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Special edition:
Recovering from the COVID-19 Pandemic

Prison officers and role of the Prison Officers' Association during the pandemic

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Mark Fairhurst has worked in prisons since 1992, serving most of his carer at HMP Liverpool. Throughout his career, he was active in union matters throughout his career and in 2015 was elected to the National Executive Committee of POA, the professional trades union for prison, correctional and secure psychiatric workers. In 2017, he was elected as National Chair of POA and re-elected to that position in 2021 for a five-year term.

The POA is the largest union in the United Kingdom representing uniformed prison officers and staff working in secure forensic psychiatric care. It has over thirty thousand members.

MK: Could you talk me through the impact of the pandemic? Did you have any previous experience to go on when it started?

MF: No, it took everybody by surprise and I don't think anybody thought that the situation would be as serious as it turned out to be. Way back in March 2020, when Boris Johnson announced to the nation that we all had to stay home, he was going to lock us down, the Prison Service wanted to carry on as normal for as long as they possibly could, without reacting at all — which we vehemently opposed. Credit where credit's due, the Director General Phil Copple came back to me within 24 hours and we agreed that we had to lock all our prisoners down. That was the day I put all our differences aside and said we need to work together to get through this because we just don't know how severe it was going to hit us.

There were no contingency plans in place for a global pandemic, it was a matter of adapting as we went, in the best interests of everybody. Back then, it was absolutely horrendous. The national POA representatives were told we could have full-time facility time, that we could work from home, because HMPPS needed us to be available 24/7 . I actually phoned my governor up at my home establishment, HMP Liverpool, and said 'Look, prisons are going to go into lockdown, we don't know what the effect is going to be'. There was obviously a lot of concern about that time because of the disorder seen in Italian prisons, that we may see similar here. I said, 'I'm here, if you want me to come in tomorrow, if you're short of staff, let me know and I'll come in' — and the governor said to me 'You stay where you are, you're needed where you are'.

I remember sitting at home on my laptop for between 14 and 16 hours a day, for at least three months, because all these emergency policies and documents and regime management plans were flying through to us and needed to be consulted on and agreed to get things done. It was horrendous for staff on the front line, because staff were self-isolating — back then it was 14 days if you had symptoms and you couldn't get a test. We had no personal protective equipment (PPE). We highlight concerns about PPE, and we'd actually asked for staff to be wearing face masks at the very least. We were told that Public Health England had advised our employer that the mitigations were adequate, and we didn't need PPE. Of course, we know now that the reasons we didn't get PPE was that it was all directed to the NHS, and there just wasn't the availability — that's the real reason. We pressed the issue strongly, and I'd personally held a meeting with the then Secretary of State Robert Buckland. Credit to him, he got us the PPE, but that didn't come in until the October 2020.

It was just a horrendous time. Getting on for 14 per cent of our staff were self-isolating at one stage, and it was just 'all hands on deck'. Looking back, everybody who works in the prisons, whether it be front-line prison officers, managers, civilians, support staff, they should all be extremely proud of what they've done. The modelling from the experts told us to expect at least 2,700 prisoner deaths, with no estimate for staff. As I sit here now I think the latest figures are 165 for prisoners and 37 for staff. That shows the lengths that my members have gone to in order to keep those in their care safe, while putting themselves at risk.

As a union we can be very proud of what we did for our members. When the first wave hit, we sourced free accommodation for them. If they didn't want to live at home, maybe because their parents were clinically extremely vulnerable or they wanted to be away from their partners or children because they were scared of the risk of bringing something home, we

actually sourced free accommodation for all POA members, and we utilised Centreparcs sites throughout the country. What an ethical company Centreparcs are, I can't praise them enough for what they did for us.

MK: You spoke of putting aside differences. Did that spirit continue as things developed?

MH: Yes, I can say that at this moment in time industrial relations have never been so good, that we are working in partnership, that we are working collaboratively, we are getting positive results and we're trying our best to keep COVID out of our prisons and to make our prisons safe for future regimes.

MK: Do you think there are any measures that were particularly effective? There was debate for many months over wearing masks and about social distancing, whether you could do that in prisons?

MH: You can certainly wear a mask in prison, but it's impossible in our environment to socially distance, I'm afraid. The measures that have worked are, surprisingly, the measures that the experts who have never worked in prisons, and the psychologists, told us would be a disaster: and that was prisoners spending more time locked up. That has actually been a success in preventing COVID from spreading in our jails. At the time when people thought there would be a reaction to that, self-harm reduced, and violence reduced; so, if it was having such a big effect on prisoners, self-harm would have increased. In every jail, that has not been the case. There's been an increase in self harm in the female estate, but that's understandable because many women are reliant on family contact, especially if they have children. But in the adult male estate, self-harm reduced. We've got to learn from that. I believe that men felt safer because they were unlocked in small groups rather than unlocked into a full wing with hundreds of prisoners, where they could feel under threat and where there was the opportunity to bully and intimidate people. That's a learning point we've got to take forward for safe regimes in the future

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MK: So the reduction in violence and self-harm, do you feel that has continued throughout the period?

