



## Justice and Home Affairs Committee

### Corrected oral evidence: Prison culture: governance, leadership and staffing

Tuesday 17 December 2024

10.35 am

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Members present: Lord Foster of Bath (Chair); Lord Bach; Baroness Buscombe; Lord Dubs; Lord Filkin; Lord Henley; Baroness Hughes of Stretford; Lord McInnes of Kilwinning; Baroness Prashar; Lord Sandhurst; Lord Tope.

Evidence Session No. 3

Heard in Public

Questions 41 - 61

#### Witnesses

[I](#): Rt Hon Charles Clarke, former Home Secretary; Rt Hon Michael Gove, former Lord Chancellor and Secretary of State for Justice.

#### USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on [www.parliamentlive.tv](http://www.parliamentlive.tv).

Examination of witnesses

Charles Clarke and Michael Gove.

**Q41 The Chair:** Good morning and welcome to our third evidence session in our inquiry into prisons, particularly the governance of prisons. We are delighted to have two witnesses before us who need little or no introduction to many of us. Nevertheless, just for the record, I would be grateful if they could introduce themselves.

**Charles Clarke:** I served in the Government of Tony Blair from 1998 to 2010. I was in the Home Office as a Minister of State from 1999, where I was Minister for Policing and the Criminal Justice System, and as Home Secretary from 2004 to 2006, which I guess is why you have invited me.

**Michael Gove:** I was Secretary of State for Justice between 2015 and 2016. Prior to that, I was Secretary of State for Education in the coalition Government, which was the first occasion when I came into contact with the youth justice and prison system as a Minister.

**Q42 The Chair:** Thank you. As you have explained, both of you have had involvement with the Prison Service. That is the area we are interested in today. During your respective times with responsibility for it, you proposed a number of things that we will come on to later. For instance, Mr Clarke talked about community prisons and Mr Gove had major input into what became the 2016 *Prisoner Safety and Reform* White Paper and made a number of proposals, including, interestingly, reversing a decision of your predecessor on the availability of books within prisons.

To get us going, I would be grateful if both of you could say what you learned during your time in office when you had responsibility for prisoners and what lessons might help us in looking at what should happen in future.

**Michael Gove:** The first thing to say is that the people who work in our prisons deserve our gratitude and praise. Anything I say should not take away from the dedicated service that prison officers give and the leadership that governors provide.

But, at the moment, we have a system that is operating either in or at the verge of crisis most of the time. Our prison estate is practically full. That means that the ability to provide what prisons should provide, which first and foremost is rehabilitation, is impaired. The capacity to provide prisoners with meaningful education and training and to address the root causes of their initial engagement with the criminal justice system is limited. Management information and accountability for what happens in our prison system is also inadequate for whoever happens to be in charge, whether that is the Home Secretary or the Secretary of State for Justice.

I will briefly mention two other things. First, we think that we have an offender management system. In fact, rather than offenders being managed, offenders are passed from individual to individual and institution to institution like parcels, not people. The probation officer who gives a report to a sentencing judge as the judge

considers the appropriate sentence for a convicted criminal will be a different person from the offender manager prison officer who meets a prisoner and decides what is appropriate when they go into prison. They will be different from the prison officer responsible for their welfare most of their time in prison, who will be different from the person responsible for their welfare outside.

Secondly, disaggregated as that process is, it also occurs within a broader problem in the system. The criminal justice system overall is not a single system but a series of siloed systems. The police do not talk effectively to the CPS, which does not deal effectively with the courts, which are managed poorly, notwithstanding the quality of the judges and magistrates. Our Probation Service has for years not been able to do the job that we ask of it.

**Q43 The Chair:** Did you come to the views you have just expressed during your time in office, or have you come to them subsequently in light of all the media coverage of prisons, not least in the last few months?

**Michael Gove:** Those are the views that I came to during my time in office. Subsequent events have only reinforced them in my mind.

**The Chair:** Thank you. Secondly, correct me if I have got this wrong, but you said that the key purpose of prison is reform. Is that clearly your view?

**Michael Gove:** Yes. Prison also serves at least two other purposes. Some criminals, for the sake of public protection, we need to keep away from the public. It is very difficult to engage them in proper rehabilitative work. We also need to ensure that persistent and prolific offenders are kept out of the public realm for public protection and that the basic ethical framework of society is upheld—if you transgress, there may be extenuating or mitigating circumstances, but there needs to be the sanction of imprisonment for those who commit particular crimes.

**The Chair:** I am grateful. I know my colleagues will want to pick up in some detail on your view about the key issue being one of reform.

**Charles Clarke:** I agree with every word that Michael has said. You may be surprised to hear that, but I do. I did not know that I would when he started speaking.

The core problem is, first, that the prison system is full. Every policy area is juggling to keep the show on the road and avoid crises of various kinds, certainly in the last few months but also well before that. When I was Home Secretary, we were right up at the edge of the prison population. It makes change very difficult. Secondly, there is no consistent agreed direction of travel for change, which is fundamentally what is needed. It is not a party-political issue. Some in the Conservative Party think as Michael has just articulated and others think rather differently. The same is true in the Labour Party. The passage of how to address the issues has been absolutely unclear.

The core issue is partnership, which I tried to implement, partly in the area that Michael described. The criminal justice system is completely siloed, and its different

agencies do not work with each other in a coherent way. I also argued with those in health, education and, to an extent, employment. The prison population is the least healthy and least educated section of our whole population. Any society focusing on health and education ought to focus there. In health, the issues are mental health, drug abuse and so on, and in education they are equally clear. If you are to reduce reoffending in any way, those must be addressed. That is all done through partnerships, but the prison system is isolated from all these other institutions and there is very little joint work.

I put forward in a lecture that I gave when Home Secretary—I think it has been circulated to you, Chair—the perhaps utopian idea that you need a contract with each prisoner. There should be a relationship with the individual concerned so that, essentially, you talk to them about a deal: if they try to come off being an offender, we will try to support them in education, health and employment, trying to find housing or whatever. That is very difficult to achieve. It requires, as Michael highlighted, a person who can talk to that offender in a positive way.

That does not happen. It is almost impossible while you are juggling everything and prisons are so close to being full. You need a clear direction. Could a clear direction be achieved? I hope this committee will help to get a consensus on where we ought to go. In the media climate that operates it is often very difficult for Ministers to hold to a steady path, but getting agreement across a wide range of parts of the system to work in the right direction is the only way to make change.

**The Chair:** To achieve what you want, above everything we need sufficient numbers of well-trained staff who can have the one-to-one conversation you are describing. My colleagues will pick up some of those issues as we go on.

