Should prisoners work 9 to 5?

Joe Black, Mark Day, Steve Gillan and Gemma Lousley offer their views on plans to implement a 40-hour working week with minimum wages for prisoners.

Joe Black: A naive, ill thought out, divisive and ultimately unobtainable fantasy.

Proper meaningful jobs as opposed to menial, low-skilled and repetitive contract and administrative services work; jobs for everyone instead of a measly third of the prison population; being paid the minimum wage, nearly the same rate per hour as the average prisoner's weekly wage; and a decent savings pot for post-release use to supplement a pathetic discharge grant that hasn’t changed since 1995. What’s not to like? It certainly went down well at the Conservative Party Conference, or at least Ken Clarke’s claim that he would ‘make prisons tougher places of hard work … [and] instill in our jails, a regime of hard work’.

But here’s the rub: whilst it may have gained Clarke a temporary respite and appears to hold the potential to save his cash-strapped department some much needed money, closer scrutiny clearly reveals the plan for what it is: a naive, ill thought out, divisive and ultimately unobtainable fantasy.

Leaving aside the myriad of potentially insurmountable practical problems that should be obvious to anyone with a passing knowledge of the prison estate (such as the clash between current prison officers’ shift patterns and a 40-hour working week, the massive increase in their numbers that would be needed to facilitate such a scheme, the lack of suitable workshop spaces across the estate, etc.), there is a whole raft of powerful arguments against the introduction of a scheme that gives the impression of having been sketched out on the back of a fag packet (Pall Mall, of course).

For example, this scheme is only ever likely to involve lifers, the sort of stable long-term population that any prospective company would ideally want to use (c.f. the use of US maximum security prisons as sites for call centres). This would further exacerbate the existing jobs disparity between local prisons (where they are few and far between) and the rest of the estate, as well as introducing divisions within individual prisons between those who are able to secure a minimum wage job and those stuck without one, doing either contract and administrative services work or having none at all, as the Prison Service will certainly not be paying prisoners doing its cleaning, laundry and kitchen work the minimum wage. Sick, disabled and aged prisoners would also inevitably be discriminated against too.

Moreover, what will happen to the role of education within prisons? Given the choice between £5.93 an hour for work and attending an hour’s education for 30p, we all know which will prove the most popular. Also, given the widely quoted statistics on the poor literacy and numeracy of prisoners, how is the Prison Service going to encourage the sort of improvements needed in both before prospective companies will be willing to take on HMPS’ captive workforce? Or does Clarke expect these firms to pay for the necessary education of prisons as well as the building of the workshops (on-the-cheap privatisation?) that will be needed, as the Ministry of Justice almost certainly did not include any funding for this in the recently halved prisons building and maintenance programme fund?

Then there is the ‘no taxation without representation’ argument: following recent European Court of Human Rights ruling on the implementation of the Hirst vs. UK (No. 2) decision, as long-term prisoners are also the very group that Ministers want to prevent from ever having the vote. Add to this the notion of post-sentencing fines, deductions of wages to go to ‘victims’ groups, even where a prisoner has committed a ‘victimless crime’, when there already exists provisions for judges to impose compensation orders at trial; not to mention the idea of a post-release bond against further good behaviour – pre-crime fines anyone? No, this vision of a neo-Victorian rehabilitation regime established through compulsory hard work and a victim’s compensation tax amounts to a modern form of debt bondage and is a total non-starter in the opinion of the Campaign Against Prison Slavery.