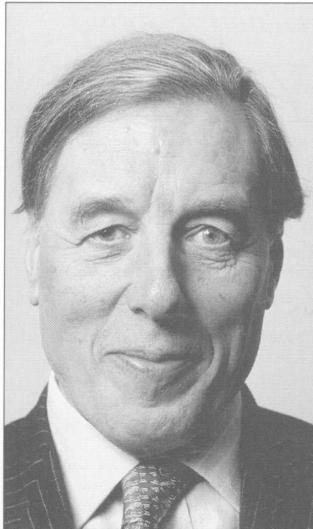


**S**ir David, what do you see as the major issues and concerns of prisons today?

Well I think there are issues on three levels. The first one is the problem of over-crowding. The second is the issue of security; there are two parts to the Prison Service Mission Statement: one is about keeping people secure for the period of their sentence, and the second is about tackling their

# Team player

**Sir David Ramsbotham talks to Mary Eaton about his proposals for improving the prisons.**



Jamie Carstairs

reoffending so that they can be resettled and rehabilitated into the community. Over the last four years there has been an almost total concentration on security and what now needs to happen is that the same degree of attention is given to what we are actually doing with them. There are 63,800 people in prison today and all except 26 are going to come out into the community, and the question must be "In what state of mind are they going to come out?"

That leads on to the third issue. For far too long too many people

have thought of prison in isolation. Prison must be seen as a member of the criminal justice team. I don't call it a criminal justice system because I don't think it is a system. It's a structure with a number of different agencies going their own way and the one thing that seems to be lacking is coordination and partnership. The other day I went into Cardiff and found a young offender on the same wing as somebody who had abused him as a child because the Prison Service didn't know, although Social Services knew, that those two should not be put together. Prison needs to be brought into the system as a member of the "team".

**Y**ou said that you don't think there is a system.

I don't think prisons are actually being directed from the top down as to what is expected of them, particularly those dealing with women and young offenders, because the whole of the Prison Service seems geared to the needs of the adult male. Around the country I'm finding some marvellous things that have been developed but, frankly, they're being done because people see the need rather than them being directed. I think the sex offender treatment programme that has been introduced is probably a good one. I think the cognitive skills programme which is being "borrowed" from Canada is an extremely good one. I think that the attempts to tackle anger management are good but, again, what I don't see is somebody saying "Now look, OK, somebody needs sex offender treatment; there's the programme; put him on it". There is no-one directing what should happen. I think we must split up the responsibility for delivering what goes on for women, for young offenders, for people in training prisons, for people in resettlement prisons, for people in local prisons, who all have different needs.

**Y**ou mentioned the specific needs of women prisoners which you addressed in the Thematic Review on Women. What's happened, what will happen, to the recommendations that you have made?

As I understand it the Director General has taken them extremely seriously and he's about to announce the result of an internal review of the Prison Service, from which somebody's going to be

appointed to be responsible for women's regimes. They will be responsible for responding to the recommendations in our report and I shall be asking questions about it. And the other thing that's happened which I'm very pleased about, is that the Prison Reform Trust has commissioned somebody to do a follow up to our report and ask questions about it publicly in a year's time. Before we did that report we discussed what we were doing with all the organisations who had an interest in women in prisons, not just the Prison Service. The partnership dealing with women in prison is everyone who has an interest in the offender before, during and after sentence. All have got something to contribute. The other thing which I think is very important is that Joyce Quin, the Minister, has told me that she intends to take a keen personal interest in the issue of women in prison, not just because she's a woman but because she realises that it's important that as Prisons Minister she understands the issues that are particular to women and, incidentally, the issues that are particular to young offenders.

**Y**ou've mentioned the young offenders. Would it be appropriate to say something about the Thematic Review? What are its major findings?

Firstly, I'm calling for the appointment of a Director of Young Offenders to make certain that there is consistency of delivery of regimes for young offenders wherever they happen to be, and with responsibility for designing the programmes to tackle offending behaviour, to make certain that education is appropriate, to try and introduce a full, purposeful and active day. You need somebody to do all that! It goes back to the well tried command principles that you must be accountable upwards and responsible downwards and that everyone knows where they are down to the officer on the landing. That's all been skewed recently by the idea that you can separate policy and operations. You can't.