Q44 **Lord Dubs:** We have had an interesting assessment of the difficulties faced and a remarkable measure of agreement. Can you say something about what stopped you achieving the changes that you now think are necessary?

**Charles Clarke:** In my case, it was time. After the 2005 general election, I became somewhat preoccupied with dealing with the counterterrorism issues, and we had had the 7/7 bombings in London. I finally gave the lecture, which I circulated, on 19 September 2005. I had hoped to give it rather earlier in that parliamentary Session.

We went through a set of changes. There was a lot of good support for it generally, but unfortunately the so-called foreign national prisoners issue then arose—again, something from our prison estate—and I was moved as Home Secretary by the Prime Minister, so I could not carry that through.

At that move, Tony Blair, the Prime Minister, decided to take the prisons and probation aspect out of the Home Office and into the Ministry of Justice. I was against that change for a variety of reasons, but he did that, and it meant a completely new start with a new Secretary of State—as it happens, Jack Straw—at that time. A whole chunk of time was then lost because my successor, John Reid, did not want that part of what had been my Home Office portfolio in his area. So

the reasons why it did not happen were fundamentally political—in a small-p sense; I do not mean great political, geopolitical-type thinking—and the changes meant that it was very difficult to make the change.

If you are going to go anywhere down this line, some broad measure of agreement is required across the serving officers in the various services concerned—across the Civil Service, across the political classes, and so on. That is the way to go, and we never got to that.

**Michael Gove:** I have a very similar story to tell, and I have huge sympathy for Charles, because I was a Secretary of State for just 15 months, and whether my approach or Charles's approach was right, in order to enact such an approach you probably need to have someone in post for three to four years. I found that in other ministerial roles—I was Education Secretary for four years—I was able, for good or ill, to make a difference. I was Environment Secretary for just over two years, and that was just enough time—again, for good or ill—to make a difference.

I have two further points. If you are seeking to reform or change any public service, whatever it is, the people within that public service, no matter how noble and enlightened, will sometimes see a call for reform as a criticism of them as individuals and of the institutions they run. Allied to that, the people leading those institutions and those within them will say, "You just don't understand. You can't apply the same tools to improving prisons as you have to hospitals or to schools. Prisons are different". Of course they are, but that argument is used as a broader set of principles to resist a greater degree of accountability, a greater degree of autonomy amongst leaders, better management information, clearer targets, and so on.

It is perfectly possible to argue that there are different ways of approaching reform, but whenever any change is proposed to a public service, a number of those within it, even as they recognise that there are problems, hear a call for change as a criticism of them and the way in which they operate. That is always difficult.

Q45 **Lord Dubs:** It seems to me that the problems were entirely political: that there was no political will at the top to achieve the changes that you both wanted to achieve during your period of office. Is that a fair statement?

**Charles Clarke:** It is not entirely fair. Certainly Tony Blair was concerned about this issue and wanted to get it right. But in domestic policy he always said that education, health, crime and transport were the key things that you had to satisfy the public on, and that is where you had to go—I am leaving aside the economy, foreign policy, and so on.

Crime is in that list. I argued in the lecture that I sent round that reducing reoffending should be the key element of the prison approach in order to reduce crime. Tony accepted that argument. He believed it, and I think he believed it a long time before he became Prime Minister, but, for the reasons Michael has correctly described, the fact of making the effort to make that happen, to really shift that, in

a media climate that was very difficult on all these questions made it difficult to give it the priority it would have needed.

So I do not think it was a question of a lack of support from the Prime Minister, in my case, but a lack of giving it priority perhaps.

**Michael Gove:** I was fortunate when I was in the Ministry of Justice, in that the Prime Minister and the Chancellor were very supportive of the direction of reform, but it so happened that, because of other events in 2016, we had a new Prime Minister, a new Chancellor, and a new Justice Secretary after the middle of 2016.

**The Chair:** I know that Baroness Buscombe would like to probe this a bit further.

Q46 **Baroness Buscombe:** Thank you both. I want to press a little more on that, but, first, can we talk a little more about some of the reforms that you both proposed? Charles, back in 2005 you proposed something called community prisons for short-term offenders to allow people to be closer to their families and to use prisons differently. Can we talk a bit more about that, because that may help us now in our thinking, and help the current Prisons Minister?

**Charles Clarke:** It is an excellent question. Thank you. This is a very difficult problem. What should the prison estate look like? Should everyone be in the same kind of prison, should we have different types of prison, and so on? The argument for things such as high-security prisons is relatively well established for, say, a third of the prison population who are a real danger to society all the time.

After the big breakouts, the Mountbatten report on the Isle of Wight, and so on, government policy shifted towards saying, “We’ve got to get these high-security prisons right”. But that is not the same for all other prisons. For people who have committed drug offences or who have serious mental health issues, for example, there is a very good case, in my view, for saying that you should have a dedicated prison estate looking to deal with the particular health problems associated with those people.

Generally, as you referred to in your question, Baroness Buscombe, there is a very strong argument for prisoners to be kept close to where their families are. There is a lot of evidence that mothers, for example, have a particularly important impact on the way in which prisoners behave when they are looking at their future lives. So people’s ability to actually go and see their relative who is a prisoner is very important indeed. There is an important and unacknowledged role of faith groups, by the way, right across the range of different faiths. If you go to a prison, it is very striking how many faith groups are active in the prison and are engaging the prisoners.

All of this, and because they are local community organisations, requires a relatively local commitment. One of the last meetings I had before I left office was on trying to achieve a new policy on estates. The next Government subsequently went down the line of what seemed to me to be enormous prisons—on the grounds of economy, essentially. I thought that was a serious mistake and against everything I

would have liked to see being achieved. The financial arguments are real, of course, but there were also a lot of quasi-professional arguments—“It’s best to lock everybody up in the same place”, and so on—which I simply did not agree with.

There is another issue that I will mention briefly here: how do you bring offender management—prisons and probation—together? Prisons are the most highly centralised service in British life, apart perhaps from the Armed Forces. Probation is highly decentralised, being originally a local government service. The cultures are utterly different. We had a policy, which I supported, of bringing these together, because we thought it was logical to say that the kinds of people who are in and out of prison and in and out of probation should be dealt with in the same framework.

However, it is really a question of whether that is the best way for it to happen. I still think intellectually that it is the right way, but the cultures are so enormously different that it became a very difficult problem. That is where the community prisons were also a factor in my mind, because the more you had community prisons working with local probation services and so on, the more you could get the benefits of a better move towards reducing reoffending. At least, that was what I hoped.

