

## Prison Reform Trust briefing - Westminster Hall debate on the Sixth Report from the Justice Committee of Session 2015-16, on Prison Safety, and the Government Response, 15 September 2016

### Introduction

The Prison Reform Trust welcomes the reassurance of Liz Truss that “Prison safety is the Department’s top priority and is fundamental to making the radical reforms I want to make to our prison system.”<sup>1</sup> As the government acknowledges, there is a need for “decisive action to improve upon the current unacceptable levels of violence, self-harm and self-inflicted deaths.” In the last year, assaults have risen by 31 per cent overall, and those on staff have risen by 40 per cent. Self-inflicted deaths have risen by 28 per cent and self-harm has increased by 27 per cent.<sup>2</sup> Immediate action is needed to reverse the decline in basic standards of safety and decency. The government’s recognition of the urgency of the task is therefore welcome.

As it stands, however, we are concerned that the government’s response to the committee’s report does not deal with the scale of the challenge. It is strong on intervention and sanctions but weak when it comes to the importance of regime quality and relationships. It has too little to say about self harm and self-inflicted death. We hope these significant gaps will be remedied in the government’s prison reform and safety plan which is due to be published in the autumn.<sup>3</sup>

### The importance of regime quality and relationships

The relationships between the people who live in our prisons and the people who work there are fundamental to everything we want them to achieve. They are the source of safety, identifying both those at risk of harm and those who cause it. They underpin security, providing the intelligence to reduce the flow of drugs and phones. They produce the motivation and trust that are essential to preventing a prisoner returning to crime after release. But relationships cannot form when prisoners spend their time behind a locked cell door.

A 2005 study of suicide prevention in local prisons by Professor Alison Liebling and colleagues showed that newly arrived prisoners were affected by factors which prisons can influence. They identified steps that should be taken in prison to alleviate anxiety: “Highly vulnerable prisoners were significantly less distressed when they were in prisons where they spent less time locked in a cell; where they had employment in the prison; where association was less frequently cancelled; where they were doing offending behaviour courses; and where they had regular and good quality contact with their families.”<sup>4</sup>

They also found that a sense of safety, or ‘trust in the environment’ prevented the distress that can evoke suicidal thoughts. Safety, meaningful activity, and supportive relationships build hope and counter the despair that can arise in prison. Since that 2005 study, prison safety, measured by proven assaults, has deteriorated rapidly. The number of serious assaults in prison has more than doubled in the last three years.<sup>5</sup> In his 2014–15 annual report, Nick Hardwick, then Chief Inspector of Prisons, stated that purposeful activities were at the lowest level prisons inspectors had ever reported.<sup>6</sup> Although inspectors have recorded some improvement from these historic lows, less than half of adult male prisons are

<sup>1</sup> House of Commons Justice Committee (2016) Prison safety: Government Response to the Committee’s Sixth Report of Session 2015–16, London: HM Stationery Office

<sup>2</sup> Ministry of Justice (2016) Safety in custody quarterly bulletin to March 2016

<sup>3</sup> Ministry of Justice (2016) Safety in custody quarterly bulletin to March 2016

<sup>4</sup> Truss, L (2016) Oral evidence to the Justice Committee, 7 September 2016

<sup>5</sup> Liebling, A *et al.* (2005) ‘Safer locals evaluation,’ *Prison Service Journal*, Nov 2005, No. 162, 8-12

<sup>6</sup> Table 3.1, Ministry of Justice (2016) Safety in custody quarterly update to March 2016, London: Ministry of Justice

<sup>6</sup> HM Chief Inspector of Prisons (2015) Annual report 2014–15, London: HM Stationery Office

assessed as good or reasonably good on this crucial measure.<sup>7</sup> The decline in safety and the deterioration in regimes are directly linked.

A key factor has been a significant reduction in uniformed staff. The number of staff employed in the public prison estate fell by 30% in the past six years, a reduction of 13,720 staff.<sup>8</sup> The ratio of prison officers to prisoners in 2000 was one to 2.9; by the end of September 2013, it was one officer to 4.8 prisoners. Reduced staffing means that fewer prisoners can be safely managed to reach education and employment within the prison, nor to attend appointments with medical and resettlement experts. Investment in these crucial services is wasted on a daily basis as a result.

The justice committee found convincing evidence that lower staffing levels, changes to the Incentives and Earned Privileges (IEP) scheme, and a decline in purposeful activities reduced the consistency of relationships between officers and prisoners, and in turn affected safety. It concluded that it was "...improbable that there is no link between estate reconfiguration, benchmarking, and changes in operational policy, including the [IEP] scheme, and the shift in safety across the prison estate. In particular, we conclude that the fall in staffing levels stemming from redundancies and increased turnover, which at their most acute have resulted in severely restricted regimes, are bound to have reduced the consistency of relationships between officers and prisoners, and in turn affected safety."<sup>9</sup>

While sanctions and interventions are necessary components of any strategy to improve safety, it is also vital that the government addresses the underlying causes of deteriorating prison regimes and staff-prisoner relationships. The following measures should be included in the government's forthcoming prison reform and safety plan:

- A commitment to dramatically increase the amount of time prisoners can spend out of their cells. Relationships can only be formed face to face. In the short term, this could be achieved through the enhanced recruitment, training and retention of prison officers. In the longer term, a commitment to reduce the unnecessary use of custody through reform of the sentencing framework would remove the need for overcrowding and empower prisons to do the job we expect from them.
- A commitment to reverse the 40% decline in the use of release and temporary licence (ROTL) in the past three years to ensure prisoners have opportunities to take up work, education and training in the community prior to release. The Prison Reform Trust found that in most so-called "resettlement prisons", ROTL is rarely if ever used. A dramatic increase would reduce the need for staff supervision in prisons during the working day and provide a meaningful incentive to prisoners to make the best use of their time in custody.<sup>10</sup>
- Measures to prioritise the release of the remaining 4,000 people serving an IPP sentence. In 2015, there were 324 incidents of self harm for every 1000 people serving a determinate sentence. For people serving an indeterminate sentence for public protection (IPP) the rate was 550 self harm incidents per 1000.<sup>11</sup> The growing toll of despair the IPP sentence is having on prisoners and their families, years after its abolition, should be dealt with as a matter of priority.
- Access to good quality healthcare. The Prison and Probation Ombudsman has highlighted the importance of healthcare involvement in suicide prevention, from reception and initial risk assessment through to ongoing treatment and support.<sup>12</sup>

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<sup>7</sup> HM Chief Inspector of Prisons (2016) Annual report 2015–16, London: HM Stationery Office

<sup>8</sup> Table 2, Ministry of Justice (2016) National Offender Management Service workforce statistics: March 2016, London: Ministry of Justice

<sup>9</sup> House of Commons Justice Committee (2016) Prison safety: Government Response to the Committee's Sixth Report of Session 2015–16, London: HM Stationery Office

<sup>10</sup> Prison Reform Trust (2016) Proposals for a radical reassessment of the use of ROTL to support resettlement, London: PRT

<sup>11</sup> Table 2.6, Ministry of Justice (2016) Safety in custody statistics quarterly update to December 2015, London: Ministry of Justice and Tables A1.1 and A1.14, Ministry of Justice (2015) Offender management statistics prison population 2015, London: Ministry of Justice

<sup>12</sup> PPO (2015) Learning Lessons: Self inflicted deaths of prisoners 2013/14, at: <http://www.ppo.gov.uk/wp-content/uploads/2015/03/self-inflicted-deaths-2013-14-Final-for-publication-5.pdf>