The second thing that we think is that very serious consideration should be given to forming a young people's justice or youth justice system and removing all under 18s from prison, except those who are involved in either long sentences or sexual offences which require separate treatment.

Under 18s are children within the meaning of the Children Act 1989 and I would like to feel that they were removed from the corruption that is present in prison, allowing prisons to concentrate on adults. I call them (all those over 18) adults but in fact the more I think about it the more I think it might be appropriate if prisons were of one kind up to the age of 25 and one kind for the over 25s because you're still able to do something with the under 25s who have got a life ahead of them. Many of the others, have embarked on this life of crime and you really should treat them separately. We recommend that the young offender regimes should be built around a full, purposeful and active day. Staff are absolutely key to all this and must be selected and trained. They must also want to work with adolescents because you're dealing with an adolescent who happens to be behaving like an adolescent, some of which behaviour is criminal. You're not dealing with a criminal first. We must take the adolescence first.

The other thing is that it is terribly important, particularly with young offenders, that all those working with them should work together; probation, social services, all the education authorities, all the voluntary agencies. Now, looking at it, one realises that the key to success really is a job and of course the climate outside is not kind to job seekers, let alone people who have got a criminal background. Prison can't do anything about that. That is what the outside community has got to do, which is why there's got to be partnership. Also it's no good training people to go into an area where there isn't work. For instance you don't train a shipwright to go to Bradford any more than you'd train a cow hand to go to Brixton.

**Y**ou talked about staff training, Sir David. Do you have any ideas on particular characteristics that one would look for in staff working with young offenders?

Oh, yes. The first thing is they've got to want to work with them. That is critical. If you don't like them and you're not happy working with them, don't go near them because you'll damage them. Secondly, I think it's absolutely essential that in every young offender institution there is a sensible mix of gender amongst staff because there is no doubt that

some offenders in that very fragile period of their lives benefit from the presence of a woman in an establishment. Similarly, it's very important, I think, for some of the young female offenders to have responsible males around, particularly if they come from a background of abuse. This can show them that not all males are going to abuse them.

The second thing is that they've got to understand the nature of adolescence. There are some very good training courses now, designed by the Trust for the Study of Adolescence, to make you understand the nature of the young person and to examine your own reaction to them.

**Y**ou've talked about special provision for women and special provision for the young offenders.

Yes. The same applies to staff working with women. The other day I was appalled to find a female prison, Brockhill, where 80% of the staff were male. Now that is silly. It's been a women's prison for more than a year and, to my mind, there's no excuse for that extraordinary shortage of women to work with women. Quite apart from the fact that there are many activities that males should not conduct, like searches and so on, how can such a women's establishment, full of abused people, function? That shows me that management didn't understand the nature of what they were doing.

I think that one underlying problem with imprisonment is that nobody knows how much it actually costs. The only place I can find where you can start a costing exercise is the 12 priorities that were listed in the 1991 White Paper *Custody, Care and Justice* which was the last time that Parliament came together to agree on a programme for prisons. The Home Secretary said that this was a programme to take them into the next century. Fine, but nobody did anything about it. I would have expected action plans to be produced from those 12 priorities which were then costed so that when the Prison Service look at what they need when they're presenting to Ministers, they know the cost of what has been asked of them. Armed with accurate figures Ministers can then go and engage with the Treasury to try and obtain resources. If they don't get them the Prison Service should sit down and work out what options there

are for how to take those cuts, so that they can go back to the Minister and say "Look, because we haven't got enough money, these priorities are affected. Now, Minister, which one of them are you prepared to sacrifice or go and fight for more?". That hasn't happened. What's happened is that a sum of money has been presented in the form of a pot of gold. It's been split up by the Prison Service and allocated to Governors and Governors have been told to make cuts. This is not a very wise process because a Governor can only do what he can with the resources he has been given. If he's got tremendous staffing problems already he can't cut more staff, so he cuts education, or he cuts work, or he cuts probation, or he cuts psychology, and that process, of course, merely increases the inconsistency of delivery and increases the lottery that I was talking about. That, to my mind, is nonsense. Governors should not be put in that position. Decisions on cuts should rest fairly and squarely with the Prisons Board and they should be applied equally across each part of the Prison Service.