**Q47** **Baroness Buscombe:** Thank you. Michael, in 2016 you produced a White Paper, *Prison Safety and Reform*, focusing, I understand, on governors being held responsible for outcomes and what they actually achieve. Can you expand on that, please, and on other issues that you raise? I know you achieved some, maybe smaller, things.

**Michael Gove:** I completely agree with everything Charles said. It is very difficult to have the degree of specialisation within the prison system that one would ideally like when the prison population is so high relative to capacity. As prison governors will tell you, from time to time there have to be transfers—individuals in prison A need to go to prison B because they face risks or have been the victims of attack. If capacity is tight everywhere, prisons, rather than having a specialist role, have to become catch-all institutions even more.

Related to that, as Charles said, if a significant amount of the prison population is on remand, you have two problems. One is that it is very difficult to exercise rehabilitative work with them. Secondly, they will often need to be kept close to the court where their trial is due or the disposal will take place. That means that the big urban prisons in our principal cities—London, Manchester and so on—have an unhappy mix of prisoners, which makes it very difficult to give each different type of prisoner and each individual the attention that you might want to give them.

I mention two other things in passing. The way in which education has been provided in prisons has been insufficiently rigorous. Although I tried to, we have not really looked at the effectiveness of the courses that we provide in the way we should. Linked to that is probably one of the most important metrics, although it is not the only one: time spent out of cell doing purposeful activity. When you have a crammed prison estate, prisoners are in their cells for an excessive amount of time

and they are denied work, education or other activity. That makes the prison population more unstable, which in turn, because of the isolation and the lack of purpose, means that prisoners who might be tempted towards taking drugs and other psychoactive substances are more tempted to do so in order to make the time that hangs heavy on their hands pass more easily. That is not to excuse any of that activity; it is simply to say that all of this is a function of a system where you cannot direct the proper professional effort towards the prisoners that you would like to see.

**Q48** **Baroness Buscombe:** Thank you. They say that politics is the art of the compromise, and I sense from both of you a degree of real frustration that some of the things you proposed just did not get there. Is it more than just the politics referenced by Lord Dubs? Is it too many changes of Minister or a lack of money now?

**Charles Clarke:** The change of Ministers is a problem but, worse, there is no coherent government strategy. Ministers changing would not matter so much if there was a relatively coherent approach, but there is not. That is the core issue.

**The Chair:** You came forward with your initial idea of community prisons or reform prisons, the details of which were presumably worked up by the Civil Service. That would then be in the bank of information that civil servants have, who would pass it on to your successor. I accept the point about a change of government, but a change of Minister is not necessarily a block to something happening, is it?

**Charles Clarke:** I have thought quite a lot about this. The striking thing is that, if you go through the series of Home Secretaries or Justice Secretaries over, say, the last 25 years, there is no consistency of overall outlook among them, if I can put it like that. It is not a Labour or Conservative thing. In my party, people have quite different views about the potential merits of community prisons, for example, as opposed to large prisons. I think, although Michael is more expert than I, that that would be true in the Conservative Party as well. So you get so-called liberal Home Secretaries or so-called liberal Justice Secretaries—I think the word is quite misleading, actually—but it just changes to and fro in that way. On a lot of these questions, that is what comes through.

Then you have the additional external media input into how people think about this across public life, and people saying, “We’ve got to stop this or that happening again”. An idea like community prisons would take a fundamental change to the prison estate over a 30-year or 40-year programme. You cannot do it in the time that I or Michael were in office.

**Michael Gove:** I agree. I have one general principle and two specific examples to add.

The general principle, in almost any sphere of life but certainly for public sector reform, is to bear in mind the phrase of Warren Buffett and Charlie Munger: show me the incentives and I will show you the behaviour. Different parts of the criminal justice system are incentivised to behave in different ways. I could say more, but it



is wrong to judge them in isolation without looking at why they are incentivised to behave in the way they are. For any given prison governor at any time, no matter how noble—the overwhelming majority of them are very noble—the incentive is just to keep a lid on things rather than to transform.

When I was Secretary of State for Justice, we had something called the Criminal Justice Board—I cannot remember when it was created; I think it may have been when Jack Straw was Lord Chancellor—to bring all aspects of the criminal justice system together. The problem just in political terms is that, unless you have a very strong leader as Secretary of State for Justice, they will be chairing a board on which the Home Secretary will sit, and the Home Office regards the Ministry of Justice as a sort of errant sibling.

**Charles Clarke:** That is very generous.

**Michael Gove:** The Home Office’s institutional view is: “We deal with the tough stuff. We deal with borders, counterterrorism and police. We catch people. You, Lord Chancellor, dress up in a wig and go to drinks parties with judges. We’re the big boys here”. You also have the police and the judges on the Criminal Justice Board. The judges look at the politicians and think, “I’m sure you’re all very public spirited, but we judges really know the law and you’re just passing through”. The police think “We do the really tough stuff every day and put our lives on the line, and you are the people grandstanding. You are answerable to the voters, but we’re answerable every day to the communities we serve. We safeguard our operational independence, so please be careful what you wish for”. Unless the Justice Secretary has been in place for a long time, has the backing of the Prime Minister and is a big hitter, the Criminal Justice Board tends to be a place where the lowest common denominator prevails rather than where strategy is driven.

**The Chair:** “You are just passing through” will ring in our ears for quite some time.

Q49 **Baroness Prashar:** We have begun to touch on this, but I want to talk about the purpose of prisons, because you need clarity on that. What are your views on where the balance lies between protection, punishment and rehabilitation?

**Charles Clarke:** Different prisoners need to be treated in different ways. Protection is in many ways the principal function of the prison system, quite rightly. When I was in office, just over a third of prisoners had sentences of more than four years. I use that as a shorthand for the people who were real dangers to the community. About 20% were on remand. For them, prisons were not used for protecting the public directly. Of them, about half of those remanded in custody did not subsequently receive a custodial sentence. The issue there was the delay in the court process; The people were in remand much longer than they would have been if we had an efficient court system. The protect function of prisons has to be seen as central, because society would simply not tolerate a state of affairs where people who were dangerous to society were not there.

The second is to reduce reoffending. I do not really like the word “rehabilitation”. Rehabilitation has a much wider use. Of course I would love it if everyone who ended up in prison ended up as a perfect person thereafter, but in a sense that is a slightly higher ambition than the prison system can aspire to. You can aspire to reducing reoffending so that people who do not become great citizens at least become law-abiding ones in some way. I would say that the function of reducing re-offending ought to be central to prisons.

I am not bothered about that one-third of the prisoners who got more than four years, in a sense, but I am very bothered about the people who have much shorter sentences, how you deal with remand and so on. That is why I talk about partnerships with education, partnerships with health, addressing those issues and so on.

