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**Closing and Opening Prisons**

# Interview: Jeremy Wright

*Jeremy Wright is Member of Parliament for the constituency of Kenilworth and Southam. He became Minister for Prisons and Probation in September 2012 before becoming Attorney General in July 2014. He is interviewed by Sacha Darke, University of Westminster. The interview took place in April 2014.*

**SD: How do the prison closures fit in with wider Ministry of Justice and public sector prison reform, for example the transforming rehabilitation agenda, and the drive to reduce costs?**

**JW:** Well, as you say, there are two elements to that. There is the necessity to reduce costs. The Prison Unit Costs Programme is, as the name suggests, designed to take costs out of the prison system. We need to do that for all the reasons I don't need to go into around the state of the public finances. But there is also another purpose, and that is to give us the best environment in which to conduct rehabilitation because, as we always try and explain, prison has a number of different purposes. Yes, it needs to punish. Yes, it needs to protect the public. But it also needs to rehabilitate. And it's important that we give Prison Officers and others the best environment in which to conduct that rehabilitation. So, it isn't sensible to continue to try and deliver rehabilitation in old Victorian prisons where the environment isn't conducive to that. I think that in many of the prisons we have which are older prisons, the staff do a fantastic job, but they are doing it despite the environment, not because of it. If you move from that to a purpose-built much more modern environment, not only is it a better place to work, but also it enables you to build more capacity for working prisons for example. So quite a lot of Victorian prisons- you go to any of the Victorian prisons in London- they struggle to fit into the physical estate, the space they want for workshops, and other workspace. If you build something purpose built, then you have the capacity to put in some much more extensive workspace; and we are very much in favour of seeing prisoners work. That's partly for rehabilitative purposes, it's partly to make sure they are gainfully occupied during their custodial period. So, for all those reasons, it's sensible to move from older estate to newer estate and that's what we are seeking to do here.

**SD: It was reported in the papers in October 2013 that the prison system was nearing capacity following the closure of four prisons. Following the speed of these closures, does the system have enough resilience to cope with significant population fluctuations?**

**JW:** Yes, and we always keep enough capacity to deal with that, but you also have to factor in something else. And that is that if you keep a large number of empty prison cells that you are not using and you have no expectation of using in the near future, that has a cost. So we shouldn't expect I think the taxpayer to pay for prison capacity that they were not using and we have no expectation of using anytime soon. So, we've reduced the headroom to make sure we don't carry additional capacity that we are not going to need. But that doesn't mean to say that we haven't got the scope to bring some of that capacity back on stream if we need it. And, of course, what we've made very clear is that by the end of this parliament, which isn't all that far away now, we will have more adult male prison places than we inherited at the beginning of the parliament. So, there will be not only now, but in the future, sufficient prison capacity for the courts to send whoever they think it's appropriate to send into custody. That's our primary purpose, we have to provide the capacity that the courts may need. But, as I said, it's quite important that we prove that capacity in the most efficient way, but also in the way that is most conducive to the delivery of rehabilitation. So, what we are doing is we're building new capacity, we're building additional house blocks for existing prisons. The first of those will come on stream later on this year. And then we also have a longer term plan to provide a large new prison in Wrexham, which we expect to be operational in 2017. So there is new capacity coming on stream, but we have what we need to accept those that the courts send to us, and we will always seek to be in that position.

**SD: Has the closure program achieved the objectives that you hoped for?**

**JW:** Yes because we have been able to take costs out of the system by making those closures and to move towards a situation where we are going to be providing newer capacity. It's never easy to close institutions and it's always important, I think, to make it clear when you do, that it's no reflection at all of the performance of the staff who work there who, in many cases, have been doing a brilliant job. But, that, in many cases, is despite the environment they're in, not because of it. We've tried very hard to make sure that

we can conduct that closure programme without compulsory redundancies, but in the end you've got to make a rational judgement about how you use the estate that you've got. And if you've got headroom, if you've got facilities that are either very old and not fit for purpose, or which have very substantial amounts of money needing to be spent on them to bring them up to the required standard, then in the end you have to make a fairly hard-headed judgement as to what the best thing to do is. And so that will, in some cases, mean the closure of prisons, and that's why we have taken the decisions we have.

