

PRISON SERVICE JOURNAL

January 2011 No 193



**Where does the prison
system go from here?**

Special Edition

Interview: Nick Hardwick

Nick Hardwick is HM Chief Inspector of Prisons. He is interviewed by Jamie Bennett who is Governor of HMP Morton Hall.

Nick Hardwick began work as Her Majesty's Chief Inspector of Prisons in July 2010. He was previously the first Chair of the Independent Police Complaints Commission from 2003 to 2010. His earlier career was in the voluntary sector, where he began working with young offenders for NACRO. From 1986 to 1995 he worked as Chief Executive of Centrepoin, a charity and housing association for young homeless people. In 1992 he was seconded to the Department of Environment to work as a special adviser to the then Housing Minister, Sir George Young Bt. MP. He was the Chief Executive of the Refugee Council from 1995 to 2003.

Her Majesty's Inspectorate of Prisons for England and Wales is an independent inspectorate which reports on conditions for and treatment of those in prison, young offender institutions and immigration detention facilities. HM Chief Inspector of Prisons is appointed from outside the Prison Service, for a term of five years. The Chief Inspector reports to Ministers on the treatment of prisoners and conditions in prisons in England and Wales.

The Prisons Inspectorate also has statutory responsibility to inspect all immigration removal centres and holding facilities. In addition, HM Chief Inspector of Prisons is invited to inspect the Military Corrective Training Centre in Colchester, prisons in Northern Ireland, the Channel Islands and Isle of Man.

JB: How do you regard our relatively high national imprisonment rate?

NH: I have the same reaction to it as Ministers have had coming into their role. I began my working life back in the 1980s working with young offenders for NACRO. I remember at that time people were worried that the imprisonment rate was getting close to 40,000. Then you go away and you do other things and although you keep a reasonable lay interest, you come back and discover to your surprise that the imprisonment rate has more than doubled. The same as Ken Clarke said: how can this be the case? It can't be that suddenly everyone has got much worse and it doesn't seem to me that by locking up more people that we feel any safer. It is a problem and it has got out of control. Apart from those arguments, we can't afford it.

JB: How likely do you think it is that this rate will be reduced? How desirable do you think this is?

NH: It is certainly desirable to reduce it. It has been striking how consistent Ministers have been in their stated desire to reduce it. The targets are not particularly ambitious; they are talking about getting the numbers down to 82,000. However, getting things going in the right direction is welcome. Clearly there is a difficulty as the increase comes largely from people getting longer sentences for serious offences, rather than an increase in people serving short sentences. Therefore it is politically difficult to reduce it quickly without releasing people before they have served the sentence imposed by the courts.

The other issue also arose in my previous job in charge of the Independent Police Complaints Commission. Contrary to popular belief, most people complained about the police because they had been the victims of crime and they didn't feel that the police or the criminal justice system more widely had dealt effectively with the crime against them. That didn't necessarily mean that they were vengeful but they did want an effective recognition of the wrong that had been done to them. Part of the challenge of getting the number of people in prison down is making sure that there are credible alternatives that victims can see as a proper acknowledgement of what has happened to them.

JB: What about quantum or scale? What do you believe would be an appropriate prison population?

NH: It is difficult to put a number on it but what I would like to see is a steady decline rather than a steady build up. There is not a right number here but we ought to be looking for a consistent reduction over time.

JB: Is Britain a broken society and to what degree do you think prisons can contribute towards addressing social problems such as poverty, unemployment, family breakdown and anti-social behaviour?

NH: No, I do not think Britain is a broken society. We are a fortunate society as a whole and shouldn't grumble. However, some people have limited life opportunities and huge difficulties to overcome. The reality is that in most cases prison does not help people to overcome those difficulties. If anything for the prisoner and the people left behind, in most cases it makes things worse. Some people lose their jobs or some people go into prison without a drug problem and come out with one. Having said all of that, for

some people prison can offer an opportunity for some stability to sort themselves out. In my opinion, prisons have to be more ambitious, it is not enough to punish people and keep them secure and safe in decent conditions. That is the baseline, the minimum that is required. Prisons have to be more focussed on reducing the risk of people reoffending when they leave. That does not mean that you can do that in every case or even in most cases, but you can reduce the rate at which people reoffend when they leave. That requires prisons to focus more single-mindedly on overcoming the problems that prevent that. We could do more than is being done at the moment.

JB: To what degree do you think it will be possible to achieve a 'rehabilitation revolution', significantly reducing reoffending, given the current squeeze on resources?

