



## Welsh Affairs Committee

### Oral evidence: [Prisons in Wales and treatment of Welsh offenders](#), HC 113

Tuesday 20 January 2015

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Written evidence from witnesses:

- [Kevin Lockyer](#)
- [Wrexham County Borough Council](#)

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Members present: David T. C. Davies (Chair); Guto Bebb; Glyn Davies; Jonathan Edwards; Simon Hart; Jessica Morden; Mr Mark Williams

Questions 109-157

Witnesses: **Kevin Lockyer**, Adaptus Consulting, gave evidence.

**Q109 Chair:** Mr Lockyer, thank you very much for coming along this morning. I am the Chair of the Committee. As you can see, we are a cross-party Committee. We are not really looking to create any fireworks, so feel free to enlighten us with your knowledge. If time starts to run out, I may have to speed things along a bit.

**Kevin Lockyer:** I understand.

**Q110 Jonathan Edwards:** What would you say are the advantages and disadvantages of the large prison model, as opposed to traditional-sized prisons?

**Kevin Lockyer:** It depends entirely on what you want to achieve by building a large prison. As the Committee is probably aware, 18 months or so ago I wrote a report for Policy Exchange, which explored the possibility of using large prisons to refresh the prison estate across England and Wales. My argument in that report was that large chunks of the current prison estate across England and Wales were old, unfit for purpose and in the wrong place, and that a strategy based on large, multi-purpose prisons, replacing places like Dartmoor, Wandsworth and Wormwood Scrubs with establishments that were fit for purpose and located in the right sort of place, provided a cost-effective way of driving improvements across that estate. You could use the economies of scale and other advantages of larger prisons to enable that refresh of the estate across the piece.

In that context, I think that large prisons are a good idea; if I did not, I would not have written what I did. However, building large prisons for the sake of building large prisons is not necessarily a good idea. It is not an easy yes or no answer—it is about what objectives you want to achieve. I

would absolutely support a strategy of modernising the prison estate and using large, multi-purpose, well-designed prisons in the right place to achieve that outcome. Do I think that a large prison necessarily has advantages over a small prison? No, I do not. Smaller prisons are probably easier to run; larger prisons create more challenges. However, if you have really good outcomes that you want to deliver from having those larger prisons, that additional difficulty is a price worth paying.

**Q111 Jonathan Edwards:** What would you say are the core ingredients required to make larger prisons or super-prisons cost-effective?

**Kevin Lockyer:** I include in the definition of cost-effective delivering the right kind of outcomes. For me, cost-effective means delivering the right outcomes at the right sort of price. They have to be in the right place—that is, they have to provide opportunities for good resettlement into the communities the prisoners will be returning to and good links to those communities. You would not want to build a large prison on Dartmoor, for obvious reasons. So, they need to be well placed and they need to be designed so that the disadvantages of larger establishments are mitigated. I would not design a prison of 2,500 with three very large house blocks, for example; I would make it modular in design, so that it could be run as a number of more discrete units. I would look to use technology much more intelligently and flexibly than the prison estate currently does, using it to encourage independence and self-reliance on the part of prisoners by enabling them to do things like book their own visits.

The other thing that I would do—I fear that the Government have not done it with the proposed prison at Wrexham—is let the organisation that is going to operate the prison design it, so that, rather than designing it in a vacuum and then handing it over to an organisation to operate it, you have a really strong link between the outcomes that you want to deliver and the design of the prison. If you cannot manage that, you should make sure that the prison is designed to be operated in the way in which it ends up being operated. I know that the Committee has been to Oakwood, a prison that was designed as a category B local establishment and then run as a category C training establishment. Any large prison that is being run in a way in which it was not designed to function is facing a bit of an uphill struggle from the start.

**Q112 Jonathan Edwards:** You said earlier in your testimony that in your paper for Policy Exchange you were thinking in an England and Wales context.

**Kevin Lockyer:** I was.

**Q113 Jonathan Edwards:** Thinking solely in a Welsh context, do you think that there is a requirement for a super-prison for Wales?

**Kevin Lockyer:** In my last senior job in the MOJ, I managed the prison population, among other things. If I were still in that role, I would say to you that a large prison in north Wales would be very useful, thank you very much, because it would make my life managing the population across England and Wales that much easier. Objectively, is there a need for a large prison in north Wales solely for prisoners from Wales? The answer is unequivocally no, there is not.

**Jonathan Edwards:** I am very grateful for your candour.

**Q114 Chair:** Can I come back to you on your earlier answer? I understand that you were summing up the pros and cons of a large prison over a small prison. In a small prison, the staff get to know the inmates and it is easy to manage in that way. In a large prison, there can be cost savings, because you can put services into a larger prison that might not be available elsewhere.

We had those pros and cons, but surely it is possible to build a large prison, with all of the benefits that that can bring, but to operate it as a series of small prisons. I felt that we were getting that a little

bit in Oakwood, where you have different wings or blocks, almost like a series of prisons within one estate. Then you can have the advantages of both systems. Is that not what we should be aiming for?

