

How to fix Britain's prison system

Spending cuts are severely affecting our jails. But as I learned from my time behind bars, limited resources need not impede reform

BY JONATHAN AITKEN

Our prisons are in their familiar state of overcrowded confusion—but are they in crisis? This question has moved up the national agenda in recent months. Predictably, the more pejorative label has been denied by the Secretary of State for Justice Chris Grayling and by the National Offender Management Service (NOMS) which runs most jails. But the chorus of Cassandras proclaiming or predicting crisis is being joined by anxious voices from beyond the ranks of the usual suspects.

The most authoritative sources of information on individual establishments are the reports of the Prison Inspectorate. The present holder of the office of HM Chief Inspector of Prisons is Nicholas Hardwick. Compared to his predecessor General Sir David Ramsbotham, who fired off his salvos against NOMS managers like an artillery commander pounding the French lines at Waterloo, Hardwick is normally a restrained and constructive commentator on the system.

So it is disconcerting to find that this past summer Nick Hardwick issued a succession of highly critical reports on prisons as geographically diverse as HMPs Doncaster, Ranby and Isis, culminating in a 104-page blockbuster indictment of the “filthy and unsafe” Wormwood Scrubs, “HM Chief Inspector of Prisons Report on an unannounced inspection of HMP Wormwood Scrubs 6-16 May 2014”.

There are consistently negative themes in the inspectorate’s reporting. At all the above prisons, a high percentage of inmates felt at risk of violent attack. Suicide and self-harming rates are rising. The lockdowns of prisoners in their cells for 23 hours a day are becoming endemic. Staffing cuts and the introduction of new regimes mean that many officers are overstretched, often feeling frustrated at their inability to talk to, let alone help, the prisoners under their care. The Wormwood Scrubs report recorded that 80 per cent of the inmates were not spoken to by their officers during the week of the inspection.

To many, the Scrubs is the icon of the British prison system. I must have passed through its historic gates for at least 20 visits in various volunteering capacities during the past decade. “Tough but fair” would have been my verdict based on numerous conversations with both prisoners and staff. Unfortunately this opinion has to be revised after reading not only HM Inspector’s September report on the jail but also a devastating critique by the former chairman of its Independent Monitoring Board, Angela Levin, *Wormwood Scrubs: The Inside Story* (Amazon, £9.99).

Ms Levin, a highly regarded journalist, joined the IMB, a watchdog body of voluntary supervisors for the prison, ten years ago. She describes herself as “one of those middle-class individuals who want to give something back to society... I am not a do-gooder with idealistic views on how to change the world.” Her pages contain many compliments to the long-serving prison officers at the Scrubs. She makes the point that for many of them their work is “a vocation

rather than a job”. This will sound unlikely to viewers of *Porridge*, but her knowledgeable comment rings true.

Yet if the staff are so committed and their IMB supervisors like Angela Levin are so eagle-eyed, how come Britain’s number one jail is such a horrible mess? The descriptions in this book of litter piling two-feet deep; staircases thick with long-encrusted grime; and rats living in the detritus caused by inmates throwing their garbage out of cell windows are appalling.

There is no excuse for this cleanliness failure in the Scrubs and many other establishments. Every prison has an unoccupied workforce of several hundred men sitting around doing nothing for most of the day. Why not put them to work with mops and brushes until the jail is in pristine condition?

I saw this done during my own sentence when an energetic new broom of a governor, John Robinson, succeeded an unsatisfactory predecessor at a dirty HMP, Stanford Hill. Within a week the jail was as clean as the proverbial new pin. And for all the grumbling at the extra work, we inmates respected the strong leadership which made our scruffy prison shipshape.

There are deeper lessons to be learned from this contrast between the present filthiness of Wormwood Scrubs and the clean-up drive I witnessed at Stanford Hill. The prevailing criticism of today’s prisons is “lack of resources.” It is true. Three years ago Chris Grayling’s predecessor Kenneth Clarke agreed with the Treasury that his department’s contribution to the Chancellor’s austerity drive should be a cut to the £3 billion-plus prisons budget of 25 per cent. One consequence is that there will be 10,000 fewer prison officers and staff in the jails of England and Wales by 2015. Another is that the average annual cost of a prison place has fallen in the last five years from £45,000 to £36,000.