The question of punishment is interesting. Michael used the phrase “the moral code of society”, I think it was. I would consider myself a hardliner on this: if you commit an offence, you should be punished. I have no doubt about that. It is dreadful that the whole thing has become so devalued. People say, “We sentence you to six years”, but you actually serve three. The phrase I have just used is an appalling devaluation of the whole punishment aspect of what happens; it becomes a very routinised kind of process.

So punishment is important, but we should get to a point where the sentences mean what they say, which at the moment they do not, essentially because of prison management problems that arise. Of the three aspects that you identify, I would put protection first and reoffending second but still very high. Punishment is certainly important, but I would not put it as high as the other two.

The question of whether there are other forms of punishment than a custodial sentence is not sufficiently explored, in my opinion. I used to argue for fines much more rigorously, taking away people’s cars if they committed motor offences and all those kinds of things. So my question is whether you can have other forms of punishment than prison that could deal with the punishment dimension in society.

**Michael Gove:** I agree. I think it is all three. One can ask, for example, whether the purpose of a school is to provide people with qualifications or to make sure that people are well-adjusted and healthy citizens who can contribute more broadly. The answer is both, and the one serves the other. Similarly, with hospitals, is it about pain reduction or making sure that individual conditions can be cured? It is both.

In prisons, the first issue is that it is important to look, exactly as Charles has said, at the types of criminal. There are—sorry to sound clichéd—hardened career criminals, who are members of organised criminal groups, who have made a conscious decision that they are willing to inflict pain on others and take risks themselves in order to make large sums of money, and they need to be kept away from society. There are other people who have committed and will commit horrific crimes who society requires to be protected from. There are people who are not

members of organised crime groups but who are persistent serial offenders who, again, need to be kept away from society.

As is well known, the majority of crimes are committed by a minority of criminals. But there is also a group of individuals whose life circumstances mean that their judgment is often impaired. Their impulse control is not as strong as that of people who have been brought up in happier circumstances. They are unfortunates. There needs to be a case for making sure that they are kept away from society as a result of the activities that they have inflicted on others, but there is work that can be done with those individuals, exactly as Charles says, to make sure that they are far less likely to reoffend in future.

I was talking to a prison professional the other week who made a point related to Charles's point essentially about what we would call time off for good behaviour. In prison it is often the ruthless career criminal who knows exactly how to behave in order to ensure that they seem like an angel inside, but it is the troubled youngster, who may have done some bad things but is not that ruthless type, who gets into trouble—who is provoked by others, gets led astray and finds himself on the wrong side of the system.

Again, a greater degree of sophistication and nuance in sentencing and in offender management is required to deal with that. There is a world of difference between the kingpin of a drugs gang in Merseyside and a 19 year-old who has been drawn into criminal activity, who grew up in a broken home, was excluded from school and got involved with gangs.

**Baroness Prashar:** Both of you have given pretty reasonable answers about the purpose of a prison, and you have said that we have had both liberal and hardline Home Secretaries and that we seem to vacillate in the direction we are going in. Then public opinion comes in on top of that. Why is there is no proper consensus and agreement about the purpose of our prisons?

**Charles Clarke:** I would say that there is climate of politics throughout the media that focuses on the punishment end of it rather than the other sides of it, and that wants to see people suffer for the crimes they have committed. That creates a very strong climate in that regard, which is a significant factor in opinion formation in this area of policy.

Most politicians I know would accept the rationality of what both Michael and I are trying to suggest here, but the political climate within which decisions are taken does not reflect that rationality. Politicians in opposition will also join in with the criticism of the Government of the day—again, I do not make a Labour or Conservative point here; it happens on all sides—so it becomes very difficult for Ministers to get a coherent direction. That is why in my answer to Lord Foster earlier I said the key thing was to have a direction of travel that was consciously shared across the body politic—I do not mean just politicians, but everywhere—and I really do not think we have that.

**Michael Gove:** There is an analogy with other areas of public policy as well. Most people can recognise the general good; there is a general good in not overloading the curriculum or in pushing through major infrastructure projects. But the incentive for individual interests is to resist that. Charles and I have both been Education Secretaries, so we know that there will be well-intentioned campaigns from different people to expand the curriculum: Put more natural history into the curriculum”, “Have a stronger emphasis on mental health in the curriculum”. These are all good things, but there are only so many hours in the school day and only so much that teachers can do.

Similarly, if you are the Justice Secretary or the Home Secretary, you want to have a coherent system of sentencing that is tough, clear and consistent. Then you find when you go into the House of Commons that there is a 10-minute rule Bill and one of your colleagues on the Back Benches is calling for increased sentencing in a particular area. As you listen, you know that that individual will be on the “Today” programme the next morning and will be applauded because they are calling for tougher sentences for crimes against retail workers or emergency workers. Everyone will think, “Absolutely. People who work in our shops or in the uniformed services, how dare they not be given this additional protection?”

So you get a competitive auction in all those areas, and that is difficult to resist because the individual MP on the Back Benches will have been moved by a constituency case, will have felt that there was a specific injustice in that case, and will move the hearts of the people in the Chamber, in their constituency and on the radio. You might think it is a difficult case to argue against, but collectively, if you accept all those things, it creates pressure on the sentencing and prisons system that makes it more difficult to manage overall.

**Q50 Lord McInnes of Kilwinning:** My question is for Mr Clarke. You have already mentioned the political background to the removal of prisons to the Ministry of Justice, and I think your own feeling at the time was that it was an irresponsible thing to do. We have heard from Mr Gove about that sibling characteristic thereafter between Justice and the Home Office.

In terms of specific policy development—I take into account your view about a consistent direction of travel in policy overall—are there any specific areas of policy that you think have been improved because of that change, or has it all been negative? Also, looking at successive Secretaries of State for Justice, did you ever feel that that position would have allowed you to go further in prisons than you were able to do as Home Secretary?

**Charles Clarke:** I have never felt that. I have never looked back and thought that it was a positive change. In fairness, I should say that I have not studied it closely enough, and I accept that maybe positive changes could be made. My way of doing it when I was Home Secretary was to say simply, “We’ve got prisons, probation, the police, the Crown Prosecution Service, the Crown courts and the magistrates’ courts. You have to get all of these working in partnership together”. Michael correctly alluded to some of the reasons a few moments ago.

There are lots of total failures to communicate between these systems even now; it was worse when I was there and progress has been made. I will give the example of remand prisoners. The relationship with the way the courts take their decisions and come to their judgments is an immediate relationship, and I simply felt that having them in one department, the Home Office, would make it more likely that the different elements of the criminal justice system would work together properly.

