

The design and build of new prisons: Challenges and opportunities.

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In his current role, Robin Seaton is the Senior Responsible Owner (SRO) for the New Prisons programme and Chief Operating Officer for the Prison Capacity Sub-Portfolio, in the Ministry of Justice (MoJ). He has been in this role, and a Senior Civil Servant, for over four years, has held leadership positions in prison estate capital investment programmes for over seven years and has worked in the Criminal Justice System (CJS) since 2008.

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Starting off very broadly, what is the New Prisons programme?

The New Prisons Programme comprises six new prisons, delivering 10,000 prison places between them. Five of them are category C resettlement prisons and one is a category B training prison. They are at various stages of delivery, ranging from HMP Five Wells, which opened in February last year, through to sites that are still in the planning system. We also have HMP Fosse Way, which opened in May 2023, and HMP Millsike, which will be opening in 2025.

This build programme kicked off in 2016 as part of the Prison Estate Transformation Programme (PETP), which aimed to build 10,000 new prison places and planned to close prisons in a poor condition: a new-for-old estate renewal programme. While our rationale has become more linked to maximising available capacity, it's still retained that transformational ethos in what we're trying to achieve: better outcomes and better quality provision.

Thank you. Moving on to the point you just touched on regarding capacity and the remit shifting since PETP in 2016 there is a view and evidence (e.g., Prison Reform Trust, 2008) that larger prisons perform less effectively than smaller prisons and that 400-capacity, structured as 'communities', is a good size. How has this factored into the New Prisons Programme?

It's definitely research that we were cognisant of when we were designing this programme, and when we started one of our principles was that we wanted to think a bit differently about prison design. The fact is, when you're delivering a big project like this in government, you're always operating within a set of constraints — a finite amount of money, a deadline, and a set of outcomes you need to deliver — that you're trying to triangulate. For me, it's a question of the right way to balance these factors, so we've always had a focus on trying to drive better outcomes through design.

When we were working on the design of the new prisons in, we were thinking about a number of different things that would maybe shift the dial on enabling Governors, officers, and others working in prisons to achieve better outcomes. So, if you compare the prisons under the New Prison Programme to those built previously, like Oakwood or Berwyn, you will find in the new programme that the houseblocks and the communities are significantly smaller. While Berwyn's houseblocks are roughly 700 places, in our new prison design we've got 250-place houseblocks, each of those broken up into four floors of roughly 60 people per floor, with solid floors between each landing, creating smaller, individual communities. Essentially what we're trying to do there is to create the benefits of a smaller community size within the context of the larger institution in an effort to achieve our desired outcomes — more safety and stability, reduced violence, and so on — within a fixed financial envelope.

Did you have to be cognisant of staffing when you're talking about smaller communities? It gives the impression of needing more staff.

Right. There's definitely a debate to be had about efficiency and outcomes from a staffing point of view as well. But by getting the balance right in terms of scaling those communities, I think we've developed a physical design that can be run quite efficiently and enables good outcomes. Again, it's finding a way through enabling interpersonal interaction between

officers and prisoners and doing so at an acceptable cost. I think design has been a key way in which we've navigated that tension.

You have talked about focussing on better outcomes and the comparison to recent newer prisons that were completed prior to this New Prisons Programme starting, and how there has been improvements made. How is this Programme different and what are some of those key learnings?

You learn a bit more with each generation of what you do, don't you? I think we started this time from a place of trying to think really clearly about purpose. We knew that we were building category C resettlement prisons and we'd never purpose-designed and built a category C resettlement prison before. So that's clearly a significant opportunity, particularly because of the mismatch of supply and demand in the estate at the time. A very large proportion of sentenced prisoners, with up to a year or two left to serve, have been held in older Victorian local/reception prisons. Despite the hard work of colleagues in those prisons, these environments constrain the regimes that can be provided effectively at a time when a key priority should be focusing on a person's ability to succeed on release into the community. So, we focussed on helping those on the journey towards resettlement.