This good housekeeping has some painful consequences. All sorts of cherished programmes, mostly alas in the field of rehabilitation, have been axed. But the prison community can be remarkably resilient in the face of cuts. How does it move from hand-wringing about its plight to solving some of the problems?

There are a number of strategies in play already, ranging from Grayling’s “getting tougher”, to making better use of prisoners’ skills during their sentences and to the coming sea change in the after care of offenders known as Transforming Rehabilitation. All deserve more thoughtful discussion than they are getting from the present doom-mongering forecasts about crisis and collapse.

Chris Grayling wanted to burnish his credentials as a hard-liner by toughening up the prison regime. With one silly exception (the ban on prisoners receiving books through the post), the small changes he has made have done no harm and some cosmetic good. His cancellation of subscription TV perks in one or two jails and his tightening of rules relating to enhanced regime privileges won him bouquets from the *Daily Mail* and brickbats from the *Guardian*. But in reality it was a case of much ado about nothing. ▶

“The prison community can be remarkably resilient in the face of cuts. How does it move from hand-wringing about its plight to solving some of the problems?”



©TOP: WPA POOL/GETTY. BOTTOM: HUTTON ARCHIVE/GETTY

Xxxx:xxxxx



Justice Secretary Chris Grayling has grasped the nettle of rehabilitation failure. His reforms have a chance of transforming the system

Grayling's genuflections towards the Right made life on the inside a little stricter for some, but most cons barely noticed them.

Prisons have never been holiday camps. This myth, beloved of the tabloids, may diminish now that several tabloid journalists have direct experience of incarceration. An indication of how the views of old Fleet Street may be shifting came from Neville Thurlbeck, the former chief reporter of the *News of the World*. After his release in August from HMP Belmarsh after serving 37 days of his six-month sentence for hacking phones, he said: "I can disabuse anybody of the notion that it is a holiday camp. There are interminable hours of boredom and pain. The beds are made of what I can only describe as giant pencil rubbers and over time your hips and shoulders start to ache. It's pretty grim."

Another celebrated Belmarshian who has unhappy memories of his alma mater is Denis MacShane, the former Labour MP and Minister who pleaded guilty to false accounting of his parliamentary expenses and received a six-month custodial sentence just before Christmas last year. He spent his first 23 days in Belmarsh, the south London fortress which houses the most dangerous criminals in Britain. It makes little sense to send low-risk prisoners like MacShane, former *News of the World* editor Andy Coulson or even yours truly to such an ultra-high-security establishment. But once you have joined this fraternity of the fallen it is wiser to adopt the "ours not to reason why" approach and to do your bird quietly.

Going quietly, however, is not the MacShane style. He has enough chips on his shoulder to start a timber business. So his *Prison Diaries* (Biteback, £20) are packed with score-settling whinges against old parliamentary colleagues, judges, civil servants, expenses administrators, unjailed bankers and numerous other hate figures. Chris Grayling comes in for much ad hominem bile.

Because MacShane knows how to write, the litany of his discontents often have an amusing if bittersweet ring to them. However, the length of his fulminations against the Establishment (of whose Europhile branch he was once a rising star) can become a little tedious.

The tedium vanishes when MacShane gets down to the messy and often poignant details of his life inside Belmarsh. The loo and the sink in his cell are filthy, with a waste bin "encrusted with muck,

old tea bags, and what looks suspiciously like dried blood at the bottom." When he asks for cleaning fluid, an officer refuses his request on the grounds that "we used to give bleach to prisoners but some of them swallowed it."

On the personal front, MacShane becomes understandably upset when he cannot call his children on Christmas Day because the queue of 80 inmates waiting to use one payphone is too long for the out-of-cell time available. He is denied the early family visit allowed by the official regulations. When it eventually does take place he is refused permission to have a shower on the morning of the visit to freshen himself up for his loved ones. "No, you're in prison—get used to it," barks the screw who turns him down. "I am feeling very low, almost at breaking point," writes MacShane in his diary.

