

Justice Committee

Oral evidence: [Rehabilitation and resettlement: ending the cycle of reoffending](#), HC 469

Tuesday 13 May 2025

Ordered by the House of Commons to be published on 13 May 2025.

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Members present: Andy Slaughter (Chair); Pam Cox; Linsey Farnsworth; Warinder Juss; Tessa Munt; Mrs Sarah Russell; Dr Neil Shastri-Hurst; Mike Tapp.

Questions 175 - 240

Witnesses

I: Charlie Taylor, Chief Inspector of Prisons, HM Inspectorate of Prisons; Adrian Usher, Prisons and Probation Ombudsman; Elisabeth Davies, National Chair, Independent Monitoring Boards.

Written evidence from witnesses:

[Charlie Taylor \(HM Inspectorate of Prisons\) \[RAR0091\]](#)

[Adrian Usher \(Prisons and Probation Ombudsman\) \[RAR0033\]](#)

[Independent Monitoring Boards \[RAR0096\]](#)

Examination of witnesses

Witnesses: Charlie Taylor, Adrian Usher and Elisabeth Davies.

Q175 **Chair:** Welcome to this afternoon's session of the Justice Committee, which is the third evidence session in our main inquiry into rehabilitation and resettlement of prisoners. This one will deal with the strengths and weaknesses of the day-to-day running of prisons, and therefore I am delighted that we have the three foremost scrutineers of prisons before us. I am going to ask them to introduce themselves in a moment, but first we need to do our declarations of interest, starting with Sarah Russell.

Mrs Russell: I am the Member of Parliament for Congleton. I am a member of various trade unions. My interests are as on the register, and I am a solicitor although I do not currently practise.

Warinder Juss: Hello, I am the Member of Parliament for Wolverhampton West. I am an executive council member of the GMB trade union and a member of various APPGs. I am a solicitor although not practising at the moment. My other interests are on the register.

Linsey Farnsworth: Good afternoon. I am the Member of Parliament for Amber Valley. I was a Crown prosecutor before coming into Parliament. My declaration of interests is on the website, but I am a member of various trade unions and APPGs.

Chair: I am the Chair of the Committee. I am a non-practising barrister, a member of the GMB and Unite trade unions and the patron of two justice-related charities: Hammersmith and Fulham Law Centre and The Upper Room for ex-offenders.

Tessa Munt: I am the Member of Parliament for Wells and Mendip Hills. Everything is declared on the register, but I would just point out that I am a director of a non-profitmaking organisation, WhistleblowersUK.

Mike Tapp: Hello, thanks for coming in. I am the Member of Parliament for Dover and Deal, and I previously worked for the National Crime Agency.

Dr Shastri-Hurst: I am the Member of Parliament for Solihull West and Shirley. I am a registered barrister, and my interests are as declared on the register.

Pam Cox: Good afternoon. I am the Member of Parliament for Colchester, and my interests are as declared on the register.

Q176 **Chair:** Thank you very much. We have a single-panel session today: Adrian Usher, the prisons and probation ombudsman; Elisabeth Davies, the national chair of the independent monitoring boards; and Charlie Taylor, the chief inspector of prisons. We are delighted to have you here. Could I ask you first to introduce yourselves briefly, say what your role is,



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and perhaps say how that is distinct from the other members of the panel and how you work together in terms of the scrutiny of the prison estate?

Adrian Usher: I am the prisons and probation ombudsman. The ombudsman's role is essentially to provide prisoners with a voice outside the prison walls. Once they have exhausted the prison complaint system in primary complaint and appeal, they can come to me and my organisation to assess their complaint. I also investigate all deaths that occur in prisons in England and Wales. I have some other functions around special inquiries, but that is the essence of my role.

Q177 **Chair:** Does that mean that, provided they have gone through the complaints procedure, which is similar to any other ombudsman, any complaint can be referred to you by a serving prisoner?

Adrian Usher: Yes, and I have some discretion if they come directly to me without having gone through the first and secondary stages. In some circumstances, I might decide that it makes sense for me to investigate if they have come direct.

Elisabeth Davies: I am national chair of the independent monitoring boards. Independent monitoring boards are made up of over 1,000 unpaid public appointees, so they might be referred to as volunteers. They are operating in every prison in England and Wales and every immigration detention facility across the UK. It is worth thinking about how the independent monitoring boards' members are the public's eyes and ears. They are supported by Ministers to perform a vital task, which is independent monitoring of prisons and immigration detention. They report on whether the individuals held are being treated fairly and humanely and whether prisoners are being given the support they need to turn their lives around, which is of particular relevance for today.

Think about that place of detention in your local community, that prison you walk or drive past. What are the assumptions that you are making about that prison? Should you be making those assumptions? Maybe you are just very well suited to become an IMB member. I mentioned that IMB members are unpaid public appointees. They are in prisons, for example, on a monthly basis, so that is how they differ from prison inspectors, who will be in prison broadly every two years.

It is really important that Charlie Taylor and I work closely together to make sure that prison inspectors are aware of the annual reports and aware of the messages and what IMBs are seeing on an ongoing basis. I also work with Adrian Usher, the prisons and probation ombudsman. We meet about quarterly on an informal basis. It is about sharing information and data and finding out what Adrian is looking into. We are not complaint handlers, but it is really important that we know what Adrian and Charlie are looking into.

Q178 **Chair:** When your board members go round, do they get prisoners actually making complaints to them?



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Elisabeth Davies: They do. You will hear today that one of the limitations is that we monitor outcomes in terms of prisoners. We do not monitor outcomes in terms of staff or contracts, for example, so that will limit the evidence that I can share with you.

Charlie Taylor: The role of His Majesty's chief inspector of prisons is to report on the treatment and conditions of prisoners and outcomes in places of custody across England and Wales. We also inspect immigration detention, court custody, prisons, children's prisons and women's prisons. In terms of our remit, we inspect places at least every five years, which is almost always an unannounced inspection. If it is a women's open prison, we will probably be there every five years. If it is somewhere like Wandsworth, we have been there four times since I have been chief inspector, so almost every year. We do that by risk assessment to decide where the most risky place is. One of the ways we get intelligence on the state of prisons is by reading the reports from Elisabeth's team and looking at PPO reports from Adrian's team. The evidence that comes from my two colleagues here is enormously important when we are on inspection and deciding where we should inspect next.

Q179 **Chair:** Do you physically get together to discuss things and share information?

Charlie Taylor: Our offices are three in a row.

Chair: You are co-located.

Charlie Taylor: Yes, which helps a lot.

Q180 **Chair:** The first topic we want to talk about is time out of cell, because that seems quite fundamental to the mental health of prisoners and their ability to access purposeful activity. What is the situation at the moment either in general or by specific cohorts, types of prison and types of prisoners? How far short does that fall of what you would expect? I do not mind who—if we are missing an answer, I will ask, but otherwise you can answer at will.

Charlie Taylor: Purposeful activity is one of our four healthy prison assessments and has been consistently the lowest scoring since the inspectorate came into being in 1982, and it remains the lowest scoring. Far too often, we continue to go to prisons where prisoners do not have enough to do. They are locked on their wings or in their cells for long periods of time, often in doubled-up cells that were originally designed for one person. At the same time, we also go around workshops, or our colleagues at Ofsted go into education, where attendance is poor and often capacity is not being used properly.

Time out of cell varies enormously between different prisons. Three weeks ago I was in Askham Grange, which is a women's open prison. There are no cells there; women live in rooms or in dorms, and most of the women are out working in the community as you would want them to be all the time. If you then go to Wandsworth, for example, you will find



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a high proportion of prisoners are sharing cells that were originally designed for one person, and they are often locked up for up to 22 hours a day. It is not uncommon in inspection to find prisoners are locked up for 22, sometimes even up to 23 hours a day, particularly those who are unemployed, or recently arrived at the jail and have not yet found work or education and training.

Of course, the danger of that is that prisoners become bored and demotivated. As we have discussed previously with this Committee, given the amount of drugs that are getting into jails, you have, in a way, a perfect captive audience for people who want to sell drugs. In a recent inspection of HMP Ranby, a category C prison in the east midlands, many prisoners told us that they had developed a drug habit since they had come into prison and a lot of that was to do with the paucity of the regime that many of them were exposed to. It tends to be the category B reception prisoners who are the worst and we see a big variety in other jails. In Rochester, a quarter of the prisoners were locked up at the time we inspected. In Oakwood outside Wolverhampton, prisoners can expect to get at least seven to eight hours a day out of their cell as a minimum.

Q181 Chair: If you have prisoners who are locked up for 22 hours a day, presumably, in the two hours they are allowed out, purposeful activity may not be their priority if they have to take a shower or get supplies.

Charlie Taylor: Indeed. They will want to have a shower, get some fresh air, do things like ordering from the canteen, and talk to officers to try to get whatever issues they have fixed or put in applications. Prisoners will often say that they have to choose between going to the gym, going outside, having a shower and getting to healthcare appointments. There is a lot of pressure in that very short period of time.

Q182 Chair: Mr Usher, do you get many complaints based on this, or are people just resigned to it?

