Interview: Phil Wheatley

Phil Wheatley *retired as Director General of the National Offender Management Service in June 2010. He is interviewed by* ***Jamie Bennett*** *who is Governor of HMP Morton Hall.*

Phil Wheatley has been the Director General of the National Offender Management Service since 2008. He is responsible for the management of prisons and probation, including a budget of around £5 billion to manage over quarter of a million offenders each year.

He joined the Prison Service in 1969, working as a prison officer at HMP Leeds and Hatfield Borstal. After a year he was selected for the Assistant Governors Course and moved into the management grades. As an Assistant Governor he held posts at HMP Hull, HMP Leeds and at the training college in Wakefield.

In 1982 he took up post as Deputy Governor of HMP Gartree, a 'dispersal' prison holding Category A prisoners. This was a post he held for the next four years. This was an important transitional period for the prison as it had suffered a series of disturbances during the 1970s. His role was to rebuild staff confidence, develop industrial relations and improve security and control.

He returned to HMP Hull in 1986 as Governor, just as the prison was coming out of the 'dispersal' estate and changing to become a local prison, albeit with a control unit for disruptive prisoners. Again, this was a post he held for four years as he saw the prison through the transition and through the crisis that followed a prisoner escape.

The role of Area Manager was created in 1990 in order to provide closer management and direction for prison governors. He was appointed Area Manager for the East Midlands and for two years established this role. Following this he took up the role of Assistant Director in charge of the headquarters department known as DOC 2, which managed prisoner movements, category A security, order and control. He managed this department during the follow up to the escapes from Whitemoor and Parkhurst in 1994 and 1995.

After a short period as Area Manager for London North in 1996, he took up post as the first Director of Dispersals. In this role he followed through the recommendations of the reports into the escapes of 1994 and 1995 and introduced changes that have contributed to the prevention of category A prisoner escapes since then. He is also credited as introducing changes during that period that reasserted order and control in those prisons, including developing the incentives and earned privileges scheme.

In 1999, he was appointed Deputy Director General for the Prison Service and took on responsibility for the operation of all prisons. During this period, he introduced more extensive monitoring of prisons through the development of key performance targets to measure prison performance. He also advocated a clear moral agenda for prisons and in 2002 made a speech at the Annual Conference in which he set out the tests for decency, suggesting that the 'a basic test of whether a prison is running decently is whether or not staff would be happy with their relatives being held there'[1].

In 2003, he became Director General of the Prison Service, the first person to join as a prison officer and rise to hold that post. He held this role during a period of significant organisational change as the National Offender Management Service was created to bring together prisons and probation. He was then appointed the Director General of NOMS in 2008 with a remit to introduce the revised organisational structures and make the vision of NOMS a reality.

At his final NOMS Annual conference in 2010, he delivered an address in which he set out some of the achievements of the last decade. This included: a reduction in escapes from almost 40 a year down to five last year; the halving of absconds, a reduction in reoffending of almost 10 per cent in prisons and over 7 per cent in probation; a 40 per cent reduction in further serious offences over three years; a 500 per cent increase in community programmes and a 300 per cent increase in prison ones; and in addition suicide in prison is at its lowest level for almost a quarter of a century. These are the achievements that underpin his time in charge of prisons and NOMS.

His longevity and achievements in a challenging and politically volatile environment mark out Phil Wheatley as arguably one of the most important and successful figures in the post-War criminal justice system.

This interview took place in April 2010

1. Cited in Coyle, A. (2003) *Humanity in Prison: Questions of definition and audit* London: International Centre for prison Studies.

JB: Why did you join the prison service?

PW: I'd done Law at University, which included an option for criminology and I became really interested in it. Tony Bottoms, or Professor Sir Anthony Bottoms as he is now, was in his first year lecturing and he was very interested in his subject and we also visited some prisons, so that got me interested. I decided that I didn't want to be a solicitor, which at that time seemed to mostly involve divorce or conveyancing. I thought about both the Probation and Prison Services. A friend of the family suggested prisons to me. I visited three more prisons through more family friends: Gaines Hall Borstal, Wakefield and Leeds. I was too young to join as an assistant governor, so the idea was that I would join as a prison officer and transfer over if I liked it and was any good.

JB: What do you see as the purpose of imprisonment?

PW: It's complicated. We've always existed to punish people. We have to be careful not to be mealy-mouthed about that because it is something that is experienced as a punishment by our punters and it is not our job to make it more of a punishment. We have always existed to protect the public. We hold a number of dangerous people and sometimes for a long time. I've also always believed that we should work to reduce the risk of reoffending and work to ensure that the right people get out on discretionary release. It's a mix of those objectives, no single one. Trying to keep a sensible balance so that we are achieving all of those objectives is part of what good prison governors and good senior managers do.