Given that opportunity, we thought carefully about what we wanted to achieve in terms of safety, security, decency, health and well-being, and longer-term outcomes, such as reoffending, and we tried to embody that in the design. We were influenced by a broad scope of academic research: not just prison literature, but education and healthcare literature as well. We also conducted wide-ranging stakeholder engagement, including conversations with people who work in prison at all levels and roles, as well as discussion with prisoners. We considered literature such as the Farmer Review, as well as international work. All of this influenced us, and it's exemplified in a few elements of the design.

Take the houseblock. We've talked about smaller communities, and about solid floors, so you don't have the galleried landings. That's really important from a noise management point of view, especially with noise being a big stressor. We've worked hard to maximise

natural light — not something you necessarily get an awful lot of on traditional prison landings — with big windows at the ends of the corridors as well as part-way down. We have also fitted acoustic panels in the houseblocks, which dramatically reduce noise.

We've used barless windows for the first time in an adult male prison in England and Wales. There is some good psychological research that suggests that breaking up the horizon with the vertical bars is not good for mental health. When we look out of a window, having a varied view with interest in both the foreground, and being able to see beyond for greater distances, is associated with better mental health. And from a security perspective you can't smash the glass like you can with traditional barred windows. People often think that health and wellbeing outcomes and security can be in tension, but actually, I think they can often be complementary.

There's also good evidence around lines of sight from both a staff and prisoner point of view. We have tried to create this through the cross-shape houseblocks with shorter spurs compared to the common K shape. So, cell windows aren't directly facing other cell windows and give a more varied view in the new design. The corridors are wider than you might normally expect to see, but they're also shorter. It's trying to keep things on a human scale so you can, for example, read body language at

the far end of a corridor, so you've got quality lines of sight throughout. At the centre of each floor of each wing you've got the staff desk, which is very much in the heart of the wing and reinforces that the staff are the heart of the operation.

The central services hub is designed, named, and located in the heart of the prison — traditionally it may have been called the amenities building. It is designed on some of the principles you might recognise from modern community design of civic spaces where seemingly unrelated services are co-located. The hub combines education, faith, health services, offender management, and a myriad of other services and providers 'under one roof'. This has benefits of co-locating staff to overcome silo working, improves ease of access for prisoners, and encourages them to engage with multiple and varied activities...a 'come for your GP appointment, stay for the library' approach! The design has evolved between the first three new prisons to bring efficiencies in construction, to introduce a purpose designed gym and to add internal courtyards that introduce green spaces, which evidence

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shows is associated with positive health and learning outcomes.

We went for 90 per cent single cells (as opposed to double occupancy cells), which feels about the right ratio. That is in contrast to HMP Berwyn, for example, which is 40 per cent double cells. Some people do benefit from sharing, but for the majority of people, individual cells promote safety, decency, wellbeing and so on.

Everything you've talked about sounds very progressive in terms of what we've done previously and takes into account lots of learning. Has that been implemented from the beginning — does HMP Five Wells have the design specifications that you've discussed?

Yes — Five Wells was the first prison to use this design. I think when you do anything for the first time you never get it 100 per cent right. When you operationalise something you identify improvements that you can make through tweaks to the design, either because the world changes around you or because actually things feel different in reality than they did in the plan. So, one of the great advantages in running the programme this way is that we're able to learn and improve with each new prison that we do. For example, one of the things that's different between Fosse Way and Five Wells is that halfway down the wings there is an area that we've turned into an interview room, a one-to-one space, which was previously an open stretch of corridor. One of the things that my team say, particularly the ex-probation officers, is that there's never enough space in prison to have a one-to-one conversation in private. And then take Millsike. Here the change is less in terms of houseblock design but in terms of sustainability: it's the first all-electric prison. We've got rid of burning fossil fuels on site, and reduced energy usage by nearly 90 per cent compared to Fosse Way.

