

## Justice Committee

Oral evidence: [Prison population 2022: planning for the future](#), HC 483

Tuesday 13 November 2018

Ordered by the House of Commons to be published on 13 November 2018.

Watch the meeting

Members present: Robert Neill (Chair); Bambos Charalambous; David Hanson; Gavin Newlands; Victoria Prentis; Ms Marie Rimmer.

Questions 387 - 498

### Witnesses

[I](#): Helen Berresford, Nacro; Francesca Cooney, Prisoner Learning Alliance; Anne Fox, Clinks; and Danny Hames, NHS Substance Misuse Providers Alliance.

[II](#): Simon Boddis, Executive Director, Prison Estate Transformation Programme, HM Prison and Probation Service; Phil Copple, Executive Director Prisons, HM Prison and Probation Service; and Tom Read, Director of Digital Transformation, Ministry of Justice.

## Examination of witnesses

Witnesses: Helen Berresford, Francesca Cooney, Anne Fox and Danny Hames.

**Chair:** Good morning everyone, and welcome. Thank you very much for coming to help us. Before we start, we have to go through the official arrangements and make declarations of interest. I am a non-practising barrister and a consultant to a law firm.

**Victoria Prentis:** I am a non-practising barrister. I have just become a voluntary trustee of Nacro, so I will probably not ask questions during the first of these panel sessions.

**Bambos Charalambous:** I am a non-practising solicitor.

Q387 **Chair:** Thank you for the evidence you have submitted. Perhaps you would introduce yourselves for the record and we will go straight on to the questions.

**Anne Fox:** I am Anne Fox. I am the chief executive of Clinks, the national charity supporting the criminal justice voluntary sector in England and Wales.

**Francesca Cooney:** I am Francesca Cooney. I am the head of policy at the Prisoners Education Trust. I am here on behalf of the Prisoner Learning Alliance, which is a network of organisations and individuals aiming to improve prison education.

**Helen Berresford:** I am Helen Berresford, director of external engagement at Nacro, a social justice charity.

**Danny Hames:** I am Danny Hames, chair of the NHS Substance Misuse Provider Alliance, which is a network of 13 NHS trusts that provide drug and alcohol services in prisons.

Q388 **Chair:** Thank you very much, everyone. The Ministry of Justice says it has three objectives for prisons. It has published its strategies on accommodation, employment and training and so on as part of the three-year prison health programme that it has been talking about quite a lot. What is your take on the programme and how those things come together, and the fit between the wider objectives of rehabilitation and reform, and where the strategies actually are?

**Francesca Cooney:** While the employment and education strategy was good, it did not have an action plan or resources behind it, and it did not actually bring in anything that was not happening already. You will probably be aware that prison education is being devolved to governors and that, from April, funding will sit with individual governors.

Q389 **Chair:** Do you think that is a sensible thing?

**Francesca Cooney:** It potentially has the possibility to be good. In prisons where it is working well, a governor can co-ordinate and make sure that services are integrated. The governor will be able to



## HOUSE OF COMMONS

commission services appropriate to the population's needs, and we might see some innovative practice.

In prisons that are already finding it challenging and that are struggling to meet the needs of their population, it will be added upheaval and added change on top of what they are already dealing with. We know that at the moment half of prisons do not have enough activity places, and that six out of 10 prisons do not use the activity places they have successfully.

Q390 **Chair:** Is that because the strategy is wrong or because there are too many people in the prisons?

**Francesca Cooney:** It is a bit of both. The strategy has not taken enough account of the population pressures and the challenges that prisons are dealing with in terms of regime.

Q391 **Chair:** Are there any other observations?

**Anne Fox:** On the wider question, some of the strategies and plans are very welcome, and in some areas they were long overdue. For example, the female offender strategy is warmly welcomed for setting in motion some things that have long been needed, but it was itself quite delayed in publication. Individual things, such as education and employment and the families work that I can talk about in more detail later, if you want, are welcomed.

What we had was the promise of something above those to connect them all, which was contained in the prison reform and safety White Paper, which had a Bill attached to it, but obviously that fell with the last Parliament. There is a bit of a loss of momentum from that, because we were also expecting a proper conversation on the purpose of prison, the role of rehabilitation and how you would link together the different systems between court, prison and probation, for a bit of a holistic hold to give a sense of how people are managed through those different processes.

Those individual strategies become important as activity plans. Some of them lack detail on the outcomes they are seeking to achieve, exactly how implementation will happen, at what stage and how it will be measured. There is a woeful lack of resource. I know we do not always like to mention it, but it is important to mention that most of them are underfunded, if funded at all.

**Helen Berresford:** I can specifically pick up on the accommodation part. We in Nacro have been talking to the Ministry of Justice for a number of years about the critical challenge of finding accommodation for people leaving the criminal justice system at the minute. We welcome last week's announcement on the rough sleeping pilot. We think it is a really good positive move forward, but we do not yet have a national offender housing strategy set out for that group of people leaving prison.



There is an opportunity to look at that. It is one of the most critical parts of resettlement and one of the biggest challenges. The pilots are really only one part of the jigsaw. There are lots of parts: local authority decision making, access to the private rental sector, and how we can ensure that everybody has access and can pay a deposit. There are all those different parts. The challenge the supported housing sector has faced over recent years in terms of rent reductions and lack of sureness over its future funding have all impacted on it. We need that to be joined up.

The Ministry is identifying and accepting that that is one of the issues. We are having the conversations, but there is a need for real drive, a real strategy and a real plan behind that, because it is one of the most crucial parts of resettlement.

**Q392 Chair:** Do you think there are the right governance arrangements to pull all these things together?

**Helen Berresford:** Probably across the board on these strategies we could increase the governance arrangements. We could definitely increase the delivery plans for the strategies; what is going to be delivered and by when. How we are holding Government to account on them is a really important part.

It is good that we now have the inter-ministerial group on reducing reoffending. That is a really positive step forward. It needs to focus on the things that cross Government Departments. The MOJ does not act in isolation; prisons do not and probation does not. They all interlink with other Government Departments. Obviously, there is recognition of that now, but they must be the priorities. How do we get MHCLG, MOJ and DWP working together on accommodation, not just one Department?

**Danny Hames:** One of the things that makes the job of drug and alcohol services difficult within a prison is the environment in which they are working. It is not enabling them to do the best thing. That has impacts in terms of staff, getting access to appropriate accommodation, and so on. What compounds issues around giving people the best opportunity of rehabilitation is the fact that community drug and alcohol services are pulling back their activity. The connection between prison and community has become weaker and weaker because resources have become less, and therefore services have had to prioritise the areas they are working on.

I remember that in the community, for instance, there used to be specialised criminal justice teams. Those criminal justice teams would work and link with prison teams. Now those specialist criminal justice teams are largely not there.

**Q393 Chair:** That is a consequence of the transforming rehabilitation agenda, isn't it?



## HOUSE OF COMMONS

**Danny Hames:** It is in part, but if, for instance, you look at the through the gate offer, in some of the consultations I have done, particularly in busy remand prisons, because of the quick turnover, the key component of the through the gate function from TR often is not happening.

Q394 **Chair:** Why do you think it is not happening?

**Danny Hames:** It is a combination of factors. It is partly the volume of people coming through the remand prisons. It is the unstructured release of those people. It is an issue of there being enough people to facilitate the transfers. Sometimes that is due to the service model that is in place, but it is also often due to prison as an environment becoming a less attractive place to work. Recruiting people to those environments, and getting people with the skills to work in those environments, has become more difficult too.

Q395 **Chair:** One thing that worried me when we had the CRCs come in was how much that broke up local arrangements that tended to exist, in the third sector and so on. What are people's thoughts around that?

**Helen Berresford:** I would agree. Building on the point around health, there is a real challenge with healthcare for people coming out of the prison system and then going into the community. We see people coming out who have not been linked to local services, yet they have high mental health needs and substance misuse issues. We see too many people released without prescriptions and drugs on the day of release, because all the parts of the system are not working together.

We are putting people back into the community without the right support functions available to them. Then it is almost "Sort it out for yourself," unless there is intensive support. A lot of work has been done on the liaison and diversion services at the front end of that part by health. Now it is about looking at how to transfer back to the community and put in place the right kind of support.

Q396 **Chair:** There is a lot of agreement on that, yes.

**Francesca Cooney:** CRCs work with people too late, because 12 weeks before release is not enough time to plan for employment, training or education. It needs to happen when people go into prison.

