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Special edition:
Sex and Gender in Prisons

The background of the cover features a dark, textured surface with several glowing, organic, cell-like structures. These structures are primarily in shades of green and red, with some yellow and blue highlights. They have a 3D, glossy appearance, suggesting they might be biological cells or microscopic organisms. The overall aesthetic is scientific and somewhat mysterious.

Interview: Alex Chalk MP, Solicitor General for England and Wales, and former Minister for Prisons and Probation

Alex Chalk is MP for Cheltenham and is currently Solicitor General for England and Wales. He is interviewed by Dr. Jamie Bennett, who is a Deputy Director in HM Prisons and Probation Service.

Alex Chalk was elected as the Member of Parliament for Cheltenham in the 2015 general election, a seat he has retained in the two subsequent general elections. Prior to becoming a MP, he worked as a barrister, and was involved in both criminal and commercial work, including prosecuting serious crimes including terrorism, fraud and sexual violence.

From June 2015 to January 2019, Chalk was a member of the House of Commons Justice Select Committee, which examines the policies and spending of the Ministry of Justice and associated public bodies, including courts, legal aid, prisons, probation and the rule of law. It also advises on sentencing guidelines.

In February 2020, Chalk was appointed as Parliamentary Under-Secretary of State at the Ministry of Justice. In this role, he was responsible for mitigating the impact of coronavirus pandemic on the justice system. In March 2021, Chalk was temporarily appointed as Prisons and Probations Minister whilst his predecessor, Lucy Frazer QC MP, covered the role of Solicitor General during the post holder's period of parental leave.

This interview took place in September 2021.

JB: Could you describe your background and your route into politics?

AC: I spent 16 years as a legal aid barrister, prosecuting and defending in serious criminal cases involving terrorism, homicide, and serious fraud — at the Old Bailey, Southwark Crown Court and across the country. Whilst living in London, I trained to sit on a Youth Offender Panel and also became a councillor in Shepherds Bush.

Appearing in our courts was a real privilege and hugely fulfilling, but I always had that public service 'itch' — the instinct to put yourself amongst the great problems facing our society and to play a part in their solution. When the opportunity to become an MP came up in my hometown of Cheltenham, I had to give it a go.

JB: How would you describe the purpose of imprisonment?

AC: There are many — but the key ones I'd pick out are punishment, protection of the public, and rehabilitation.

We need to go as far and fast as possible on that last one. Taxpayers spend around £18 billion on reoffending costs every year (far more than the total annual cost of the prisons and probation). Helping offenders put their criminality behind them is not just good for them — it's good for society and the taxpayer too.

It's why I'm so passionate about projects like Clink Restaurants, which will ramp up the number of prisoners across England and Wales working in the prison kitchens to gain valuable qualifications to set them up for jobs on the outside. Hope, and the dignity of a job, are powerful drivers to help offenders move forward with their lives.

When I visited the Clink Restaurant in HMP Brixton it was really moving to hear a trainer tell me that the prisoners he taught were more skilled and motivated than the students he'd taught on the outside.

JB: The use of imprisonment is proportionally higher in England and Wales than in other Western European countries such as France, Germany and Republic of Ireland. Is imprisonment being used most effectively? How might you like to see the rate or use of imprisonment change in the future?

AC: I'm a barrister first, and a politician second. So it's deeply engrained in me that the independent judiciary decide on sentence, having weighed up the details of the case together with the defendant's personal mitigation. Our job as the State is to give effect to the sentence of the court in a secure and humane way.

I can say though that I welcome the maximum use of alternatives to custody where that genuinely delivers justice for victims and the community. Community orders which mean offenders properly pay back for their crimes can in some cases meet the justice of the case, but these will only win the confidence of victims and judges if they are robust. They can't be a 'let-off' or a soft option. That's why I am so committed to ramping

up investment in making community payback credible, visible and local to the community where the crime took place.

When it comes to locking people up, I'm aware too that custody can be particularly damaging for women, and also their children, most of whom have to leave their family home when mum goes into prison. Women make up just 5 per cent of all prisoners, but through our Female Offender Strategy we are committed to reducing the number of women serving short custodial sentences, and we are developing Residential Women's Centres to provide a robust community sentence to address the often complex needs that can underly offending behaviour.

JB: The government have announced £4 billion investment in 18,000 new prisons by the mid-2020s¹. How will these prison places be different from current prison places?