**SD: From what you have seen, has the public sector reform programme delivered through the Prison Unit Costs Programme made it more likely that future new build prisons such as the one at Wrexham could be operated by the public sector?**

**JW:** I will answer that, but just to go backwards a bit, the decisions that we were faced with — Chris Grayling and I — when we first came to the job in Autumn 2012, were connected to eight or nine prisons that at that point were being competed. So, we had to decide whether to privatise those prisons as part of what would have been a wider programme of privatisations in the future or whether to say, look, is there another way we can do this? And the other way which we decided we would do this is the, benchmarking programme which came to us as a result of the bids made by the public sector to run the eight or nine prisons which were at that point were being competed. They involved taking costs out of core custodial services, but keeping them in the public sector; but then contracting out ancillary services and things like the repair and maintenance contracts. And that seemed to us to be quite an attractive model. So, the deal that we did was to say to the public sector prison service, look, if you can do this everywhere, then this to us is an attractive model and we can put wholesale privatisation of individual prisons back on the shelf. And that is what we decided to do. The success of that programme — and I think so far so good, but there is more to be done — will certainly influence any decision as to whether or not prisons in the future can be managed on that model or whether we will have to look at a different way of doing that. I should make it clear, no decision has been taken as to how Wrexham prison would be run, but it is certainly true that if the benchmarking process is successful and demonstrates that it can be achieved, then it would

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increase the likelihood that we would do something similar at Wrexham.

**SD: How was the closure announcement communicated and what constraints to communication did you face?**

**JW:** Well the biggest constraint is that you have to tell Parliament first, so this is an announcement that Parliament has to hear before anyone else does. Of course, you also want to manage the sensitivities of telling staff members about the closure of their workplace and so we want them to know as soon as possible as well. Against all of that, you have also got to factor in that we have got a twenty-four hour media, and almost as soon as something is said, it becomes very public, very quickly. So giving staff the information as soon as we'd want to give it to them,

without compromising the rules of parliamentary procedure, is a big challenge. You can absolutely visualise members of staff who are on their day off or who are not working that particular day, going to see it on the news before they necessarily hear it from their governor; and that's always regrettable. We try very hard to avoid that where we can, and in relation to some of the recent closures, we really have tried hard. I think there was one incident where we were emailing somebody in Greece to give this information because that is where they happened to be. We

try very hard to give staff that information as quickly as possible because I am very conscious that it is going to come as a shock to them. Although, frankly, in some cases, I think, staff will have a fair idea that the prison's future may not be assured. It's up to me obviously to make sure, first of all, that parliament knows, but also that local Members of Parliament have that information as soon as we can give it to them as well. And then, the Governor will want to give that information to their staff as soon as he or she is able to do so.

**SD: What communication or engagement took place with cabinet colleagues and local MPs before, during, and after the closures?**

**JW:** In terms of local MPs, you always want to give them as much of a heads-up as you can. Then, of course, there are inevitably questions that get asked after the event and we need to respond to those and explain the rationale for what we are doing. There is, certainly, a period after the announcement where we field questions on the rationale behind it, but that that's absolutely as it should be. Of course, Members

of Parliament, and indeed members of the public, are perfectly entitled to ask questions about why we've done what we've done. And we think it's important to set out the rationale for each of those changes.

**SD: Is it possible to allow wider consultation with the public and professionals, such as with court closure programs and the opening of new prisons such as Wrexham, when considering prison closure sites?**

**JW:** There is, certainly in the opening of a new prison — there is a consultation process and that is of course because we have to go through a planning process, as well as a decision process within the confines of the Ministry of Justice, in order to establish a new prison. I think it's very difficult though, in relation to decisions to close prisons, to engage in any kind of extensive consultation beforehand. Effectively you are announcing at least your consideration of the closure of the prison well in advance and that causes some considerable concern among those who work there. I think if you were to consult on the closure of a prison, that would start people being very concerned. Then concluding perhaps that you weren't going to close that prison, you might have done a lot of damage in the process. So, that is a problem. In the end, we've got to make the best judgement we can as to how best to manage the prison estate, and I think if you consult people who work at a prison asking 'Do you want us to close your prison?' quite a lot will say no. And while it is actually interesting, I find, if you propose to a local community that you are going to build a prison near to them, quite a lot of people will object and say 'No we don't want that, thank you very much.' If, on the other hand, you talk to a community that's had a prison for a long time and say, 'We're going to take your prison away,' then they say 'No, don't take the prison away; we like the prison; the prison has all kinds of benefits to us.' So it is interesting that nobody wants it until they've got it, and then nobody wants to lose it.