**Anne Fox:** We have made it a bit of a job for us in the last few years to look at this and to track it. Sometimes it has been more uncomfortable than others. I would like to thank the Committee for its inquiry, which we think has been instrumental in getting some of the changes for the future brought forward a bit quicker than maybe was planned.

We have found a real absence of voluntary sector commissioning and working in the delivery of services, including through the gate. They have a very long and proud legacy and history, and previously they had a good relationship with probation trusts. We have also found that, where those relationships were there, over the last few years they have broken down



## HOUSE OF COMMONS

in many cases. We have seen an ethical and moral shift, where they thought they were on the same page as the commissioning company, and maybe that is not there now—in the practices in the last few years—because of what the specifications in the contract have been driving them towards.

Q397 **Chair:** It has fallen into the hands of the outsourcers, hasn't it?

**Anne Fox:** It has, yes. The expertise in commissioning and what could be provided may be better done a bit more co-productively and collaboratively with the provider. Instead, something is bought from you rather than you being funded to do something with a group of people where you might have expertise and a lot of knowledge.

Q398 **Ms Marie Rimmer:** What is the current situation with regard to your ability, or that of the organisations you represent, to provide services within prisons? Could you tell us a little about that?

**Anne Fox:** It is really mixed; it often depends on who they are, what their relationship is, how they got there in the first place and how long they have been there. There are probably very few organisations in prisons with a direct relationship with the Prison Service itself. The Samaritans have a grant to provide their listener scheme in pretty much every prison, or all bar a few, but most organisations have an individual relationship either with a prison or with a CRC or an NHS provider, or they may be grant-funded by somebody else, with a relationship with an individual in prison. That in itself is quite complicated. There is lack of co-ordination. We would recommend that we revisit voluntary sector co-ordination, which has been done quite well in the past.

Then there are issues, when you are in there, with what your access is to prisoners. That will often flow with the prioritisation of your service and how fundamentally important it is seen, particularly in a stretched service where there are not the staff to unlock and escort prisoners. It is quite mixed, but generally it is quite problematic. About 13% of our membership work wholly and solely in prisons.

Q399 **Ms Marie Rimmer:** Do you agree?

**Helen Berresford:** Yes. Nacro delivers resettlement services through four CRCs as a delivery partner at the minute. Definitely, over the last few years, the implications of the situation in each prison affect our ability to deliver resettlement services, not surprisingly. It might be because of the number of staff, or understaffing and the overcrowded nature of the prisons, so that staff cannot necessarily move people to see resettlement services. It might be to do with the experience of the staff as well. It also might be to do with lock-down situations in a prison. There is a whole number of reasons, but we certainly find it more difficult in many cases. We find ourselves too often delivering resettlement through a cell door because that is our only option. They simply cannot move people to us to a private place to have a private conversation.



Q400 **Ms Marie Rimmer:** Do you want to comment, Mr Hames?

**Danny Hames:** It varies massively per establishment. In drug and alcohol services, we know that being able to provide the right quality and intensity of intervention really does dictate what the outcome can be in terms of being positive. From what we have seen over the last few years, in changes in staffing regimes primarily, the ability to get to see prisoners for the right amount of time, and to provide them with quality intervention, has become more and more difficult.

What has added to that complexity—particularly in remand prisons, but there are varying challenges throughout the estate—has been the increase in use of psychoactive substances. Our drug and alcohol services always dealt with crisis and complexity, but now quite often they are becoming crisis services. That means they are working more closely with mental health services. In some ways, that has led to more positive working, but those mental health services are themselves under strain. It has become much more difficult to provide the right type of intervention at the right time.

Q401 **Ms Marie Rimmer:** It sounds very complex and very frustrating. Would any of you like to give us an estimate of the wasted costs of provision you are unable to provide because of staffing or the regimes? Can you put a cost on the waste? How efficient is it? What are you getting from the money? How much more efficient could it be? It sounds very wasteful, not that it is any individual's fault. We are not looking for that.

**Anne Fox:** I have a point on the funding of things in the first place. In resettlement services, one of the things that we found in our work is that there was 67% subsidisation of CRC contract value to deliver the quality of service specified by the voluntary sector. They are not necessarily getting the full money to deliver what is being asked for. That is an important point.

Q402 **Ms Marie Rimmer:** It is two thirds, so there is one third efficiency.

**Anne Fox:** Yes. They are using their own charitable reserves and money from elsewhere.

**Helen Berresford:** I could not necessarily put a figure on the cost, but, anecdotally in a conversation I had recently, one of our members of staff in a prison told me that on average about a fifth of appointments are missed and are no shows. You can make your own judgment, but it would not surprise me if it is not quite common across the board. Even when people do come—this relates to the point earlier about the rise in psychoactive substances—if they have not been out of cell, it changes the nature of the conversation because they can be far more agitated and frustrated. The nature of the resettlement conversation can be much more difficult than it would be in a more ideal environment.

**Danny Hames:** Environments where prisoners have less activity and are locked up more means that they are more bored, which means they are



## HOUSE OF COMMONS

more likely to use drugs. That is compounding the problem. One of the gaps is the fact that we cannot quantify cost and where there is waste. What is clear is that the outcomes we expect to see are not consistent with the spend and what the services are producing. Lots of people are working incredibly hard, but there is a gap.

One example in drug and alcohol services would be prescribing regimes. Because there is a limited number of addiction psychiatrists working in prisons, and their time is pressurised, the ability to spend time and have real specificity about what is being prescribed, how it is being prescribed, and what interventions should happen and at what time, can elongate the breadth and length of prescribing. I would assume that there will be some waste.

**Q403 Ms Marie Rimmer:** You describe varying efficient service provision, through no fault of yourselves.

HMPPS is rolling out a new offender management model encompassing support from prison officers and probation officers. Prisoners are also supported by specialists and volunteers from the organisations you represent. What is your assessment of the new model, and how would you advise it works to ensure integrated sentence planning and sequencing of interventions—the ideal?

**Francesca Cooney:** One of the things about sequencing and interventions is that you need to know who is responsible for each intervention, and you need an overall strategy in the prison that everybody works to. It does not work when different departments in the prison are trying to find the same prisoners for different activities on the same days. That is what happens sometimes, because things are not sequenced and people are not working together. You need one department that oversees all of that, and the services need to be co-ordinated and integrated.

**Q404 Ms Marie Rimmer:** Would anyone else like to comment on the ideal model?

**Helen Berresford:** In terms of the offender management model, broadly we support the model where there is a key worker and one person who has much more access to an individual. As in any part of life, relationships are absolutely crucial in prisons. Understanding that relationship is crucial, so we support that, and we can build on it. As well as the formal 45-minute piece, it is more about the informal conversations you overhear when you are on a landing. You understand the relationships between different people in the prison and pick that up. More visibility and more access for staff on the wings is really crucial.

From our own service delivery perspective, it is obviously early days, but in some of the prisons where it is already being rolled out we have seen the benefits. We have a single person we can go to and speak to about a person who might, for example, have been due to come to resettlement but did not come. We can go to that person and have that conversation.



They can explain that there were things happening with the person and we should bear that in mind. It is a really useful conversation to have. It is very simply about relationships, which are crucial.

**Francesca Cooney:** Although key workers are a positive initiative, many of the prison officers are very new and do not necessarily know what resources are available in a prison or in the community. They do not necessarily have the social engagement or motivational skills to keep people on the plan they want to be on. They do not always know how to plan somebody's sentence with them. There are no mandated actions at the moment.

Q405 **Ms Marie Rimmer:** You are describing lack of experience.

**Francesca Cooney:** Yes, absolutely, and inconsistent practice. At the moment, each prison is working their key worker system slightly differently.

**Anne Fox:** The overall intention of the offender management and custody programme and the new model is really welcome because it is fundamentally based on relationships and consistency, and allowing a relationship between an individual on their path through their imprisonment, and a key worker. They learn a lot from the past and from things that were good about what was done before.

There are some opportunities to make it work better. It is about making sure that individual key workers have access to everything they will need. In other key working and intensive models, like children's social work, someone is the lead to access a range of services for the individual whose care they manage. If you look at that, there needs to be a whole raft of resource that that person is able to tap into.

Representing the voluntary sector, as we do, we would advocate that voluntary sector co-ordination is looked at, and that prisons have an individual strategy for how they bring together the organisations that are there already, and the organisations that could be there, and are waiting outside the gate for people on resettlement, to enable some professional development of people to make those relationships. Prisons are closed off and behind gates, and that has an impact. Relationships are harder because you cannot just pick up a phone and always have the access you might have if you worked in the community or in local authority and other kinds of environments.