Adrian Usher: In the worst of covid, we had over 250 complaints in a year about the lack of regime across the prison estate. If last year was an average year, we had about 125 complaints about regime. I do not think we are a great barometer on the complaint side. My experience is that as we approach full capacity in prisons, regime gradually grinds to a halt. It gets harder and harder to deliver it. There is less fluidity in the system and, for period of time, a prison may essentially lock down. For a prisoner to complain about that to me, he or she has to have gone through the complaints system and the appeal, which might take several weeks. By the time they get to me, it may be that the regime has eased up a bit and they are not quite feeling that pain to persist and come to me. But the 125 who still do are relevant.

From my point of view, the complaint side is important, of course, but what is incredibly important is the self-inflicted death side. We know that work, purposeful activity and time out of cells are all really important protective factors, and if you start taking those protective factors away,



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we know from some things complainants say to us that the effects on their mental health can be quite severe.

Q183 **Chair:** In your "Purposeful prisons" report last year it was said that if people are locked up for a long time, it actually contributes to their likelihood of reoffending. Is that right?

Charlie Taylor: It was slightly more nuanced than that. We said that prisons with a higher level of lock-up had higher levels of reoffending. We did not make a direct causation between the two, but there was definitely a correlation.

Q184 **Chair:** Does that sound likely? It is common sense to say that if people are locked up with nothing to do for 22 hours a day it is not going to have a positive effect on their mental health or their attitude when they leave prison.

Charlie Taylor: We want to see prisoners involved in the sort of activity that means they can get a job and makes them less likely to reoffend when they come out. We certainly see such a big range between prisons that do that really well and the majority of prisons, where, unfortunately, the activity simply is not purposeful enough. I think the public would have an expectation that prisoners were doing something productive with their time, but sadly they are not. Prisons are failing in one of their public protection functions, which is to make people less likely to reoffend when they come out.

Elisabeth Davies: Chair, it might be worth going back to your question about different cohorts of prisoners, because of course we are talking to quite a nuanced picture, as Charlie Taylor alluded to. Too often, prisoners are falling through the gaps. Prisoners convicted of sexual offences have different experiences from prisoners living with disabilities and different experiences from those living with dementia. For example, we have an IMB that has reported recently that prisoners living with dementia are spending 23 and a half hours a day in their cells. That is almost the full 24 hours. They are only being let out, as it were, for half an hour. That is very different from what you are alluding to in terms of the experience across the closed estate more broadly, so it is worth having that nuanced lens.

Q185 **Chair:** In all your boards' experiences, what are prisons doing to address that? We will come on to talk about staffing later, but I guess one of the main problems with getting people out of cells is staff being available to move them around the prison. That seems pretty dramatic.

Elisabeth Davies: We talked in our written evidence about the persistency of different parts of the estate to try to get on top of time out of cell. It would be more a version of dogged persistency than a specific scheme or initiative, but it would be quite unusual for a prison to be complacent about time out of cell. Some IMBs, for example in young offenders institutes, report levels that are concerning. But I would



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suggest that more broadly the prison estate is hugely aware of time out of cell, and it is a key barometer that is being counted.

Q186 **Chair:** What do you think it should be, or what was it pre-covid?

Elisabeth Davies: I do not know. Again, it is this issue of needing quite a nuanced interpretation. A board recently reported on a women's prison where the time out of cell was technically less than you might expect, but the women were reporting an improvement in their mental health and wellbeing. They were saying that while they are out of their cells for a shorter time, that time is better used, which is what we want to see. I do not think there are set criteria that I can adopt; you want quite a nuanced interpretation. You want to be able to check, "What you are doing with your time out of cell? Is it purposeful activity?"

Adrian Usher: It is also important to say that it is the lack of certainty that has a very negative effect on mental health. Even if you are given a shorter amount of time but you are pretty certain that you are going to get it on a day-to-day basis, that is better than suddenly discovering that you are not going to be doing what you thought you were going to do today or tomorrow. That has a real impact if you have a medical appointment, for example—there are all sorts of other one-off events—that is suddenly cancelled and may take weeks, if not months, to rearrange; it is very difficult.

In some prisons there are great disparities because, for example, the number of non-association orders between prisoners to keep them safe from gang activity virtually cripple movement around prisons. There are types of prisons where those orders are far more prevalent. There are prisons where a whole wing has to walk through another wing to get to the exercise yard. If you have sufficient non-association orders and not enough staff, that just does not happen.

Charlie Taylor: In our expectations of prisons, we ask for a minimum of 10 hours a day out of cell, but it is something we rarely see. It is worth saying that in the latest 2025 residential services PSI, the Prison Service has said that governors are to provide prisoners with a minimum of two hours a day out of their cells, so the bar and the expectations are much too low within the Prison Service. Many prisons do better than that, but as a bare minimum we do not think two hours is anything like enough.

The other thing is that when prisons report on this they almost tend to over-report the amount of time. For example, when we check children's prisons, they will tell us they have six hours out of cell, but actually they are measuring it from the moment you unlock the first child to the moment you lock up the last one. In reality, that is often half an hour or more less, so most children are lucky if they are in their cells for less than 18 hours a day.

Chair: Understood. We need to move on.



Q187 Warinder Juss: I will ask some questions on population constraints. The Chair and I were at Wandsworth prison last week, and although that prison is now moving in the right direction, it became quite clear that prisons are used as places of containment rather than rehabilitation to stop reoffending. The Howard League for Penal Reform said: "Ambitions for prisons to be places of rehabilitation in a context of gross overcrowding and capacity crisis are extremely difficult, if not impossible, to achieve... Overcrowding affects the physical and mental health and wellbeing of people living and working in prisons." The Criminal Justice Alliance said: "Prisons cannot operate effectively if the capacity crisis is not resolved." Do you agree that while we have gross overcrowding we are not going to be able to achieve rehabilitation? Just one final fact: as of 28 April this year, the prison capacity is 98.72%—almost 99%. With that level of prison capacity, how likely do you think we are to achieve some kind of rehabilitation in prisons?

Charlie Taylor: It is a huge struggle, particularly in reception prisons such as Wandsworth. When we did our full inspection of Wandsworth last year the population was higher than it had been. In response to our inspection the Prison Service has reduced the population of Wandsworth, which has at least taken some pressure off. Nevertheless, as you saw when you went round, there were a lot of prisoners who were locked up in very overcrowded conditions.

Victorian reception prisons tend to be in a city. They tend to have a very small footprint and therefore there is a very limited amount of things like workshops and education. Wandsworth has a very small education facility that would not be big enough for a primary school, let alone for a jail of Wandsworth's size. There simply is not enough for people to do in Wandsworth compared with the capacity that they have in the jail, and that is not at all uncommon. Prisons that hold very long-term populations tend not to be overcrowded because people are doing life sentences and tend to have a single cell because they are away for very long periods of time.

I will give you one example that will illustrate the crisis we have in terms of population. We were in HMP Elmley last month. We found that prisoners who were due to get out the next day were being shipped out of Elmley to Rochester prison simply to make space for other prisoners to come in that day. Even with one day to go on their sentence, they were being shipped out just to create space. We also see things like courts—Reading, for example—having to hang on to prisoners late into the night or early morning in order to find a place somewhere around the south-east of England to house a particular prisoner. This all shows the pressure the Prison Service is under.

Q188 Warinder Juss: So the amount of overcrowding that we have at the moment makes it almost impossible.

Charlie Taylor: In those jails it is incredibly hard to run a proper rehabilitative regime, but there are prisons that do a better job than



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others. We reported much more favourably in HMP Swansea. There are two Victorian inner-city jails in Preston that are able to do a much better job than you would find in many prisons. However, there is huge pressure on the system as a result of overcrowding.

Elisabeth Davies: That is reinforced by IMBs. There are IMBs in places like Buckley Hall and the open estate saying, "That's entirely consistent." Rehabilitation is working in some parts of the prison estate, but it is not working in most parts. Why is that?

Adrian Usher: Very sadly, it is seen in self-inflicted deaths in some institutions that are really suffering from overcrowding. As more people are crammed in, one of the things that gets squeezed out is compassion—the time that staff have to be compassionate and form relationships with prisoners. That means that Wandsworth, for example, is running at three or four times the national average in terms of self-inflicted deaths. Of the reports that I have put together, two of the most concerning are from Wandsworth, and both occurred six months to a year ago. I have been to Wandsworth since and met the new governor and there are positive things that have happened since, but sadly in one of those cases I was forced to say that the reason this man died was because he went to Wandsworth. It has not yet reached inquest, so I will not name it.

Charlie Taylor: It is worth saying that the most overcrowded prison in the country is very often Leeds prison. It has also had the most suicides of any jail over the last two years or so.

Q189 **Warinder Juss:** Can I ask you about the categorisation of prisoners? How do you understand rehabilitation and resettlement to work with reference to how prisoners are categorised?