**Y**ou've looked at women and you've looked at youth in prisons. What will your next focus be for a thematic review?

I've got a number in mind. The first one I'm looking at is lifers. There are over 3,700 lifers in prison at the moment and a number of sentences are now likely to have mandatory life attached to them. As I go around the Prison Service I find that lifers are regarded in a whole variety of ways.

I find no evidence that there is structured sentence planning so that a lifer moves through the system - that each part of the system is geared to receive him and do something with him at the time that he's in it. We have reported recently on the inspection of Garth, a Category B prison with a large number of prisoners there for a long period of time in the middle of their sentence where enormous amounts of good work are done to challenge them and make them ready to move on. The problem is that there's not nearly enough in the Category C estate ready for them, nor is the Category D estate geared to take them at the end of their sentences and help them back into their community. We went to one Category D prison on the Isle of Sheppey and found it was half

full of people from Manchester. How on earth do you resettle people from Manchester on the Isle of Sheppey?

Last year I went up to Scotland and I saw the National Induction Centre where anyone with a sentence of 10 years or more goes for an induction period, preparing them for their sentence. I believe that this ought to happen to all people with that length of sentence in England, but particularly lifers. I'm also working with an inspector from the Inspectorate of Probation because, of course, life includes both custody and licence. We're working closely with the National Audit Office because they are examining the Parole Board. It seems to me it makes sense if their work and ours are dovetailed. We're also working together with the Chief Inspector of the Constabulary because they're looking at aspects of the handling of this type of prisoner from the police angle. So what we'll be publishing is perhaps a new type of thematic review in which many agencies are coming together although the theme is "How do you handle Lifers in Prison".

Then I want to look at suicide awareness because the report that was done by my predecessor in 1990 needs revisiting. There are far too many suicides and I want to go into the reasons why, including the amount of self harm, and also to look at the type of people involved - many, for example, are remand prisoners, a lot of them on drug withdrawal.

I want to look at through care - what is actually done in prison. I want to do that jointly with the probation service again, but I don't want to do it until the outcome of the Prison/Probation Review is known.

I want to look at local prisons because I am extremely concerned at the way remand prisoners are treated, particularly in view of the very long delays that some of them have before coming to trial. I found a man in Leeds who had been on remand for 3 years. No doubt he'd been stringing the system along to an extent, but that is inexcusable, as it is to find juveniles who have been on remand for over a year.

**D**o you think we should have a limit, as they do in Scotland?

Oh I do, totally. I've argued this many times. If we had the 110 day rule, some 5,000 prisoners would be out today, and wouldn't that

ease some of the over-crowding problem?

I'm very concerned also about health care and particularly the mentally disordered offender. I launched a document last November called *Patient or Prisoner?* I want the NHS to assume responsibility overall on a purchaser/provider relationship because it seems to me a complete anomaly that any sentenced prisoners in the United Kingdom should be outside the NHS, and then only from the period they are sentenced.

The numbers of the mentally disordered are increasing enormously, particularly those with a latent mental disorder which is being advanced by substance misuse. We've got to do something to stop this because prison is wholly the wrong place for them.

*Yes, I can see there is a lot there. You're optimistic, or you sound to me optimistic.*

I am optimistic and there are two reasons why I'm optimistic. The first is because of the quality of so many of the staff whom I found around the Prison Service and their obvious understanding of what they could do if they were given the tools. I find that what motivates an enormous number of them is that they want to work with prisoners. Some very talented and very highly qualified people, from very varied backgrounds, have joined the service recently.