Q406 **Ms Marie Rimmer:** On a positive note, could you give us examples of good practice and innovation in prisons driven by the constraints in which services are operating?

**Danny Hames:** There have been some examples in prison healthcare services, particularly between mental health and drugs and alcohol. The constraints have meant that those two parts of the delivery have moved together, and that has led to more integration, so we are seeing more



## HOUSE OF COMMONS

joint assessments, and more joint care planning and shared interventions.

Q407 **Ms Marie Rimmer:** Health and care.

**Danny Hames:** Between substance misuse and mental health services; obviously there is a crossover. That has been a positive development. It means that there is less duplication for prisoners. You get a broader skillset of clinicians involved in delivering care. In the past, it was separated. It was said that they worked in conjunction, and there were some examples where they did, but we are now seeing more integrated working with the NHS in the prisons that I know about. I think that has been driven by the reforms.

Q408 **Ms Marie Rimmer:** Could you name any of those prisons?

**Danny Hames:** There is a variety. The Thames Valley cluster, the Yorkshire cluster and Staffordshire and Worcestershire have been good examples.

**Ms Marie Rimmer:** Thank you.

**Chair:** That was very helpful.

Q409 **Ms Marie Rimmer:** Would anybody else like to comment?

**Francesca Cooney:** There are a number of good practice initiatives in education. One I would like to mention is that a number of universities are working in partnership with prisons to offer undergraduate level modules. Over 2,000 people did distance learning in prison last year. We also find that prisons are using peer mentors more; prisoners are teaching or engaging with other prisoners to help them with their education. At Wakefield prison, prisoners were involved in designing the curriculum.

Although Ofsted generally say that prison education is deteriorating, the one improvement they found last year was in prisoner behaviour. When prisoners can get to activities and to class, generally they are engaged and motivated.

Q410 **Ms Marie Rimmer:** Are the universities pushing it or the prisons?

**Francesca Cooney:** The universities are initiating it and the prisons are taking it on.

Q411 **Ms Marie Rimmer:** Are they tending to stay local? Liverpool University would go to Liverpool.

**Francesca Cooney:** Yes, very much.

Q412 **Ms Marie Rimmer:** Could you give us any names?

**Francesca Cooney:** Yes. Greenwich is working with HMP Downview, which is a women's prison. Durham University has had a long history of



## HOUSE OF COMMONS

working with prisons in its area. They are all over the country, and I can send you some information if you want me to.

**Chair:** That would be very helpful, yes.

Q413 **Bambos Charalambous:** Is sufficient information available to prison governors, and others commissioning services for prisons, about the current and future needs of prisoners to plan sufficient provision?

**Anne Fox:** I do not know if I can answer as to whether they have enough information. There certainly is not enough information in the public domain about what the needs might be. For example, one of the things that a prison governor might have the opportunity for, as in Francesca's example just now, might be driven by somebody else. A voluntary sector organisation or an academic group might see an opportunity and offer something to a prison based on their assessment of the needs, such as the number of older people in custody increasing, longer sentence prisoners or family relationships. It is all of those things. There could be a whole host of people who would offer an opportunity to a prison governor if they had the same access to information.

What we find is that in some areas you can trip over data—there is loads and loads of it—whereas in other areas there is a real paucity of information. That makes it very difficult to assess and plan ahead for what you might provide in a prison and to a prison.

**Helen Berresford:** We have some understanding of the future needs, in that we know the number of older prisoners is rising. I guess the question then is how that translates on an individual prison level, so that all the staff are aware of those numbers and that data, and how that then translates into service delivery and a responsive approach. Ideally, we want to be in a situation where the services we deliver are quite fluid, depending on the population need at the time, and able to respond and react. There is some way to go on that.

**Francesca Cooney:** In education, we need a national system of assessments and individual learning plans that we can access from any prison, so that you know what the prisoner coming to the prison has already done and what their achievements are, and you can plan your services in the future.

**Anne Fox:** On Helen's point about needs if things change, you are going to talk later about the prison estate transformation programme and some of those changes. What happens in a prison and what might be planned, particularly by a charity that might be pulling together money to do those services from a range of places, if things in the prison, what that prison is for, and who goes to that prison, change quite suddenly or without their full knowledge? That will have an impact.

For example, family services contracts were let last year. Organisations made difficult decisions because there was a reduction, if they had good services already, in the amount available per prisoner and per prison.



## HOUSE OF COMMONS

They may have gone for those contracts thinking, “Well, that’s okay if things stay the same,” but now some of those prisons may be reception prisons that hold remand prisoners, who have higher access and get more visits. People who are at the beginning of their sentence may also receive more visits, as well as remand prisoners having a right to more regular visits. That will change what you need to provide, but your contract may not be able to change.

**Q414 Bambos Charalambous:** That leads to my next question. We have heard that services are often commissioned in silos and for too short a time. Some options suggested include funding that follows the person, and getting better integration of funding—for example, in Wales and Greater Manchester. How would you like to see services commissioned in 2022?

**Anne Fox:** The one-word answer is “Better.” Not to be churlish, we have some learning from some of the more recent commissioning rounds. Sometimes, it is not always taken on board. Silo commissioning is a real feature and it is a real problem.

We did some work and published a paper on commissioning on behalf of the Reducing Reoffending Third Sector Advisory Group, which I chair and for which Clinks provides the secretariat. We did it based on the commissioning of family services last year. Some of the issues included prisons who put up information for their tender that was incomplete or there was no information at all. There were changes around the timescales. There are loads of nitty-gritty things that we would do, but overall there is a need to look at how commissioning happens, what you wish to achieve as the overall outcome of your commissioning process and then designing a process to fit that.

There are some challenges around procurement and commercial best practice coming in from different parts of Government. Sometimes, there are things that we know can work quite well around commissioning, like trust-based commissioning and some interesting pilots around people with complex needs. If you are commissioning an education service, an employment service and a health service, but it is to be delivered to an individual whose needs are very complex and whose life is very chaotic, it will need to be significantly tweaked. There is a lot of learning from person-centred planning, personalised budget profiles, and pilots in different areas of Government. Rather than looking at the commissioning process, you should look at the individual the commission is there for.

**Helen Berresford:** There is some opportunity to look at the idea of personalised budgets. It would be a way forward. Part of the challenge for us is what we are commissioning on in the first place, and the different organisations who have the knowledge. Anne said earlier that the voluntary sector in certain communities will know more about what is going on in their community than a prison governor might necessarily do, or the staff in the prison. It has to involve everybody who can map the



## HOUSE OF COMMONS

needs, and then commission from that basis. In commissioning, we need to look at focusing on the quality of the outcome, not just the volume.

**Danny Hames:** There is the commissioning, but from commissioning there is also contract delivery and how that is managed. Silo working is often encouraged by there not being an equal share of risk or a need to deliver shared outcomes. There is some work that really needs to be done on the prison as a system and the commissioning arrangements, jointly or separate. How do the outcomes for each of the different delivery mechanisms align, and how do we ensure that it is in the interests of each partner to work together? The system needs to encourage system working; currently, it largely does not.

Q415 **Bambos Charalambous:** Do you think that the right balance has been struck between centrally prescribed targets and the needs of prisoners in individual prisons? Do you have any suggestions for effective performance indicators or other incentives to deliver services that perform well?

**Helen Berresford:** No.

**Anne Fox:** There is less prescription as you get nearer and nearer to the individual. We were commenting on this earlier. You might get some of the mandates, targets or prescribed outcomes at the strategy level, or the overall plan level of an area of an activity, but with devolution and increased autonomy, executive governors and the different kinds of things we have seen over the last few years, there is less prescription. Sometimes if something is not prescribed and something else is, and you then have a restricted amount of resource, you are going to drive the activity in certain ways. You are going to prioritise the thing you have to do. We see that.

There are some ways of developing indicators that can be quite interesting. Looking at what the individual wants to achieve could be something in the offender management and custody model. There could definitely be some learning from other areas where there are people who are in high levels of social need—for example, some of the person-centred planning around people with mental health issues, disabled children and young people. We could actually ask the individual, “What do you want to be able to do when you leave prison?” Using that as some of the indicators around commissioning could be quite interesting.

**Danny Hames:** There are missed opportunities in commissioning as well. We are trying to have much more collaboration with practitioners and, from our perspective, clinicians, but also with the voluntary sector. Sometimes, there is a disconnect between national targets and what is being delivered on the ground, and, particularly in health services, you prioritise the needs of the patient; that is what you do. In future, we would really welcome the opportunity for a much more vigorous approach to engaging and collaborating with clinicians about what works and what does not. That would aid better systems.