Charlie Falconer was Lord Chancellor when I was Home Secretary, and we had joint meetings of a variety of types with all the agencies to try to get joint working, but it was very hard on basic things like data-sharing and no-data-sharing protocols, professional practices being completely different and even—to go to Michael's point—incentivisation being different in those different areas. We tried to make progress in bringing it to work together, but obviously it did not go far enough. I felt that the separation of prisons and probation into the Ministry of Justice would make that more difficult rather than less, and in retrospect I still think that was correct.

The other big factor was time. I used to say, when I became a Secretary of State, that it would take a Secretary of State about a year to get on top of a big department—say, Education or Home—to understand it and appreciate what was going on. Obviously, you could do it on an intellectual level much more quickly, but understanding how a department actually operated is different, so shifting those things to a different department meant that a time factor was involved in the whole process as well.

So I do not see changes, although Michael may be able to correct me. There may be changes that happened that I did not see well enough, and perhaps there were benefits from the setting up of the Secretary of State for Justice.

**Michael Gove:** In all honesty, I cannot say that huge benefits accrued. There are always trade-offs. There is always a temptation in government to say, "Wouldn't it be appropriate if area X worked with area Y, because there is a synergy there", and so on? Yes, but it is impossible to bring everything together in the holistic way that you would want within one department to solve big social problems. You need to have good Ministers working together with a clear Cabinet Committee structure and the Prime Minister's engagement in order to get the change that you need.

You could have prisons within the Home Office. The argument against that is that any Home Secretary is dealing with huge issues. Obviously, the salience of borders and migration has grown and, as Charles mentioned, counterterrorism is a significant preoccupation. So there is a risk that, unless you have a very good Home Secretary, that department can be overloaded, but there is a gain in coherence.

My own preference, because I am just terribly old-fashioned, is that the old system that we had pre the 2005 change, where a senior lawyer, a Lord Mackay-type figure, was Lord Chancellor and the Home Secretary was responsible for the areas that we discussed in the criminal justice system, is the best. Again, though, that depends on having an administratively able and energetic Home Secretary like Charles and

someone who is a confident, intellectual legal expert as Lord Chancellor—a Lord Mackay or a Charlie Falconer.

**Q51** **Baroness Hughes of Stretford:** My question is to you, Michael, initially, as a former Justice Secretary. You have touched on this a bit, but there is scope for elaboration here. Do you feel that prisons were given enough prominence in Whitehall by Ministers and senior civil servants compared, say, with Home Office issues?

**Michael Gove:** I do not think so, no. As I say, I was lucky, in that when I was appointed Justice Secretary both David Cameron and George Osborne took a keen interest in prison reform. Both were keen on public service reform more broadly. We had done things in education and health during the coalition years—one can form a judgment about them, but now is not the time—and they wanted to look at prison reform in particular as a second-term social reform. David made that clear from No. 10, both rhetorically and in policy terms, and George made additional resources available.

More broadly, having been in government at other points and observing things, I think that the status and the attention, as I mentioned, go to the Home Office, along with the responsibility, so there is far more focus on what any given Home Secretary is doing and their responsibilities. The Ministry of Justice is not always but generally the poorer relation, and prison policy is not given the same degree of attention as border policy, counterterrorism policy or policing.

**Q52** **Baroness Hughes of Stretford:** Can I pursue you a bit on that? You have already referred to your White Paper in 2016, which I think was well-regarded in the sector. The reforms you were proposing included governor autonomy, which we have already heard from governors is something that they would very much welcome. The Prison Reform Trust has told us that that White Paper was just quietly shelved. Why did the Prime Minister not demonstrate his commitment to and prioritisation of prisons in helping you with the White Paper?

**Michael Gove:** The key thing, as I mentioned, is that George Osborne and David Cameron's departure from office meant that a new Prime Minister and a new Justice Secretary had a set of particular new issues in their in-tray. So I do not blame them, but there was a particular set of circumstances that changed, which meant that some of the things we might have wanted to do were put to one side. Other initiatives that we were pushing forward, like the Coates review on education or the creation of unlocked graduates, were sustained thereafter.

**The Chair:** For clarification, I might be incorrect in view of the answer you have just given, but my understanding was that the White Paper was launched by your successor, Liz Truss, so it was in fact picked up.

**Michael Gove:** A number of things occurred. I was not in government at the time, so I do not know all the dynamics or the conversations that occurred, so I do not want to seem as though I am spitting on the deck, as it were. It was observably the case that, for a variety of reasons, Theresa as Prime Minister and Liz as Justice Secretary took a slightly different approach, and that was partly as a result of other pressures

in their in-tray, as I mentioned earlier. I was very keen on the idea of greater governor autonomy and the creation of reform prisons, but there was a move away from that for a variety of reasons. As I say, I have got into trouble in the past for criticising colleagues, so I will leave it there.

**The Chair:** Just so we are absolutely clear, you are saying that the White Paper that Liz Truss introduced had been watered down in some areas from what would have been in the White Paper had it come out under your leadership.

**Michael Gove:** I will need to check a couple of dates and details and write back to you, but I do not think there was any sense of the policy intentions being diminished. I think it was, “Events, dear boy, events”.

Q53 **Baroness Hughes of Stretford:** We as a committee would be interested, from your experience as a journalist and an editor, in what you think about the media’s coverage of prisons generally but particularly in recent months. Do you think that any proposals for reform would be given a fair hearing in the media? If so, how could we maximise the potential of that happening? Are there things government can do to help the media to understand what we might be talking about and why?

**Michael Gove:** To be fair, there is a widespread understanding or appreciation that the prison system needs change, but there is a paucity of information about all the challenges that the prison system faces. Quite a lot of attention is understandably being given to prisoner release, which the Justice Secretary initiated shortly after coming into office, and, looking forward, to David Gauke’s sentencing review. That is important, and I have a very high regard for David Gauke, but if you look at what happens in prisons through the prism of sentencing alone, and if you look only at the numbers in prison and prison capacity, although they are very important, you miss some of the broader changes that are required in order to make the system work better.

Again, there is a tendency among the media overall at any given point, in any given policy area or in any given government department to say, “The story is X”: for example, “The story in education at the moment is persistent absence”, or, “The story in healthcare is the length of time you have to wait to get a GP”. The story in prisons is all about capacity, but an exclusive focus on that does a disservice to some of the other issues that the Justice Secretary, any Justice Secretary, is required to look at.

**The Chair:** So we can hope that articles in the *Spectator* will at least cover the broad range of issues that should be covered and not just pick out the sexy ones of the moment.

**Michael Gove:** This was nothing to do with me, but my predecessor had a very good piece about prisons written by Charlie Taylor, the current chief inspector.