Elisabeth Davies: Prisoners need a coherent progression structure. When the system is working, prisoners benefit from receiving tailored support at each part of their journey through the system. A crucial part of a prison's rehabilitative function is what it is able to provide to different prisoners at different points in their progression. When the prison estate has a coherent progression function in mind, it works, but when there is a breakdown, there are real challenges.

Q190 **Pam Cox:** How many suicides have there been in the last 12 months or 24 months?

Adrian Usher: Around 95 to 100. We have seen the numbers creeping up slightly, but because that is still a relatively low number out of 90,000, I would not want to put too much emphasis on extrapolating cause from that. However, they have definitely gone up, and they tend to go up as capacity goes up.

Q191 **Pam Cox:** Over what period of time are those 95 suicides?

Adrian Usher: A year.



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Q192 **Pam Cox:** Last year?

Adrian Usher: It is about one every three and a half days.

Q193 **Warinder Juss:** Do you agree that because of the overcrowding pressures, prisoners are not put into appropriate prisons in accordance with their needs? What effect does that have on rehabilitation?

Charlie Taylor: I can give you a couple of examples. Category C prisons are divided into two types. One is resettlement and one is a training function. Because of the capacity issues, lots of training prisons are also having to do a resettlement function. That means a prison such as Ranby, a rural prison in the east midlands, has to resettle prisoners from all over the country. We also see in resettlement prisons, such as Lancaster Farms, that prisoners who would have expected to spend 18 months to two years in that jail are often coming in for a very short period of time, and that can be quite destabilising too. In the past, if you were given a relatively short sentence, you would have stayed in Wandsworth or Elmley and done your sentence there, but now you get shipped out. As soon as you have been sentenced, they are trying to ship you out as quickly as possible. Of course, there is a knock-on effect elsewhere.

The only thing that has been a bit more positive is that we often used to report on category D prisoners—prisoners who have been assigned to an open prison—languishing in category C, which are closed prisons. As a result of the population pressures, category D prisons—open prisons—are now filling up and are pretty much full. That is something that is much better from our point of view.

Adrian Usher: It is not just categorisation for us. It is incredibly important as a protective factor that prisoners have some link to their family. Very sadly, I can report on one case in which a prisoner who was in the midlands knew one person with whom he had a meaningful relationship. His sister lived in Scotland, and he made repeated applications to be moved to the north of England so she could visit. Due to the capacity crisis, the Prison Service—and I ascribe no malice to this; it is just the way these things work—moved him to the Isle of Wight, and he took his life within six hours.

Q194 **Mrs Russell:** How much does the system end up spending on suicides? Secondly, do you think there is an effective rehabilitation regime in prisons in relation to people who have committed domestic abuse offences? What are the reoffending rates for people who have committed those sorts of offences?

Adrian Usher: I cannot put a figure on the financial cost to the Prison Service of suicide. There are some nuts and bolts to this. The Prison Service contributes to the funeral costs of all people who die in prison, so there will be a cost attached to it. When suicide monitoring is done well and risk is identified, assessed and mitigated properly, it has a cost because it increases the number of staff who are required to look after people who are at risk. I try to speak to the next of kin of every bereaved



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family member—somebody whose loved one has taken their own life—and they consistently report to me the difficulty of trying to maintain contact with individuals due to a variety of administrative issues. It is the reason I took this job, but it is an enormously complicated issue. There are some tremendous stories of incredibly dedicated and compassionate members of the Prison Service who, I have no doubt, save hundreds of lives every year across the service—I really believe that—but sadly, in 2025, 100 people killing themselves every year in our prisons is too many.

Elisabeth Davies: It is quite interesting listening to you, Adrian, because I would argue that you have staff who are being asked to carry out mental health and social care training, for example, but are not trained to do what they are asked to do.

Adrian Usher: And very many prisoners. There are many severely mentally ill people in our jails whose primary carer is another prisoner.

Q195 **Dr Shastri-Hurst:** I would like to continue on the topic of overcrowding and prison pressures. To what extent should all prisons, regardless of their category, be required to deliver rehab and resettlement functions as core components of their operation?

Elisabeth Davies: What do you think, Charlie? If the prison estate is working properly then I do not think it is a requirement, but the question is whether the prison estate is working properly. Going forward, I think the categorisation is absolutely right, and it is right that only certain prisons carry out that rehabilitation function, but you need the right prisoners in that prison at the right time. I would argue that is the issue in terms of overcrowding. It is the population pressures and whether the right prisoners are in the right prisons. That is my thinking on the progression piece.

Charlie Taylor: In terms of categorisation, part of the reason a category A prisoner has been designated as such is the reputational risk to the Prison Service, or Ministers, if that person is able to escape, and the risk to the public. The decisions are made about the chances of them wanting or attempting to escape and the effect that it might have on people's faith in the prison system.

We find that people who are in category A prisons are often in less overcrowded conditions than the chaotic churn seen in places such as Wandsworth prison, and therefore there is a chance for them to settle into some activities. However, some people are doing very, very long sentences and therefore are not at the stage, or even close to the stage, of thinking about what they are going to do when they come out. To some extent it is just about getting them through their time, particularly the first years, before you can begin to prepare them to think about what they are going to do when they come out. The idea is that where it works well, prisoners should be able to work their way through the system so that when they get to category C to be released—or, in an ideal world,



they get to category D—they will be able to go out and make a success of themselves.

Statistically, we find that prisoners who go to an open prison at the end of their sentence tend to have much better outcomes when it comes to things such as employment on release because they get a chance to make a transition from a very closed environment in which they do not get to make any decisions, to going out and being a member of the public again and dealing with a world that has changed since they first went in.

Adrian Usher: That progression has such a positive effect on mental health. You see this with remand prisoners, who of course do not have a plan. There is no progression for a remand prisoner. When I talk to convicted prisoners about the fact that they should have been moved to progress and get the courses and skills that they need, they are very frustrated. I appreciate that it is unlikely with all the pressures on prisons, but in an ideal world prisoners would benefit from receiving that work during their sentence rather than getting it all towards the end of their sentence, which is what you see at present. If a prisoner crucially needs anger management and has 18 years in prison without it and then acquires it right at the end of their sentence, it carries some risk. Ideally, everything should not happen in the last two or three years, which is what happens now. The prisoners would feel a greater sense of hope, and it would benefit the system, if they were getting it throughout their time in prison when they are serving a long sentence.

Q196 **Dr Shastri-Hurst:** In the course of our evidence gathering, the Committee has received written evidence that the SDS40 early release scheme has had a negative impact on rehabilitation efforts which has led to further recalls and reoffending. In your collective view, do you think SDS40, or the policy in its entirety, sufficiently takes into account rehabilitation efforts being carried out in prison?

Charlie Taylor: On SDS40, the pressure on the system at the time, particularly after the summer riots, meant that something had to happen very quickly otherwise prisons were simply going to be locking people out. The Prison Service, to its absolute credit, worked incredibly hard over the course of last summer to make sure that it was releasing the right people at the right time, and by and large, with a few errors, it did that very well. Inevitably, a proportion of those who were released on SDS40, as with a normal release, came back into custody. Normally, about 1,000 prisoners a week across the country get out. SDS40 put that number up to 3,000, so, inevitably, the system was under more strain at that particular time.

In terms of the data on recalls, we do not yet have a distinction between prisoners who were released on SDS40 versus prisoners who were released as part of their normal release programme. We are hoping that the Prison Service will give us more of a breakdown at some stage in terms of the numbers and the effect of SDS40 on reoffending and on recall after release.



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Adrian Usher: I also investigate those prisoners who die within two weeks of release in order to see what the hand-off is between prisons and the probation services and other support services. Having been made aware that SDS40 was coming and that there were going to be an additional 5,000 released in a short space of time, I began to move resource around my office, believing that it is a straight metric that when more people leave there will be more deaths within the first two weeks. I was completely wrong.

In that SDS40 cohort who were released, none died within the first two weeks, to the best of our knowledge. Again, the numbers are very small and I would not want to place too much reliance on them, but I believe that the reason for that was that there was such a spotlight on the release programme that all the support services that should always be in place were in place. The Prison Service also worked incredibly hard. I wrote to Phil Copple and to Kate Davies, the head of the NHS provision, to congratulate them on the fact that these people had not died. Prisoners were not released homeless, they were given drug and alcohol referrals, and they had proper healthcare. The slightly double-edged sword to my letter of congratulations is of course that you have shown that you can do it.

Elisabeth Davies: You asked whether SDS40 has had a negative impact on rehab efforts. Yes, inevitably, there were unfinished programmes and prisoners released who were not necessarily prepared for reintegration. It is very clear that SDS40 was an emergency measure, and the Government were probably aware of that and that it would impact rehabilitation but had little alternative, I would suggest.

To give an example of SDS40 having a negative effect on rehabilitation efforts, at one open prison the IMB reported that prisoners were assigned ROTL jobs with an external employer and shortly afterwards they learned that they would soon be released under SDS40. This meant that the offender management unit staff had wasted a lot of their limited time building relationships with employers and developing and selecting suitable prisoners.

As yet, boards only have anecdotal information. If we had an IMB sitting here they would say anecdotally that some boards have observed higher rates of recall from SDS40, especially in the women's estate, but it is too soon to say. Obviously we are all waiting to see what the data says.