AC: They will be brighter, cleaner and greener. I've visited HMP Five Wells for example, and it is a far cry from one of those dank old Victorian prisons. The workshop facilities for example were really impressive, as were the visitor facilities which felt humane and decent. It was also good to see how the landings had been designed to allow for more on-wing purposeful activity.

Climate change is a massive priority for me and the Government, and our future prisons need to be part of our collective national effort to get to net zero emissions by 2050. Heat pumps, efficient lighting systems, and thousands of solar panels will help to reduce energy demand by half and cut carbon emissions by at least 85 per cent compared to prisons already under construction.

As well as delivering on sustainability, these new prisons will be built more quickly and cost effectively than ever before, thanks to modern construction methods and new technology that have already been incorporated into the new prison builds HMP Five Wells and at Glen Parva. We have evolved the design further for the four new prisons delivering better value through improved environment and accessibility, sustainability, and efficiency in construction.

JB: There have also been plans announced for 500 new places in women's prisons². Why are these needed and how will this accommodation differ from what is currently provided?

AC: The number of women in custody has gone down since 2010, which is welcome. But women will still be sentenced to imprisonment in the future, and we need to make sure we have a prison estate which is modern, trauma informed and rehabilitative.

By investing in these places, we will be able to deliver major improvements in conditions. This will include for example the opportunity for more women to progress into open conditions in the same prison

establishment, providing greater opportunities for employment and education without the disruption of being moved to a different prison.

The new accommodation designs are also conscious of and directly informed by the lived experiences of women in custody, who may have experienced physical and emotional violence and sexual abuse or exploitation. They will be specifically designed to meet the needs of women.

But I want to see maximum use of alternatives to custody where that genuinely delivers justice for victims and the community. That's why we are also investing in those

community services, such as those delivered by the Nelson Trust which I visited recently, that tackle root causes of offending.

If, as a result of the work through the Female Offender Strategy and other initiatives, the projected increase in the women's population does not materialise then we have committed to using these places to close down existing older, less suitable accommodation in the women's estate.

JB: As you know, in 2020, prisons had to respond rapidly to the threat from the coronavirus pandemic. This required regimes to be curtailed in order to reduce transmission risk. What are your views on the actions taken in England and Welsh prisons?

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1. Ministry of Justice (2020). The New Prisons programme: Public Consultation. Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/947285/new-prison-programme-buckinghamshire.pdf

2. See <https://www.gov.uk/government/news/extra-funding-for-organisations-that-steer-women-away-from-crime>

AC: At the start of the pandemic Public Health England predicted up to 2,700 prisoners could be killed by the virus if certain conditions weren't met. At the time of writing, the figure is under 130. Every death is a deep sadness for the family and friends of the prisoner, and it's thanks to the decisive action taken by the Prison Service that the figures are not far higher. Thousands of officers and prisoners were kept safe during what has been the greatest challenge ever to face the service.

Although the measures were right and necessary, they were tough too and made day-to-day life in what was already challenging circumstances even more difficult. Understanding that they came at a cost, we prioritised prisoners' mental health and wellbeing when introducing them.

When we decided to temporarily suspend social visits for adult prisoners, in line with the new national restrictions, we issued mobile phones to establishments without in-cell telephony and introduced additional PIN phone credit each week. We also rolled out at pace secure video-call technology into every single prison in the male, female, and youth estate. Both these provisions enabled prisoners to remain in touch with their families, which is essential for their rehabilitation.

Innovative methods meant vital rehabilitation work — such as education and exercise continued despite restricted regimes by being moved in-cell where possible.

I'm incredibly proud of all our staff on the frontline who showed such courage, resilience and humanity.

JB: How will prisons 'build back better' as the pandemic eases? What do you see as being the main features of the 'new normal'? How will the reductions in violence and suicide that have been seen during the pandemic be sustained when activities increase?

AC: It is absolutely right that we continue to look at what lessons can be learned from the pandemic. As the country builds back better from the coronavirus pandemic, so too will the Prison Service.

The restrictions introduced across the estate were a temporary emergency measure to protect life — it was never intended to be a long-term solution to the problems with violence or self-harm across the estate. So we want to see a return the purposeful activity which is the hallmark of every successful prison.