NH: I'm cautious about terms like 'revolution' but I understand the government's point about focussing on this issue. My impression coming into this new is that there needs to be a fundamental rethink in attitudes towards rehabilitation. It needs to be pushed further up the agenda. I believe that we can reduce the rate at which people reoffend. What is interesting about the Peterborough Project is that it is realistic, what they recognise is that for some people it is about reoffending less often and less seriously. You can reduce the rate of reoffending and in the current climate that is also an economic necessity. If we can do that it will reduce costs. It is not necessarily easy but we have to redouble our efforts in that area.

JB: How do you think the actual prisoner experience has shifted in recent years? How is it likely to change in the next few years?

NH: It is difficult to make comparisons being new in the role, but if you asked inspectors, they would say that on the whole prisons have improved and that would tend to be the evidence from our inspection process. That does not mean to say there are not areas where there are significant problems but overall there has been an improvement in safety and the physical conditions in which people are held. One of my concerns is that changes to reduce reoffending and reduce the prison population will take time to happen and the money will reduce more quickly than the numbers do, and as a consequence there is a risk that people will spend longer locked in their cells. That

would be counterproductive. There is also a risk that some of the smaller initiatives that create improvements for prisoners will be the first ones to be squeezed, so the regime will become more harsh and less productive. This is a risk and countervailing pressure to the pressure to improve regimes and reduce reoffending. We do not know how that balance will be struck and that is a challenging problem.

JB: What do you regard as the biggest problems in the prison system?

NH: There are three. I do not claim any fantastic insights and I will probably say what everyone else would say. First, prisons are being used as warehouses for people with multiple problems of which criminality is a symptom rather than a cause. We are locking up too many of the mad and the sad as well as the bad. Prisons have to deal with complex social problems without having the resources or being the right places to do that.

That job is made more difficult by a media culture that does not necessarily reflect wider public opinion and is not willing to engage in a meaningful discussion of the issues. One of the interesting experiences I have had is that when I speak to my friends and family about the fact that I visit and walk freely around prisons, is that one of their first reactions is 'aren't you scared?' They are reasonable people and what that means is that they believe that prisons are mainly full of violent people that need to be locked away to keep the public safe. The idea that I can walk around a prison does not fit with that image. That is revealing to me.

On a more practical level, whilst I knew intellectually that drugs were a big problem in prisons, seeing it is something different. I have been struck by the extent to which some of the prisons I have been into are dominated by drugs — searching is about drugs, safety of prisoners is about drugs, vulnerable prisoners is about drugs, control is about drugs, rehabilitation is about drugs. It dominates the discussion that is happening in the prison. We were in a prison recently where in the surveys, 31 per cent of prisoners told us it was easy to get drugs and 17 per cent said that they developed a drug problem in prison. You think these places have got great walls around them with barbed wire on top, how can that be? I'm not saying anything silly like people let drugs get in so as to keep prisoners quiet, but there is an element that people who work in that situation get used to it. When

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you come into it fresh it strikes me as extraordinary. Whilst I am sympathetic to the task prisons have, the fact that so many people develop a drug problem in there is intolerable.

JB: What are the major obstacles to prison reform?

NH: They are the other side of what I have said. Some of what needs to happen in order to reform prisons needs to take place outside of prisons. Prisons will end up warehousing these people with multiple needs if there are not resources in the community to deal with them. A lot of the pressure to put more people in prison comes from the media and with the drug issue prisons are often dealing with problems imported from outside. The squeeze that is happening in prisons as in other parts of the public services will be hard and will make things more difficult. The only way to respond is to try to free up prisons to be more innovative in their responses to issues. You do see that some prisons, in particular some private sector prisons are innovative in responding to the challenges they face. It does not have to be that private sector prisons can do that but public cannot, we have to find ways of enabling public sector prisons to be more innovative in their responses to the problems they face. We have to be careful that we do not stifle that ability to innovate.

JB: How do you see the idea of 'The Big Society' impacting on prisons?

NH: There is an issue about understanding what the 'Big Society' is. If the 'Big Society' means not everything being done by the state but also by communities and members of society having a role in prisons, then that is a good thing. You can see that already in prisons. IMBs are a good resource that are not valued enough. It is a good thing that members of the community come into prisons on a regular basis and take some responsibility for what is happening there. There are ways in which business can be involved in providing employment and training for people. There are small voluntary projects that risk being squeezed out in the cuts. These help not only by creating a positive environment inside the prison but also help to educate the public outside about what is going on. Prisons should not just be left to the

professionals, there is a role for a range of organisations out there to get involved and I hope that they have an opportunity to do that.