**Kevin Lockyer:** Absolutely. That is exactly what I argued for in my report for Policy Exchange. Rather than have a single monolithic warehouse, I would have a campus design of establishment, with smaller units that were capable of being brigaded together and managed almost as mini-establishments. It is perfectly possible to conceive of a model in which you have a multi-function prison with capacity for young adults, longer-term male offenders and, possibly, a local prison, run as almost separate entities within the larger prison complex.

**Q115 Chair:** With perhaps some shared facilities.

**Kevin Lockyer:** Absolutely—and a shared secure perimeter.

**Q116 Glyn Davies:** The question that I want to ask is along similar lines to the route the Chair has gone down. I have to admit that early on I was an opponent of large prisons. I have always thought that the best way of reducing the prison population is through rehabilitation and making certain that prisoners do not offend again. It seems to me very much that that will be more difficult to deliver in what used to be called a Titan prison or a very large prison. Probably the answer is similar to the one you have just given to the Chair, but to what extent have you addressed the need for rehab, which is the most effective way of reducing the prison population?

**Kevin Lockyer:** I absolutely agree that the best way of reducing the prison population is to reduce reoffending. The evidence is that larger prisons are no worse than smaller prisons at reducing reoffending. In fact, new large prisons are at least as good—and sometimes better—than smaller, older prisons. The key difference is that they are designed to deliver the purpose that we want prisons to deliver now and are not trying to deliver 21st-century rehabilitation outcomes in a prison designed in the middle of the 19th century. Pentonville, for example, is a prison that was designed to operate the silent system. It is a Victorian penal establishment, which the Prison Service has tried heroically to drag into the 21st century to deliver 21st-century outcomes, but it struggles because of its design.

You could build a prison just as big as Pentonville but design it in order to provide the right opportunities for rehabilitation. By that, I mean the right kind of classrooms, for example, designed in the right way and in the right kind of number, the right kind of vocational training facilities, the ability to engage better with families and all of the things that are difficult in a Victorian context. I have governed two Victorian prisons, so I know how difficult it is. You can do all of that in a large prison and deliver better outcomes than in an old prison that is not fit for purpose.

**Q117 Glyn Davies:** The Committee has visited Oakwood and made other visits. What would be the best example to look at of a prison in Britain that is delivering, particularly on the rehab side, which is the efficient way of running a modern prison?

**Kevin Lockyer:** The Committee knows this, I think; forgive me for being presumptuous. You could go to Parc, which is as good a prison of its type as any in the country.

The difficulty with making very crude distinctions between prisons and rehabilitation outcomes is that the key driver is the nature of the population you are working with. I live in Lincolnshire. If you went to North Sea Camp, which is an open prison 6 miles from my home, you would see very low reoffending rates, but that is because it is dealing with very long-term prisoners who have spent a long time in prison and are reaching the end of their sentence. They are the cohort least likely to reoffend. If you want to see the average short to medium-sentence prisoner with real opportunities to re-engage with the community and real rehabilitative opportunities, you do not need to go much further than Parc.

**Q118 Chair:** I will preface this by saying that my gut instinct tells me that you may be correct on this, but I still want to challenge it slightly. In the previous session that we had, I asked the witnesses about rehabilitation rates for different prisons. They said, “There are no rehabilitation rates. People move around too quickly and you could not fairly do it.” I accept that. I am taken by your statement that a large, modern prison will probably be the best way of rehabilitating people, but I wonder on what evidence you can base that, given that we were unable to get the hard evidence to back that up.

**Kevin Lockyer:** I base that on the MOJ’s published data on reoffending rates by prison. Those data are available. The issue is attribution. If you have—

**Q119 Chair:** The witnesses said that people move around prisons quite a lot, so you cannot be certain that one prison has achieved that rehabilitation. It may have been work that took place in the previous prison they were in. That was their argument. I’m only bouncing it back because that is what they said.

**Kevin Lockyer:** That is the point that I was about to make. If you have a prisoner who is coming to the end of a four-year sentence and has served it in three prisons, it is terribly difficult to attribute that outcome to any one prison, because something that they did in prison No. 2 may have made the most difference. However, there are data available by prisoner discharge on reoffending rates. Those are not completely meaningless data. It is possible at the end of a sentence to mess up completely a prisoner’s ability to resettlement into the community, so they say something about the effectiveness of the prison that prisoner is released from.

It is also worth making the point that at the moment—at least until the implementation of the relevant provisions of the Offender Rehabilitation Act—any prison releasing short-sentence prisoners is releasing them to no supervision in the community, so they are almost bound to have high reoffending rates.

**Q120 Guto Bebb:** I want to continue on the same trail, in relation to the plans for Wrexham. I acknowledge fully that north Wales does not have the prison population to justify a prison of 2,100. On the other hand, we are part of the Prison Service of England and Wales. The prison is being built on that basis, not on the basis of building for Wales alone.