I've visited a fair few prisons now, and I'm very conscious that they are all very different — different architecture, different prisoner cohorts, different culture. But there are some common themes that governors and directors across the estate I speak to seem focused on. In particular, there's a recognition that carrying out purposeful activity in smaller groups can be a valuable tool for driving down bullying and intimidation. I saw really good examples at HMP Bristol, for instance, of activities on wing and even on landing which prisoners were really positive about.

We have created a wellbeing plan for prisoners — which is a self-help tool that can be used by them to reflect on their triggers and coping strategies and shared with staff if they wish. We also recently refreshed guidance for all prison staff on how to identify individuals at risk of self-harm and suicide and ensure that they are provided with the support they need throughout their time in custody. We are currently developing new training focusing on risks, triggers, and protective factors relating to self-harm and suicide which will be rolled out to

prison staff in early 2022. The increase in activities will not eliminate the need for us to keep an eye on prisoner's mental health.

When it comes to violence, we know it is driven by a range of factors, which is why we are targeting illicit items such as drugs and mobile phones that cause so much damage when they get into the hands of prisoners.

JB: Digital and technology are increasingly important in everyday life and yet the centre for Social Justice has described that prisoners are 'among the most digitally excluded in our society'³. What changes are taking place to improve access to information technology for education, family contact and resettlement? What

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3. Centre for Social Justice (2021). Digital Technology in Prisons: Unlocking relationships, learning and skills in UK prisons. Available at <https://www.centreforsocialjustice.org.uk/wp-content/uploads/2021/01/CSJJ8671-Digital-In-Prisons-INTS-210114-WEB.pdf>. P.4

are the risks and opportunities of increased digital access?

AC: Throughout the pandemic, digital technology played a crucial role in enabling prisoners to maintain family contact. It was also hugely responsible for us being able to keep education running wherever possible, so its importance is clear. So much so, that we are exploring how we can optimise the benefits of video calling technology to maintain and improve family ties beyond the pandemic.

We know digital technology is key to reducing reoffending and cutting crime and that's why we're so invested in preparing prisoners for release by giving them the skills to find a job. After all, as the Centre for Social Justice noted, nearly all jobs require digital literacy of at least a basic level.

That said, we are extremely careful about providing digital access safely. We have a secure virtual learning platform in prisons called the Virtual Campus which has been extensively upgraded and is available on every prison education department computer. This is a secure web based-platform with limited access to the wider internet that supports education delivery — wider internet restrictions exist for good reason. Improved IT qualifications are already available in prisons and work is ongoing to improve the way offenders can access educational online platforms.

JB: The Commission on Race and Ethnic Disparities⁴, commissioned by the government, made a number of important observations and recommendations. They concluded that while racism continues to exist in contemporary society, other factors, including geography, family, socio-economic background, culture and religion also have a role in shaping the life chances of individuals. The Commission also suggested that improvements could be found in supportive families and participation in civic life. What do you see as the implications of this report for prison, probation and youth custody?

AC: A key takeaway of the CRED report for us is how upstream factors, such as in health and education, or a person's socio-economic status, can make it more likely that someone ends up in the criminal justice system. As such we must continue to identify the key drivers of disparities and tackle them in a coordinated manner. It's why we also need to intervene as early as possible, preferably where (for example) a child is demonstrating challenging or disruptive behaviour at school, and before s/he has turned to crime in the first place.

CRED also calls for the development of alternative approaches to justice for young people, such as supporting children at risk of criminal exploitation before they are too enmeshed in criminality to readily extricate themselves. The findings from CRED are helping to guide the work of the HMPPS Race Action Programme, which builds on the MoJ Race Action Plan — the three-year programme, launched in December 2020, tackling racial discrimination and disproportionality across HMPPS and creating a diverse and inclusive workforce. Prisoners, children and those on probation are also an important focus for this ambitious programme which will aim to reduce reoffending and optimise rehabilitative practices.

Through greater engagement with the Third Sector, improved commissioning practices, enhanced recruitment processes, consistent application of policies and the provision of

safe spaces to manage the effects of racial trauma, the HMPPS Race Action Programme will drive down the persistent inequalities which affect black, Asian and minority ethnic staff and prisoners.

JB: Crime does not stop at the prison gate. There are people in prison who continue to be involved in serious and organised crime, and violent extremism. How do you plan to tackle the risks presented by these groups and individuals?