**SD: Do you feel that larger prisons provide the best balance between rehabilitation, efficiency, safety, decency and security?**

**JW:** I think there are a couple of provisos here: I think it depends what you mean by 'larger prisons', and it depends how that prison is run and managed. I think a larger prison, by which I think we mean two thousand

or so places, is certainly capable of delivering all of those things if it's properly run; balancing the most cost-effective way of delivering the prison estate with the most effective way of delivering rehabilitation. I think we can get that balance right with a prison about that size. What I think people shouldn't run away with the idea of though is that this is the recreation of Titan Prisons, or that this it is the proposal to build, one monolithic structure with two-thousand prisoners in it. It won't be like that. It will be a number of smaller units that together will make up a larger whole. The advantage there is that you're able to create a smaller living environment, but you're able still to achieve the economies of scale of bringing in services for the whole prison. That seems to us the most cost-effective way of

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doing it as well as the way in which we can deliver the best facilities. Take Wrexham as a good example. If you look at the plans for Wrexham, then what we're proposing to do is to put two very large spaces for work in the middle of the prison and that's going to give you huge flexibility to do all kinds of vocational courses, forklift driving, warehouse management, bricklaying; all those things can be done if you have the space. And in some prisons that is exactly what is going on, and it's good to see because you are giving prisoners the kind of skills they need if they are going to go and find employment when they

leave. So giving yourself the scope to provide those kind of facilities, it's hugely important for rehabilitation and, realistically, you're not going to give yourself that kind of scope if you are building a smaller prison — you are only going to give yourself that if you are building a larger one. So I think we can get that balance right. It doesn't mean that we can assume it will all happen, we need to think about the details. But I do believe that if you have the proper approach to that balance between cost-effectiveness and providing the right environment for rehabilitation, you probably will end up actually with a prison of around two thousand places. And that is certainly the model we are seeking to follow in Wrexham.

**SD: In July 2010 Anne Owers suggested that the age of austerity offered the chance to reform a prison system had become too big to succeed. Is there still a role, as she recommended, for smaller prisons alongside the new larger prisons?**

**JW:** Yes, I don't think I should give the impression that we are overnight going to move to a position

where all prisons are two thousand places. There will still be a huge range of different types of institution and of course you want that, because different types of prisoner require different types of environment. We have the youth estate to think about as well, which isn't going to be replicating what we do exactly in the adult estate either. Also the female population needs to be accommodated in a different way. It doesn't follow that every prison will look the same. But we do think that you need to move towards a balance of cost-effectiveness with the ability to deliver good rehabilitation and that will move us towards a newer estate rather than to an older estate, but that is going to be a process over a considerable period of time. Our prisons are for people of all different ages at the moment, so it isn't going to be an overnight process, certainly.

**SD: In terms of the location of these prisons, the larger they get the fewer prisons we will have and the further people will be held away from their families. Is location an important part of the decision-making process?**

**JW:** Yes, if you take our decision in Wrexham, for example, what we have done there is look at where we have got a deficit between the demand for prison places and the prison places available. I have got a map on my wall of the prison estate and you only have to look at it to see where the big gaps are. There are no prisons in North Wales and we do have a deficit between demand and supply in the North-West of England in particular. So putting something in Wrexham, which is in North Wales, but gives us the capacity to accommodate some of that demand from the North-West of England, is very sensible. You are right that if you move towards larger prisons you will probably end up with fewer of them and of course this is an issue that we see in very sharp relief in the youth estate at the moment. Because of the drop in the population in the youth estate, we can justify fewer institutions. That means that young people, for whom I think distance from home is particularly important, end up being further away. I don't think there is actually much you can do about that because the only alternative would be to have a very small institution in lots and lots of different places and that isn't a viable model. I think we