MH: It continued during lockdown. As we've started to progress regimes and unlock a bit more, the violence has started to creep up, and that is a concern. What we've got to move away from is full wing unlock. Let's just unlock smaller numbers of prisoners, so there are more staff around, and if violence erupts, we can quell it. We can engage with prisoners and get to know them better, so when they get frustrated we can calm them down. That's what it used to be like in the 1990s, when we had higher staffing ratios.

MK: So the unlocking in smaller bubbles, which began in the 'reverse cohorting units' to keep new arrivals safe — you feel we have learnt that that is a good way to operate generally?

MH: Yes. As with every industry there's what I call 'rogue governors', who think that we need to go back to pre-COVID regimes and unlock large numbers of prisoners for hours upon end just for the sake of unlocking people. Well, that's not productive, it's not constructive, it's certainly not purposeful. It doesn't encourage anyone to reform. When you unlock somebody, there must be something purposeful for them to do, whether that's a remote digital visit, or a therapy group, or getting charities in, anger management courses, AA, NA, support mechanisms, address their offending behaviour. We should invest in workshops that give people work skills, so when they leave our care, they've got a chance of employment. I love it when reform groups criticise me and think I'm some sort of draconian prison officers' association leader who believes in banging people up and throwing away the key. Nothing could be further from the truth: I'm more of a prison reformer than the reformers. I don't believe in locking people up for long periods of time, unless they're persistently violent. My vision for prisons is let's get them in workshops, or in classrooms, where they can pick up skills that can increase their employability. Also, in workshops, why are we not paying prisoners the minimum wage? For example, DHL have warehouses in several prisons. Why are they not paying prisoners the minimum wage? If you're paying prisoners the minimum wage, a third can go to the Victims' Charter fund, a third to their savings for when they are released, and a third they can spend while they're in prison. Instead of that small discharge grant, with the savings they could go out with a couple of thousand pounds. They're also leaving a work skill so not only can they get a job, but they can get away from all the negative peer pressure, maybe put a deposit

down on a flat in another area and start afresh. We're giving people hope, we're giving people an opportunity to change.

MK: So pay prisoners in closed prisons in the same way that in open prisons people can earn a wage outside and have a levy taken from it?

MF: Why not? A private company coming in doesn't have recruitment overheads — they can just come in and pay them a flat rate, and they'll still save money, and you're encouraging a work ethos with prisoners. I've seen it work in Israel when I visited prisons there.

MK: Some groups like the Howard League have been arguing that for years. And is that POA policy?

MF: No, that's just my personal opinion as a prison officer with 30 years' experience.

MK: So there's no benefit in unlocking a whole wing?

MF: What's the point of unlocking a whole wing, just for time out of cell, when all they do when they're out of their cell is play pool, table tennis, or smoke drugs or act violently towards staff or other prisoners? That doesn't help rehabilitation. The only reason it happened is because governors are scared of getting a negative report out of the Chief Inspector of Prisons, who consistently complains about too many prisoners being banged up. But they wouldn't be banged up if someone would invest in workshops and education, that actually encouraged them to do something positive with their time.

MK: So you have a lobby here, such as HMIP, whose expectations look for 10 hours a day unlock.

MF: 10 hours a day to do what? To do nothing! 10 hours a day in a workshop learning to lay bricks, or plaster a wall, or paint and decorate, while being paid a decent wage for it, is more constructive and rehabilitative than anything.

MK: So unless we can go back to a time, if there was one, when it was normal in a Cat C trainer for people to work full-time and gain qualifications, you think we shouldn't push for a full day unlocked. That takes investment. So, do you think that in spite of the attempts to increase staff numbers in recent years, after the deep cuts of the years before that, we still need more staff in prisons?

MF: Since 2010 we lost over 7,000 from my staff. We're losing staff at a rate that we've never experienced before. The attrition rate is running at 12.5 per cent. As quick as we recruit we're losing them. In the last 3 months we've had more resignations than we've had new recruits. We can't continue in that vein. It's all down to wages. If you don't pay what we're worth, if you don't match other public sector bodies, you will not retain staff. If I join the police today, in 7 years' time as a policeman on the beat I'll be earning at least £37k. If I join as a prison officer today, in 7 years if I'm still a Band 3 prison officer I'll be earning £25k. Even the top rate of pay for a custodial manager is £38k. And in the private sector, they'll pay you £1500 just to start a job, in a much safer environment.

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MK: Is improving staffing levels relevant to recovering from the pandemic? We can only do it on the basis of more staff?