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JB: Can you bring your values into the role, your sense of what is right and wrong? Have you carried out work in the prison service that reflects those values?

PW: I think everything I have done has been influenced by my values. It's a values-driven business and that is part of the attraction of it. It is not a moral-free zone here. There are difficult moral judgements and that makes it interesting. I have never had to do anything thought was immoral and I've always been able to play in my judgement and take account of what I have believed to be right.

JB: What achievements are you most proud of during your time in prisons?

PW: Playing a major role as Deputy Governor of Gartree getting it into the position where it has become a very good prison. After a difficult time it learned how to do its job again. I also enjoyed making Hull a successful local prison. As an Area Manager, I was part of creating for the first time a set of regional managers for governors who knew what they did and were interested. Prior to that, I had rarely seen my regional manager or their assistants because Hull was too far away for them to turn up or show an interest. Creating real management has had a positive impact over time. In Dispersals, we stopped category A escapes and riots, we got them back under control. Looking back, they were places that were unsafe for prisoners and staff, there was a high murder rate for prisoners and staff were never quite sure if they were going to lock up. They have been made more ordered places, which is better for prisoners, staff and the public. I am also proud of the major improvements since 1999 in making sure that everything is based on the idea of 'decency' and we have driven improvements in performance that make sense operationally, not just meeting targets when underneath nothing has really changed or is adrift. Everyone who has worked through the last ten years or so has seen significant improvement: reduced escapes; reduced reoffending; reduced suicides; reduced absconds. These are things we would never have thought were possible and they have been achieved without the major losses of order that were endemic in the 70s, 80s and 90s.

JB: Is there anything in your career that you look back upon and regret or wish that you had done differently?

PW: I try not to look back in a negative way as that is the enemy of making things happen. I try to look back and learn from experience. Having a category A escape at Hull wasn't a triumph but we did learn from it quickly and learn for the rest of the Service. We were pointing out issues that later became part of Woodcock Recommendations[2]. I have tried to use events that have gone wrong in order to learn.

2. Woodcock, J. (1994) *Report of an Inquiry into the Escape of Six Prisoners from the Special Secure Unit at Whitemoor Prison in Cambridgeshire on Friday 9 September 1994* HMSO: London.

JB: How would you describe your management and leadership styles?

PW: I usually work with stable management teams and get good people around me. If you look at the churn of people who work with me anywhere it has been low. I don't put up with people who don't do good work, or are lazy or lack integrity. I like people who work hard, know what they are doing and have high standards. When I get those people, I'm happy to acknowledge their skills, not second guess them and not claim their work as my own. That usually works well. Attention to detail is important in our job. A broad brush approach in our area often means that things go wrong, whether that is serious further offences in probation or escapes in prison. I have a style that means I'm on top of the job, understand the job, I am interested in the people and like the area of work. That's also been true of working with probation.

JB: have you had to change your style since also taking responsibility for probation and NOMS?

PW: The work with probation has been really interesting. I have been working with some really good people to find a way in which we can improve performance. In particular if prison and probation work together more effectively there will be benefits on both sides. Probation is an organisation where a straightforward command approach is not part of their history and is not appropriate. However, I do try to give a sense of direction. We are also trying to simplify processes and operating procedures, and ensure they don't get in the way of their staff making a real difference.

My job is to look after the people the courts send to us. That matters to me.

I have changed over time. I often start by trying to drive things forward by doing it myself; that is also true of when I went into high security prisons, but then quickly governors came on board so I wasn't really on my own. From being an Area Manager onwards I was much more conscious of the need to work through other people and develop them over time. I like to get the right people, give them the right systems, manage the environment so that they don't get distracted, give some direction and pay enough attention to detail to make sure everyone else pays attention. They are all things I have learned to do better.

JB: How would you describe your ideal prison officer?

PW: I can think of an officer in Hull who for me represented the ideal prison officer. He was absolutely dependable, really interested in the people he looked after and good at understanding people. He was able to be robust and he wouldn't put up with things that were not right. He could be directive when required. However, he was appreciated by prisoners as being someone who was genuinely interested in them and understood them. He had that ability to use authority based on sound relationships and to understand prisoners without condoning what they have done or when they misbehave. They are all the qualities of a good prison officer. There are a number of people who match that, but that particular officer is my touchstone for a good prison officer.

JB: What do you remember about that first day in Leeds prison in 1969?