do have to accept that there will always be challenges around closeness to home. What I think will help tremendously though is that we intend, as part of our Transforming Rehabilitation Programme, to establish what we call resettlement prisons. For eighty or so of the prisons in the estate at the moment, they will become resettlement prisons. What that means is we seek to get the majority of prisoners into a prison close to the area where they are going to be released for the closing stages of the custodial part of their sentence. Not only is it better for family to be able to come and visit them, but it is also a big advantage in the delivery

of rehabilitation. We want to see rehabilitation providers making contact with offenders when they are in the closing stages of the custodial part of their sentence, not just when they have left prison, but well before they have left prison so that they can make those initial contacts. They can start to develop a plan for what is going to happen when that offender walks out of that prison gate so that they are not doing it to an empty world in which they've got no guidance and no support, but they are doing it where they've got a rehabilitation provider already engaged with them who can assist them in that difficult period of transition, and then support them for a period of time thereafter. So, having resettlement prisons makes it easier to deliver that kind of rehabilitation because if you are a rehabilitation provider, you can

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concentrate your efforts in a couple of prisons where you are going to be finding the people who you are going to be dealing with out in the community. All of that, I think, is very important to remember when we're talking about where we locate our prisons and the type of prisons.

**SD: Another argument put forward in support of smaller prisons relates to prison cultures. Do you think good relationships between staff and prisoners can be delivered in the model of 2,000 population prisons with smaller units within them?**

**JW:** I do, because I think those inter-relationships are important. But you can have that so long as you have got a relatively manageably sized residential unit because that is where most of those relationships are going to occur. Absolutely, if we were building one

block with 2,000 prisoners in it, then I think that would be a valid concern, but I think what you are effectively talking about is, in residential terms at least, a number of smaller prisons on one site. In that case, I see no reason why we can't replicate those kinds of relationships.

**SD: How do you feel industrial relations within prisons, NOMS and more widely have been over the period of recent prison closures? How do you think they will be over the next few years?**

**JW:** I think, given that we are talking about a programme of prison closures, given that we are talking about taking cost out of the system, industrial relations are actually rather good, because you can imagine the pressures that there are in conducting all of those activities. I think a large part of it is showing our faith in the public sector's ability to do this by the benchmarking process. We have already worked with the unions to say, look, rather than privatising prison after prison after prison, lets try it this way, lets try working together to deliver these cost-savings. The benchmarking process has the support of the Prison Officers Association which is very helpful and so I think actually, industrial relations are better than people might expect. That doesn't mean to say that there aren't difficulties and, certainly, when you look at the benchmarking process as it's supplied to individual prisons, there are some tough things that need to be done and there are always going to be points of friction. I don't think you could ever pretend that that wouldn't happen, but to be honest, where we have disagreements, we will discuss them.

**SD: Most of the prisons closed have a long history, some of which are quite iconographic, such as Reading Prison's link to Oscar Wilde. How does it feel to make the decision to bring that history to a conclusion?**

**JW:** I think that closing any prison is not an easy decision, but I think we have to make a rational judgement as to how we best manage the estate. I don't think that we can allow ourselves to say, 'Well this particular prison has a wonderful history, therefore we must keep it open,' if it is not the most efficient and effective working environment for prisoners and prison staff. Now that doesn't mean that we shouldn't be sensitive, of course, to the history of the building and, certainly, what we seek to do is to preserve the nature of the building to make sure that any future use and any future purchaser of the building and the site

understands fully what they are buying. Local authorities will have an interest in making sure that, whatever the future use of the site may be, it's appropriate in their view. In the end we need to have a prison estate that is capable of delivering the services that we need it to deliver. I don't think that we can take too much account of the long history of the prison, and of course, almost by definition, the longer the history of the prison, almost the least likely it is of being capable of delivering a modern environment that we want to have. That is, as I say, not just for the sake of the taxpayers benefit, although that is important, but it's also for the benefit of prisoners and prison staff who might enjoy the history of the place but probably have rather more frustration about the environment in which they are being forced to work, which clearly isn't designed for the kind of prison regime that we want to run now. So whether its Reading or whether its Dartmoor, I think we respect the history, but I don't think it allows us to keep in operation prisons that aren't quite what we want them to be.