## HOUSE OF COMMONS

**Helen Berresford:** Currently, the system works very much in silos and in isolation. We need to move to a place where we have shared outcomes across the piece. If I may, I will give one example. Obviously, prisons have the priority of safety and security, and reducing reoffending is within that. Purposeful activity is crucial for them and that is what they will be inspected on. They need people in education and people in work. However, we sometimes find in certain prisons where we work that that will be contradicted when we try to get somebody into resettlement. A prison may not feel comfortable taking somebody out of education or work to go to a resettlement appointment, because it will obviously detract from their numbers; but they have resettlement needs as well.

We should not be competing on those things. Both of those things are absolutely crucial. We should share the outcomes on reducing reoffending. Even things like securing accommodation on release, which it is obviously really important for probation—CRCs and NPS—to take, they cannot deliver by themselves. They cannot create the housing market themselves. They can create a lot of the relationships and put a lot of the work in, but it has to be an outcome that is shared with others in the system.

**Danny Hames:** There needs to be an environment that enables the Prison Service to successfully deliver the outcomes it wants. From the substance misuse perspective, access to drugs has increased. That is creating an environment which means that delivering the work we need to do has become even more difficult.

Q416 **Chair:** What do you think has increased that?

**Danny Hames:** It has become easier to get drugs into prison.

Q417 **Chair:** That probably involves connivance by staff sometimes, doesn't it?

**Danny Hames:** I would not want to go into detail and comment on that.

Q418 **Chair:** But that is the reality, isn't it?

**Danny Hames:** What our services have obviously observed in many of our environments is that there is increased access to drugs, particularly psychoactive substances. That impacts across the prison and creates a climate where it is just crisis, crisis, crisis.

Q419 **Gavin Newlands:** In terms of provision in the community, what should the headline priorities be for the reducing reoffending group up to 2022? How confident are you that it will enable and foster change?

**Anne Fox:** In terms of community provision for people coming out of prison, or people in general?

Q420 **Gavin Newlands:** Coming out of prison, and potentially community sentences, and so on.

**Anne Fox:** There is potential for community sentences to be looked at again. We see interdepartmental working at the reducing reoffending



## HOUSE OF COMMONS

board as a good opportunity to look at some of the reasons why community sentences are seen as less favourable. It is about confidence; we hear about sentencing confidence, and whether the kinds of things people will need can be delivered robustly with the same level of trust and confidence, and that you know there is a prison that can receive them.

It would be useful to look at measures of confidence as well; they might vary. We are working to develop a relationship to provide advice from the third sector reducing reoffending advisory group in the MOJ to the reducing reoffending board. We appreciate that they are all Ministers and they are very busy. There are meetings happening this week about how that will happen. We need to prioritise certain things. I know that Members of this House are looking now at access to universal credit. That is creating a problem for this group of people. You are talking about people whose financial literacy, literacy, numeracy and access to the internet and qualifications for this new benefit are going to be a problem. It is having some of the fundamentals when you come out of prison. We need to prioritise those with cross-departmental working to deliver on the fundamentals so that nobody is leaving without somewhere to go, access to the medications they will need and access to a bank account and their benefits.

**Q421 Gavin Newlands:** Does anybody else have any alternative headline priorities?

**Helen Berresford:** I would echo what Anne says. There are some really practical barriers for people currently leaving prison in terms of rehabilitation. They are accommodation and having access to ID that can be used across the piece. It sounds like such a small issue, but it is a massive barrier to be able to access the basic services you need. It is access to employment and healthcare, getting the right prescriptions. All those things can be resolved. They are quite doable things but they need cross-departmental working and drive. That is where the board needs to focus. You have the right Ministers together, so you can absolutely make the difference.

**Q422 Gavin Newlands:** You talk about the barriers of accommodation, employment, substance misuse, training and so on. Could you elaborate on the barriers? How do you suggest getting over those barriers or breaking them down? What is the solution?

**Helen Berresford:** There are quite tangible solutions to most of those things. As you may know, we released a report a couple of months ago calling for an end to Friday prison releases. That is one very practical step that the Government could take and it would make a real difference to people. All those barriers on any given day are quite often felt by people who have to find housing, go to the jobcentre and make a number of appointments. It is difficult on any given day, but on a Friday it is far more difficult and exacerbated. Too often, we hear of people left with no



## HOUSE OF COMMONS

support at all over the weekend. We can stop that by stopping Friday prison releases. That is a really simple thing they could do.

In terms of identification, currently, if you do not have valid ID when leaving prison, you cannot access universal credit straightaway. You have to go through a verification process. It takes time for you to get your money. We should be committing to knowing how many people do not have ID when they go into prison, and ensuring that they leave with valid identification. That should be one of the things we can do while they are in prison. I do not think it is impossible. These are things we can do to make sure we deliver that.

Q423 **Chair:** Why is it that people in the service I speak to say, "Oh, it is much more difficult than you think to stop Friday releases"? Is it because they cannot be bothered?

**Helen Berresford:** I honestly do not know. We feel this is a really straightforward, practical step that can be taken. We have talked to a number of people who agree that it is very doable. It does not need legislation. You can do it by increasing the use of release on temporary licence. There are lots of ways we can look at it.

Q424 **David Hanson:** All of that leads to a range of issues about data and information. I want to get a sense from you about whether or not you think there is sufficient priority given by the Department to building an evidence base for data and what the datasets should be. Should work be commissioned now for two or three years hence about what particular information hubs are needed?

We have had the example recently of the electronic monitoring contract, which has taken a long time to come to fruition. We were told last week that it is now going to be all right next April. I want to get a sense of this. Are there datasets that the Government should be examining now to tackle some of the problems you have identified?

**Anne Fox:** I referred earlier to the fact that we are not entirely sure exactly what there is and what there could be. One of the things that makes me quite optimistic at the moment is that the physical location of the data analysis teams within the MOJ now sits under Justin Russell, who is responsible for offender policy. It is really good that you should be able to see some work that looks directly to link what is there and what could be there to what you want to do in terms of policy.

There are some good examples of how HMPPS on the operations side is linked up well with the MOJ policy teams. Overall, it is the thing about the purpose of prison; that is what drives the kind of data you want to see. If prison is there to rehabilitate somebody, you should be able to have access to datasets that show you what that looks like in shillings and pence.

Q425 **David Hanson:** I suppose it also links to what the role of the Ministry of Justice is. In this world of devolution to governors, presumably the MOJ



## HOUSE OF COMMONS

has a role in identifying key priorities for data, so that prison governors can look at that information.

**Anne Fox:** Yes.

Q426 **David Hanson:** What is the role of the MOJ in relation to disseminating good practice, looking at what is good and monitoring standards in the next four or five years? What should be their role?

**Anne Fox:** I think there is a role. I would call for a wider strategy or set of strategic priorities, but if you went back to the idea of individual plans, they should have clear implementation targets that would then drive the data. From that should come the flow of information and dissemination of good practice that you get through the operational teams in HMPPS.

An example of something that has flourishes of good practice is the work that has been done to implement the Farmer review. There are always areas where you can do something a little bit better, but we were very involved in this; I was his deputy chair in the first review into the adult male estate. That has clear governance, so there is an owner in the MOJ, in the MOJ policy team. There is an owner in HMPPS, in the individual responsible for family services. There is an ownership group in the family services working group, which includes operational teams doing all sorts of things like safer custody across the estate. We sit on that as a representative of the voluntary sector and of the review.

There is an implementation plan. It lacks a little bit of detail, as these things often do, but overall it is fairly sound. It could do with some clearer outcomes. It publishes updates on a public website, NICCO, which is funded by the MOJ and published and held by Barnardo's. It is available for everybody working with children who have parents or families in prison. Twice a year the team meet with Lord Farmer, and I know that they have a communication link with this Committee.

It is fairly light-touch governance, but it links all those things together. It is a very operational review. It is very operational implementation. Things are happening already and everything is linked. There are some good examples and learning to derive from how that all happened and how those things were planned.

Q427 **Bambos Charalambous:** What are your observations about the facilities available in prisons to support substance misuse, treatment, employment, training, education and family engagement? How would you address that as part of the estate transformation programme?