I also sit on the Public Accounts Committee. We have been given a significant amount of evidence that the prison building programme learned a lot of lessons prior to coming along to Wrexham. You have highlighted issues in terms of a large, well-designed, modern prison being very good at rehabilitation. We were given assurances by the authorities that that would be the case at Wrexham. Do you believe that that flexibility is in-built in the current plans for Wrexham, which are for three modular units with 700 prisoners in each?

**Kevin Lockyer:** That is not the kind of prison that I would design or that would fulfil the kind of objectives I argued for in my Policy Exchange report and have described to the Committee in the last few moments. It does not provide the ability to run a prison on a modular basis. It is not a campus organisation and does not have a number of smaller units. I accept absolutely that in spending public money there is a trade-off to be struck between what is ideal and what is affordable, but I worry that having three 700-bed units—which is effectively three medium-sized prisons—is probably not the right design. It may be erring too far in the direction of economy rather than effectiveness.

**Q121 Guto Bebb:** What sort of issues should be highlighted at this point in the build process? What issues should the Committee highlight in terms of the flexibility that is needed? You talk about a modular approach, but what could be done with the proposed three units? Could anything be done with those units that would make it a more effective prison in terms of rehabilitation?

**Kevin Lockyer:** If I were in the Committee's shoes, the questions that I would want to ask would be along these lines: how do you manage a prison of that size, in that configuration, in a way that gives prisoners direct access to the right level of seniority of management? The largest prison that I governed in the Prison Service had just under 800 prisoners. I managed pretty reasonably to make sure that most prisoners had a chance of seeing me most weeks. That is very much harder if there is only one of you as governor and you want to give 2,500 prisoners a fighting chance of seeing you. The way of mitigating that is to create smaller units, with a recognisable head of unit whom prisoners have a good chance of seeing. My question to the authorities would be, how do you replicate that kind of engagement with prisoners in a prison with 700-bed units?

**Q122 Guto Bebb:** You were saying that your experience of a prison of 800 was that you could offer that individual who could be consulted by prisoners. If the Wrexham prison was developed along the lines of the three modular units currently envisaged and those three units had a recognised head of unit, would that curb some of your concerns?

**Kevin Lockyer:** It would. That is potentially an effective way of mitigating the downside of scale. It will be really interesting to hear how the proposed operator of the prison, when that operator is selected, would structure the management of the establishment to achieve that kind of aim.

**Q123 Guto Bebb:** I have a final point on the design for Wrexham. We were given assurances on the Public Accounts Committee that the educational side of Wrexham would be class leading. Is that your view?

**Kevin Lockyer:** I have no basis on which to form a judgment on that. I would hope that, with a new prison and the ability to design it from the ground up, the design would allow for class-leading education and rehabilitation facilities. It would be a major disappointment if it did not.

**Q124 Guto Bebb:** But a modular, 700-bed-unit prison would not necessarily militate against that class-leading educational service being provided.

**Kevin Lockyer:** I do not think that it would. My issue with housing units on that scale is about giving prisoners access to managers, as much as anything else, and being able to deliver it on a human scale.

**Q125 Simon Hart:** Can we go back to resettlement for a moment? The chief inspector has been reported as saying, "There is hardly any activity going on; resettlement has ground to a halt." Is that a comment that resonates with you? Do you think that he is being fair?

**Kevin Lockyer:** The Government's transforming rehabilitation programme and the creation of community rehabilitation companies, which will have a contractual responsibility to deliver resettlement services for all prisoners in the last 12 weeks of their sentence, will probably change that situation significantly. The chief inspector is right in as much as the run-up to the creation and delivery of that resettlement service by community rehabilitation companies has probably led to prisons disinvesting from resettlement activity themselves. The Prison Service's approach to benchmarking services has probably driven out some resettlement services that were otherwise there. However, the introduction of resettlement services delivered through community rehabilitation companies should swing the pendulum back the other way.

**Q126 Simon Hart:** In a way, you are taking a more positive look at how it is going to unfold in the next couple of years.

**Kevin Lockyer:** Yes. Assuming that CRCs deliver the services that the MOJ is contracting with them to deliver, I would be mildly positive about it.

**Q127 Simon Hart:** We hear a lot about resettlement and it reads well. Is there much we can turn to by way of evidence that indicates the extent to which the existing resettlement programmes, such as they are, are measurably having a positive impact? I do not quite know what the measurement is.

**Kevin Lockyer:** The MOJ publishes a number of measures that help a bit. They will tell you what proportion of prisoners leave prison into settled accommodation, for example, and how many prisoners leave prison into employment or an education or training place. To some extent, all of those are goodish measures of how well someone is being resettled.

**Q128 Simon Hart:** I am sorry to labour the point, but does it make a distinction between success being a direct result of the Government programme and being a direct result of an individual leaving custody and just making a go of it?