Q197 **Dr Shastri-Hurst:** I understand that we only have anecdotal evidence at the moment, but do you have a sense of how future tranches of any early release system could be improved to ensure that those who are already taking part in rehabilitation programmes are best served?

Elisabeth Davies: There are two things that clearly have emerged from the way SDS40 was handled. The first is the importance of communication with prisoners to avoid panic. That is critical. The second



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is the importance of solid offender management unit and probation staffing, which I referred to earlier.

Charlie Taylor: Preparation for release is one of the areas that we look at and we are often very critical of it. There is not the mad panic that there was around the time of SDS40 just to get people processed in time—it has now become business as usual—but we often find that people are still going out homeless, without being allocated to proper services out in the community, and that probation staff are often very stretched. I remember talking to a guy in Chelmsford prison who said that he was due to come out on the Monday but he would be back by the end of the week. Sure enough, by the end of the inspection he was back inside the jail, because he was being released homeless and was going to breach the terms of his licence.

Q198 **Dr Shastri-Hurst:** I am going to ask you all to take out your crystal ball and look forward to the sentencing review. What impact do you anticipate it will have on alleviating any pressures within the prison system and rehabilitation?

Charlie Taylor: Let us wait and see what comes from that review, but from the Inspectorate of Prisons' point of view, anything that reduces the overcrowding that we see in many jails and provides better opportunities for proper rehabilitative work, training, employment and education has to be a good thing.

Elisabeth Davies: I suggest this is all to do with the ability to build a rehabilitative culture. IMBs have serious concerns about their limited engagement with rehabilitative activities. You want to focus attention on the issue of what constitutes a rehabilitative culture.

Q199 **Dr Shastri-Hurst:** We have touched on the remand population already, but what impact do you think the increasing remand population has had on the ability to carry out rehabilitation for longer-term prisoners? How can one engage and incentivise remand prisoners to take part in rehab activities, thereby minimising disruption?

Adrian Usher: It is incredibly difficult because the remand population do not have a prison plan and they are very uncertain when their case will eventually be heard. One of the things that has concerned me about the remand population is that I have spoken to prisoners who say they are changing their plea because their solicitors advise them that they are never going to get more than they have already served. If you accept that a percentage of those on remand are going to be found not guilty, then them all changing their plea to guilty is a risk. It is very tricky to get engagement from people who have no clear idea of what their immediate future holds.

Elisabeth Davies: It is the uncertainty faced by remand prisoners, isn't it?



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Adrian Usher: It is, and that is writ large. An even more concerning population is the recall population. We have 13,000 prisoners who have been recalled to prison. Prior to 1997 and the change in the law, it was 200. I am not sure that society feels any safer for having 13,000 recalled. IPP prisoners spend their lives with uncertainty, but for anybody who might be recalled, not knowing whether they are going to go home to their bedroom or to a prison cell every night must have an enormous stress on their lives. We have submitted evidence to the review but whatever it brings, anything that creates capacity is going to allow the Prison Service to deliver what it very often really wants to, which is a compassionate rehabilitative regime, and potentially two big yields are recall and remand.

Chair: Just before we move on, you did not get an answer to your second question, Sarah.

Q200 **Mrs Russell:** No. I asked whether we have an effective rehabilitation system for domestic abuse and violence cases.

Charlie Taylor: There are a couple of things on that. Prisoners get put on programmes. On their sentence plan, they have a programme that they should go on. It often used to be the case that the prison they were allocated to did not always have the programme in place in order to be able to support them. The Prison Service has now looked at changing the way these programmes operate, so there are more generic programmes that individual prisons operate rather than some very specific programmes for specific offences. These are evidence-based programmes that are designed to make a difference with different sorts of offences. Of course, they depend on the prisoner getting there, the rest of the prison not being in complete chaos, and the quality of the staff delivering those programmes in order to be effective.

Speaking to the point about the remand population, one of the things that has made us very nervous at the inspectorate is that because people are spending so long on remand, and when you are on remand there is very little support, we find that domestic abusers are going to court and being released direct from court without the victims even knowing that they have come out. That person has not been prepared for release, has no housing available and does not have any money on them, so where will they go back to? The danger is, of course, that they go back to the victim's house. It is a real risk around those specific cases. We have seen that some prisons are picking this up, but generally it is not something that is being done.

Q201 **Mrs Russell:** Do you have any information on roughly how many people a year will be affected?

Charlie Taylor: It is really hard to get that data, not least because people are often charged with other offences at the same time, so it is very hard to unpick the domestic abuse cases versus all the other



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offences because they often just heavily correlate with each other anyway.

Q202 **Warinder Juss:** Adrian, you mentioned that when the SDS40 prisoners were released they had homes to go to and there were proper services in place for them.

Adrian Usher: Yes.

Warinder Juss: Does it make you wonder why we do not have that generally for other prisoners that are released? You also mentioned that 13,000 prisoners have been recalled, compared with 200 in 1997. I was at Featherstone prison, where prisoners were complaining to me about having been recalled and then staying there for months on end, which was not good for anybody. If there are provisions in place for prisoners who are released, that would result in the recall of prisoners being reduced as well. If we could do it for SDS40, does it make you wonder why we cannot do it in general?

Adrian Usher: One of the really sad things I have to write in investigative reports is, "This young man was released in December, homeless, and died within 24 hours of release." The percentage of prisoners released homeless is around 12% or 13%, but of those who die in the first two weeks, 34% were homeless. It is a massively important factor. The pressure on local services will vary across the country, but there is pressure everywhere. I believe that if it is done right, as it was in the big tranche of SDS40, you are maximising the protective factors you are putting around those individuals, and for society you are reducing the risk of reoffending. Proper drug and alcohol services prevent these young men and women from going back to habits that they have formed. Many prisoners say to me that, actually, they successfully engage with drug and alcohol rehabilitation and are stable in prison, and yet if it is not there on release, it falls away, and they are back to previous acquaintances and habits. It makes sense for everybody for this to work: it makes sense economically and it makes society safer if that provision is there.

Q203 **Chair:** Given that there is good practice across the prison system in many areas of work, what is done to spread best practice? It is quite normal in the public sector to take good examples and try to replicate them in an institution.

Charlie Taylor: As an inspectorate, we flag up any notable positive practice that we see in every report. We also particularly use our LinkedIn page to talk about things that we have seen that we think are impressive. The Prison Service is not as good as, say, education, where I came from. We need to cherry-pick ideas from the most successful, understand why some establishments are more successful than others and actually learn from that. That learning culture is not as good as it could be. There is an artificial and unnecessary divide between the private sector and the public sector. For example, we have written very



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positively about Oakwood prison, which happens to be a private sector prison. There is plenty that public sector prisons could be learning from that particular establishment, and the other way as well.

Q204 Tessa Munt: You said you have reports of deaths up to two weeks after somebody has left. Is two weeks the right threshold?

Adrian Usher: I suppose in a way you could go ever on. The focus on the two weeks was introduced shortly before my appointment. The intention is to see what the relationship is between the prison offender management and the community offender management programme, and whether they are linked properly. Sometimes they are and sometimes less so. I may be slightly critical, but the one thing I always write in reports of the deaths of homeless young men and women is that I am sure the local authority will take notice of my report, which I suspect may very well not be true. I am not sure that they even see it very often.

Q205 Tessa Munt: The Criminal Justice Alliance told us: "It is demoralising to see the churn of prison officers who end up in the job without a clue as to the demands and pressures of working in a jail." What do you all make of that statement?

Elisabeth Davies: It is certainly something that IMB boards have seen. It was a particular problem in the youth estate. I remember talking to some officers in the youth estate who were under the impression that they would be youth justice workers with a strong focus on rehabilitation and supporting individual children, but in practice the demands of the job meant that they were taken up with delivering the very basic time out of cell, which we talked about, education and association as safely as possible. They felt more like prison guards and less like youth justice workers. If they were here, they would say that the advertised role they thought they were applying for and were successful in was different from the actual role.

Charlie Taylor: Overcrowding is also a cause of many of the issues for prison officers. They go into a profession that is as difficult and challenging as being a prison officer with the hope that they are going to build relationships with prisoners and see and support people on the rehabilitative journey, but prison officers in places such as Wandsworth will often say that their day is actually spent just getting through the day: unlocking prisoners, chivvying them off to education, bringing them back and sending them off to have a shower under constant time pressure in order to get the next batch of prisoners out to the court. Those are all the sorts of jobs that they have to do. The amount of time they are actually able to do that rehabilitative work is very limited.

On top of that, there are many prison officers who are incredibly inexperienced and have not been in the role for long at all, and therefore they do not have the opportunity to build up that skillset to learn and be really effective. It takes time to get good at being a prison officer even if people are talented when they start, particularly where they are being



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supervised by people who are also not that experienced, which we see in many of the jails we visit. Where you have a prison that has some more established officers—a cadre of officers who have been there for longer—they are often able to bring in new people, support and mentor them, so they are able to come in and be accomplished.