JB: Prisons have an extensive system of managerial monitoring and regulation, including key performance targets, audits, inspection and surveys of staff and prisoners. Is this affordable or necessary? Should prisons be the subject of deregulation?

NH: I have spent most of my working life being subject of those measures rather than providing them.

My view would be that you have to keep that constantly under review and ensure that it is proportionate to what is happening. Anyone who is involved in the running of prisons and is thoughtful about it knows that prisons are behind walls and out of the public gaze and there needs to be scrutiny. That should be a positive for prisons. One of the issues my predecessor, Anne Owers, talked about was the 'virtual prison' — there is the prison the governor thinks he or she is running and then there is what actually is happening and sometimes those two things do not fit. That can happen in any organisation but in prisons it is more problematic. An inspection coming in with a fresh look should be seen as a positive. In reality nobody jumps for joy when inspectors arrive but people are in general positive in

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their reaction to us.

JB: What role should the commercial sector have in imprisonment? Should they run prisons? Should they provide rehabilitation services? Should they provide support services?

NH: I do not have a view about them being good or bad. On the whole a mixed economy is a good thing. I would judge each individual case on its merits. I would not say that the public or private sector is better or worse, I would look at what was happening in an individual institution or a bid that they made in a competitive process, and make a judgement on the merits. The issue is not who is providing the facility, the issue is whether there is adequate control of that. Ultimately it may be a private provider but the state has to be accountable for what happens. In the end there has to be a direct and clear line of accountability, whoever is running the service.

JB: To what extent do you think private sector competition has altered the terrain of imprisonment?

NH: It is true to say that some private sector providers have been innovative and that has been a spur for change within the public sector. Overall the introduction of the private sector into prisons has been good because it has stimulated providers as a whole to look at what they do and how it can be improved and made more effective.

JB: There are plans to freeze public sector pay and make fundamental changes to pensions and employee benefits. What impact is this likely to have on existing prison staff and for the future workforce?

NH: These are going to be difficult times for everybody who works in the public sector. It doesn't seem to me that prisons are being singled out. There is a broader social and economic argument about the pace and scale of change but that is outside of my remit.

JB: How do you think industrial relations in prisons are likely to develop over the next four years?

NH: It is a concern. My impression coming in is that some of the IR feels old-fashioned and confrontational. On the one hand, in hierarchical and status conscious organisations, the way that staff are engaged and consulted and their expertise tapped into is not done effectively. On the other hand that leads to a situation where the responses are adversarial. It strikes me as old-fashioned.

JB: How should prison professionals make their voices heard in the current debates about prisons and imprisonment? Is anyone listening?

NH: They do have to make their voice heard. With any profession it is easy to fall into debating the finer points of theoretical detail with people who basically agree rather than going out and explaining to the public or people that do not agree with you. The prison world has not done a good job in explaining what really happens in prison, what it is like and what the issues are. I am not saying that is not a

difficult thing to do. We need to do more and that is one of the roles of the Inspectorate, to answer some of the concerns that people outside have had and try to explain what is really happening. That is of course difficult in the media climate I have discussed, but it needs to be done. It is not about banging an ideological drum, but we should be saying that if there is to be a debate about what prison is for, rehabilitation, numbers and so on, then that debate ought to be informed by the facts of what is going on. Prison professionals have a responsibility to get those facts over.

JB: What do you see as the role of the Inspectorate over the coming five years when financial pressure will be at its most intense and reform will be at its fastest pace?

NH: Part of our job is to explain what is happening and why, so we have to be an independent and trusted voice that is reporting back to the public about what is being done in their name. We are going to make some changes in how we operate. I want to move to a system where rather than making a large number of detailed recommendations about what should be happening, we focus on the outcomes we expect to see and expecting more from prisons in saying how they will meet those.

This pushes more of the responsibility for determining the improvements that are necessary will be made onto prisons rather than us mapping them in detail for them.

JB: Should the Inspectorate Expectations be altered to take account of the financial pressures facing prisons and the country more broadly?

NH: We should not alter them by saying that we expect the outcomes for prisoners to be reduced. It is not politically controversial to say that prisoners should continue to be safe, that prisons should be decent, and should give prisoners purposeful activity and help them resettle. We should not decrease our expectations for outcomes for prisoners at all. However, we should be less prescriptive about how those outcomes should be achieved.

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