AC: We must remain one step ahead of those criminals looking to continue illegal activities behind

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4. Commission on Race and Ethnic Disparities (2021) Commission on Race and Ethnic Disparities: The Report. Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974507/20210331_-_CRED_Report_-_FINAL_-_Web_Accessible.pdf.

bars — and that's why I'm so impressed by the new X-ray body scanners we're installing across the estate. They are better than anything we've previously seen in prisons and surpass anything currently on the market. The new technology is having a hugely positive impact, stemming the flow of contraband into jails and allowing staff to focus on rehabilitation.

The scanners form part of our wider aim to transform prisons, stepping up security to cut crime and ultimately better protecting the public.

We're spending £100 million to bolster prison security, clamping down on the weapons, drugs, and mobile phones that fuel violence and crime behind bars. Aside from the scanners, this is also funding other tough measures including phone-blocking technology and additional drug dogs.

We're also giving officers tools like PAVA pepper spray and body-worn cameras to make their jobs safer.

Terrorists are being locked up for longer and we have tough measures in place to prevent them from spreading their poisonous ideologies in prison. We're making sure our staff can identify, report, and stop such behaviour and so far, nearly 40,000 prison staff have been trained to do so.

We are committed to identifying extremist behaviour, and do this through monitoring communications, financial transactions, and the systematic removal of extremist materials from prisons.

Through effective management of terrorist offenders, we remain vigilant to the threat radicalisation poses both inside our prisons and upon release.

JB: A previous policy for tackling serious crime was the indeterminate sentence for public protection (IPP), which operated between 2005 and 2012. There remain over 3000 people in prison as a result of these sentences⁵. What is your view of the legacy of IPP?

AC: IPPs were a grave mistake in my view, and unwinding their legacy is extremely difficult. We are making good progress. There were 1,722 IPP prisoners

as at 30 June 2021 which represents a decrease of 13 per cent in the last year. The number of IPP prisoners who have been recalled to custody since then has also decreased by 2 per cent to 1,332. The overall number of IPP prisoners has fallen by more than two-thirds since 2012 so the numbers speak for themselves.

Our commitment is to help those still in custody progress towards release, but when a judge deems them to be a high risk to the public, it's left to the independent Parole Board to decide if they are safe to leave prison.

We will continue to support offenders with opportunities to demonstrate they no longer pose a risk to society.

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JB: Can prisons play a part in breaking the cycle of crime? How will those who want to change their lives be supported in prisons?

AC: If prisoners are released without finding solutions to help ensure they turn their lives around this will ultimately result in more crime, greater harm to victims, and an increased economic cost to society.

Prisons can absolutely help with breaking the cycle of crime. For instance, figures published in 2017 showed prisoners who undertook education during their sentence were 9 per cent less likely to go on to commit further crimes compared to those who didn't.

Prison education helps to change lives around and is a big

part of our plans to reduce reoffending and cut crime. This is why we are boosting the learning on offer to prisoners by creating a new Prisoner Education Service which will, with the help of around 400 employers, provide work and learning opportunities to offenders. In June, the Lord Chancellor also announced plans for an overhaul of the education on offer for prisoners with learning needs.

Charities and companies have recently been awarded nearly £200 million to provide and signpost vital support services that help reduce reoffending, such as employment, mental healthcare, and housing advice. With reoffending accounting for 80 per cent of all cautions and convictions in 2019, these services will

5. Edgar, K., Harris, M. and Webster, R. (2020) No life, no freedom, no future. The experiences of prisoners recalled under the sentence of Imprisonment for Public Protection London: Prison Reform Trust. Available at http://www.prisonreformtrust.org.uk/Portals/0/Documents/no%20freedom_final_web.pdf

help to prevent thousands of people from becoming victims each year and have the potential to save billions for the taxpayer.

Our support towards prisoners doesn't end when they are released either. The £220 million package announced earlier this year to tackle crime included the largest extra investment in drug treatment in 15 years. This is crucial as every prisoner will be able to continue drug recovery on release and the funding will expand the availability of treatment for those serving community sentences.

Equipping prisoners with the skills needed to find jobs and contribute to society does not take away from the fact that they are being punished by being behind bars. We just want to ensure offenders don't return to prison once they regain their freedom.

We also know that families and friends can be a positive influence on reducing reoffending and supporting prisoners to build and maintain healthy family ties is one of the many important factors to successful rehabilitation.