**The Chair:** An excellent chief inspector. You have already made reference to the David Gauke review, and I know we want to pick that up.

**Q54 Lord Sandhurst:** I will address my first question to Charles Clarke. The former Justice Secretary, David Gauke, has been commissioned to carry out an independent review on sentencing policy. What do you think are the key points that the review should address?

**Charles Clarke:** I would say three. First, there has to be a serious effort to make community sentences a greater reality in terms of what is sent down from the courts. Nick Phillips, the Lord Chief Justice when I was Home Secretary—an outstanding individual, as you all know in your House—went so far as to put on a community orange jacket kit as Lord Chief Justice for a photocall in order to encourage the awarding of community sentences. It was great theatre, but I am not sure that at the end of the day it achieved a great deal. It is all very well to say that community sentences should be awarded, but it is a complicated and possibly expensive process to have community sentences be applied. They never became central, and my biggest advice in the sentencing review is to focus on that.

My second recommendation would be to look at other non-custodial sentences more positively than has happened in the past. There is a range of types of crime where making the punishment fit the crime could work more effectively than simply saying, “Send them to prison”. I know that fines seem like a rather weak and pathetic alternative to a prison sentence, but there are a significant number of areas where you could see financial penalties for criminality changing people’s behaviour relatively significantly. With the criminal assets legislation that we passed, we have tried to make efforts to bring that home and carry it through in whatever way that we could.

The third point is simply to look at consistency in what is done. The Sentencing Council, whatever status it has now, being a really consistent applier of sentences is the thing I would focus on.

**Lord Sandhurst:** I will have supplementaries, but Michael, do you have a short, pithy answer?

**Michael Gove:** I will say three things. First, technology needs to be effective. If you are relying on electronic tagging in order to restrict someone’s movements, you need to be confident that you have the right technology. A problem I had was that the contractors who were providing the technology ran rings round the procurers in the department, and we did not have effective technology at the time.

In passing, I remember when I was Education Secretary talking to some young people who had been involved in the criminal justice system. They showed me how, with the help of a hairdryer—this was several years ago—to get an electronic tag off your ankle. By definition, criminals will be incentivised to work out how to beat the technology, and you have to get the technology to work in the first place.

The second thing is drugs courts, or some form in the justice system of saying to individuals that they can avoid incarceration if they agree to a programme of



treatment and engagement with charities, organisations and physicians who can get them off drugs and deal with their offending behaviour.

Thirdly, as Charles said, if the community can see that there is purposeful activity that makes the community better, if there is a clear, instant-justice link between an individual committing an offence, a magistrate or sometimes even the police making sure that the offence is dealt with summarily, and if the offender contributes to cleaning up the community in some way, that is not easy to manage, but if it can be done it significantly restores confidence in community sentences.

**Q55 Lord Filkin:** Michael, you have spoken clearly, as has everybody for many decades, about the importance of reducing reoffending. Is there a generally agreed, clear road map to achieve that?

**Michael Gove:** I do not believe there is a generally agreed road map. I think there is agreement on it in principle.

I will mention one small thing, although this rule may have changed. When I was Justice Secretary, economic activity could not be carried on within a prison that might have an adverse impact on businesses beyond the community. I wanted to create a situation where both prisons and prisoners were incentivised to make sure that there was purposeful activity for the prisoners conducting work so that they could acquire skills. The money made could be put into an escrow account and then released for the prisoner so that their time in prison had been worth while. So there was a clear incentive for the prisoner: acquire the skill, behave well, and on release there is a pot of savings that can be used for housing and other things, and that pot of savings could be controlled in such a way as not to suddenly give the individual money that might in other circumstances be abused. However, if you set up a business in a prison—not an illegal business, but one where the governor is supervising things—and it has that adverse impact, it is prevented.

That is just one tiny example where the trade-off between the broader social good of providing prisoners with purposeful activity is undermined. Understandably, if I run a local laundry and the prison wants to set one up, I think, “Well, you’ve got free labour, so that’s going to undercut me”. Again, I can see both sides there.

Similarly, in too many cases education in prison is seen as box ticking by the prisoner to show that they have done certain courses on impulse control and so on. Also, the people providing the education are rent seeking rather than incentivised to demonstrate real achievement on the part of the prisoner.

**Lord Filkin:** I should have been clearer, in a sense. Clearly prisons have a crucial role to play, but this is a question about the whole system.

**Michael Gove:** Sorry. Yes, totally.

**Charles Clarke:** The fact is that there is no road map or consensus about a road map. I would argue that the kind of approach I have been trying to set out this morning could be a direction around which consensus could be achieved, but

consensus about the goals. Even if you could achieve it—there is certainly agreement in that everybody believes that prisons should try to reduce reoffending—the practical application and implementation of such an approach will take years to go through and requires a whole set of boxes to be ticked perhaps and decisions to be taken that take you down the direction of the road map.

But the precondition for doing those things right is that there is a road map that is agreed. That is the core. If I may suggest to the committee, your contribution can be to suggest how such a road map could be evolved.

**Lord Filkin:** I am slightly worried that the Gauke review looks at only a bit of that system. It looks only at sentencing, not at the totality.

**Charles Clarke:** That is true, but that does not mean that it has any less value. It has value on its own terms. Of course, you are completely right that the overall road map must look at all the elements taken together, of which sentencing is only one part.

Q56 **Lord Filkin:** Clearly, the public narrative on community sentences is pretty toxic. Many people believe that they are feeble and weak, and magistrates will cry out that there are no effective disposals to address mental health or drug issues, so they end up banging people up in prison when they know that is useless. How do we build a political and public consensus for an effective reform of community sentences?

**Charles Clarke:** The question illustrates tremendously well the point that I was trying to make. If you are going to have effective disposals for courts for people with mental health or drug issues, you need a place to which you can dispose them. If there is nowhere to which they can be disposed, the magistrates are in the very unattractive position of saying in principle: “We’d like to send them somewhere useful, but there is nowhere useful we can send them”. It is the Government’s job to offer to the courts disposals that are coherent.

On your first point, I get very cross about the suggestion, which you describe correctly, that community sentencing is in some sense soft. Actually, doing a community sentence and working on a community values project is a lot harder work than being in prison. You have to work, do things and see outcomes. We—meaning people like me—have failed to get across the argument that community sentencing is not a soft option.

You are quite right that the debate at the moment is about not going down the soft option route. The real debate is how we make community sentencing disposals, and other disposals such as those to do with health, available to the courts. I do not know what the facts are at the moment, but I suspect it is true even today that many courts do not have effective disposals available to them and simply cannot dispose in that way, so they send people to prison.