**Kevin Lockyer:** No, it does not. It does not say, “Have you, Mr Hart, got a job as a result of something that was done with you in prison?” It will simply be, “Do you have a job to go to?” or “Do you have an address to go to when you leave?” What you can see, if you track the data quite carefully, is a correlation between really good resettlement services and improvements in those outcomes. I have experience both as a prison governor and in the voluntary sector as a provider of resettlement services. You can see a direct correlation between improvements in that performance and the services that are delivered. That may be entirely by chance, but it probably is not.

**Q129 Simon Hart:** It is probably the only evidence that we have.

**Kevin Lockyer:** Yes.

**Q130 Simon Hart:** On a separate point, it has been suggested to us that the statistics in relation to reoffending do not differ much as between those leaving large prisons and those leaving smaller prisons. You look like you agree with that.

**Kevin Lockyer:** Yes, I do.

**Q131 Simon Hart:** The facts speak for themselves. What is not so clear is why that is.

**Kevin Lockyer:** Because it is perfectly possible to deliver good resettlement outcomes in a small prison or a large prison. At the moment, the strongest determinant of reoffending rates is the length of the sentence—the longer your sentence is, the less likely you are to reoffend on release. You see a significant drop-off in reoffending rates for long sentences.

**Chair:** May I just—

**Simon Hart:** I would like to ask why that is, but I am not being allowed to.

**Q132 Chair:** Can I ask a question first, because that is the natural follow-up? Does that take account of the fact that people doing very long sentences have sometimes gone in for what one hopes is a one-off murder? Typically, a person hits somebody and they die—that sort of thing. Sometimes, you get people serving very long sentences who are not habitual criminals. Some people say that that skews the statistic that you have just given. I am sorry for having cut across you, Simon.

**Kevin Lockyer:** I think that is absolutely right. The other factor, which I have already alluded to, is the fact that at the moment short-sentence prisoners are released to no community supervision. Any post-release support that they get is entirely voluntary and exceptionally patchy. Without wishing to stereotype, the kind of offender who does a series of short prison sentences tends to be the more chaotic kind of individual—a habitual substance misuser, possibly—who is least likely to be employable and least likely to have suitable and secure accommodation, and for whom repeated journeys through their local prison are just part of life. The issue is arresting all of that with, at the



moment, no community support and no community supervision—all of which will change with the implementation of the Offender Rehabilitation Act.

**Q133 Simon Hart:** Would it be wrong for us to assume, therefore, that it is the length of the sentence that is the deterrent? I was going to ask a different question, but I will ask that one. I was getting the impression that long sentences are a deterrent as far as reoffending is concerned, but I am not quite sure—

**Kevin Lockyer:** There is a fantastic philosophical debate to be had about what deters and what does not. From my perspective, overwhelmingly the strongest deterrent is the certainty of being caught. You can have the longest sentences that you like but, if there is no chance of catching you, there is no deterrent.

**Q134 Chair:** Can I leap back in quickly, before Glyn has his turn? I could have phrased my question in another way. Some people have said that, even if you take out the one-off murderers, the longer sentence still leads to better rehabilitation outcomes. People serving two years are less likely to reoffend within two years than people serving one. At four years, the rate is better still.

**Kevin Lockyer:** That is absolutely right. Broadly speaking, the reasons for that are that it is possible in two years to do constructive things with people that reduce the risk of their reoffending. Generally speaking, short prison sentences are long enough to allow someone to lose their home or job and to become alienated from their family, but not long enough to repair any of that damage. Longer prison sentences, although they have all of those disruptive outcomes, too, provide you with the opportunity to do something constructive to repair them. You can give people new skills and have a long enough run-up to help them to get a job and a home on release, to do cognitive behavioural programmes with them and all the rest of it, which you simply do not have on a short sentence.

**Q135 Glyn Davies:** I have a linked question. Rehabilitation—and the environment in prisons that delivers it—is something that really interests me. I was reading somewhere that, when a really big new prison is established, it has to be filled up straight away. They do not immediately have new prisoners to go in, so they come from other prisons. Other prisons will want to get rid of the most troublesome and most difficult-to-manage prisoners. Is there a danger that in the environment of a new prison it will be a lot more difficult to have the constructive background to deliver programmes and develop rehabilitation than it might be in another big prison?

**Kevin Lockyer:** The material issue for any new prison—whether it is for 2,100 or for 600—is how quickly you fill it. The faster you fill a new prison, the greater the problems that you face in running it effectively. The chances are that you will be staffing that prison predominantly with staff who have never worked in a prison before and are relatively inexperienced. You may be able to bring in a cadre of experienced managers from elsewhere, but a chunk of your staff will be newly recruited and trained. A significant proportion of the prisoners you move there will know more about prison than the staff who are supervising them.

That is true. It is exactly the problem that Parc faced when it opened. If you look back at the history of that establishment, you will see the teething troubles that it had. It is exactly what happened at Oakwood—and exactly what happened when the public sector opened new prisons. I was deputy governor at Belmarsh only a few years after it opened. You could see the evidence of that there, with new staff. In an ideal world, one would fill new prisons up relatively slowly, to enable staff to learn their trade. Over the last 10 or 15 years, the reality has been that the pressures of the prison population have been such that that is a luxury that no one has been able to afford operators of new prisons, which is regrettable.

