

Criminal Justice Alliance
Annual General Meeting 260418

Rory Stewart MP, Minister for Prisons & Probation

Rory Stewart: I'm very keen for this to be much more a case of my listening than my talking, because you know much more about prison than I do, so there's not really a great deal of point listening to me telling you about something you know 20 times more about than I do. But do let me just frame some questions I have in my mind and some thoughts.

Basically, I was shocked by the state of prisons when I began. Liverpool was the first one I visited, which of course, as you will have picked up from inspection reports, had piles of garbage, the windows were broken, the prisoners were locked up in their cells, the drug use was very high, the violence was very high, assaults were very high.

And so almost before we start talking about anything else, I'd like to do what I can to try to restore prisons to a situation in which they are decent, clean living environments, in which people feel safe, which aren't awash with drugs, which aren't plagued with violence.

And the reason why I think that's important is that unless we get that right, a lot of the other stuff is either empty rhetoric or, at best, a minority interest. My concern is that you can run a very high quality education programme, but if the prisoners can't be moved from their cells into the classroom, there's really not much point in it.

And many of the things that different people are doing are absolutely fantastic, but at the moment only about 20 per cent of prisoners on any given day actually get involved in most of these educational and purposeful activities.

Second, some of the fundamental problems with the prison system are probably not, I think, amenable to very dramatic radical change. What I mean is that the history of the prison service since the 1950s has been a history of various ministers and senior officials coming in and trying to drive radical change in a way that doesn't really take into account the reality of the system.

Look at Albany, which was the great experiment on the Isle of Wight in the 1960s. The idea was that it was going to be a therapeutic community. And it was going to be very democratically run. The reason I'm picking something 50 years ago is try and illustrate the fact that often in discussion, people talk as though these ideas are radically new and nobody's ever thought about them before.

But the story of Albany is that a very enlightened drive from the third sector and prison reformers led to the creation of a prison where there was meant to be an enormous amount of consultation and it was meant to be a very democratic system. There was a huge focus on therapeutic work and social work allied to the industrial work that prisoners were doing.

However, it was wrecked by the most fundamental things. The building wasn't completed on time. The electronic doors into the lavatories didn't work. The corridor design meant that it was almost impossible to move the prisoners from their rooms to the halls. The prison officers didn't feel that they had sufficient training to adjust to the system. The prisoners came from a classic and pretty toxic mix, which you would recognise today but was also true in 1962.

So the first thing that happened in Albany was that that a group of older, longer-term prisoners immediately began to protest that they had an orderly routine life where they knew what they were doing. They woke up in the morning, they went to their workshop, they came back for lunch, they went for their workshop, they cooked their meal.

And suddenly into their lives came a lot of young people on shorter sentences who were unbelievable disruptive, who didn't understand the routine. And then you had prison officers trying to respond by creating clear, predictable regimes directed at the younger people, which the older people thought were completely inappropriate for them, or were too petty and pernickety and obedience-related.

Then governors were rotated. So every 18 months or two years, the governor would be switched around and, of course, the prison system is set up – has always been set up, really since the 19th century – to give an incredible amount of autonomy to governors, in some respects although not entirely. But the difference between the military and the prison service for over 150 years has been that the governors have far more discretion over what happens in a prison than the captain of a naval ship has over a ship.

The result was that the new governor came in and almost immediately decided that the therapeutic, democratic interactions between prisoners and prison officers were largely inappropriate and returned to a more traditional and authoritarian interaction. And then a third governor came in, and the third governor turned it on its head again and by the end of five years, the entire system had been wrecked.

Now, why am I sharing this with you? Because at the heart of all these issues, going back to the late 1950s, is the question of not what you feel you ought to do, but what you can do. What can you do with the prisoners that you have, the prison officers you have, the governors you have, the buildings you have and the systems of appointment? For a Minister, the question is not what ought you do but what *can* you do.

For example, I think governors should ideally be there for ten years, which is what happens in the American system. But even if I'm left in this job for three or four years, it's almost inconceivable that I'm going to be able to change the tour lengths of governors from two years to ten years (for a dozen or more complicated reasons of recruitment, staffing, resources, promotion which I won't list out today) - and the same applies to many other apparently ideal solutions.

Therefore, working backwards, what we need to try and have a conversation about is how we find, together, changes that are possible, not changes that are ideal. One thing I do sense is that remand and short sentences are very unhelpful from the point of view of the prison administration. And very unhelpful from the point of view of reoffending.

If you're running Leeds prison and you have 120 new prisoners turning up a day, you have a very big problem. If you're running Spring Hill the older prisoners are completely fed up with people coming in for three or four weeks at a time and, from the point of view of the older prisoners, treating it as a holiday camp, vandalising it, trashing the place because they know they're going to be out in three or four weeks.

We know from an evidence point of view – we've got very good departmental evidence on this – that from the point of view of reoffending it's better to give someone a community sentence than put them in prison. But we've got really again think through how that would be changed, and what would be involved in trying to change that. Because this is not a new insight. This is something that people have been aware of for 30 or 40 years.

So we have to think through everything. We have to think through the fact that at the moment, if you assault a police officer, the maximum sentence you receive is 6 months. So if we were to say nobody should receive a sentence of under 12 months, we are effectively saying to the public that if you assault a police officer there is no option of a prison sentence. And the same would be true for some forms of domestic abuse. We really need to think that through.

These are just introductory remarks, 'hints followed by guesses', but I hope they serve to at least get conversation going. Now I want your ideas – come back and disagree – over to you!

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