PW: I remember being told it was not a good idea to smoke as all prisoners would be after your 'dibs' or fag ends, so if you didn't bring in fags you wouldn't be pestered or conned. That saved me from smoking so that was good advice. I was advised never to go drinking with the officers who went out to the pub at lunch time and came back breathing beer all over prisoners. That was simply a provocation that no good prison officer would do. Despite all its problems, Leeds was a lively place that had a good sense of humour. In those days there was a contrast between the grim, castle-like prison architecture, which looked like a dungeon, and the brighter atmosphere inside with people getting on with their imprisonment, getting on with staff okay with a sense of humour. I remember that even from the first day in the prison.

JB: One issue that has changed significantly since you joined is the number of people in prison. Your tenure as Director General has seen the prison population expand to its highest ever level and Britain become one of the most extensive users of imprisonment in Western Europe. How do you view and feel about this change?

PW: I have always regarded it as not my job to worry about the size of the population. I have said that my job is as a gaoler not a sentencer. My job is to look after the people the courts send to us. That matters to me. As someone who trained in law originally, I like the idea that we have an independent judiciary and that people like me do not decide what happens to offenders. That is perfectly proper.

For society it is a real issue. Do we really want to pay for this number of people to be locked up and are we really sure that it is the right thing to be

doing? But that's a political issue and not an issue upon which I should have public views, but one that we as a society should think about and decide where we want to spend our money because if we spend our money on prisons we cannot spend it anywhere else. We should consider what effect it has on offenders and on victims if we choose to do something different and on those who are relatives and dependents of prisoners. It is a complicated issue and something we should do knowingly and having thought about it as a society.

Although we have the highest prison population in Western Europe, if you cut the data differently and look at our prison population against offences, it does not look like the highest in Europe[3] We should take account of the fact that we are an urbanised society compared to a number of our comparators, and crime is mainly an urban issue. It is important to be careful when comparing things as we are not always comparing like with like.

JB: How has imprisonment changed for women during that time? As Baroness Corston argued[4], should women even be held in prisons?

PW: It is not for me to decide whether they are or they are not. I expect the courts to dispense justice carefully according to the individual circumstances of the cases they are dealing with. That should not be based on gender but it should be based on what people have done and their culpability. If the courts have done their job properly, it is then a question of how I lock up women offenders. They come with some particular difficulties. Women commit less crime, so there are fewer of them in prison and they have always been a small part of the estate, so they are less likely to be held near home. In our society women are more likely to be the primary carers of children so there are more likely to be children's issues, but not exclusively for women. As a statement of fact it seems that the women who are sent to prison are more likely to have extensive drug problems, and come with more addiction to hard drugs. There are also issues around the number of foreign national women whom we are holding, sometimes for smuggling drugs. That courier activity has often been done by women under the control of men who are organising the importation. There are therefore people we are holding who have no relatives or dependents in the country and are being held on comparatively long sentences — that creates a different dynamic. We need to adjust to those dynamics rather than simply saying that things should be done differently for women. It should be justified on the hard facts of the women we are dealing with.

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JB: What about children? There are over 2500 children in prison, how has this changed and how do you feel about the imprisonment of children?

PW: We looked after them very badly at one stage because we were looking after them alongside older prisoners and with scarce resources. My experience at Hull was that we had a Blundeston-style wing with every cell doubled. We were holding juveniles alongside the under-21 group with a maximum capacity of 200 in a wing that should not really have held more than a hundred. At any one time during the main shift there would be eight staff to make this system work. It was not well resourced, it was poor accommodation and the provision of occupation was limited. We did our damnedest but it was not a good way of looking after what were quite young children.

The Youth Justice Board arrived with the dowry of additional money, which came as part of the spending review. Martin Narey[5] bid for this identifying it as an area needing investment. That combination of new money and focus has undoubtedly improved the way that we look after those under eighteen. We call them children and they are legally children, but many of them are big children in for serious offences. It can be a problematical group for staff to look after, although they are immature and many have had grim lives and come with multiple problems.

JB: There have been significant changes in race equality over the last decade. Are prisons different from when you started and are we at the end of the line, is equality a reality?

PW: We have improved the way that we deal with black and minority ethnic prisoners, visitors and staff. When I joined in the late 60s there was little attention

3. This claim is based on research by the think tank Civitas, see Grove, E. (2005) *What's our problem?* in *Prison Service Journal* No.159 p.25-29. However, their claims have been controversial and have been challenged, see for example Garside, R. (2005) *Wrong question; wrong answer* in *Prison Service Journal* No. 161 p.10-14.
4. Baroness Corston (2007) *The Corston Report: A Review of women with vulnerabilities in the criminal justice system* London: Home Office 2007.
5. Martin Narey was Director General of the Prison Service 1999-2003.