That leads quite nicely into the next question because you have talked about design elements such as solid floors, noise management, barless windows etc. How much have advances in technology had an impact on design?

I think technology is really important — and funny that you mention it as only yesterday we created a video about the tech at Fosse Way with 'Mrwhosetheboss', who is the biggest technology YouTuber in the UK. The video takes you on a journey through the prison, taking in the biometrics, cameras, Traka cabinets,¹ use of AI, etc. And the National Tactical Response Group show how they use drones and so on. It's a great watch!

Technology is of course both an opportunity and threat. Tech development is one of the areas that the Service as a whole has to deal with, to keep pace with evolving threats, whether that's new generations of mobile phone technology or drone technology, which has become a big deal over the last five years or so.

That's equally true for us in developing new prisons. The technology to make sufficiently robust barless windows isn't something that we had 20 to 30 years ago, but is now something that we're able to take advantage of.

Construction methodology has also evolved hugely over the last few decades. MoJ and the Prison Service have for a long time been at the forefront of modernising the construction industry; one of our advantages is that we build lots of very, very similar rooms which lends itself to offsite manufacture and economies of scale. So roughly

70 per cent of prison construction is done offsite and then assembled on site. That means better quality, improved health and safety on the construction site, and more reliable delivery. And the process is more resilient to external shocks, like those that have affected the construction industry as a whole — for example the war in Ukraine, inflation, Covid-19, and resetting the relationship between Britain and the EU. It's all had an impact.

I've been really proud of the extent to which the team managed to keep delivering despite Covid-19. Fosse Way was the first big government construction contract to be signed after the pandemic began. Nonetheless, we delivered it, and Five Wells, on time and budget — and our use of modern construction tech was fundamental to that achievement.

The pace at which these new prisons are being built is unprecedented in comparison to the

1. Traka cabinets are fingerprint operated cabinets where prison keys, carried by staff members to open secure gates and doors within the prison, are held when not in use.

timeline on previous build programmes. What do you attribute this to? Is it the down to lessons learnt and economies of scale? It has been really interesting to read about the speed at which you're now able to kind of get a programme of this size up and running and completed.

Yes, the difference is huge. Compared to HMP Oakwood the main construction period has taken 20 per cent less time — about a 7-month saving — which, in a 10-year period, is a phenomenal improvement. In terms of the end-to-end process from the decision to build a new prison through to the first prisoner arriving, construction is no longer the bulk of that time. It's more other processes, like planning permission and design. We actually got the planning permission decision yesterday for the new prison at Gartree (the only category B trainer in the New Prison Programme), which I'm looking forward to delivering. We weren't expecting it, the Department of Levelling Up Housing and Communities (DLUHC) just released their Secretary of State's decision. Four down, two to go.

That's brilliant news. Just going back slightly to better outcomes and improvements in technology, have there been any changes with the new prisons and those due to come online with regards to in-cell technology and what that means for people living in prison?

Yes, that's a really good point. For context, with the six new prisons, five are going to be run by the private sector and one will be run by the public sector. What we've done in delivering the physical infrastructure is to provide high-speed networks and tech infrastructure so that operators have flexibility around tech solutions that they're providing. We're increasingly using Wi-Fi, so we have installed the infrastructure to facilitate this more easily.

Both at Five Wells and Fosse Way, there is individual tech in each cell that enables prisoners to do an enormous range of things within all of the usual constraints around security. Which links back to the idea of that journey towards resettlement. Some of the men may not have been outside of prison for quite a long time, so getting them used to modern tech is an important part of preparation for release. And self-direction, getting people used to taking responsibility for planning their time and booking appointments, for

example at the doctors, is fundamental to that resettlement journey as well. As well as all the usual things that can be done with tech around education and so on.

What are the longer-term plans around build capability in terms of ensuring that the prisons once open are fully mobilised and performing? Does this sit under your remit as well?