**SD: As we close small sites and increase large prisons, for reasons of efficiency, what are the potential impacts on the experience of prisoners?**

**JW:** I think the experience of prisoners is partially defined by the relationships they have with staff, but I think it is also defined by the environment in which they are living. I don't think that we do prisoners any favours by accommodating them in older buildings where the maintenance problems are multiple and where the cost of keeping that accommodation up to a decent standard is much, much higher. I don't think that is the right way to do this. My job as Prisons Minister is to provide a safe, secure and decent environment. Not a luxurious one, but a safe, secure and decent environment for all those accommodated in prison and, therefore, I think it is more sensible to do that in more modern buildings than in older buildings. It's also, as I've said, better for prisoners, in my view, to be able to engage in rehabilitation whilst they are in custody. The more we provide the space to do that, whether it's in the classroom or in the workplace, within a custodial environment, the better for prisoners. So I am quite confident that the changes we are making are better for prisoners in the short term and in the long term and better for all of us.

**SD: The large prisons that are being constructed are around 2,000 places rather than the Titan prison project, previously rejected,**

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**which envisaged prisons holding 3,000. Titan prisons were also designed to have smaller units within them. What differences is it envisaged will be delivered by this change in capacity?**

**JW:** Well, we think that around the 2,000 figure is the best balance between economic efficiency and delivery of the right kinds of facilities. So it is that balance which we think is best struck at around about that figure. We are not in the business of recreating Titan prisons and as you say, the key point here in terms of accommodation and the feel of the place, is that this is not one big monolithic structure. It is a number of different residential units on one site, but where we are able to bring in the benefits of shared services — whether that's the catering or the laundry, there are cost-savings to be made by doing that. I think it is that balance that we need to strike between cost-effectiveness and providing the right environment for rehabilitation. I think the 2,000, or thereabouts figure, is the right balance.

**SD: In July 2010 Anne Owers also warned the new Government that there is no such thing as humane containment. As an example, I have visited Wormwood Scrubs Prison twice in the last few weeks. I found landing staff to be concerned that staffing cuts were making it more and more difficult for them to allow prisoners out of their cells. Not only for purposeful activities, but even for association. With this in mind, in the current climate how can prisons be further reformed so as to be more successful in reducing reoffending?**

**JW:** It's an issue and that's why the benchmarking process is never going to be without local controversy. There may not be agreement as to what the benchmarking process says is necessary in terms of staffing levels in order to maintain a proper regime. But the benchmarking process is not designed around a

model that says all prisoners must spend all the time behind their cell doors. The benchmarking process is designed to produce a regime that enables prisoners to get out, to be engaged in purposeful activity, whether that's education, or drug treatment, or work. Actually, we are having some success across the estate in increasing not only the number of prisoners who are out working, but also the number of prison hours worked. I think over a million more hours were worked since 2010 by prisoners and a lot more prisoners working too, so that's going in the right direction. I accept there are challenges around the benchmarking process, trying to take costs out the system at the same time as trying to deliver a better regime is always going to be a difficult one, but I think it's doable. We need to make sure that we are not impeding the opportunities for prisoners to engage in purposeful activity. We want them to engage in it because they want to as well, and that's partly the logic behind the changes to the incentives and privileges scheme. To make sure we are using every lever we've got to say to prisoners, look, you need to engage in your own rehabilitation too. So I don't pretend that this is easy, but the benchmarking process is designed to deliver a proper regime where prisoners do have a chance to engage in their own rehabilitation, and that will mean time out of the cell. Actually, there are some places where the benchmarking process has delivered more prisoner facing time for prison officers than they've had before in that prison, so its not all in one direction. Where there are particular local difficulties, of course, we will look at those, but I'm confident that benchmarking is the best way we have. This is a process that we'd agreed with the Trade Unions as the better way forward. That process is designed to, yes, take cost out, but also to deliver the kind of regime that we want to see.