to the needs of BME people at all and probably outright discrimination at a number of levels. If you go far enough back there is a section in the book the Morrises did on Pentonville[6] which described the view at the time that they could not possibly have black staff because the white prisoners would give them a hard time. In the early 60s it was okay to say that and it was okay for academics to write that up as if it was probably right. If you go from that base to where we are today there has been a real improvement. We cannot ever say as a society that we have got race right. The potential for societies to splinter around lines that include racial divides is substantial. If you want a successful society, you have got to make sure that it is never allowed to happen. That means you have to be alert all of the time to discrimination, and work hard to make sure you eliminate it. We have made improvements, but if we ever turned around and said we have done that, it would be a sign that we had become complacent. Racial discrimination is much more complex than what I would call an 80s view where you simply have 'white' and 'black' and do not recognise that the racial tapestry of the country is complicated. We have to be alert to the possibility of discrimination between lots of different groups. We have to be conscious of this and work in ways that help to bind society together and do not cause it to splinter.

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JB: Have industrial relations changed during the time you have been working in prisons? If so, what has led to these changes?

PW: I joined a Service where we did not believe as officers that we could take industrial action and never did. I went through the 70s where following the disturbances generated by the prisoner rights movement, officers discovered they could take industrial action and as a result of this things happened, so consequently industrial action flourished. It became a tool to ensure that overtime payments were maintained, so whenever you got new staff along came the POA with a list of another ten jobs that were essential and if the governor did not concede to quickly there would be industrial action. That was grim and ran throughout the 70s and 80s. These were mostly locally generated issues rather than national. The only national action was the 1986 withdrawal of overtime that led to a wave of riots and the national refusal to take prisoners above CNA, which led to the opening of Frankland as an emergency and another army camp, staffed by the army and governors. That was all grim. Derek Lewis used the legal position which apparently senior people had known for years, although I didn't, that it was probably unlawful for prison officers to take industrial action. He took this to court to get an injunction and sure enough the courts agreed and the injunction was granted. This was followed by a much more stable time and more positive work was possible.

Most of the main improvements in performance have occurred since industrial action has not been the order of the day. I hope I have played a part in settling disputes where it made sense and when it did not, we made sure the right thing happened. We have worked constructively with the POA nationally and locally. It is particularly locally where relationships have got much better, and most local POAs work well with their governors. That was not true in the 70s, 80s or even much of the 90s. We also worked well nationally during the period when we introduced performance testing and worked successfully as a public service to win back Buckley Hall and Blakenhurst with POA co-operation and finding innovative ways of doing things. I have been disappointed that in later years that level of cooperation has not been there and the POA have been preoccupied unhelpfully with winning back the right to strike, which from my point of view led to the government re-imposing the restrictions that were originally introduced as section 127. As a result, the current government and probably future governments will not be willing to give prison officers the right to strike. It would be better to stop worrying about that and start worrying about how to make prisons better so that they are better places to work in.

JB: One of the changes that you are most closely associated with is the development of what has been called 'managerialism'. This has included the development of closer monitoring of prisons through audit, key performance targets and closer managerial control. What led your

6. Morris, T. and Morris, P (1963) *Pentonville: A sociological study of an English prison* London: Routledge.

commitment to these developments and what impact do you think they have had?

PW: I have always been interested in how you stop escapes, stop prisons having riots, stop reoffending, things that most of us and certainly the public want. In my view you do not get those things without attention to detail and making sure things happen. For me the issue is the right kind of managerialism. I fly regularly on Easyjet whose planes turn up, work perfectly, with a staff that are well drilled and do a proper job. They have flown me backwards and forwards for the last six years roughly once a fortnight, with only one major delay in all that time. They do that by managerialism. They don't approach the engine on a whim and think I'll do a bit of it today or we might just bother to check our instruments before we set off or tell the passengers what to do in an emergency. They make sure that things happen properly. Much of what we do is the same. We have to make sure that what we do is done properly so that gives us security, control and enables us to do that regularly, not simply when one shift feels like doing it or the governor of the day thinks it might be worth bothering with. If that is managerialism, to make sure that things happen properly, then I am unrepentantly proud of it. The important thing is to manage the right things. Easyjet make sure they manage the right bits of the engine and what they decide to manage is based on a real understanding of how a plane works. We are the same. In the main, we have been able to decide what we are going to measure and manage. Key performance targets were developed by a group of young operational people who identified what mattered and what could be measured without torturing ourselves. That has played a major part in making us perform much better with real outturns that we can see and the public can be very pleased with.

JB: What is next for you?

PW: My official last day is 30 June and I hand over to Michael Spurr before that. I am currently a non-executive member of the Northern Ireland Prisons Board, I enjoy doing that. I will look around for work not in the immediate area as I do not want to be haunting my successor. I am delighted that Michael has been appointed and I want to give him a clean run at it. I do not want another full time job but I want a portfolio career with a number of interesting things. I have still got something to give and I have not run out of steam.