For women, the impact on families and children is even more significant. Children of imprisoned mothers are particularly affected by a custodial sentence and are also at increased risk of becoming offenders themselves in the future.

That is why a follow-up report on strengthening family and other relational ties for women was commissioned as part of the Female Offender Strategy (2018).

We have accepted all Lord Farmer's recommendations, and continue to work across MoJ, HMPPS and wider Government to improve access to family support for prisoners.

Last year, for example, we introduced family video calling across all prisons, and in-cell telephony in all closed women's prisons.

JB: What approach will you take to tackling drugs in prisons? Do you want to see more security, greater punishment or treatment?

AC: We are finding and stopping more drugs from getting into the hands of prisoners than ever before. This is a direct result of our huge investment in prison security.

Drugs break up families, ruin lives, and are major drivers of violent crime. They can also prevent criminals from exiting the vicious cycle of offending, so it's vital we do all we can to stop them from getting into prison wings.

The £100 million we are spending on security is on top of the extra £70 million spent across the estate to fund security improvements, including phone-blocking technology, enhanced perimeter searches, and more drug detection dogs.

These investments are making jails safer, and we are working closely with healthcare providers to ensure prisoners have the support they need to live drug-free upon release.

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JB: Public confidence in offending behaviour programmes has been shaken both by the evidence that the sex offender treatment programme was not effective, and the cases where violent extremists have faked compliance with interventions. What do you believe works in rehabilitating people in prison?

AC: The rehabilitation of sex offenders is a complex issue, subject to international scrutiny and research. We keep treatment programmes under constant review to reduce reoffending and protect the public. These programmes have been assessed and awarded accreditation by the

Correctional Services Accreditation and Advisory Panel, an independent committee of international experts. They attest to the fact that the programmes are in line with the latest evidence and thinking about what works.

In a similar vein, our approach to managing extremists in prison is recognised internationally and involves a range of tools, including tailored interventions which we continue to invest in and develop. These interventions help support reintegration into society and reduce the risk of further offending.

We have trained nearly 40,000 officers to spot the signs of extremism, more than doubled the number of specialist Counter-Terrorism staff, and have ended automatic early release for terrorists. Our new laws also mean they will face tougher sentences and monitoring on release.

JB: Holding children in custody is complex and controversial. Recent years have seen the closure of the secure training centres at Medway and Rainsbrook following poor inspection reports. It is planned that a new secure school on the Medway site will offer a blueprint for more effective support for the small number of children in custody. How will the secure school approach differ from what has been tried previously?

AC: Secure schools are a revolutionary approach to replace large custodial institutions with smaller settings that better cater to the complex needs of children. The new secure school on the Medway site will be run by education providers, who will provide a focus on education, healthcare, and rehabilitation.

We're committed to trialling secure schools as they have the potential to be instrumental in helping children get the support and relationships needed now and for their future resettlement.

JB: The families of people in prison can have a significant and often positive impact on wellbeing and success after prison. Have you met with the families of prisoners? How do you want to ensure that prisons help and support them?

AC: Over the last twenty years I have met with literally hundreds of families of defendants and offenders, including sitting with them outside court to explain what a life sentence or IPP means. Lord Farmer's 2017 review on prisoners and their family relationships rightly described creating and maintaining family ties as

the 'golden thread' running through the processes of all prisons. This thread runs through a prisoner's sentence and into the community space. Prisons play a vital role by supporting prisoners to keep in contact with their loved-ones and also by involving families during key stages of a sentence such as planning for release.

Technology has proved itself during this pandemic as a vital means for prisoners to retain and sustain those essential links.

JB: Have you watched the recent BBC series Time? What role does the media have in shaping public attitudes and views? How does the media affect you in your role?

AC: Yes I did. It was really powerful, and I know from my inbox that it prompted many people to take an interest in this area and write to their MP. Drama does have the ability to shape attitudes and trigger debates of course. I welcome that, but it's also important that the public get to see more real-life experience too. That's why we allowed cameras into prison recently see how terrorists are managed within the secure estate. It's so important that the public gets a sense of how modern prisons work, and the brilliant work that so many of our prison officers do, day in day out.

TV shows come and go, but there is a central theme that remains: the British people are overwhelmingly fair-minded. They recognise that when offenders are locked up, prisons should be safe, humane and rehabilitative. That is what we strive every day to achieve.