**Q136 Guto Bebb:** I want to follow up on your comments and your exchange with the Chair. We had some evidence last week that argued very strongly that short-term prison sentences did no good to the individuals being imprisoned or to rehabilitation rates and so forth. In your exchange with the Chair, you seemed to recognise that that is the case—a one or two-year sentence will often lead to disruption of an individual's whole life but will do nothing to change behaviour. Is the lesson that we should have a different approach to short-term sentences or that we should be harsher in the way in which we deal with people who break the law—or is it a combination?

**Kevin Lockyer:** It is probably more of the former than the latter. I support the Offender Rehabilitation Act provisions and the implementation of statutory supervision for short-sentence prisoners. You are absolutely right, Mr Bebb—at the moment, short sentences do nothing very positive, on the whole, for the prisoners concerned. They may clean them up if they are a drug addict or an alcoholic, possibly. The benefit is in the community probably being given a respite from prolific offenders—although, ironically, with an increased chance of their reoffending when they are released.

There will always be a need for imprisonment, sometimes for short sentences, simply because people are a danger to the public, but what absolutely does not work is a short sentence that just kicks the person out of the gate at the end of it, with no support and supervision. Building supervision on to short sentences is probably the right way to go. What worries me is that that might encourage sentencers to send more people to prison for short-term sentences because they think, “They are getting 12 months’ supervision in the community free. We may as well send them to prison for six weeks to teach them a lesson, because they will get that supervision afterwards.” I am not sure that that is really the outcome that we need.

**Q137 Mr Williams:** I want to talk about the impact on Welsh prisoners of their being dispersed across the country. We had some evidence last week from Mr Robert Jones of the Wales governance centre, who made an assessment that Welsh prisoners can be found in 108 different prisons across England, as far away as the Isle of Wight and the north-east of England. He made the point that dispersal of those prisoners “makes it increasingly difficult for devolved support agencies to try and allocate or concentrate its resources to such a large number of prisons in England”. We have had an estimate from the Government that there are about 900 prisoners from the north Wales area. Is there any reason to suppose that Welsh prisoners being consolidated in Wrexham would be to their and our advantage? Should it be consolidation or dispersal?

**Kevin Lockyer:** Consolidation, absolutely. All of the things that you need to do with prisoners around resettlement—hooking them up with community agencies and all the rest of it—are better done if the guy is in Wrexham rather than on the Isle of Wight. That is quite obvious to me. For as long as there is a national England and Wales prison system, there will be an element of dispersal, because there will be prisoners who, for all sorts of reasons, do not manage in Wrexham and need to be somewhere else. Sometimes, that somewhere else will need to be outside Wales. However, as a general principle, consolidation in one place will probably provide better outcomes.

**Q138 Mr Williams:** But the scale of that needs to be reconciled with good outcomes, doesn't it? That is the challenge.

**Kevin Lockyer:** Yes. On the basis of the numbers that I have seen and that you have just quoted, it seems to me that we will have a prison in Wrexham where just under half of the prisoners are Welsh and the rest are English. The question is, what does that do for outcomes for those English prisoners, who may well be some distance from their homes?

**Q139 Mr Williams:** Quite. It has been suggested that the opening of Wrexham could coincide with the closing of smaller and older prisons in the north-west. In your experience, are there any prime candidates for closure in the north-west?



**Kevin Lockyer:** Probably Haverigg, which is on the way to nowhere in particular and is not close to the population centres that it serves. It comes back to my remark right at the beginning of this session about the case for large prisons hinging on what you want to achieve by building them. If one of the aims of building a large prison in Wrexham is to enable you to close a prison in Cumbria, you need to look very carefully at where the prisoners in that prison in Cumbria are from and whether or not having them in Wrexham is likely to give you better outcomes than having them in Cumbria.

**Q140 Chair:** We are running a bit short of time, but this could be a long question. What are the pros and cons of devolving prisons to the Welsh Assembly?

**Kevin Lockyer:** I will try not to make it a long answer. Having spent 25 years as a civil servant, I am schooled in the “on the one hand, this, and on the other hand, that” answer, so I will give you an answer that is a bit like that.

It seems to me that the pros are about better resettlement outcomes and the ability to develop really distinctive community-based resettlement pathways that draw on the strongest community organisations in Wales. That is an advantage.

The ability to forge a distinctive identity for a devolved prison service would also be an advantage. The smaller the gap between the top of the organisation—any organisation—and the front line, the easier it is to instil a common sense of purpose, set of values and vision. Arguably, somebody running a Welsh prison service could do that much more directly than someone running an English and Welsh prison service. You see that in the Scottish Prison Service and in Northern Ireland, where the respective chief executives are able to reach into the guts of the organisation much more directly.