Q57 **Lord Sandhurst:** My question is a core one about the length of sentences. I disclose an interest in that I practised at the Bar for 45 years. I appeared in the Crown Court

until 1980 or thereabouts, and I sat as a recorder from 1991 to 2012. In 1980, an armed robber I represented got four years. He would get eight to 10 now. It has ratcheted up. It started with “tough on crime”, and there was competition between the political parties. The three most recent Lords Chief Justice have all made this point and said that they are too long. Are our sentences not far too long? I note that Germany and Holland rely heavily on fines and community-based sentences and have much shorter sentences. Do we not have to show some courage here and say that long sentences do not work except in truly exceptional cases?

**Charles Clarke:** Yes, we should have shorter sentences. The only way it can be done is through Sentencing Council guidelines and through political acceptance of the argument you have just made.

**Michael Gove:** This is a typical politician’s answer, even though I am no longer a politician. I think it all depends on circumstance. Part of the challenge is that there is legitimate public concern about a number of crimes going unpunished and certain crimes not receiving an appropriate sentence. There are significant examples of sentences that are longer than required for public protection or for meaningful punishment, but it is not true in every case. I am sure David Gauke will look at the specificity of offences.

Q58 **Baroness Meacher:** What do you believe makes for a good prison governor?

**Charles Clarke:** First, they have to be a good leader in very tough situations. Secondly—this is a problem, and I support the points that Michael made earlier about the reforms—he or she has to relate to their wider community. When I was an MP, the prison governor got much less focus when it comes to what was going on than the heads of the schools, the vice-chancellor, the chief executive of the local authority or whatever, all of whom were involved in community activity that the prison governor normally was not. They should relate to other services to build the partnerships that I talked about earlier. However, to do that, the prison governors need slightly more autonomy than they have now, which I think is what Michael is trying to achieve.

**Baroness Meacher:** I think you made the point, Michael, that they need more autonomy.

**Michael Gove:** I completely agree. The qualities that make a good prison governor are broadly the qualities of any good public service leader. As in any area of public service, they need an unsentimental view of human nature but a belief in the capacity of individuals to surprise you on the upside. It is about balancing the two.

I come back to the incentive point. There needs to be a way to demonstrate that a successful prison governor has done his or her job well—clearly marking out success, learning from it, celebrating it, recognising it and rewarding it. Tony Blair's Government recognised that excellence in state education should be rewarded through the honours system. That is just one way of doing it. They also made it easier to justify why, for example, Michael Wilshaw might receive a knighthood, because you could point to the success of what he had achieved in the individual

schools he led. I am not suggesting ribbons and titles alone, but they reflect a broader commitment to recognising and shining a light on excellence.

**Baroness Meacher:** Sure, and how should the performance of these prison governors be assessed?

**Charles Clarke:** Looking at the proportion of those who reoffend is an interesting metric. But—this is an enormous qualification that both of us have made all the way through—while prisons are so full it is very difficult to make much progress on the reducing reoffending dimension.

**Michael Gove:** To coin a phrase, it should be through a balanced scorecard: the reoffending rate; contributions to time spent out of cell and on purposeful activity; and, hopefully, a low number of violent incidents in the prison—ideally zero—both prisoner on prisoner and prisoner on prison officer. If a governor were here, they would say: “This is simplistic. You cannot compare apples and pears—different prison populations, different prison pressures and the age of different prisons and the facilities available”. Once you have an accountability system in place looking at all these things, you can then have a conversation with the individuals who find it more difficult and say: “Okay, if you need that additional resource or contextualisation, fine, but you can’t evade responsibility by continually saying, ‘I’m sorry. That metric, that metric, that metric—none of them works’”.

Q59 **Lord Tope:** On the point about autonomy, what are your views on the current means of holding services as a whole to account for failures?

**Michael Gove:** It is not good enough, and so much devolves on to the heads of the Chief Inspectors of Prisons.

**Lord Tope:** What measures would you take to improve it?

**Michael Gove:** We are very lucky that we have consistently had good Chief Inspectors of Prisons, and the current one, Charlie Taylor, is outstanding. However, there needs to be clarity over what we expect of prisons. I mentioned management information earlier. Once you have that information, you can have a debate about how wisely and well you use it, but, going back to what Charles said, one should be able to look at the records of governors under different leaderships and at all the indices that we mentioned earlier.

Also, governors and others can say: “Yes, but we’re doing that with this amount of resource per prisoner, this pressure or these numbers of prisoners coming in”. The more information there is, the more we can have an informed debate. What is absolutely required is to give the governor autonomy over their rewards and incentive schemes in the prison and over choosing educational suppliers, getting prisoners to work and so on.

**Lord Tope:** So why do we not? What is standing in the way?

**Charles Clarke:** I agree with Michael, but I would say that what is standing in the way is what we have mentioned before: the absence of a coherent overall direction of travel, strategy, road map—whatever metaphor you use—against which people’s performances can be reasonably assessed. That lack is made acute by the fact that they are just trying to keep the show on the road because the prison estate is so full.

**Michael Gove:** This sounds like an excuse, and maybe it is, but Covid had at least three big impacts on the Prison Service. First, the MoJ had to devote quite a lot of time during the pandemic to making sure that prisons did not become ravaged by the disease. That involved a lot of management work and meant that quite a lot of the purposeful activity that one might otherwise wish to see could not happen.

Secondly, for reasons I completely support, we did not restrict trial by jury during Covid. Therefore, the remand population grew because the court system was under strain. More broadly, Covid also brought damage to the public finances, which meant that there was less resource altogether to go around.

We have a pretty widespread understanding of the impact that Covid had on the NHS and schools. The impact it had on the criminal justice system is less well understood publicly. Alex Chalk had to deal with that when he was Lord Chancellor and Shabana Mahmood is dealing with it now. As we move forward against that backdrop and with that understanding, the question is whether the current Justice Secretary will be given the support required to achieve what I am sure she knows she wants to do.

**The Chair:** I am not at all clear that we have had an answer to the question to you about how we assess our prisons. You can say that we rely on our extremely good prison inspectors, and they are, but is that enough?

**Michael Gove:** No. I would gather and publish data that was clearer about which prisons worked and which did not. I was talking to a professional in the prison system who said that HMP Oakwood, I think it was, is particularly successful at the moment, but that is anecdote. We need to see what the outputs and inputs are, put them in context given the circumstances, and then draw meaningful comparisons. I think you can draw meaningful comparisons between, for example, Wandsworth and the Scrubs. Different prisons have different challenges, but let us get that information out there so that, in the same way as you and I can argue whether Progress 8 is the right measure for schools—

**The Chair:** I am asking you in particular, Mr Gove, because you were also Secretary of State for Education at a time when there was huge debate about how schools should be assessed. We were all concerned that it was not possible to take into account the very different challenges that different schools face. That is particularly true in our prisons, which have some of the most appalling buildings and cannot provide some of the rehabilitative work and so on which a governor might want to do. It is extraordinarily difficult, and I am not sure that anybody can easily come up with a solution, which is why reliance on the chief inspector may be the best answer

we have.