MF: Without a doubt. At the moment we're about 3000 frontline prison officers short, and with attrition we'll never get back up to that level. In a recovering economy more and more jobs are becoming available, with higher wages to attract the right candidates. Right now we can't compete. Only government can fix that.

MK: We can't compensate with new high-tech prisons?

MF: The problem with building new prisons is that, if you build them, you'll fill them. Why have we not looked at sentencing policy? The sentencing policy of this government seems to be 'bang them up for longer'. But what about those who are serving short sentences, 12 months and under? Could they not serve that time in the community?

MK: The POA has generally stayed out of sentencing policy.

MF: We have. And the reason is that we are there to enact the sentence of the court, so it would be wrong for us to interfere and have an opinion on that. We're the middle men, but as a prison officer what do you expect me to do with someone who's serving three months? I'll never rehabilitate or reform them. Would they not be better doing a community sentence which is robustly managed and supervised?

MK: So in recovering from the pandemic we have to get the staffing right, and the regime right. Anything else we have learnt?

MF: We have learnt that we can do things differently, and still be successful. We've learnt that trade unions and employers can work constructively together despite their differences. It's OK to disagree, but you can still work positively together.

MK: In some ways the position of the POA has been quite influential in this period?

MF: We have influenced a lot of policy, we've influenced regimes, and we've influenced how our prisons are beginning to come out of COVID. It's been a massive positive not only for our members, but for prisoners as well because I know that they feel safer, and they get to know staff better, which can only be a positive. What we're desperately trying to influence is government, to pay us more so that we can retain staff.

MK: Do you have any reflections on healthcare, and the way COVID-19 has been handled by healthcare providers?

MF: I feel sorry for healthcare providers now, because healthcare provision is all out to tender, and it's not NHS-run. So you've got all these private firms with profitable contracts but they can't live up to the expectations because they're struggling to recruit staff, as nobody wants to work in a prison. In relation to the pandemic, they've done as much as they possibly can with the difficulties they're facing, which includes their staff self-isolating. I would like to see prison healthcare run by NHS trusts; and I would like to see us bring back what we had in the 1990s, hospital officers — prison officers who were sent away for three years to do a nursing degree, paid for by the employer, so they are both a prison officer and a nurse.

MK: You spoke a while ago about 'rogue governors'. What do you think we have learnt during COVID-19 about management capability within the prison service, if anything?

MF: There are too many senior managers who want to make a name for themselves to the detriment of staff, and certainly to the detriment of safety. During the first lockdown we had example of governors unlocking prisoners for social activities. It's unacceptable. Just do the right thing. There'll be plenty of time to unlock people when it's safe to do so, but when you're in the middle of a pandemic, why would you risk people like that?

MK: For staff, it's been a torrid, testing time, and you've been supporting them. For the wellbeing of prison staff, other than what you've said already, are there any things the prison service should be focussing on as we come out of the pandemic, to reduce the risks and the pressure on prison staff?

In relation to the pandemic, they've done as much as they possibly can with the difficulties they're facing, which includes their staff self-isolating.

MF: I've never been so proud as a POA leader, to represent such a fantastic body of staff. I can't praise them enough. They're at the stage now where they're burnt out, they're stressed out, they're now anxious about the fourth wave. As we come out of COVID it's so important to allow those staff to take leave when they want to take leave; and if that means you have to close down regimes because your staff want to take some time off, then I'm afraid that's what you're going to have to do. On support, we don't have enough support in place onsite to deal with the mental health issues among staff. It's all right talking about peer care teams, but I'm talking about professional support for staff — mental health nurses and counsellors in every site, available for staff in the core day.

MK: Do you think there is too much reliance on telephone support services?

MF: You can't assess someone over a telephone. To be honest I don't want to call a freephone number and talk to someone who's on the minimum wage, who's not a trained counsellor or a trained mental health nurse. I want to be able to stay in my workplace, access someone in an office in my workplace, and offload and then get back to work. That makes more sense to me — face to face. We're seeing more and more PTSD, and we're picking up the pieces of that. We offer a rehab centre, that we share with the firefighters — there are three centres around the

country, available to POA members. It covers physical and mental conditions, so you can go there if you need physical treatment, or if you've been assaulted at work and have mental health needs, if you've suffered trauma — we've got trained psychologists on site, all the rehab facilities. You stay there at our expense for a week, and the employer may give you special leave to attend. My question is, why don't the employer have something like that for their staff? The police have it, for their staff. These people have just been through 20 months of anxiety, stress, worry and monotony — because it is monotonous, with the regimes so restricted. They're burnt out, they're stressed, and they are struggling to take leave because of absences. I get that, but your staff are your most important asset. Without them you can't unlock and if you don't look after them, you're not going to have those staff.

MK: You see that in the resignation rate?

MF: In October we had the highest resignation rate ever known in the service. 422 resignations in one month. That's on top of the fact that, because the economy is now recovering, 44 per cent less applications to the job — that tells me a story.