On the negative side, if I were still in my last MOJ role, I would be horrified at the prospect of devolution, simply because it makes managing the prison population that much more difficult.

**Q141 Chair:** Because you cannot transfer people so easily.

**Kevin Lockyer:** Because I would not be able to transfer people. I managed the prison population at a time when we were literally converting cupboards that had once been cells back into cells and scraping around to find every possible cell. In those circumstances, reducing flexibility in managing the estate would have been disastrous. It would probably have been fine in those areas with a surplus of places, like Wales, but would have transferred costs elsewhere in the system, because we would have been locking people up in police cells in London, for example.

You would need to address the kind of rigidity that you would create and to have some fairly robust mechanisms for transferring people out of Wales into England and vice versa, because you would not have an all-purpose estate in Wales. You would need to move category A prisoners out. There would be circumstances in which, for safety and security, you would want to move people into England. You would need a mechanism to make that happen.

**Q142 Chair:** Effectively, you would have to have some kind of internal market, rather as you have in the NHS.

**Kevin Lockyer:** Yes. The other disadvantage is that the larger the organisation, the better able you are to achieve scale economies for some specialist services. I am thinking about things like sex offender treatment programmes—the very expensive cognitive behavioural interventions and the infrastructure that hang around those—and some of the more specialist interventions, which are inevitably cheaper if you deliver them across an England and Wales service. You would either have to replicate those for a smaller service in Wales or find a way of buying them in from England.

Those are complications. On balance, sitting where I am now rather than where I was, I think that the benefits probably outweigh the disadvantages, but I would not underestimate the complications of making it work.

**Q143 Guto Bebb:** On that final conclusion, do you think that the building of a 2,000-plus-capacity prison in Wrexham affects your conclusion? Ultimately, if that building goes ahead, the surplus of places in Wales will be quite significant, so the loss of flexibility from having a devolved service in Wales would be an even greater problem.

**Kevin Lockyer:** For me, without a prison in Wrexham, devolution of responsibility would not be a runner, because you would have too many prisoners outside Wales.

**Q144 Guto Bebb:** But it would be the other way round with Wrexham.

**Kevin Lockyer:** It would turn the other way round. That just illustrates the point that, in my judgment, a prison in Wrexham on that scale is not necessary to meet the needs of Welsh prisoners. You create problems if you try to place a devolved system over the top of that, but you could not do it without it.

**Q145 Chair:** That was a fascinating evidence session. We are very grateful to you for coming in to do it.

**Kevin Lockyer:** It was my pleasure.

### **Examination of Witnesses**

Witnesses: **Councillor Hugh Jones**, Lead Member for Communities, Partnerships and Collaboration, Wrexham County Borough Council, and **Lee Robinson**, Strategic and Performance Director, Wrexham County Borough Council, gave evidence.

**Q146 Chair:** Good morning, Councillor Jones and Mr Robinson. Thank you very much for coming along. I will let you get your water, if you like.

**Councillor Jones:** Thank you.

**Q147 Chair:** You are taking a great interest in the proposals to build a large prison in Wrexham. I understand that you have been looking at other prisons to work out what may be good and bad practice. I just wondered what thoughts, if any, you have on that.

**Councillor Jones:** One of the most important things is that we learn the lessons from the problems of new developments like Oakwood, where there were a number of early problems with the setting up and introduction of the prison, and that we learn the good points, in terms of the work that is being done at Parc on regimes such as the invisible walls programme and how Parc engages with the community, which seems to be producing really effective results. We should learn from both the good and the bad, so to speak.

**Q148 Chair:** You heard Mr Lockyer talk about the importance of design and the possible downsides of a large prison as against small prisons within an estate. He also suggested that it might be better to get the organisation that was going to run the prison to design it so that it could ensure that it had the right outcomes. What do you make of that? Are you confident that the proposals that we have would work well?

**Councillor Jones:** NOMS's engagement with local authorities—the North Wales Regional Leadership Board—and partnership working have demonstrated that NOMS is willing to work

with local communities to see how we can engage with those communities and what services we can offer to improve the resettlement of offenders.

It is obvious from the evidence that you have had that there are a number of different views on the size of prisons. Some prison governors have said to you that there is no real barrier to a 2,100-prisoner prison being able to deliver the same outcomes as a small unit. You heard from the previous witness about the potential for economies of scale. From our point of view, the important thing is that the north Wales consortium of local authorities can work together with NOMS to deliver the outcomes we are all aiming for in terms of resettlement of offenders and reduction in reoffending. Our experience to date is a very positive one in that direction.

**Lee Robinson:** There are a couple of other things. The experience has been one of openness by the Ministry of Justice to recognising where in other prisons design has inherently been not as it would have expected. It has been open about that and has said, “We have corrected that for the Wrexham prison.” Equally, a lot of people from the authorities in north Wales have visited prisons and have been able to discuss their operation with prison operators and to input to that as well, to some extent. That has been a very positive experience.

