satisfied work ethic. The work that officers have to do is difficult, challenging and demanding requiring that officers concentrate at all times; there needs to be an outlet for them to talk through some of the issues. A longer period of training is definitely needed to explore the mental stamina and understanding required for the appropriate tasks”

18. Staff appeared to feel the same way:

“Having talked to a number of officers; they have all mooted that the training is no where long enough, not intensive and doesn’t prepare them for life on the wing”

19. But prisoners also noticed where a different approach to initial training was in place:

“From what I’ve heard from OSGs and Officers, the training is very minimal. I believe that programmes like Unlocked Grads have put a lot of thought into what is really needed to produce the best officers, and that this model should be replicated across the estate. Encouraging Officers to take ownership of their landings, wings, prison, allowing them the freedom to enact positive initiatives is extremely important.”

20. They also noticed where existing prison service initiatives seemed to work:

“One way to address this could be by providing training focused on developing ‘people skills’, which is becoming prevalent through five-minute interventions (FMI), where training prepares prison staff to turn everyday conversations into opportunities for rehabilitation”

21. We know that the introduction of “keyworking” before the pandemic seemed to be welcomed by staff and prisoners alike, and is absolutely informed by the right approach to relationship-building. But we also know that it has rapidly become the exception rather than the norm.

Prison officers are failed in the support that they receive. On paper, I feel it looks quite sound, however, putting it into practice doesn’t work. Staff do not have time to even fulfil their key worker sessions never mind having the support to carry out their roles effectively

22. Several prisoners, living in very different prisons, expressed surprise that there was no requirement for professional supervision for officers. One linked it directly to the issue of retention, but also to a more general concern that officers weren’t valued by their own hierarchy:

It seems to me that retention rates aren’t where they need to be. Simple things like salaries are not reflective of the nature of the work performed by prison officers and OSG’s daily. In addition there seems to be a lack of appreciation and recognition of their efforts and sacrifices from their superiors and even MoJ and HMPPS. Staff in these roles MUST have spaces to decompress, express themselves, and receive validation for their efforts.

23. They went on to draw the comparison between how officers were expected to listen to prisoners but how little they got listened to themselves:

Support is severely lacking. Prison Officers should be afforded decompress sessions daily that they take advantage of with qualified professionals. They should receive in depth 1-2-1 sessions with superiors on a regular basis, just to ensure the wellbeing of staff. If they're expected to deliver this to prisoners they should be offered it themselves

24. The consistent message appears to be that the opportunity to do the job properly is the key motivation for the people the prison service should be most anxious to retain. Good staff will not want to work in prisons where prisoners are constantly locked up, nor where they must forever apologise for failures to provide the basic services and care to which prisoners are entitled.

Do prison officers have the tools and support they need to carry out their roles effectively?

25. It's a cliché, but true, to say that routine matters in prison. If basic systems like visits, canteen and property don't work well, the chances of finding time to do more interesting and constructive work are slim. The prison service has for decades failed to produce a simple, transparent instructions system to let both staff and prisoners be clear about the rules and entitlements that apply. But it has also made officers work with inadequate information technology and until recently denied most prisoners access to simple technology that allows them to manage significant parts of their own life, taking responsibility and avoiding unnecessary habits of dependence on officers. Led by the private sector, that has been changing in recent years, and the scope to go further and faster is clear. Giving prisoners the means to manage more of their own affairs saves officer time, reduces friction, and builds good habits for release.
26. In terms of support, the need for professional supervision is clear — not least to prisoners. But the need for basic line management is equally pressing. The abolition of the senior officer grade around a decade ago, meant that first line management responsibilities moved to Custodial Managers (CMs), who might be expected to manage 20 to 30 individuals. That is an unreasonable ask in any organisation, but where the principal means of assessing performance is to observe an officer's face to face interactions with prisoners, it makes no sense at all. Officers need the support of a line manager who observes their practice frequently — and the prison service needs a structure which is capable of identifying and dealing with those who can't or won't work to an acceptable standard.

What is required to include diversity and inclusion in the prison workforce?

27. Prisoners gave us a direct and uncompromising answer to this question.

"Things like these require immense system change to be solved. However prison communities need to be served by staff representative of the members in that community. It comes down to attracting ones from similar backgrounds and beliefs to those they will be looking after".

28. But they also pointed out that the image people have of what the prison service is about represents a major obstacle to attracting individuals who would bring an instinctive empathy to the role.

"Stop portraying yourself as a prison service that is all about punishment and brutality. In the main prisoners come from certain communities and it's uncomfortable to be at the forefront

of punishing that community when you know of the problems that community faces and in fact your mum and dad might still live in that same community”.

What lessons can public sector prisons learn from private sector prisons and vice versa?

29. Good practice certainly exists in both public and private prisons, but it also seems clear that problems with both recruitment and retention span both sectors. The most interesting ideas in this area that we hear about tend to involve prisoners playing a structured role in human resource issues:

“Peer led initiatives are heavily encouraged in the private sector and in other countries. Having lived experience on the SMT and staff group or on advisory panels is something we can learn from the private sector and other countries”

“Prisoners get a real say, are respected if they are respectable, and a lot of peer led activity which makes it feel like the prisoners and the staff are a partnership and not on different sides of a war.”

“If a select number of prisoners were to provide a score and appraisal of prison staff, with areas of improvement and positive comments, could the results be part of the overall rating”

“Getting shown around by prisoners on their first day would be a good start to acclimatising”

“Prisoners should be able to give feedback to new trainees about how they're doing and how they could improve; I think that sort of feedback would really help and it would also build trust”

30. Just occasionally, all this potential for constructive innovation becomes reality:

“I took part in the recruitment panel for the healthcare manager and it was a really interesting experience. There was a better level of trust for him afterwards because we had interviewed him and also it was great skills development for the prisoners who took part.”

31. It should be uncontroversial that the people most affected by the way staff carry out their role should have the opportunity to influence that performance for the better. The prison service has much to gain from drawing on the insight and willingness of prisoners to do so.

Conclusion

32. There is a very substantial body of professional experience, backed up by academic research and continuously reflected in what prisoners say, about how to make the prison officer role infinitely more satisfying than the dreary turnkey existence to which the majority of staff are currently condemned. But the traumatic experience in prisons of austerity followed by the pandemic poses an existential threat to the “British model” of prisons built on relationships not coercion. The prison service must reassert its commitment to that model if it wants to recruit and retain the individuals who can make it work. But the government must provide the means by which this can be delivered — simply feeding more recruits into a system in perpetual crisis is unfair to the people involved and a waste of public funds. The committee’s predecessor correctly pointed this out in 2009 — we can only hope for a more honest and constructive response from the department this time around.