**Anne Fox:** Danny can talk about treatment, although we get similar feedback. There are some prisons that are better fit for purpose for those kinds of things than others, but the physical location of a prison is very important. For things like family services, education services, employment and resettlement services, how far away somebody is from where those things are going to happen outside prison is really important. In prison estate transformation, we warn against big Titan



## HOUSE OF COMMONS

prisons very far away. We can look at the example of HMP Berwyn. About 60% of its prisoners are basically from another country; they are from the north-west of England and they are housed in a prison in north Wales. It is very difficult to get to for their families. That is crucial for family contact, and we made recommendations in the Farmer review about that.

There is a lot that could be done on the physical estate in configuring buildings in a way that allows services to happen better: creative art, and using your visits hall in a way that could turn it into a theatre space and a place to have your recovery and self-help groups. There is something about physical design, and we fed into that process a couple of years ago. There is a whole set of notes that would be useful to read.

**Francesca Cooney:** If you want high-quality education and training, you need a good digital technology strategy behind it, and resource roll-out of in-cell technology as well.

**Danny Hames:** It varies massively. In some prisons, sometimes due to relationships and the strategy in particular prisons, there is reasonable access to clinic rooms for drug and alcohol services, but in others it is really difficult. In terms of the future establishment, we need to ensure that there is much better understanding of the demand on facilities by services that sit outside the core. That is really needed. I imagine that we all probably experience the same problems in trying to get access to rooms. I am not sure how well that is actually estimated and figured into the planning and design of the prison and its delivery. Going forward, that is fundamental and would make a massive difference.

**Anne Fox:** In future, we need to look at the older prison population. It is ageing now. There are people who have gone into prison for the first time in relative old age but in relative good health, and their health will deteriorate during a long prison sentence. We certainly hear from our members about difficulties with access. There may be steps, stairs and inaccessible paths between where they have to provide their services and where a man might be in the prison.

**Danny Hames:** There is a general thing. The prison estate needs to be able to protect potentially vulnerable prisoners more easily. I say it again, but the way that psychoactive substances affect the prison and the prison population is often targeted at the most vulnerable. Sometimes, you need a scenario where you can actually extract people and protect them. Currently, the prison environment does not particularly allow that. Drug recovery wings are possibly a part of it. We know that small drug recovery wings probably get better outcomes, but some thought definitely needs to be given to that. That applies to older prisoners, too.

Q428 **Chair:** I get the sense that there is not a join-up between what happens in the prison and what happens in the community outside; the ecosystem and so on.



**Danny Hames:** Yes.

**Chair:** Thank you all very much for your evidence. It has been most helpful to us and we are very grateful to you.

## Examination of witnesses

Witnesses: Simon Boddis, Phil Copple and Tom Read.

Q429 **Chair:** Good morning, gentlemen. Thank you very much for coming to assist us with your evidence. Would you introduce yourselves?

**Tom Read:** My name is Tom Read. I am the chief digital and information officer at the Ministry of Justice.

**Phil Copple:** I am Phil Copple, executive director prisons, HMPPS.

**Simon Boddis:** I am Simon Boddis, executive director in HMPPS. I am the senior responsible officer for the prison estate transformation programme.

Q430 **David Hanson:** Do we have an audit of the baseline of what is a decent prison in terms of the infrastructure?

**Simon Boddis:** At the moment, we are doing two audits of the condition of prisons. One is a conditional survey looking at the state of our estate. The second is going through every single component, such as boilers, whatever. There are two different sorts of asset surveys going on.

Q431 **David Hanson:** When would you expect to have a published document that says, "We are as the Prison Service professionally, and accountable to Ministers, happy with the state of the estate"?

**Simon Boddis:** I am not sure we will be in a position to say that we are happy with the estate. We will be in a position to say what we think the estate looks like.

Q432 **David Hanson:** How many prisons do not meet what you would regard as a decent standard?

**Phil Copple:** We have what we call the clean and decent project running to define much more precisely the minimum acceptable standards we need to try to achieve as quickly as possible across the whole estate.

Q433 **David Hanson:** Are those standards going to be published?

**Phil Copple:** Yes, that will be openly available, but what we will not have for some time is a commentary assessment for every single prison in the estate against those standards.

Q434 **Chair:** Why?

**Phil Copple:** Because we have developed a new audit—one of the audits that Simon just referred to—of living standards, which we have piloted in the first five establishments.



## HOUSE OF COMMONS

Q435 **Chair:** But this is basic, Mr Copple, isn't it?

**Phil Copple:** The approach that the Ministry has had historically to the issue of standards has been covered within building standards for new prisons. A lot of the fundamental requirements of a cell are reflected in those building standards. The reality of our position is that in considerable parts of the estate a lot of older accommodation does not meet those new standards, but it meets the basic requirements that we would have.

What we are developing is an approach for clarity and consistency about basic standards, and checklists to go with them, across the whole estate, and then we will do audits against them, the results of which will be incorporated in our performance management system, so that they have real teeth and hold people to account in the system. The system has not had that type of attempt to define minimum basic acceptable standards. It has had a set of standards for new builds, and they have been beyond a considerable part of the estate.

Q436 **Chair:** You have never had a set of basic standards for decency in the older prisons.

**Phil Copple:** There has been a basic set of standards, as I say, but what has not been done is addressing the question of how you relate that to a large part of the estate that does not achieve them and has run like that for a long time. With the difficulties that have arisen in living conditions in recent years, partly due to reduced investment and partly due to a poor facilities management service, trying to maintain an absolute minimum acceptable standard is something that it has become absolutely essential to achieve in a way that was not essential in the past because we did not have conditions that deteriorated to that extent.

**Simon Boddis:** One of the issues that the inspectorate talk about when they talk about decency is crowding. We have been at levels of about 25% crowding for some time. That is part of decency.

Q437 **David Hanson:** Do you know what your budget is from April next year for the areas of work we have just discussed?

**Phil Copple:** No. The budget allocation process will get under way shortly, for 2019-20. We do not have a set budget for that at this time.

Q438 **David Hanson:** This is a slightly political question, and I realise that you are officials, but if there is a £300 million reduction, which we talked about last week with Mr Driver from the Department, from £6.3 billion to £6 billion next year, and you do not as of now know what your budget is for the areas of auditing and improvement for next year, how do you manage that difficult challenge now, given that the projects you are intending to improve on that audit will take some considerable time to feed through?



## HOUSE OF COMMONS

**Phil Cople:** The way we manage that at the present time is by making a series of planning assumptions, one of which is, critically, that the operational budgets for the prison system won't be reduced.

Q439 **David Hanson:** Won't be reduced.

**Phil Cople:** They won't be reduced, and we will send a signal to governors that they do not plan for budget reductions going forward, including 2019-20. Instead, we are trying to utilise some of the additional investments that have been announced in recent months, making sure that we are spending that money in 2018-19 and preparing to roll forward some of the expenditure where it is in ongoing costs like additional staff.

Q440 **David Hanson:** When will you be able to produce an operational plan, if you are able to, that this Committee, the public, the House of Commons and others can hold your system to account for, for expenditure for next year on improvements? What are your targets for next year?

**Phil Cople:** We will be in that position at the beginning of 2019-20 when we have gone through the finalisation of the budget process. We will know then not just about achieving the position of not having budget cuts in operational budgets but potentially about having additional funding identified in a range of priority areas. We will then be in a position to do that.

Q441 **David Hanson:** What is your estimate at the moment of the financial shortfall that would be required to be filled in order to meet the standards that you have expressed you are seeking to achieve for the prison estate?

**Simon Boddis:** I can talk about our major maintenance budget and the shortfalls, if that would be helpful.

Q442 **David Hanson:** What I am interested in is this. You have indicated that you are going to produce a plan that says there is a minimum standard and baseline of audit that you have looked at. What and when will be the assessment of what the requirement is financially to go from A to B, and over what period of time?

**Simon Boddis:** This feeds into the next spending review as well, and our story about what we need for the next spending review. The current review of the estate will give us the figure that we assume we will need to spend to bring the estate up to scratch, whether places should be closed or whatever.

Q443 **David Hanson:** I appreciate that it feeds into the next spending review and there is a period of three to four years hence when it will be finalised. Mr Driver said to us last week that decisions are going to be made next year as to what the starting bids will be. I am just trying to get a sense of what you think. In a declining budget in the MOJ, what is needed as your share of that declining budget to meet the standards you have?



## HOUSE OF COMMONS

**Phil Cople:** There is clearly a bigger strategic question, which is for the spending review and goes into your question around timescale: what are you aspiring to achieve and what do you think is realistic within a spending review period? There are some big questions to be answered in respect of the aspiration, which turn on what level of crowding you would find acceptable or would like to aim for in five, 10 or 15 years.