Secondly, to be quite honest, I detect a very genuine interest by the new Government in the sort of issues I have mentioned. They have studied them, they listen and take a lead, which is enormously encouraging. The fact that the Prisons Minister has agreed to chair quarterly meetings of the Prisons Board, and give teeth to the policy, is symptomatic of this.

The only raw material that any country shares is its people, and woe betide you if you don't do everything you can to identify and nurture the talents that are there and repair any damage that they may have suffered, whether self-inflicted or otherwise. If, as a nation, you ignore your people, frankly, you pay the price. When I look round and see what's happened to many people in prison, I have to ask myself how our society has allowed this to happen. Frankly, I don't like it, and I look forward to helping the Prison Service improve its contribution to putting some of this deprivation to rights.

If there's one thing which the British prison system does not lack, it is outside scrutiny. A growing number of pressure groups and academics, lawyers and probation officers, journalists and politicians, maintain a careful eye on what goes on behind the prison gates. Those who prophesy that on current trends half the population of this country will soon be in prison, with the other half acting as guards, forget that at least a third of us would be finding employment as prison watchdogs.

the Prisons Ombudsman's office, appointed by Ministers and funded by the taxpayer, is surely now due for some scrutiny.

To his credit, that is something of which the Ombudsman, Sir Peter Woodhead, is very aware. He is currently in discussions with Ministers and academics about a proper evaluation of the way his office is working. Any results from such a project will take some time to come through. What can we say now about the Ombudsman's performance so far?

### The first three years

There have undoubtedly been some problems over the first three years. While the response from the Prison Service to the Ombudsman's initiative has been generally positive - there have, for example, been few difficulties with the POA or from staff actually working in gaols - some staff in Prison Service HQ have been suspicious or even occasionally obstructive. Most important was the Prison Service's successful attempt to have the Home Secretary rewrite the Ombudsman's terms of reference to exclude complaints about Ministerial decisions (including the official Prison Service advice to Ministers) to limit the Ombudsman's effective access to documents.

The signs are, however, that these difficulties are slowly being overcome. The proportion of

# End of term report

## Adam Sampson reflects on his work in the office of the Prisons Ombudsman.

After five years at the Prison Reform Trust and three at the Prisons Ombudsman's office, my term as a watchdog has come to an end. But during that time I was always struck that, unlike the Prison Service, these organisations had no-one looking over them, criticising what they have been doing (or failing to do). With PRT, that is perhaps not surprising. But



Julie Grogan

**“The most important - and least surprising - disappointment over the past three years has been the failure of the Ombudsman’s office to spread its work beyond a limited number of prisoners.”**

recommendations rejected has slowly declined to well under 10%. Relationships with Prison Service staff who were initially wary, such as those in the Dispersals Directorate, are gradually improving (although relationships with Lifer Group remain problematic). Ministers have signalled their willingness to discuss reversing some of the changes to his terms of reference; indeed, his remit will be expanded to include complaints about medical treatment and perhaps, in the longer term, deaths in custody.

But one cannot simply judge the Ombudsman according to how well he gets on with Ministers and prison officials. The question of how he serves his other constituency, potential and actual complainants, is much more difficult.

Again, the general trend is positive. However, the most

important - and least surprising - disappointment over the past three years has been the failure of the Ombudsman’s office to spread its work beyond a limited number of prisoners. Only a tiny number of the complaints which he receives come from young offenders, for example, and there are relatively few from prisoners on remand or serving short sentences.

### Endemic problems

Moreover, there is an almost insuperable problem at the heart of the Ombudsman’s service. If one were designing a complaints resolution service for the prison system, one would try to ensure that it was accessible, quick and effective. However, the Ombudsman can only intervene in cases where prisoners have exhausted the Prison Service’s own complaints procedure, a

process which often takes in excess of four months and which, because it is based on the use of written forms, necessarily excludes the many prisoners who have difficulty with written English. Unsurprisingly, few complainants successfully negotiate this system.

Even when an eligible complaint reaches the Ombudsman’s office, the process of investigation can sometimes be lengthy. Although the Ombudsman’s staff can rightly take pride in meeting their 12 week deadline in over 80% of cases, some cases can take many months to resolve. By the time that the Ombudsman has reported and the Prison Service has replied to the recommendation (a further six week delay), it may be impossible for the problem which inspired the complaint to be put right. Such a system can scarcely be described as accessible, quick and effective.