Yes, it does to an extent. As soon as the prison is open the responsibility transitions from me as SRO to Neil Richards as the Senior Business Owner (SBO) for private sector prisons (where the new prisons are run by a private provider).

Roughly 70 per cent of prison construction is done offsite and then assembled on site. That means better quality, improved health and safety on the construction site, and more reliable delivery.

Opening a new prison is a hugely challenging thing to do, whether it's done in the public sector or the private sector. Fundamentally you are creating a new organisation, a new culture, on a really large scale, with around 700 staff and then 1,500-1,700 prisoners. You will inevitably be hiring people who haven't worked in a prison before, so you've got to devise a compelling package of support for those people to enable them to develop and have the kind of capability that you need. You need great leaders at all levels to deliver that. I think people don't always appreciate the scale of what we're doing here. Each prison is similar in scale to

mobilising a new aircraft carrier.

As SRO how much input do you get into that? The hiring process, support package, mixture of new/experienced staff from other prisons. How much of that is taken into consideration?

We assess and score bidders' plans on that as part of the competition process. With Fosse Way and with Five Wells we've had the winning bidders come on board about 15 months before the arrival of the first prisoners. Throughout that time, we've been holding them to account for the quality of their plans and how they are delivering against them, and absolutely the workforce piece is at the core of that, knowing how many people they need get through the door, the attrition rate, the quality, the support package, etc. An effective workforce is fundamental.

Is there anything in terms of the Programme that ensures that evaluation is undertaken, that

looks at its impact and learning, has it met the plans it set out to achieve?

Yes. So any major project in government has to be evaluated. And evaluation is the right thing to do; I'd be doing it whether or not we had to be doing it. We're looking at a blended approach for a full evaluation, using external resource to complement the internal team. I think that kind of learning is fundamental. And we should be transparent around it.

And like you said, with each prison that you open now, you're taking the lessons learned into the next one. If you don't do the evaluation, how do you make improvements for the next one?

Exactly, and that sense of basically doing the same project and improving it each time is really important. To move from prisons into major projects theory for a bit, if you look at any of the literature about why major projects go wrong, it's generally because people try to do something bespoke and one-off every time. If you can do something that is repeatable, you can tweak, improve, and learn every time. Then it should get better and more reliable. Each time you stand a better chance of doing what you set out to do.

Thinking about the communities in which prisons are built, there is usually some push back and contention around opening a new prison. What has been the public opinion on new prisons in local communities and how is that being addressed?

It's a first principle that any prison needs to integrate well into its local community. There are benefits for both the prison and the community. For example, we closed HMP Wellingborough in 2012. There was a lot of discussion at that time locally about whether or not people wanted it back, and a campaign that suggested that people did. I think both Five Wells and Fosse Way have been good examples of local community engagement. Part of the offer is steady, reliable employment that's there for the long term, on top of hundreds of jobs and millions in local investment during the build itself. But beyond that, there's a host of really interesting stuff that both of those prisons have been doing. One of the obvious benefits is working with local companies to provide training and

employment opportunities in prison, that translate into a pathway outside of prison into permanent employment.

For example, the Midlands is a transport and logistics hub. A forklift truck company was working with Five Wells to train people up as engineers to fix forklift trucks because they had an ongoing shortfall in their workforce. Similarly at Fosse Way, there's a 360-degree excavator simulator helping to train prisoners ready for the workplace when they're released.

Five Wells and Fosse Way have done some other great things, like allowing the community to make use of the visits hall when the prison wasn't using it, and hosting elderly neighbours for Christmas lunch. There is

real value in bringing the community to the prison and vice versa. The fundamental thing is dialogue: having an open and creative conversation between prison and community about what each needs, and what they can offer, rather than making assumptions — or worse, not talking at all.

That's quite a different way of thinking, isn't it? Prisons are often very much seen as closed and a bit of a mystery.

Yes, and I think both prisons have done a great job on opening up. Another aspect of this that we've designed in is setting them up to enable and promote release on temporary licence (ROTL).