Q444 **David Hanson:** I accept that, but in the immediate future is there going to be another Liverpool next year?

**Phil Cople:** Clearly, we are working very hard to ensure that we do not have a scenario like that arising again. Nevertheless we have some chronic problems with living conditions in considerable parts of the estate.

To go back to your question, when I refer to trying to define minimum acceptable standards, that is consciously being done with a view to having a realistic level that we can achieve everywhere. It is not meant to define the minimum standards that we would like to be at in the fullness of time.

Until we have done the work around the minimum standards, and had more audits across the estate, it will be difficult to estimate with precision the scale of expenditure. At the moment, I think we could use the broad backlog of maintenance as a guide to the sort of money we might be talking about.

Q445 **David Hanson:** I appreciate that you are managing the issue as opposed to necessarily funding the total; you are working within constraints, so please excuse me on that. Just so that I am clear, you are saying at the moment that from next April you cannot have a definitive budget and you do not know what that definitive budget is on maintenance on the estate generally. You have said that governors will not expect a reduction next year, but we have a situation whereby £300 million is being taken out of the overall budget from the Department from next April. I am trying to get my head around how you square that.

**Simon Boddis:** I think there are two bits to square. There are two bits of maintenance. There is the facilities maintenance, which is a contract, so I would expect the contract price to stay the same. I would not expect that to be reduced. Then there is major maintenance, which I would expect to be the same as this year. It does not mean it is enough, but I would expect it to be the same as this year.

Q446 **Chair:** How would you distinguish between facilities maintenance and major maintenance?

**Simon Boddis:** Facilities maintenance is things like windows and doors. It is reactive stuff, fixing the cell if a prisoner smashes up his cell. Major maintenance is when a wall or soil pipe collapses, and you need to rebuild something.



## HOUSE OF COMMONS

Q447 **Chair:** The fabric of the building.

**Simon Boddis:** Yes, major fabric.

Q448 **David Hanson:** Have you reached agreement yet with G4S on the cost of the improvement in Birmingham?

**Phil Copple:** No.

Q449 **David Hanson:** When do you expect to do that?

**Phil Copple:** I would expect to be in that position in early 2019 when we have to make an assessment about step-out or continuation for the public sector, and to settle those issues with them then.

Q450 **David Hanson:** For the work that we saw in Birmingham being done by the Prison Service to repair the failures that G4S did not invest in, at the moment, we do not have any agreement on who is paying for that, even though the MOJ is currently paying for it through HMPPS.

**Phil Copple:** We do not have an agreement with G4S, to answer your question directly. We have a very clear position as HMPPS, and Ministers have a very clear position, which is that G4S will be meeting those additional costs.

Q451 **David Hanson:** But we do not have agreement from G4S yet to that position.

**Phil Copple:** We do not have agreement from G4S around that. There are lots of details about what level of expenditure is reasonable for them to cover because it would have fallen to their contractual responsibilities; and to what extent we might be improving physical conditions beyond those they inherited in 2011, which would not be reasonable for them to cover.

**David Hanson:** We will return to that one in December.

Q452 **Chair:** Interestingly, Mr Copple, you talked about part of the estate still being in a critical condition, so you cannot rule out the circumstances that gave rise to Birmingham or Liverpool unless you either get more money or have fewer people in it.

**Phil Copple:** I do not think that is quite right, although there is something in the thrust of what you say. There is a combination of things that come together to get a scenario like Liverpool, and it is not just the underinvestment over time.

Q453 **Chair:** There are other things as well.

**Phil Copple:** Yes. I can walk around a Victorian local prison and I can find a place that can be quite dilapidated but clean. I can go somewhere else and find a place that is both dilapidated and very dirty. Part of what we are trying to do with the clean and decent project is make sure that we are doing the basics that are within our gift to do; continue to bring pressure on GFSL in the south and Amey in the north to do their bits ever



## HOUSE OF COMMONS

better, because that is an important part of it, but also strategically to make the case for the right level of investment going forward.

Ideally, that is through a combination of some new prisons that would allow the worst of the old prisons to be closed incrementally, and modernising the estate, alongside a proper level of refurbishment of the worst affected parts of the estate, because we will have to keep running them for 20 or 30 more years. We want them to be decent while we are doing that.

**Q454 David Hanson:** You have the modification of the estate into three clear functions, and that programme is ongoing over the next three years as well, at the time when you are balancing all these other challenges. What is your approach to that in the next two to three years?

**Simon Boddis:** That comes under the programme that I am the senior responsible officer for. Do you mind if I am slightly discursive? There is a whole story about what was agreed in 2015, which was 10,000 new places by 2020, and that was then reset as a manifesto commitment in 2017 for 10,000 new places. The reason for those new places was an old-for-new strategy, so that we would have purpose-built modern new prisons.

**Q455 David Hanson:** Which was not new.

**Simon Boddis:** But it was also to do with an imbalance of places across the system. We have far too many category B places and far too few category C places. The new prisons are category C, and they were due to unbalance that.

On top of that was a feeling that too many local prisons in particular had too many functions. They were dealing with remand prisoners, recalls and sentenced prisoners of various categories. They did not have the facilities to deal with them. If you tie that whole package together, the idea was to reconfigure the whole estate over a lengthy period of time. We were talking about 2021. It was to reconfigure bits of the estate into reception prisons, resettlement prisons and trainers. It does not affect most prisons much at all, because they will just continue to retain their current function. We have started the first wave of changing some of the prisons and it has affected four prisons so far.

**Chair:** That is very helpful. thank you.

**Q456 Victoria Prentis:** We know that we have a more challenging prison population than we have ever had before. We heard from the last panel that reviews such as the Farmer review have made very firm recommendations about family ties and how much prisoners keep their links to home. In that context, do you think we have the right prisons in the right places as we move forward to 2022?

**Phil Copple:** It is a question about trying to make incremental progress.

**Victoria Prentis:** Yes.



**Phil Cople:** The prison estate we have now is not one that you would design if you started with a blank piece of paper in terms of what parts of the country. One of the key things we have been seeking to do, with some success, over the course of this decade is to plan more strategically for where we expand and where we contract, trying to modernise the estate incrementally as we go.

Previously, when there have been crises looming, we have ended up building accommodation very quickly in places where we can build it most quickly. For example, the prison system did not really need lots more accommodation in the north of Northumberland near the Scottish border, but we got a lot more accommodation there because we owned a big site and we could put in units quickly. There have been examples of that across the estate.

We still have a massively varied estate, clearly, and we have inherited a lot of accommodation of variable quality. That does not just mean old Victorian; some of the more modern things are of quite poor design and do not have good resilience to wear and tear. They are often converted from other uses, often on military sites. They are often in parts of the country that are quite remote from main population centres, so they are far from ideal.

The intention of the strategy—Simon can say more—was to have an ambition to improve that position incrementally over time, but a new-for-old strategy critically turns on two elements. One is having the money to build, whether that is straightforwardly public money or some kind of privately financed approach, and the other is the prison population being at least controlled, maybe reduced, so that you are not just building to keep pace with population growth, which is what we have done for a generation, but are actually able to close out places that are in the wrong parts of the country, not fit for purpose in a modern estate or not helping our ambition for rehabilitative endeavour or decent conditions. We can make progress with that, but it turns on some other factors outside our control as well.

Q457 **Victoria Prentis:** Do you feel that you have sufficient funds and sufficient strategic insight to make those plans?

**Simon Boddis:** The population projections that were published on 23 August this year showed that the population will rise to 86,400 by March 2023. That presents a challenge. When we did our closed session, we spoke about the buffer zone and the factors to absorb pressures from that. We enter the buffer zone in October 2020, but we open Wellingborough in early 2021, and there is always a population dip over Christmas, so we should be fine for that. There is then a dip a year later, but we should be opening Wellingborough and that should see us through that.

This is all about new capacity and good new prisons, well designed. I heard one of the speakers on the previous panel talking about how they



had been involved in the design of the prison. We spend a lot of time speaking to external people about how best to design a prison that meets resettlement needs.

Q458 **Victoria Prentis:** Is that cell design or place design?

**Simon Boddis:** It is partly cell design. There are a lot of single cells and very few double cells. It is also making sure that there are facilities where people can have education or work. It is the general environment actually, green spaces and things like that, so that it feels better.

Q459 **Victoria Prentis:** With the new cells that we are building at the moment, are most of them single or double? Is it the trad double cell with the toilet in the middle?