Leaving aside one's personal sympathies for such emotions, the reality of Belmarsh and many other jails is that the officer's tough phrase reflects the zeitgeist of the system. As a prisoner you have to get used to it. No one ever said that the incarcerated life should be a comfortable life. If Chris Grayling rams this point home a little too bluntly for the bien pensants of the commentariat, well, that's politics for you. The Secretary of State has faced his own reality of shrinking resources by concentrating his reforming zeal on the rehabilitation of offenders after they leave prison. The case for this priority is stronger than many have realised.

My own take on life behind bars is considerably less negative than the tone of the most recent books, memoirs and reports on our jails suggest. Although I had plenty of down, and at times, miserable moments while serving my 18-month sentence for perjury in 1999, on the whole I seem to have had a far more bearable prison journey than Denis MacShane, Jeffrey Archer, Chris Huhne, Vicky Pryce and other figures from public life who have undergone and written about the same experience. Why?

Sheer luck is part of the answer. Prison is a pressure cooker in which stress levels are continuously variable and volatile. Fifteen years ago I was lucky in my Belmarsh companions. I was teased incessantly but rarely nastily. I made one or two real friends. Laughter, camaraderie and the milk of human kindness are my lasting

memories of life on the wing. I had only two brief moments of fear—both of which turned out to be unjustified.

The officers I encountered in three different prisons were on the whole a good lot—decent, fair and often showing surprising grace under the enormous pressure they faced. Yes, I did meet a couple of “dogs” (unpleasant staff members)

but I soon learned how to roll with their metaphorical punches of unfair shouts and orders. If a screw had yelled at me in 1999 “This is prison, get used to it!” I hope I would have shrugged it off with no lasting resentment.

An important new question lurks behind the 2014 publications of Nick Hardwick, Angela Levin and Denis MacShane: Has there been such a deterioration in the prison environment during the past decade and a half that nobody should have to “get used to it”? Have the overcrowding, the budget cuts and the staff shortages turned a humane prison system into an inhumane one?

My observations tell me that the pessimistic case for the crisis scenario has not yet been made out. There are three main reasons for this: diversity, good practice and a reform agenda.

Prisons are not monolithic. In England and Wales the system consists of surprisingly diverse archipelago of 136 establishments, each with a different culture, leadership, and atmosphere. In this mix you can find dynamic governors, excellent staff, and interesting innovations in the regime.

I recently spent an afternoon at HMP Thameside prison, a modern jail built in 2012 which houses 900 B Category prisoners. Located only a few hundred yards from Belmarsh, Thameside’s atmosphere and facilities were light years removed from the Stygian gloom portrayed by Denis MacShane. Every cell has its own shower, toilet and telephone which can be used 24 hours a day to make outside calls. There is in-cell intranet connection which allows prisoners to book themselves medical appointments, gym sessions or education classes which range from creative writing to calculus. Officers and inmates address each other on first-name terms. Consultations are held before new rules and regime changes are introduced. The wings and cells I visited were clean.

“Because we started here from scratch we were able to introduce a completely new culture,” said one of the managers from Serco, the company which won the contract to run HMP Thameside. “Our critics call this a cushy jail but we think we are delivering an environment in which sentences are served safely, securely and with mutual respect.” A recent HMIP report on the prison broadly supports this.

The private sector-public sector divide in running prisons is relatively unimportant. Best practice is to be found on both sides of this line. Some old-fashioned Victorian jails such as Armley in Leeds win high praise for their innovative regimes, not least in the field of rehabilitation. So do several Scottish prisons, notably HMP Greenock, whose new Throughcare Support Officer (TSO) scheme has officers working on both sides of the wall to resettle its released alumni.

The modest success of the Armley and Greenock experiments only serve to highlight the worst feature of all prisons in the UK. It is their failure to bring down the stubbornly high reoffending rates, which range from 58 per cent among adult prisoners to 67 per cent for younger offenders.

One major difficulty in this area is that most prison establishments no longer consider rehabilitation to be their job. Some governors pay lip service to the notion but this is a pretence. On the wings most overstretched officers will openly say that warehousing their inmates and preventing escapes amounts to mission accomplished.