In the past few months, the Ombudsman has been looking at ways of rectifying these problems. Informal resolution is one possible solution, with simple complaints being settled quickly with the consent of both sides, rather than waiting for the completion of a formal Ombudsman investigation and report. However, whatever the solution he devises, until the Prison Service overhauls its own complaints procedures, no unilateral action by the Ombudsman will have much effect.

Which is not to say that the Ombudsman is immune to charges of being bureaucratic. The fact that the Ombudsman’s office is part of the Home Office and employs largely Home Office and Prison Service staff (my departure leaves only two non-Home Office staff still in post) has created a tendency towards working in a traditional Civil Service manner. Its Home Office status also undermines its desire to be thought to be genuinely independent. The political battles about its terms of reference which have beset its first three years eloquently state the need for the office to be placed in statute and to be given a level of real independence from the Home Office.

### Available safeguard

There are, then, some genuine challenges which the Prisons Ombudsman faces. Refreshingly,

he himself is aware of them. The Prisons Ombudsman’s office has, in its first three years, already established itself as a valuable safeguard for prisoners: an uphold rate of nearly 40% signals its even-handed approach. It also has the potential to extend its work into some very interesting and important areas. But it will be the task of Sir Peter Woodhead and whoever comes after him to ensure that he can find ways of ensuring that the service he offers is accessible, quick and effective, and does not gradually become elitist, bureaucratic and slow. ■

*Adam Sampson, formerly Assistant Prisons Ombudsman, takes up the post of Chief Executive of Rapt (Rehabilitation of Addicted Prisoners Trust) in January.*

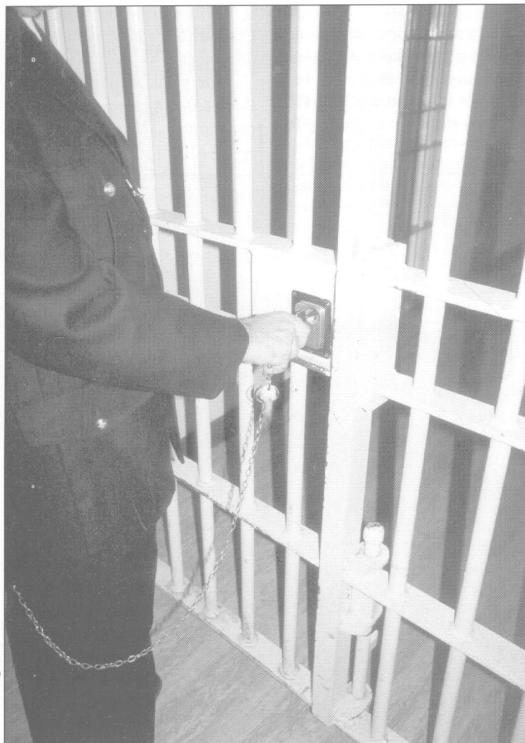
### PRISONERS’ EDUCATION TRUST

PET has recently received a report from Michael & Associates on a three year research project based on case-studies of thirty recidivist male prisoners who were funded by the Trust to take distance learning courses. The main aims of the research were to explore individual prisoners’ experiences of distance learning and its impact (if any) on their lives.

In broad terms one third of the sample completed their course successfully, one third made some progress with it, and the remaining third gave up at an early stage. Although the ‘completers’ were generally distinguished from the rest by previous experience of prison education, support from family, and/or strong motivation and clear objectives, one surprise finding was that three prisoners with initially very poor prognoses also completed their courses. They got a great deal out of their studies and one has subsequently continued with serious study after release.

If you wish to receive a copy of the report, please send a 38p stamped addressed envelope (9” x16”) to Prisoners’ Education Trust, Suite 39, Argyll House, 1A All Saints Passage, London SW18 1EP.

Registered Charity Number 328098



Julie Grogan