**Simon Boddis:** No, at the moment the new prisons are 90% single cells and 10% doubles built as doubles so they are not crowded. They are built for two men to share decently.

**Phil Copple:** Just to emphasise that, a really critical part of our strategy going forward is that we do not plan to build crowded accommodation. We plan to build prisons that will be uncrowded. That enables us incrementally to reduce the level of crowding in the system, to the extent that we can do that, and close out older places, which are predominantly crowded.

Q460 **Victoria Prentis:** Going back to the challenging nature of the population, have you assessed the impact of, for example, drug recovery wings and what they should look like?

**Simon Boddis:** Not specifically in the new builds, no.

Q461 **Victoria Prentis:** What about enabling environments generally?

**Simon Boddis:** Yes. I would be happy to share the design of the new prisons with you because they are very different. They are built on much smaller units. The actual spurs themselves are only 20 men. The actual block is 60, and then you get a total house block of 240 compared with Berwyn's 700-odd. That is a significant difference. Although they are quite big prisons, and their total population will be 1,680, we are trying to make them smaller. You can reconfigure the prison, if you are the governor or the operator, in a very different way, to create enabling environments and to think about it. We have thought a lot about how to create a proper, enabling environment.

Q462 **Victoria Prentis:** What about specialist units for extremist prisoners? We have been worried on our visits about the lack of work that goes on with that type of prisoner.

**Phil Copple:** Our strategy to counter terrorism and extremism risks in the estate obviously include at the top end, as Committee members will be aware, the creation of separation centres. We are seeking to manage



## HOUSE OF COMMONS

the individuals and the risks within a general high-security environment where separation of them is not justified.

We are investing in a lot of additional staff training, as well as developing new interventions, or utilising some existing interventions, to try to meet the risk profile of some of those individuals. That is a large part of what we are seeking to do. We are also seeking to use the chaplaincy, particularly Muslim chaplains, and increasing their capability to counter some of the warped ideas of some extremist ideologies.

**Q463 Victoria Prentis:** Do you think we are taking this anything like seriously enough? Is there real rehabilitative work going on with extremists?

**Phil Copple:** There is, although we have to be realistic about the nature of rehabilitative work and what the evidence indicates would be effective. What is not effective with anybody is to say, "You are going to be compelled to go and sit somewhere and do this programme." There has to be prior work to try to get motivation to engage in that. Quite a lot of our effort with psychologists and other specially trained staff is to try to build that motivation and pull people away from some of their ways of thinking and attitudes. If we get them to the right mindset, they are better placed to engage in the interventions, but it is no good investing a lot of money and just expanding interventions if you do not have demand for them because of the motivation of individuals.

**Q464 Victoria Prentis:** Can I ask about ICT and how it helps with both distance learning and maintaining family relationships?

**Tom Read:** Of course. For both of those, we have three tracks of digital transformation in prisons at the moment: building services for offenders themselves, building services for prison officers and building digital services for families and friends; also victims, but we will take that separately.

On family connections, we are currently doing a major roll-out of in-cell telephony. We have delivered 20 prisons now, which is around 12,500 prison cells. We hope to double that number to another 20 prisons by 2020. That is really important because at the moment a lot of offenders have to queue up on the landings. Often the phone is broken by the time they get there. If they can get to it, there is no privacy. It is very constrained when they can make the phone calls. It really dissuades people from making family connections. We would like to continue that work and make sure that every cell has a telephone in it, subject to affordability.

We are piloting in two prisons—Wayland and Berwyn—in-cell computers, laptops or tablets. At the moment, that is quite a restricted trial. They allow you to do basic self-service to book your meals or order from the canteen.

**Q465 Victoria Prentis:** We have seen that on wings in a number of prisons.



## HOUSE OF COMMONS

**Tom Read:** Eight prisons have those kiosks in the wings. Subject to affordability and political will, we think there is quite a lot more we could do in that space, both for education and for family connections.

Q466 **Victoria Prentis:** With female offenders in particular, are there provisions to Skype their children?

**Tom Read:** I am not certain of the answer to that.

**Phil Cople:** There aren't at the current time. We are developing pilots with some external organisations to try to use that type of video visiting facility. We are certainly doing that with a view to meeting Lord Farmer's recommendation, not just for women but for the estate as a whole. We are not seeking to do that instead of in-person social visits, but rather the people who struggle to have in-person visits from family and friends.

Q467 **Victoria Prentis:** Are you happy that that work is being treated as a priority?

**Phil Cople:** Yes, it is one of the major priorities in the family work that we are taking forward under Lord Farmer's recommendations.

**Tom Read:** I had a meeting with the Secretary of State last week and he was very keen to press that point. We are starting up some more trials and pilots on digital in-reach work. It is using telephones but also, as you say, using Skype or similar technology to speak both to families and to third sector volunteer organisations.

Q468 **Victoria Prentis:** The other area that has always been clunky and difficult to manage is, of course, offenders speaking to court. Is that something on which real progress is being made?

**Tom Read:** Yes.

**Simon Boddis:** That is part of the overall transforming prisons programme. We have built two very modern videoconferencing centres at Durham and Wandsworth. I know that the senior judiciary like them a lot better than the old system, which could be a bit fuzzy.

Q469 **Victoria Prentis:** Is it reducing the number of court appearances that are necessary?

**Simon Boddis:** Yes. It is a saving and a security issue. Also, prisoners do not actually like going to court.

Q470 **Victoria Prentis:** You have to get up very early and sit in one of those horrible transporters for a long period of time, so that is not surprising. Is an independent evaluation being done of whether or not it works and saves money?

**Simon Boddis:** We are doing an internal evaluation of its effectiveness, yes.

Q471 **Ms Marie Rimmer:** What are your design principles for new-build



## HOUSE OF COMMONS

prisons?

**Simon Boddis:** Hopefully, I have articulated some of them. It is a slight cliché but making small from big. We have quite big prisons. In the old days, 1,680 would have been a huge prison, but we are reducing that to units that start at 20, go to 60 and then 240. That is one of the design principles. You can create lots of different communities.

Q472 **Ms Marie Rimmer:** Do you have a maximum number for prison size accommodation? Is it 1,000, 500 or 750?

**Simon Boddis:** The prisons themselves will be 1,680 prisons; they will hold 1,680 men. The other principles are use of greenery and making them look not too institutionalised, without compromising security. It is having proper activity, healthcare and other facilities. It is having more facilities on housing units than is common. We will have group rooms. All those things are based on wings. We will have classrooms where activities can take place. There are better designed and properly designed education centres. A lot of our education centres in older prisons were not purpose-built; they just happened to be an area that was converted into an education centre.

If you have been to Berwyn, probably one of the best designed features is the education department and the library. The design principle is normalisation, but it is also to encourage people to aid their resettlement. It is to encourage lots of people to come in and have lots of areas where external agencies can come in.

Q473 **Chair:** What is normalisation in everyday language?

**Simon Boddis:** There is an issue about depth of imprisonment, and clearly some people need a great deal of depth of imprisonment because of the risks they pose.

Q474 **Chair:** Depth of imprisonment—what is that in everyday speak?

**Simon Boddis:** The people we were talking about before. If you are a high-level terrorist, you probably need quite a lot of security.

Q475 **Chair:** Let us talk like that. Depth of imprisonment means nothing to any normal person.

**Phil Copple:** Depth of imprisonment indicates the extent and rigour of security and physical controls day to day in the way that people live their lives.

Q476 **Chair:** That's fair enough. And normalisation means?

**Simon Boddis:** Normalisation so that you would lead your life as you would—

Q477 **Chair:** As much as you might do on the outside as possible.

**Simon Boddis:** Indeed, with obvious restrictions.



## HOUSE OF COMMONS

**Phil Cople:** The principle would be to try to minimise, to the extent that is necessary, the controls on people's autonomy and agency in deciding things for themselves.

Q478 **Ms Marie Rimmer:** How much does what you have just described reflect recent initiatives for rehabilitation by design?

**Simon Boddis:** Quite a lot. It is quite interesting; we have a lot of category C prisons, but they tend to be old RAF bases and were designed quite a long time ago. This is the first time that we have purposely designed a category resettlement prison. These are a new type of prison, so I think they reflect—

Q479 **Ms Marie Rimmer:** Have you had discussions with the users of the prisons? We have had people in today talking about what they want to do in prisons and what they are not able to do in prisons. There is lack of facilities and lack of space. Have you had discussions with the users of the prisons besides the prison officers and the prisoners?