Finally on that, the turnover really varies between different prisons. In Wandsworth, the turnover and sickness levels have been incredibly high. At Garth prison in Lancashire, again there are very high levels of sickness and corresponding high levels of violence. In other jails where they are in a positive cycle, it is a good place to work, feels safe and prisoners are motivated and happy; those jails can hang on to their staff.

Adrian Usher: I would certainly echo the points that have already been made. I employ people who were prison officers and they very much tell that tale: “I joined because I thought I was going to be able to make a difference. I wanted to be able to forge those relationships, turn lives around, and I literally had no time to do that.” It is also fair to say that I spent the vast majority of my professional life in a different area of public service but had the same issue in a market that HR described to me as “hot”. I am not quite sure I know what that means, but if your recruitment is outsourced and you are being rewarded strictly on numbers recruited, there may be a particular temptation not to be as fulsome as you might as to what the actual strictures of the job are.

Q206 **Mike Tapp:** Sticking with staffing—you touched on some of it there when you mentioned overcrowding, experience, recruitment and training—would you say that prison staff see promoting rehabilitation as an integral part of their role after they have been recruited and trained?

Elisabeth Davies: I would suggest that they might start off thinking it is an integral part of their role, but they find themselves very much in a firefighting situation, so it very quickly moves from being an integral part of the role to being a nice to have but not done in reality. Overcrowding, prisoners with severe mental illnesses, as Adrian referred to earlier—they are all issues that prison officers have to confront and deal with on a day-to-day basis. That is having implications for the rehabilitative culture that I talked about earlier, and whether that feels consistent with what they are being asked to do, because I do not think it is.

Adrian Usher: I would be hesitant to make a homogenous group out of prison officers; they come to it for lots of different reasons. I meet prison officers who, as I have described, are desperate to do compassionate work because that is their nature but, equally and validly in some ways, I also meet prison officers who believe that they are the last bastion protecting the public from some very violent individuals who would cause harm and havoc should they be afforded the opportunity. For those of us of a certain age, you might characterise it as somewhere between Barrowclough and Mackay. I meet prison officers who hold a belief everywhere in between.



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Charlie Taylor: To add to that, I would commend to the Committee the thematic report we put out earlier this year titled "Time to care". It is about what helps women prisoners cope with their time in prison, particularly as we know women self-harm at a rate nearly nine times higher than in men's prisons. As part of that thematic report, we talked to prison officers. What they said, and what women prisoners said, was very similar: "We do not have time to do our job properly and build relationships with the people in our care, and often the relationships feel incredibly transactional." Also, staff told us that they had to deal with some incredibly traumatic levels of self-harm among the women and were getting very little support in dealing with that afterwards.

If you are in an environment that is fundamentally mentally unhealthy, and if the people who are living and working there are under enormous stress and strain, it is very hard to create a rehabilitative environment. The first thing has to be people feeling safe as they both live and go about their work in the prison. Too often we see that people are not safe enough.

Q207 Mike Tapp: That fits nicely with the next part of the question: to what extent are prison staff able to balance the role of managing a safe and secure estate with promoting rehabilitation? We have recently seen awful media reports of attacks on prison staff. Is there a point where the threat posed by an individual means there are not going to be any rehabilitation efforts?

Charlie Taylor: There are a small number of very risky prisoners, some in what is known as the close supervision centre system, who are, in effect, in the deepest custody in the country, with probably the highest being Wakefield prison. These are prisoners who, because of the risk they pose to other prisoners and staff members, are kept almost entirely in solitary confinement. At Wakefield, for example, where they go on the exercise bike, it is actually within a cage. There are some very risky men out there. But we also see that where you have a prison that is safe and productive, where prisoners have something to do and staff are authoritative, where behaviour management systems are good and effective, and where there is a consequence for doing the wrong thing and a consequence for doing the right thing, those places are more stable and you get better behaviour as a result.

In my previous job I was a headteacher, and it applies equally to what we see in schools. If the rules are clear, and if both staff and pupils stick to the rules and understand how they are supposed to behave, then you tend to get much better behaviour. Where there is a sense of chaos, more bad behaviour just bubbles up, staff feel out of control, and when they feel out of control it makes life very difficult and inevitably makes them less trusting of prisoners and more inclined to avoid any situations in which there could be a risk involved.

Q208 Mike Tapp: Would you say that that lack of control comes from overcrowding and understaffing in general?



Charlie Taylor: Overcrowding, understaffing, lack of experience, facilities that are not good enough, regimes that are not productive enough, and clarity of leadership as well. We did a thematic report about prisons that motivate behaviour really well, and when we go to places that do well, what you see is that leaders really establish the boundaries: "This is what you are allowed to do here, this is what you are not allowed to do here, this is the consequence if you do the right thing—we are going to motivate and incentivise you—and this is what happens if you do the wrong thing." That makes things much clearer for staff and prisoners as well.

Q209 **Mrs Russell:** On the topic of setting boundaries, could you please describe the current recruitment process for prison staff?

Charlie Taylor: There is an advert; I was looking at the website yesterday. It is interesting, because I used to preside over the recruitment of teachers into the teacher training system, and I was comparing the two websites—for recruitment into the Prison Service and for teachers. One is very austere and not very user-friendly and one is extremely user-friendly. The teaching one has had much more investment in it. With prisons, you apply for the job online and then assessments are done. There is no face-to-face interview. You are also not assessed by the people who are ultimately going to be employing you, so governors have no say in the people who work in their prison and the first time they meet their new staff is when they walk on to the wing for the first time.

There can often be a long period of delay for vetting as well, particularly if people have lived overseas for a period of time. The danger is that you recruit someone who is potentially really good, but they get so bored of waiting for the vetting process to come through that they simply vote with their feet. The idea that I would employ a member of staff I had not met and had not interviewed face to face is just fanciful but, sadly, that is what happens with prison staff. They get eight weeks of training and what governors say is that it just is not enough in terms of preparing them for what it is like when they walk on the wings. Therefore, the drop-out rate within the first year—it is hard to get an exact number on it—is somewhere around a third.

Q210 **Mrs Russell:** Is that delivered under a contract through the private sector? How is it organised?

Charlie Taylor: It is organised through the Prison Service. There is some recruitment that goes through private sector organisations for lower-level jobs but for prison officers it is through the central team. Obviously, private providers have their own arrangements for recruitment.

Q211 **Mrs Russell:** So private providers do not go through that process.

Charlie Taylor: No, they do not go through that process. They have their own.



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Q212 **Mrs Russell:** Do the governors in the private prisons choose their own staff?

Charlie Taylor: Yes, they have more input when it comes to their own staff. There are also face-to-face interviews, by and large, in the private sector.

Q213 **Mrs Russell:** Why did we stop doing that in the public sector?

Charlie Taylor: It is simply a matter of economics: the time it takes and the amount of people coming through. My feeling is, if you recruited the right people in the first place, you would not lose so many and you would create capacity by doing that. At the moment, there are no face-to-face interviews. There has been a pilot at HMP Berwyn where the prison was involved in its own recruitment, and the conclusion was that it did not work and the prison was not interested. I went to the prison last week and that is not quite what the prison was saying about it.

Q214 **Mrs Russell:** What do governors think of the process as it stands and what would they like it to look like?

Charlie Taylor: There is a huge amount of frustration because, when someone walks on the wing, they can tell very quickly if they are not going to make it and be up to the job. That means that a huge amount of investment has gone into that person but they may potentially put their colleagues and other prisoners at risk. It may also be that, to get rid of that person, they have to go through some protracted HR process. The quality of people they get through the door and the lack of real input that they get is a huge source of frustration for prison governors. If someone is going to be a prison officer, what you really want to do is test their values. You really want to find out what they think of prisoners and what they think the point of prison is. To some extent you can do that in an online interview, but you really want to see the whites of their eyes when you do so.

Q215 **Tessa Munt:** Have you done the same comparison between a state advert and a private estate advert? How does it look different? I go back to my question about the churn of prison officers and their having no idea about the demands and pressures of working in a jail. I have to say that I am not surprised; I am staggered. Have you compared adverts from one part of the estate to the other? I think you implied that private prisons have more say but not a whole say.

Charlie Taylor: I did not want to generalise because it varies between providers, so I would not want to nail my colours to the mast on that. Certainly, when you look at the websites for private providers they look better. It is fair to say that the private sector is generally better at some PR than the public sector but, in terms of retention levels, the numbers are not necessarily that different. I am not suggesting that the private sector has entirely cracked it, and I do not think they would say that if they were here either.



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Q216 **Tessa Munt:** It sounds as though you have done some work on this. Do we have that?

Charlie Taylor: This was our own research in order to prepare. It is something that I have had a lot of interest in because of my background. It is an area that needs thinking about and taking on, because if we got really good people in to start with, we would not lose so many of them.

Chair: All the governors we see raise this.

Q217 **Tessa Munt:** When you have done some more thinking and some writing, it would be lovely if we could see that.

Charlie Taylor: We will be in touch.

Tessa Munt: Thank you.