As a result, the rank and file officer’s attitude to rehabilitation has been “leave it to the probation service.” Unfortunately probation officers, good though many of them are, have not dented the reoffending rate either. Probation has become a box-ticking service barely honouring its traditional befriending roots.

A recent answer to a Parliamentary Question revealed the devastating information that only 26 per cent of an average probation officer’s time is spent in direct communication (including phone calls) with offenders. So what do probation officers do with the other 74

‘The officers I encountered in three prisons were on the whole a good lot—decent, fair and often showing surprising grace under the enormous pressure they faced’

per cent of their time? Successive governments have demoralised this once hands-on service and turned it into an ineffective bureaucracy.

Chris Grayling is now making a serious attempt to grasp the nettle of rehabilitation failure. He has launched a strategic initiative called “Transforming Rehabilitation” (TR) dividing England and Wales

into 21 geographical areas which will each be managed by a major provider known as a Community Rehabilitation Company (CRC). These CRCs will seek to prevent the reoffending of all low and medium risk prisoners released from our jails including the 45,000 offenders who have served sentences of less than 12 months. Although they are often the youngest and most likely to return to prison, they do not, at present, receive any supervision from the probation service.

Although almost everyone, including Labour’s likeable Shadow Justice Secretary Sadiq Khan, applauds this filling of the rehabilitation gap, there are many enemies of TR who denounce Grayling’s plans as the privatisation of probation. Not true. Some probation trusts are likely to win main provider status as CRCs. In any case a slimmed down probation service will still supervise the most dangerous offenders. The real point of Grayling’s TR reforms is that next year they will introduce a regiment of new players into the rehabilitation of offenders. Some will be large commercial companies such as Serco, Sodexo and Capita. But these managerial behemoths will be compelled to subcontract many of their services to charities, community groups, and trusts which employ ex-offenders. Few of them have ever had a chance before to make a serious impact on the criminal justice system.

Set a thief to rehabilitate a thief is a strong theme of the TR package. It means that more than £500 million of annual Ministry of Justice funding will trickle down to charitable organisations which have a record of employing reformed ex-cons to turn around the lives of current offenders. Respected charities like Caring for Ex-offenders, New Bridge Foundation, Only Connect, Pact, RAPt, Sovo and St Giles Trust have been doing this work for years, but usually on minuscule budgets and often with notorious lack of helpfulness from the prison and probation services.

Take one hopeful dimension of TR—peer mentoring. This relationship should start in prison and not “at the gate”, which can be a disorientating moment for meeting a stranger. Experience, particularly in the USA, shows that prisoners are at their most receptive to mentors who bond with them when they are serving their sentences. It is also well-established that reformed ex-cons can be the most effective preventers of return to crime by newly released offenders whom they have got to know over a period of months. Sadly, this common sense practice of in-prison mentoring is often blocked by “Oscar Ones”—the officers in charge of security who can make it as difficult as possible for ex-offenders to be allowed back into jails even for worthy purposes.

Yet for all the difficulties, shortage of staff and money may prove to be the friend and not the enemy of rehabilitation. As the books by Angela Levin and Denis MacShane demonstrate, the introspective practices and malpractices of prison regimes can benefit from the critical eye of outsiders. Those same eyes see that there is plenty to praise as well as to bury in the system, not least the growing contribution of ex-offenders who can be practical sources of experience in future reform.

Already it is the work of offenders through charities like Toe by Toe who are doing most to reduce prison illiteracy. It is the Samaritans (prisoners trained to be “listeners”) who prevent many suicides on the wings. It is ex-cons who make the best mentors employed by St Giles Trust and other top charities. It is current cons who could clean up every dirty jail in the country, starting with a scrub up of the Scrubs, if good leadership in the prison service took the initiative. Sadly, the system is much more inclined towards inertia than initiatives. But new voices are calling and being heard, particularly in the bold experiment of Transforming Rehabilitation. However much the old lags in the probation and prison services may grumble, we are not yet at collapse or crisis point. This space wants a lot of watching but with hope rather than despair. [S](#)