**Simon Boddis:** Indeed. In fact, I think one of the members of the panel said that they were involved in discussions with us about it. We have spoken to a wide range of stakeholders and people who are interested.

Q480 **Ms Marie Rimmer:** Will they have considered that brief before you go ahead?

**Simon Boddis:** Yes.

Q481 **Ms Marie Rimmer:** What has been the outcome of the programme with Mace to develop a prototype for manufacturing and assembling prisons cheaply and quicker?

**Simon Boddis:** That was mainly done through Bryden Wood who were the architects for the new prison. One of the innovative bits about Berwyn was that it was design from manufacturing. That means more components were done off-site and assembled on-site. It is not a particularly new concept, because you build a brick off-site and then you bring it on-site, so it is not that new. It is the scale on which you do it that is big.

When we started the programme, we had a significant design for manufacturing and assembly component. That would only work if you were building at scale, and we could have guaranteed building six prisons. We have kept the design, but we have scaled it down and asked the people who are building the prison to use as much DFMA as they can. That is the industry norm now because it reduces the price. We still agree the design, but they will be using their own DFMA. The DFMA that we have worked on is being adopted across governance. It has not been wasted money; we were leading the way in some ways on the design. It becomes uneconomical to design a whole new manufacturing process for one or two prisons.

Q482 **Ms Marie Rimmer:** How do you respond to concerns that there has not



## HOUSE OF COMMONS

been sufficient transparency or consultation on the prison estate development programme? What do you say to that?

**Simon Boddis:** I think we tried very hard. We had a stakeholder meeting with the third sector recently. We consulted very widely. I always talk to people, and my staff always talk to people, who ask. We have tried very hard to consult widely on the design. If people feel that that is not the case, I am disappointed because I think we have tried very hard.

Q483 **Ms Marie Rimmer:** Has it been realistic consultation, and not just asking and then going away and doing what you were going to do anyway?

**Simon Boddis:** No. This to us was a new concept, so we did not actually have something in our back pocket that we went off and spoke to people about and then said, "We're just going to ignore that, but here you go." It was a new concept.

Personally, with my personal integrity, I think it has been a very good consultation. We have obviously had to make some compromises because the ideal design would be hugely expensive. We have not compromised as much as we could have done, so I feel that we have done a lot with integrity, and I am pretty confident about the amount of good stuff that people have fed in that will be replicated in the design.

Q484 **Ms Marie Rimmer:** Your personal integrity is at stake.

**Simon Boddis:** I feel really strongly about this. My integrity is quite important to me, and I feel there is a lot of personal integrity in this.

Q485 **Chair:** I understand that; I think a lot of effort has gone into it. Mr Read, in terms of the ICT in this new concept that Mr Boddis has told us about, what is the objective that you are trying to achieve? For example, how does it play a role in resettlement prisons? How integrated is it into the thinking?

**Tom Read:** We are working hand in glove with the HMPPS prison build team, designing specifications. At the moment, an awful lot of the older prisons are like a circa 1985 boarding school. There is very little infrastructure. You can only send in letters or physically visit, and there is a central computer room for the staff.

We want any new facilities in terms of IT infrastructure to be much more like a modern office. We want prison officers to have mobile devices, so that they have risk and offender information to hand. We want prisoners to be able to do useful work in their cells when they are behind locked doors, rather than just to have dead time. They could be doing education or basic language courses. They could be learning the basic IT skills they will need when they are on the outside for things like accessing universal credit or third sector help. That is where we want to get to.

What we are doing in practical terms is making sure that the specifications for the new build include those requirements for



## HOUSE OF COMMONS

infrastructure. We will do the infrastructure and then we will make sure that the commercial arrangements incentivise suppliers to provide services.

Q486 **Chair:** Suppliers being the contractors who build, or who run?

**Tom Read:** Who run.

Q487 **Chair:** Is the assumption that there will be more private sector suppliers?

**Simon Boddis:** Ministers have agreed that both prisons will be run by the private sector.

Q488 **Chair:** What response have you had in willingness to take on board Mr Read's very fair points?

**Simon Boddis:** The market in this country for running prisons is dominated by three players. We are organising a competition and a framework that will, hopefully, attract a greater number of operators into the market. That will be launched fairly soon. We hope they will bring innovation and new ideas of what new prisons are.

Q489 **Chair:** Will you be in a position at some point to share what that framework is? I understand that there are some commercial sensitivities.

**Simon Boddis:** We will certainly be able to announce who is on it, yes, but we are not at that stage yet.

**Phil Copple:** The tendering for the new prisons will put a high premium on the quality of resettlement work, because they are going to be resettlement prisons for a particular cohort of people. It would be bizarre if the people tendering did not try to use technology to add quality to those services. We would expect that to be a part of it.

Q490 **Chair:** It ought to be pretty central to the whole set-up.

**Phil Copple:** We may see some innovation beyond what we have seen in the system so far from those bids.

Q491 **Chair:** There is a small point before we finish. We talked about the ageing population; for example, the previous panel talked about stairs. Are we thinking about different types of units? We almost have secure geriatric estates, having to deal with palliative care in prisons. What are the plans around that?

**Phil Copple:** We have a working group considering those issues at the moment. There is a steering group of external experts guiding that work as well. Broadly speaking, you are right about the long-term challenge. It is a fast-growing part of the population. The health and often social care needs of people in custody can often broadly be about 10 years in advance compared with people of a similar age in the community. Prisoners in their 50s, 60s and 70s are people we need to particularly think about planning services for.



## HOUSE OF COMMONS

The implication is that we will increasingly need physical infrastructure adaptations, as well as regime adaptations so that we can properly meet people's needs. It will require quite close collaboration with health partners and social care provision partners to rise to that challenge.

Q492 **Chair:** This is no criticism of any of you three gentlemen, but there is a sense that we are having to run quite fast to catch up with things that have perhaps fallen behind the pace in a number of areas.

**Phil Copple:** Yes. The population cohorts that we are talking about are growing, but they remain a relatively small part of the overall population. We have quite a lot of examples across the estate of good practice locally, and good engagement with social care providers. What we need to do is systematise that and make it more of a strategic plan.

There is a challenge in doing that because we are not necessarily dealing, when it comes to social care, with nationally provided services in quite the same way. Lots of engagement needs to take place on the ground as well.

Q493 **Chair:** You made the point about where the estate is, and that you inherited lots of old Army things in the north. Is there realistic scope for more expansion there, or is it even desirable, because it is miles away from families and perhaps makes resettlement harder?

**Phil Copple:** Yes. When we consider potential sites for new prisons with a resettlement function, we quite deliberately try to choose sites that would be appropriate. They are not necessarily going to be in town centres as traditional prisons might be, but the key thing would be communication links to major population centres.

Q494 **Bambos Charalambous:** This was a point that was raised earlier. Am I to understand that all the new prisons will be run privately?

**Phil Copple:** For the two prisons that have been announced to date, it has also been announced that there will be competitions to run them and that there will not be a public sector bid in those competitions. It is a question of which private sector organisation or consortium will run them, but it will be private sector provision.

Q495 **Bambos Charalambous:** Are HMPPS excluded from that bidding process?

**Simon Boddis:** No, there is a public sector comparator, so that gives us a ceiling price. Our experience is that running in-house bids is very expensive, divisive and a bit of a waste of money. There is a public sector comparator so that we know how much it would cost for the public sector to run them. That becomes a proxy bid.

Q496 **Chair:** In theory you could, but in practice you could not afford to do so.

**Simon Boddis:** Yes.

Q497 **Bambos Charalambous:** Is that advice available?



## HOUSE OF COMMONS

**Simon Boddis:** No. At the moment, it is commercially sensitive. This is not cost driven but we do not want the market to know what our ceiling price is for operating it. They know that there is a public sector comparator and I think they will be able to work it out quite well.

Q498 **Chair:** But that is a decision taken by Ministers, obviously.

**Phil Copple:** Yes.

**Simon Boddis:** Can I mention something on older prisoners? In the last few months we have published—I hesitate to use jargon after the last time—

**Chair:** It is something we all fall into. I did it when I was a Minister. It is just for the people who follow us, more than I think sometimes.

**Simon Boddis:** We call them models of operational delivery, but let us call it a best practice guide. We have published a best practice guide for all governors about how to deal with an ageing population, with examples of good practice. It was partly created with input from the group that Phil mentioned.

**Chair:** That is very helpful. Gentlemen, thank you very much for your evidence. It is much appreciated, and thank you for assisting us materially with our inquiry. We are grateful to you.