Q218 **Warinder Juss:** Would you like to see a system whereby governors can actually interview the prison officers? What would it take to change the system so that they can?

Charlie Taylor: That governors or senior staff within a prison be part of that process? I do not know, to be honest. In a way, it is a conversation with the Prison Service, but it feels to me that it is just not a satisfactory way to recruit people, and the evidence shows that they do not hang on to the people they recruit.

Q219 **Linsey Farnsworth:** Some of what you have told us is really concerning. I want to drill down into the impact that that might have on staff absence and how that in turn impacts the rehabilitative regimes on offer. There are bound to be staff absences due to ill health, and we have learned of really concerning levels of mental health illness among prison staff. Obviously, there is also a lack of staff numbers due to the things you have just been talking about, Charlie, in terms of recruitment delays and other issues there. What is the impact of these staff absences on the provision of rehabilitative regimes in the prison estate?

Charlie Taylor: What is interesting, and it will not be surprising, is that by and large the better the prison the lower its sickness rates are. We saw when we inspected Wandsworth, where staff are demotivated, often exposed to very high levels of risk and often subject to assaults, that it had very high levels of sickness. Of course, you get into a vicious cycle. You get high levels of sickness where morale is very low and people are frightened of coming to work. That means there are fewer staff every day to unlock prisoners, which means prisoners become more frustrated, leading to greater levels of violence. We see prisoners get into that doom loop.

There are also other pressures on the system elsewhere, almost at the other end of the spectrum. In some jails—for example, in prisons holding sex offenders—we see very elderly prison populations. That means staff are often spending their time out at hospital, either on bed watches or taking prisoners to appointments on the outside, and therefore they are



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not available to do the day job, as it were, when they are back in the jail. It is not just about sickness; it is also about other pressures, such as training, which mean that we often see what is called the non-effective level in prisons—staff who are not available for duty—sometimes at 40%, as it was in Wandsworth. We also have lots of people temporarily promoted, which means they are not in the frontline anymore because they are doing a managerial job.

Adrian Usher: To add to that, one of the other causes of sickness is the stress of being in a working environment where you do not know what you are doing. The level of training is something that all prison governors, in my experience, complain about. The evidence that it is insufficient is the number of prisons that have supplementary training for new people joining their establishments. That shows that what they have been told is not enough.

In the interviews we do, sadly after deaths, I am increasingly seeing members of staff—particularly, as His Majesty’s inspector has just said, people promoted temporarily without adequate training—openly saying, “I did not know what I was doing and I have been complaining that I did not know what I was doing and I haven’t had any help.” Alongside the violence, this “I really don’t know what I’m doing” piece is a burden to carry in that environment.

Q220 **Linsey Farnsworth:** I can imagine. Is it also the case that you have inexperienced staff having to fill the gaps that others are leaving when they are promoted, perhaps prematurely? On the opposite extreme, do you have people who perhaps have been employed for a specific role, maybe a key worker role, who are not able to fulfil that role because they are filling gaps elsewhere? Do both apply?

Elisabeth Davies: On the key worker question, it is not uncommon for prisoners to tell IMB members that they do not even know who their key worker is. That is something that is continually happening. Key work fluctuates considerably; it is worth recognising that. The second point I would make with regard to key workers is that even at prisons that have achieved a good level of key work, you can see levels dropping dramatically because it is usually the first area to be deprioritised under pressure. It is a quality versus quantity issue; it may well be that this time last year you had a prison that was really high in terms of its key worker response rates but that does not necessarily mean that you are going to see that now, and that is what I am hearing from IMBs.

Adrian Usher: In terms of our investigations, we are regularly critical that no meaningful key work has taken place for a very long time with somebody who has taken their own life. Our experience of talking to prisoners is that many not only do not know who their key worker is but have not heard of the key worker scheme. It is extremely patchy. As I understand it, the Prison Service was given funding to deliver this comprehensively across the system, but it came at a time of recruitment



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crisis. In some establishments, nearly all those people recruited to be key workers are doing other jobs.

Q221 Pam Cox: Charlie, you said something quite startling earlier. You said that prisons are failing in their public protection duty by—I am now paraphrasing—failing to provide adequate levels of purposeful activity. It is that serious: they are failing in their public protection duty, which is their primary purpose. Given that only two out of 32 closed prisons inspected in 2023-24 were rated good or reasonably good for purposeful activity, how does the system better support governors to turn this around?

Charlie Taylor: There are some prisons that are able to fulfil that public protection function, so I would not say it is across the board, but it has to be a concern. The fact that our ratings for purposeful activity within prison are so low is an enormous concern. One thing that governors will say is that they do not have much say over education and the contract—that it is let centrally. They have some say over the curriculum and what should be on offer, but they sometimes feel constrained by the contract. They are also not necessarily skilled or trained at managing contracts with an education provider.

The level of autonomy that governors have compared with headteachers is astonishingly low. These are really experienced, really impressive people in some cases—incredibly dedicated public servants who really know their staff—who talk about being constrained by a bureaucracy that does not let them make decisions about things they think are in the best interests of those who live and work in their prisons. It is a real concern that prisoners are not getting into the sorts of real work habits that are going to help them to hit the ground running when they come out.

I commend prisons like HMP Hatfield and HMP Haverigg, which I visited recently, where there is a real commitment to employment on release. Haverigg has a sex offender population who are notoriously hard to get into work because of the nature of the offence—obviously, various employment opportunities are barred to them—but they have made a real point of finding employers to whom the offence will not pose a risk and have been able to get people into work. There are jails that do that, particularly our better open prisons, but as a whole the prison is failing in its rehabilitative duty to make the public safer by stopping people from reoffending. Some 30% to 35% of prisoners reoffend within a year of coming out, and those are just the ones who get caught.

Q222 Pam Cox: You said there was a weak learning culture in the sector compared with other sectors. How do you think it is possible to incentivise the sharing of good practice?

Charlie Taylor: The Prison Service is looking to develop a leadership programme, because there is remarkably little training for leaders and for custody managers, who are the equivalent of sergeants in the Prison Service. They are looking to do more in this space, but at the moment



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governors get no training. You get given the job of governor and your name appears on the door, but you do not get any training in how to do that job.

In terms of custody managers, I spent a day with the armed forces looking at the way they train sergeants, and an incredible amount of input goes into making sure that they select the right people and train them up, because they are such a critical part of the armed forces. In the Prison Service, the equivalent is custody managers, who are the senior uniformed staff, but they get almost no training at all in how to do the job.

Q223 **Pam Cox:** Do our other panellists have anything to add?

Adrian Usher: I expressed my views on leadership training in the Prison Service to Phil Copple a number of times. I was a serving police officer for 35 years and was promoted seven or eight times. Every single time I was promoted I received bespoke training, both on policy and law in practice and, more importantly in my view, on reflective leadership skills, understanding what sort of a leader I was and how best to engage with and get the best out of my staff. Prison staff get none and I am stunned by that.

Q224 **Pam Cox:** I feel a letter to the Prison Service coming. We have heard from prison officers on our various visits, and from other people presenting to us, that there are a vast number of contracts operating in any given prison. How many different contracts are there in an average prison, to your knowledge?

Adrian Usher: I cannot answer that, but what I can say is that prison governors and staff spend a lot of their time managing contracts that are either defective or not delivering, and they are therefore not governing.

Charlie Taylor: One of the most depressing conversations I had with a prison governor is when she said to me, "I feel more like a contract manager than I do a leader." That is fine; inevitably there will be some contracts—I do not know the number overall, but particularly on works, education and healthcare. Those are probably the three biggest contracts they have to manage. The challenge they also face is that they have not had any training in managing contracts, and it is really complicated to know which levers you can pull when it comes to managing a difficult contractor. If they had more training, it would at least help them manage the contracts they have to deal with.

Q225 **Pam Cox:** We will come on to works in a moment. Given that the Prison Service relies so heavily on contracts—we can all understand why—do you feel, as monitors and regulators, that you have access to the information you need to make judgments about the performance of those contracts?

Adrian Usher: Perhaps tangentially. As an example, I was at a northern jail at 7 pm when 47 prisoners were offloaded to be admitted into the



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prison. The lens through which I am looking at that activity taking place is: "Are they assessing the risk? Do they know the risk they have with these 47 prisoners in terms of self-harm and self-inflicted death? Do they understand if they are first-time prisoners? Do they know what the offences are and all the risk factors that might impact that?" That is incredibly difficult to do with very few staff at 7 pm.

You could be very critical of the prison and say they should have more staff and all those things, or you could look at the contract through which people who were waved off by a nearby magistrates court at 10 am that morning have sat waiting all day because the contract is for one delivery and the contract provider does not want to have repeated deliveries. If they were delivered throughout the day, you could have a proper risk assessment and a meaningful conversation with the men coming through the door, but that was not happening. Many of those men might have been in that jail for 24 or 48 hours with staff having no idea of the risk they are holding.

From that point of view, when I investigate, I encourage my staff to raise their vision and look at that level. That is where we will make an impact—if we are able to comment on those issues as they pertain to somebody dying.