**Q149 Chair:** You are obviously both very keen on having this prison, which is great. I have two prisons in my own constituency. In the case of one of them, certainly, people are less enthusiastic. Why are you so enthusiastic about this?

**Councillor Jones:** There is a very clear economic benefit to the region. The estimated income on an annual basis to the local economy is in the region of £23 million a year. The ability to generate up to 1,000 jobs is a very significant boost to the local economy. From the word go, our approach to the prison has been to have two clear streams. The first is to ensure that we maximise the benefit to the north Wales economy of having such a prison. The second is to work with the operators of the prison, NOMS and the MOJ to deliver the outcomes that we are all seeking in terms of reducing reoffending. We have two very clear streams of work.

**Q150 Glyn Davies:** I want to ask you about the way in which you are working with the others who will be delivering this prison in Wrexham. You have not had a prison before; it is a new thing for Wrexham and will be a new development for the local authority. Can you tell us a bit about how you are working with the deliverers of the Prison Service to make certain that the new prison starts off well, given that you have relatively no experience of dealing with this?

**Lee Robinson:** We are doing that in a number of ways. We are currently working with the contractors who are building the prison, so we are part of the construction phase. For that, there is an employment, skills and engagement working group, which covers the Ministry of Justice, the local authority and the economic ambition board. It is both about making sure that there is local employment during the construction phase and about working with educational institutions so that, when the prison becomes operational, there are skills in the local area to service it in the best way possible. We are also looking to wider projects across the whole of north Wales, on the understanding that Wylfa B over in Anglesey will be constructed at some point in time, so that the construction skills that we develop now can be retained and can work in west Wales, as and when that develops.

There is also a region-wide steering group, which includes health, police and third sector agencies. That is looking at the impact of the prison and how we work together as agencies to tackle some of the things that Councillor Jones has mentioned around reoffending and the economy.

**Q151 Glyn Davies:** Reoffending, in particular, is the question that has been in my mind. When you are in a new situation like the new prison at Wrexham, where there is no history and background, is all the work being done to make certain that it starts off well in what will probably be a difficult

position, with a lot of new prisoners all coming in suddenly, and that you can have reoffending programmes? That is an area of the work you are involved in.

**Councillor Jones:** To a certain extent, the question is how the prison will be populated. Presumably, one of the aims is to reduce the current overcrowding that exists. It is also about moving Welsh prisoners closer to their point of residence. Under transforming rehabilitation, the aim is to have prisoners serve the last three months of their sentence in a prison local to—or as near as possible to—their community. Recognising that this is a regional prison, serving not only north Wales but the north-west of England, it is important that we have those agencies in place to work with transforming rehabilitation and the 12-month support that is going to take place. Those are the sorts of things we are looking at.

One interesting programme is the Clinks programme to develop social enterprise, which was a Home Office-led programme. We are looking at that in terms of how social enterprise can link in with prisons to reduce reoffending. There is some evidence that it has been very successful. In Wrexham, we have a number of social enterprises that are already keen to work with the prison, so that we will have the necessary structures in place to meet the objectives of the transforming rehabilitation scheme.

**Lee Robinson:** I know that previous witnesses before the Committee have mentioned the invisible walls programme down at Parc. We have done some work with Parc, but we are keen to have an equivalent programme in the Wrexham prison. We are hoping that, once the operator has been announced, we can start to talk to them about how we might do that and that we will have plenty of time to put that in place. We have seen the positive impact that it has in terms of reoffending and rehabilitation.

**Q152 Glyn Davies:** There has been some opposition to this 2,100-place prison in Wrexham. Partly, it is because some people have seen it as a prison for north Wales, rather than a prison in north Wales. I have heard that, although I must admit that I do not really see it as a valid argument. The reality is that there will be a very large number of non-Welsh prisoners in the prison in Wrexham. Wrexham itself is very near to the border, so clearly the local area will be as much in England as it is in Wales. However, it is in Wales and we have devolution. Do you see the prison as having any aspects that would enable you to say that it was a Welsh prison—a prison that might accommodate more use of the Welsh language? Do you see any developments in the prison that might help to challenge the argument that this is not necessarily beneficial to Wales and is not really a Welsh prison?

**Councillor Jones:** For a start, it is very clear that the prison will be bilingual, because that will be a requirement. The lesson from Parc is a good one. The use of the Welsh language and Welsh culture is there in a supportive way for those who want to take advantage of it but is not necessarily a barrier to English prisoners. It is a very fine balance. It is important that you get the balance right, to ensure that there is support for the Welsh language and Welsh culture, but that is done in such a way that it does not create a barrier. I know that some of the previous witnesses before the Committee have made reference to the potential for that, but it needs to be handled sensitively. My view is that Parc seems to have the right balance in terms of how it does that.