We have discussed community and resistance being one of the challenges. What are the biggest challenges of the Programme?

The frank answer is that securing planning permission is the hardest part. I can't talk in too much detail as we have two planning appeals ongoing, but I'd acknowledge that we've not had a pipeline of new prison sites that we could build on as we once did. So, when this programme started, we didn't have any sites ready to go and we were reliant on securing planning on all our sites. PSJ readers will have seen that the Lord Chancellor recently announced £30 million for purchasing and preparing new prison sites for the programme beyond this one, which I think recognises one of the fundamental challenges in developing and delivering prison infrastructure — securing permission for sites to build on in the first place.

Just going back a little bit, you talked about Covid-19 as one of the challenges. What impact did Covid-19 have and what learning has been specific to it?

There are two angles. One is construction, and one is design. The companies who are building prisons for us (Kier at Five Wells, and LendLease at Fosse Way) did a really good job in ensuring that they had safe workplaces that could continue to function during Covid-19. We had some advantages: when you're doing big construction and you're moving concrete panels around on an open site, you're not in a very closed space. Obviously once you are into the fit-out period inside things get a bit more challenging, but both companies did a great job in ensuring that their workforces were safe, which is fundamental. And of course, we had the opportunity to learn what works from one site to the next.

The prison design was pinned down prior to Covid-19 but one of the things that we made sure we did was to inform the design with what we knew about health and well-being. There are a number of features that help manage viral transmission risks — 90 per cent single cell accommodation for starters. The prisons are also designed with better airflow. That gives more ability to protect and shield and socially distance. The in-cell tech will help maintain family ties and contact with people if we need people to isolate in future. The spaces for prison activity have better ventilation and also more flexibility in the way that they can be used. But design can only take you so far. It's also about the way that you operate and keeping everyone, staff, and prisoners, safe.

We've talked about research and evidence. Is there anything in particular you want to focus on in terms of learning from the international arena?

We had a lot of discussions with a number of different countries and there were many good examples. It wasn't necessarily one example we took away but a blend of the good ideas that we found.

Has there been any of the reverse due to the New Prisons Programme, have you received international interest?

Yes, we've presented on it at conferences like EuroPris. And we've had conversations with a range of

jurisdictions around the world — plenty of prison services around the world are building new capacity. You find a lot of the time the thinking is quite similar around using design to drive better outcomes.

That leads on to quite nicely to my next question. We've talked a lot about design, and it obviously sounds very thought through in terms of not only from prisoner perspective but also from a staff perspective. How much of it has been linked to the research on ethical prison architecture?

It's not really a concept I was familiar with, but the article on it that you sent through in advance was really interesting and published quite recently [3 July 2023] but certainly it felt like a concept that spoke to the work that we had done and that we're doing. When I read the article, I found all the themes quite resonant.

That brings me quite naturally to the end of my questions, is there anything you haven't had an opportunity to cover that you'd like to?

We haven't talked about prisoners' families. One of the other aspects of design that we put a lot of thought into was the visits hall, especially reflecting on the outcomes of the Farmer Review [in 2017] and the good evidence that there is about strength of connection between prisoners and their families, and the impact this can have in the long term on reducing reoffending. We reflected on what would be a good quality visitor experience, both for those visiting and for prisoners. So that is reflected in the scale/size of the visits hall, and the noise management measures that provide a calm atmosphere, plus providing the opportunity to put in a decent quality cafe. There is also outside space connected to the visits hall for children, which can be used for prisoners on an enhanced regime as part of the incentive package.

I'd also like to mention the importance of joint working with the NHS. We have worked closely with NHS colleagues on the design of the prisons to ensure they're fit for purpose for modern healthcare provision, and so that the NHS's providers are ready to operate the prison healthcare when it opens. And at every stage they've been excellent to work with — it's a very strong partnership.

Thank you very much for your time.