Elisabeth Davies: There is also an issue about whether your staff, IMB volunteers and unpaid public appointees are the right people to look at the data and make a decision with regard to the contracts in turn. We have heard about the challenge of performance managing these contracts and the quick answer is it varies considerably. Some IMB members would say that they see the contracts, are able to understand them and are able to interpret them accordingly; some would say that they do not. The quick answer I would give you would be that it varies considerably.

Charlie Taylor: From our point of view, there is a limit to how much we can go into the nitty-gritty of contracts. Ultimately, what we are commenting on is what it is like to be a prisoner in a certain prison, and obviously the contracts are a part of that.

We now have a very good information-sharing protocol with the Prison Service when it comes to private sector contracts. Although we are not interested in the financial details of that, we do want to see the way the contract is being managed and the concerns the Prison Service has about what the contractor is doing and whether it is fulfilling what it is supposed to be doing. We now get access to those reports. Obviously, we are careful about publishing information if it is financially sensitive, but we have a good protocol in place with the Prison Service when it comes to private sector management of contracts.

Adrian Usher: If you will indulge me, Chair, I will make a slight addition to that point on contracts, because this is something that I am particularly passionate about. You have a 37% reduced chance of reoffending if you maintain relationships with family and close supporters



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on the outside of prison. Unlike I think anyone in this room, prisoners have to pay for their phone calls per minute. At the end of a working week in which they may have earned £20, they have to make a decision whether to spend that on food or vapes, or whether to put it on their phone account. A really sad thing I have to write too often is, "This man took his life and had no credit on his phone account." All the closed estates have phones in their cells now. Would that individual have made a different choice when the demons came had he or she had phone credit?

Providers do not care how much I use my phone; they give me free minutes. I am not suggesting that prisoners should have free minutes, but I do not believe the contract provider would be detrimentally affected by providing free minutes to the Prison Service, and then prison governors could decide how much phone time individuals within their establishment have. It would vary from establishment to establishment, but it would be an enormous incentive towards good behaviour. I have asked members of prison staff, "Why do you make them pay per minute?" I have yet to come across any who do not think it would be a good idea to dramatically change the way that—

Q226 **Chair:** Is this the BT contract?

Adrian Usher: It is, yes.

Chair: I thought this had been resolved.

Adrian Usher: Lord Timpson has had some success, and I was able to congratulate him. It is in its final year and, as I understand it, in that final year they have reduced the contract fees by 20%. It is the fundamental point that, if BT were receiving the same amount of money per year, the cost of providing the call is zero, and prison governors could use that in a really effective way. At the moment, if they have somebody in crisis who has no phone credit, the standard reaction is to put a pound or two on that person's phone, and that comes out of the prison's budget. Why is that?

Chair: That is another letter.

Q227 **Mrs Russell:** You have described a recruitment system that sounds frankly batty. You have described a training system that sounds problematic, in particular in terms of ongoing training for staff at multiple levels. Are there areas of training that you think are functioning effectively?

Charlie Taylor: Training on physical restraint of prisoners tends to be kept up to date. Prison officers are obliged to be retrained and have refreshers and that, by and large, does happen. But elsewhere, no.

Adrian Usher: Can I caveat that slightly, Charlie? I agree with you, and prison staff are motivated to keep themselves safe, but it is a relatively recent introduction that de-escalation, rather than resorting instantly to



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physical restraint when confronted with a non-compliant prisoner, is a pivotal part of the start of the process. The Prison Service should be commended on taking steps down that path, but they are fairly nascent steps.

Q228 Warinder Juss: What you just said about prisoners not having any credit on their phone is really disturbing. On the first visit I ever made to a prison, the first thought that came into my mind was, "Any prisoner in here would want to know how they could maintain contact with their family."

Who is responsible for monitoring the effectiveness of procurement generally? When I went to Featherstone, somebody told me that an electrical appliance needed a small item replacing but, because there was a specific contract with a particular supplier, the amount spent to replace that appliance was extortionate—much more than what you would pay if you went to a local electrical shop. That seems pretty ridiculous when money is always an issue.

Adrian Usher: My entire professional experience in public service has been that the public sector is very poorly served by the contracts it signs. It tends to be lack of experience. A prison governor, who will be nameless for obvious reasons, explained to me that he had spent three days trying to get his soup machine fixed using the maintenance contract that HMPPS had with the company. Eventually he found a way around it—it is often the case that successful prison governors find ways around contracts—by having a friend intervene in order to fix the soup machine. It sounds like a trivial point, but for many prisoners that is their only hot meal of the day. He is trying to run a calm and safe jail with an agitated population because they are not getting a hot meal, and he is spending his entire time trying to get a soup machine fixed rather than governing the prison and doing all the things he wants to do.

Charlie Taylor: A governor said to me—I cannot remember whether it was ovens or fridges that had broken down, but they had to go through a procurement exercise to hire them. They spent £60,000 on hiring them but it would have cost £20,000 to replace them.

Q229 Chair: Is this the case with contracts across the board? Those are quite straightforward contracts, but we have looked at education, health and voluntary sector involvement. You have a big estate. You would think you would have economies of scale and, therefore, you could employ specialists appropriately, but none of it appears to work. You cannot get things done on a one-off basis but, equally, you do not get the economies of scale. That is our experience, but you may not agree.

Charlie Taylor: It feels like that sometimes. Another thing is the cost of food and stuff they can order from a list, which is often much more expensive than it would be if they were able to order them in the community. The Prison Service is committed to doing something about that, but I am not sure where we are with it yet because prisoners' pay



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has not gone up anything like inflation. It is often hard to make ends meet on the £12 a week that they earn.

Q230 **Chair:** We only seem to be in rooms where everybody talks about problems, and everyone agrees what the problems are. Who should be providing the solution here? You can write reports, we can write reports and make recommendations, but who is not making the key decisions at the moment?

Adrian Usher: There is a fairly ingrained culture in the Prison Service that it has done a lot of the things it has done in the way that it has done them for a very long time. It is not Google; there is not a fluid culture of change that is flowing through the system, so new ideas can sometimes land on fairly fallow ground. I feel there are some solutions. As I say, I think the BT contract would be win-win-win all the way round. Nobody loses out on that: prisoners are more likely to be rehabilitated, less likely to reoffend and less likely to kill themselves.

Chair: That is the low-hanging fruit. We need to move on again.

Q231 **Tessa Munt:** Elisabeth, I wonder if you would briefly summarise the findings of your report "The impact of a crumbling prison estate on prisoners" from last November, please.

Elisabeth Davies: Absolutely. We shared a maintenance thematic, as you have talked about. Boards have been reporting for years on the appalling physical conditions seen in the prison estate. The maintenance thematic highlighted that prisoners are being bitten by rats and spiders, facing freezing temperatures and having to go without showers or access to a toilet. These problems are not just limited to Victorian prisons. These conditions can have serious consequences for prisoners' wellbeing across the piece, but they are also a dignity issue as well. Obviously, one has to question how much a prisoner can be motivated to reform and rehabilitate when their basic human needs are not met. That is one of the things the report really looks at.

Q232 **Tessa Munt:** Adrian, you said in your evidence that "many local IMBs report prisoners are so accustomed to appalling conditions that they lack motivation to submit" a complaint of any sort. You gave some numbers, which I thought were stunningly low. Are there barriers to that? You explained that one has to go through the prison complaint system.

Adrian Usher: We have done a couple of things since my appointment in order to improve access to me. I changed the name of the complaints function from the ombudsman because, if you put it into one of those apps that tells you what education level you need to understand "ombudsman", it is degree level and not many degrees are kicking around the prison estate. I wanted to make it really obvious what we do, so the complaints function is Independent Prisoner Complaint Investigations. It is a mouthful, but we have promoted it across the prisoner estate and we have seen a 20% increase in the complaints that we receive. I backed that up a year later by having IPCI ambassadors.



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They are prisoners we have given some additional information and training to. They are very visible on the wings and I am very pleased that 40 prisons have volunteered. Prison governors came forward wishing to be part of it, in two tranches, to try to promote our work and access to us.

Having said all that, complaints about infrastructure are very low because nothing will happen as a result. It is very easy to look at the old Victorian jails and think, "My goodness, you have to tear the whole thing down." I would always bow to Charlie's knowledge of inspecting in this way, but you do see some Victorian jails that are clean, that the governor is running really well and doing a tremendous job. There are small infrastructure changes that do not cost that much money but have a knock-on effect. For instance, jails that do not have privacy screens in toilets are very often the jails that have blocked observation windows. Understandably, if you get that culture in a jail where it is accepted that observation windows are blocked then, of course, some prisoners are not using them to go to the toilet but are using them for nefarious activity, and some are using them to harm themselves and they are not seen because of that. If you unravel it back and give them a privacy screen, then you can enforce the observation better.

Q233 Tessa Munt: The University of Worcester told us that, according to recent case law, prisons continue to fall below the standard under international law. How many prisons in England and Wales are regularly not compliant with international human rights obligations? Do we know that? I am very happy for you to come back to us later.