**Q153 Mr Williams:** Councillor Jones, in your earlier comments you mentioned the importance of the proximity of the prison where the prisoner spends the last three months of their sentence to the outcome. The starker issue relates to women offenders and, indeed, young people. I notice that in your written evidence Wrexham council laments the fact that the prison will not accommodate young offenders and women, and that you are calling for that issue to be re-examined. I very much agree with that stance—if that is the stance—but could you elaborate a bit more? Given that we have a very small number of young and female offenders in Wales, particularly in north Wales, would a large Wrexham prison—even if facilities were accommodated in three units of 700 prisoners—be the right environment for those special groups of offenders and their needs?

**Councillor Jones:** It is a key point. In the early stages, I personally was supportive of the idea of integrating a young offenders facility and a female facility into the new prison. In February 2010, your Committee came to the conclusion that they ought to be on the same site. Having reflected on that and thought about it in greater detail, I now think that there are a number of factors that we need to take into account.

The first point concerns female offenders. Until very recently, I was chairman of the magistrates bench, so I have some understanding of the background to this. There has been a very significant move on the part of the Ministry of Justice and others to reduce the number of women who are sent to prison, for obvious reasons.

The second point is that a significant number of women who end up in prison go there because they have breached community orders. Their offending is at the lower level, by and large. It seems to me—Corston may well have come to a similar conclusion—that you need to deal with some of the reasons and problems that cause women to end up in prison, rather than create further prison capacity for females.

There has also been a significant drop in the number of young offenders who are first-time entrants to the criminal justice system. Across Wrexham, there has been something like a 45% reduction in the last 12 months: we have seen six young offenders go into custody. In discussions that we have had with the Welsh Youth Justice Board, it seems to feel that the correct solution is to develop Werrington with a Welsh identity, as a young offenders institute, to deal with Welsh prisoners, and, to a certain extent, for Parc to provide some capacity.

The point that I am making is that my own conclusion and opinion are that we need to continue down the pathway of reducing the reasons why females and young offenders go to prison, rather than to increase prison capacity. I do not know whether that answers your question.

**Mr Williams:** It answers it perfectly. Thank you.

**Q154 Glyn Davies:** I want to come in on the issue of devolution. There is a lot of uncertainty about where the devolutionary process, if I can call it that, will be by the time that the prison opens and about whether, by that stage, the Welsh Government will have some involvement in how prisons are run. What preparations are you making in anticipation of where things may be? There may be no change, but there may be change, so the position is a bit fluid and uncertain when you are anticipating what it will be like when the prison opens. What discussions are you having? What preparations are you making for what may be a devolved position quite different from what it is now?

**Councillor Jones:** It is a very difficult question to answer, because of the point that you make about uncertainty. The view that I would take is that, uniquely in Wales, the head of NOMS will have responsibility for both prison and probation. That in itself is a new area. It is unique: the only place in which responsibility for prisons and probation will be combined. You have the new CRCs coming in and the transforming rehabilitation programme. The most important thing is to make the prison work within the new structures and to give those structures time to bed down. The last thing we need on top of the current changing environment is further uncertainty and change. There is a very powerful argument that you do not need devolution to work in partnership and collaboration. It is very important that we allow the new systems to bed down, rather than try to create further uncertainty and change.

**Glyn Davies:** That is quite clear.

**Q155 Chair:** Following on from that, at the moment Welsh prisoners who come out of prison are given accommodation via the Welsh Assembly and English prisoners are not. Could you tell me a bit more about how that works, if you know the answer to that? Who funds it? Is it funded by local



authorities, or do you get hypothecated funding from the Welsh Assembly? What is it worth? What are the practicalities here?

**Lee Robinson:** It is changing. My understanding is that leaving a prison does not give automatic residency in an area, but I do not know a lot of detail about the housing element, I am afraid.

**Councillor Jones:** That is my understanding, too—that it is changing.

**Q156 Chair:** I know that the Welsh Assembly has funding in place to prioritise accommodation for people coming out of prison. My follow-up question was going to be, if you have a prison located on the border but on the Welsh side, and if prisoners can derive a benefit from registering in Wales because they are more likely to get accommodation, are you not concerned that all of a sudden everyone who leaves Wrexham prison will say, “I want to stay in Wrexham, because I will get accommodation here and will not get it in England”?

**Councillor Jones:** My understanding is that the rehabilitation process will be rehabilitation back to their original address, rather than to the local area.

**Q157 Chair:** Finally, about half—possibly slightly over half—would be English prisoners, anyway. Are you confident that, as well as looking after the needs of Welsh language speakers and Welsh prisoners, a new prison will accommodate the needs of non-Welsh, non-Welsh-speaking prisoners?

**Councillor Jones:** At the end of the day, the needs of all of the prisoners will be the same. It is about the programmes that you put in place—the rehabilitation, the pathways and the through-the-gate programmes three months before release we have already talked about. Those do not require them to be Welsh speaking or non-Welsh speaking. What we will be able to provide in Wrexham is the added advantage of a Welsh identity in support of those prisoners who need it. In terms of the rehabilitation processes, all of the prisoners, irrespective of whether they are Welsh or English, should be able to avail themselves of the same programmes.

**Chair:** That is excellent. Thank you very much.