**Charles Clarke:** At the core of all assessment of education, health and everything else is the quality of data. Over the last 30 years, there has been a steady increase in the quality of data in many of these areas. The major driving force behind the London Challenge for London schools, which I was closely involved in, was data—sharing the quality of assessments of how different schools from different areas were performing, taking account of things like school building quality.

The question for prisons is about the quality of their data. Only when you have that can you make proper assessments of operations. You can have important arguments about what data is and is not collected—whether you include suicides, the state of the buildings, or whatever—but the starting point must be to have a good data system for this. My recollection, although Michael may correct me, is that the available data about prisons and prison performance was of much lower quality than it needs to be to make these kinds of assessments. The path of change has to be to increase the data collection that allows targets to be set, judgments to be made, and so on.

**Michael Gove:** I completely agree. With any public service, you need data of the kind that Charles mentioned, which can allow you to make meaningful comparisons, a strong inspection system, and a means of getting effective feedback from people on the front line in the system. Almost anyone undertaking education reform or monitoring the school system would say that whatever form league tables should take you need them, and that whatever form inspection should take—even if it is not Ofsted, of which I am a strong defender—you need it, but you also need a means of listening to the profession.

**The Chair:** I am struggling, but the committee will have that debate later.

Q60 **Lord Bach:** What is your assessment of private sector prisons? Do you believe there are other opportunities for private sector involvement in the management of prisons? Before you answer, I have a perhaps unfair quotation from Douglas Hurd, another former distinguished Justice Minister who was Home Secretary in 1987, when he said: “I do not think that there is a case, and I do not believe that the House would accept a case, for auctioning or privatising the prisons or handing over the business of keeping prisoners safe to anyone other than Government servant”. Now, 37 years further on, a lot has happened since then.

**Charles Clarke:** I do not agree with Douglas’s remarks. I think there is a role for the private sector and for private sector prisons. When I was Home Secretary, I met a number of groups, including American groups, which did this. I say this not on the basis of cost, which became the only determinant of private sector prisons, but on the basis of reoffending. I saw private sector groups, sometimes run by voluntary organisations and not just by classic capitalists, focusing—for example, in drugs—on how to achieve progress in reducing reoffending and drug taking by prisoners. They were much more creative at that time—again, maybe this has changed—than parts of the state system.

As long as their involvement is about looking creatively at different types of criminal and different ways of reducing reoffending—drugs and mental health are classic examples, but there are others as well—then private sector institutions can make a contribution to making prisons work better. Do I think the same about the basic costs? Can you drive costs down through using the private sector and get better management? I am more sceptical about that. I do not exclude it, but my starting point is that you should talk to the private sector and organisations involved to see how they can play a role in better addressing our ambitions to reduce reoffending that we have been talking about this morning.

**Michael Gove:** I very much agree. On an emotional level, I share some of Douglas Hurd's feelings. I think certain things are the state's responsibility. I am naturally in favour of capitalism's creativity, but there are some things that one should not see commodified. However, we have the system now and there are undoubtedly prisons—I remember visiting HMP Peterborough—that are extremely well run by the private sector and have good outcomes.

There is a broader question. The Rubicon having been crossed and the taboo having been breached, it is no longer an argument of principle but one of effectiveness. The more information we have about how prisons perform, the better able we are to make judgments about them. There is a broader issue in government: there are large organisations in the private sector that have become very effective at securing government contracts. They have the legal and commercial expertise and can outgun government departments. Once they have those contracts, they are more difficult to hold to account and to police. There is a broader question about how the state makes sure that, in any services that it subcontracts to the private sector, the contracts are monitored effectively.

**Lord Bach:** Are there other opportunities for private sector involvement beyond what we have seen so far?

**Charles Clarke:** I am not well enough informed about the current state of affairs to answer that question properly, but I expect so if you accept my criterion about finding better ways of reducing reoffending and encouraging organisations that are trying to address this to play a bigger role in the prison system. I suspect there are various opportunities. People will have a lot of doubts going into this because there is so much controversy around it that they will worry, but one could develop that more if one really focuses on reoffending.

**Michael Gove:** I can think of one area off the top of my head: giving a data analytics firm the chance to look at the overall performance of prisons, probation, courts and so on could yield benefits. If the MoJ wanted to contract an organisation such as Palantir to look at that, that could definitely bring benefits.

Q61 **Lord Henley:** We have heard about the number of Home Secretaries, Justice Secretaries and others over the last 25 years. We have had 23 junior Prisons Ministers over the last 30 years. That is an awful lot of churn. If either of you were magically brought back—this is one of those lovely Christmas questions—what

would you now do? What could you do within the constraints of the resources available? What ought to be prioritised?

**Michael Gove:** In a way, I would not want to reinsert myself into it, but if I were advising the Government I would ask the Prime Minister to keep Shabana Mahmood in her current role for the lifetime of this Parliament. She might not thank me for saying that. It might sound like a long sentence that I am imposing without the prospect of early release. All other things aside, she is clearly a highly intelligent and effective politician who has the ability to make changes. I hope the Prime Minister will support her and provide her with longevity in office and sufficient resource.

**Charles Clarke:** One of the things I was angry about when Tony Blair sacked me as Home Secretary was that, when he reappointed me as Home Secretary immediately after the 2005 election, I said: "I would love to do this job, but only if you can confirm that I will keep it throughout a four-year or five-year Parliament". My assessment was that the problems in the Home Office, and not only in this area, were so deep that it would take a lot of change to solve them. I hoped that he could confirm that I would have it all the way through, and he said yes. So when he then said "No", I was very disappointed. The biggest single change I would want to see is this focus on partnership in reoffending to be at the core of trying to reduce it.

**The Chair:** Thank you very much for—to use a phrase that has been used today—passing through. You have given us an enormous amount of food for thought and we are enormously grateful for it. Prison governors watching this online will now be looking forward to their knighthoods for their good service. My biggest worry is that there will no doubt be quite a large number of currently tagged offenders watching who will try to dig out a hairdryer to resolve their problems. Thank you for handing over that tip to them. Who knows whether it works or not? This has been enormously helpful, and we are really grateful to you for giving up your time.