Charlie Taylor: In terms of our inspection regime, we certainly come across some areas that are not compliant, particularly when it comes to things like the segregation of prisoners. In 2019 we put out a very hard-hitting report about segregation and the separation of children in the youth estate. We revisited that and then put out a report at the end of last year, when we found that very little had changed. When we inspected Cookham Wood, we found that two boys had been segregated for 100 days each and were getting very little contact with the outside world, very little fresh air, and not enough regular staff input. We come across some very concerning cases when it comes to that, and that is the area of segregation that we are sometimes most concerned about.

I would say in general that the system there is now more efficient, works better than it used to, and there are safeguards in place. People are also spending less time in segregation than perhaps they have done in the past. Nevertheless, that is one of the areas where you need to look at the Mandela rules, which are very clear about what should happen to people in segregation and how they spend their time. It is hard to give an overall assessment because prisons do some things well and other things less well, but certainly breaches happen regularly.

Q234 Tessa Munt: My final question is addressed to all of you. The National Audit Office highlights that the maintenance backlog has doubled over the



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last four years, reaching £1.8 billion. What do you think the Department should be prioritising in its efforts to reduce the backlog? We understand that the Department believes it should be prioritising fire safety work. Is that the right focus?

Elisabeth Davies: It is difficult to argue that they should not be prioritising fire safety. Boards have reported some very serious concerns about alarm system failures, problems with emergency vehicle access, and so on. We would like—we are seeing this in some prisons already but not in others—maintenance work to be undertaken in the same areas that are taken out of use for fire safety work. That is about using the limited funds more effectively to make the most of the opportunity, but we are not seeing that happening consistently.

Adrian Usher: It is difficult to argue with fire safety on the grounds that the prison governor may find themselves either civilly or criminally prosecuted if there is a death as a result of negligence. I cannot see a higher priority than life.

Tessa Munt: That is fine, but Elisabeth's point is a good one, isn't it? If you have part of the jail shut down for something, do everything, or at least do the minimum of everything that you might want to do.

Q235 **Linsey Farnsworth:** I want to stick on the topic of buildings and maintenance but circle back to rehabilitative programmes and ask how the lack of space in the prison estate impacts the provision of rehabilitative programmes. Charlie mentioned earlier that some Victorian prisons do not have the space to offer programmes, or as many programmes as we would like. Are there any other reasons linked to lack of space, other than in the Victorian prisons, that prohibit the rolling out of rehabilitative programmes?

Elisabeth Davies: One of the issues we have seen through IMBs is that of workshops, because they are one of the areas most commonly taken out of use due to maintenance issues such as leaking roofs, vermin, heating failures and so on. They are one of the areas most often left empty due to cancelled contracts or instructor vacancies. Workshops transcend the maintenance issue and touch on the contractor issue as well. Where we are seeing workshops left empty, there is obviously a profound implication for rehabilitation. Why is that the case?

Charlie Taylor: From our point of view, there is an issue in simply having enough activity spaces for the amount of prisoners. It is also depressing that we go to jails where they do have enough spaces for prisoners but attendance is really poor, for whatever reason. Either it is because the course is not something that prisoners want to do, or getting people out to education and training work is not really being prioritised by the whole prison. It is not just an issue of space; it is also an issue of attitudes within the prison and making sure that you have really high-quality staff in order to teach in workshops or classrooms.



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Elisabeth Davies: It is worth focusing on the fact that you cannot oblige those on remand to go to education or workshops.

Q236 **Linsey Farnsworth:** The longer periods of remand, which we have talked about already, impact on that as well.

Elisabeth Davies: Yes. I visited a prison in the north-west where about 80% of prisoners were on remand, which is huge.

Charlie Taylor: Sometimes we come across prisons making assumptions that remand prisoners do not want to work. Most of the time, many of them do, because the alternative is 22 hours banded up, so you can understand why people would want to get out and work. Most prisoners do not have much money, so they need some cash, and they want to do something with their time.

Q237 **Linsey Farnsworth:** Can I ask about a different cohort of prisoners—those with accessibility requirements? Do you find that they struggle to access rehabilitative activities due to the accommodation—the type of physical space—that is on offer for those programmes?

Elisabeth Davies: Yes, is the quick answer. Boards certainly report that disabled prisoners are going without family visits for weeks or they are unable to access any form of work or rehabilitation, whether that is to do with disability or an ageing population. Is it hindering engagement with regard to rehabilitation? Yes, absolutely.

Q238 **Linsey Farnsworth:** It is worrying. Going back to the types of spaces on offer, you have mentioned workshops, and we saw the value of them at Buckley Hall, which had some really good space, though it was not necessarily full of people using it at the time. Some colleagues on the Committee went to HMP Wormwood Scrubs and visited a café called Escape, which mirrors the look of a café outside the prison; I am sure you are familiar with it. My colleagues were told that it was vital to the success of that offer, and we have had quite a lot of written evidence along the same lines for other provisions. What is your view of the look and feel of the space in connection with how those sorts of programmes promote rehabilitation or otherwise?

Charlie Taylor: It is really important. You go to a prison like Warren Hill in Suffolk, which has a very long-term population, many of whom are coming to the end of life sentences, and one thing it does is try to create aspects of an environment that feel like what the prisoners are going to be exposed to when they come out. Some of them have been in prison for such a long time that the world has moved on enormously since they went inside. For example, it has a shop and a supermarket that actually feel like a shop and supermarket that you might find on the outside—it obviously has some distinctions. Similarly, it has a little café where prisoners can go and get themselves a cup of coffee. Some normality helps prisoners in terms of getting a sense of escape—maybe it is not the ideal name for a café—from the day to day of being in prison, but also a



sense of preparation for what they are going to be confronted with when they finally come out.

Elisabeth Davies: That is absolutely backed up by IMBs when they talk about these cafés. They are really helpful in that they help prisoners adjust to community life without feeling overwhelmed. That is what really matters. They report back really positively.

Adrian Usher: Some of those are spaces where the prisoners interact with prison staff away from the wing in an environment that encourages conversation and a more normal interaction than on the wing and during lock-up or unlock.

Q239 **Linsey Farnsworth:** Yes—almost a different relationship between them. I think that is unanimous: you agree that that is a really good and important method. The Clink Charity recently announced that it is closing its restaurant at one prison due to it not being able to run under its current contract. I think that is its second closure in the last few years. Is there a reason for that? What is behind that? If it is successful in its nature, in terms of its aims, but not able to keep open, what is going on?

Charlie Taylor: It is unfortunate because the Clink is a great opportunity for prisoners to practise learning real-life skills. I do not know the details of the contractual arrangements between it, individual prisons and the Prison Service, but the more of that kind of activity, the better. The more opportunities prisoners have to learn about being work ready and what it is like, the better. Many prisoners have never worked in their lives so preparing them for what it feels like to go to work is invaluable. I was in a jail recently that was looking at prisoners spending the whole day at work—rather than going back for roll call at lunchtime, actually making sandwiches in the morning and spending the whole day at work, replicating what it is like for the rest of us. It varies a lot between different jails and it is unfortunate that that has happened at one of the Clinks.

Linsey Farnsworth: We might need another letter on that point.

Q240 **Chair:** Is there anything any of you wishes to add? We have had quite a long session this afternoon. The only other thing I will invite you to comment on is this. What one thing would you change in terms of drivers of poor rehabilitation? What is the biggest and most immediate impediment? Alternatively—and we have asked you this question—where should we go to look for the best examples of rehabilitation on the estate? We tend to end up at the local prisons, which are the most hopeless places for a number of reasons. Where else should we be going?

Elisabeth Davies: I would go back to the point I have tried to make this afternoon about the cultural lack of focus on rehabilitation. If you think about it, HMPPS was brought together to mean a seamless journey and a focus between prison and probation, but they are still thought of as separate issues. We still think of somebody as a prisoner, and then they



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are on the probation case load. We do not think of them as intertwined. The solution is something we are looking at. We need to recognise that rehabilitation is about having the right support on release, whether that is to do with family connections, a job or a home. It does not matter how long that person has been in the cell or the condition of the wing they were on if they are set up to fail. There is something about that rehabilitation culture that we need to absolutely focus on.

Charlie Taylor: In terms of suggestions, if you fancy a trip to the Lake district, then visit HMP Haverigg.

Chair: Which?

Charlie Taylor: HMP Haverigg.

Elisabeth Davies: It is on the base of the Lake district. It is quite a trek.

Charlie Taylor: Yes, but it is a stunning spot—I would advise you to go in the summer. That is a really good open prison. Similarly, HMP Hatfield just outside Doncaster, which is a bit easier to get to, is an excellent prison. I would also recommend Oakwood, just outside Wolverhampton, which is currently the best prison in the country. It is excellent. I would say Warren Hill as well, which is a very good prison we inspected recently in Suffolk.

Adrian Usher: I would absolutely bow to Charlie Taylor's experience on where to seek out the best. In terms of making the biggest difference for the smallest economic outlay, I got my shot in early.

Chair: Thank you very much indeed, as always, for your candid and learned testimony. We will end the session for today.