

From the UK

PRISONS REFORM SPEECH

by David Gauke

It is a huge privilege to have been appointed Justice Secretary and I am grateful for the opportunity to set out my thoughts, after two months in post, on our prison system.

Purpose of prison

Depriving someone of their liberty for a period of time is one of the most significant powers available to the State and must be imposed with respect for the rule of law and with purpose.

Prison is the sharp end of our justice system. By imposing this serious sanction, we must be clear about what prison is for.

I believe its purpose is threefold:

First, protection of the public - prison protects the public from the most dangerous and violent individuals.

Second, punishment - prison deprives offenders of their liberty and certain freedoms enjoyed by the rest of society and acts as a deterrent. It is not the only sanction available, but it is an important one.

And third, rehabilitation - prison provides offenders with the opportunity to reflect on, and take responsibility for, their crimes and prepare them for a law-abiding life when they are released.

It is only by prioritising rehabilitation that we can reduce reoffending and, in turn, the numbers of future victims of crime.

Getting the basics right - secure, safe and decent

And yet it's clear that prisons don't always achieve what they are there to do.

The reasons for this are varied and complex, but I am determined to ensure prisons can fulfil those three purposes I have set out.

As the Minister for Prisons, Rory Stewart, has made clear, for prisons to be effective, we must get the basics right.

Getting the basics right means creating prisons that are secure: with the physical integrity of the prison a priority to prevent prisoners from getting out - and drugs, mobile phones and other contraband from getting in.

It means creating prisons that are safe: with orderly, purposeful and structured regimes, free from violence, intimidation and self-harm.

And it means creating prisons that are decent: with clean wings and humane living conditions.

It is clear that some of our prisons have, frankly, fallen below the standards that we expect.

I want the prison service to have a relentless focus on these fundamentals in the months ahead.

That's why I am giving renewed focus to our programme of prison maintenance to drive the much-needed improvements to our estate.

I will also carry on with my predecessor, David Lidington's, important work to ensure inspection reports are acted upon.

Prison staffing

I am also continuing to push hard on improving not just the number of prison officers, but also how we deploy them.

Liz Truss, as Secretary of State, committed to raising the number of prison officers by 2,500 by the end of this year.

I'm pleased to say that we're on track to deliver those officers, and ended last year with the highest number of officers in post since 2013.

The reason increased staffing levels are important is that they are allowing us to introduce a new 'key worker' model - with prison officers spending much more time, one-to-one, with small groups of prisoners.

As we introduce this new model, we should start to make a difference in the levels of violence we are seeing, which are currently far too high.

The basics matter because organised criminal gangs have cynically and systematically exploited the rise of a drugs problem in new psychoactive substances that first reared its head on our streets and has found fertile ground in our prisons.

We are taking action to bolster our defences at the prison gate whilst also going after the organised criminal gangs.

I want them to know that as a result of the action we are taking, they have no place to hide.

Through our covert and intelligence-led operations, we will track them down....

....removing their influence from our prisons so they can become places of hope not despair, of aspiration not assaults....

...because my approach is a practical one, based on what works and what's right....

....supporting prisoners to make the right choices and take the right path towards rehabilitation and re-joining society.

I know that incentives work, and I want to put them to work in our prisons.

By doing that, our prisons will not only be safer, more secure and more decent, but will support prisoners to do the right thing and turn their back on crime for good.

The Rt Hon David Gauke MP, the Justice Secretary delivers his first major speech on prison reform at the Royal Society of Arts in London.
Published 6 March 2018

From: Ministry of Justice and The Rt Hon David Gauke MP

Delivered on: 6 March 2018

<https://www.gov.uk/government/speeches/prisons-reform-speech>

David Michael Gauke MP, a British Conservative Party politician and a solicitor, is the Lord High Chancellor of Great Britain. He has been the MP for South West Hertfordshire since 2005.

28,000 incidents were recorded in our prisons last year alone.

That figure includes 20,246 attacks by prisoners against fellow inmates....

....and 7,828 assaults against prison officers by prisoners.

The violence against prison officers is particularly shocking.

No prison officer should go to work in fear for their safety simply for doing their job.

I want to take this opportunity to thank the thousands of prison staff across the country who do incredibly important work each and every day.

By its nature, the work is often hidden from view but it protects the public and keeps our prisons secure and prisoners safe.

And I want to thank the families of prison staff.

As the son of a police officer, I know the worries they carry, and the pride they take, in knowing their loved one is performing such an important public service.

The drug problem and how it's been exploited

Increasing the numbers of prison officers and deploying them in a more effective way will help create more positive relationships between offenders and prison officers.

But if we are to bear down on the levels of violence we are seeing, we need to deal with the biggest cause of the violence, which is drugs.

Now, the problem of drugs entering and circulating in our prison system has always been a challenge.

But the nature of the challenge has changed over the past few years, with the emergence of cheap and highly addictive new psychoactive substances, like Spice, in our prisons....

....something exploited by criminal gangs who have capitalised on the control they can exert and the money they can bring in.

After all, what better place to target than a captive market made up of some of society's most susceptible and vulnerable groups when it comes to drug use and addiction.

The economics mean that Spice can sell in prison for many times its street value - bringing in a healthy return for the criminals.

At the same time, it is relatively cheap to buy in prison compared to other drugs - so is financially attractive for prisoners.

In exploiting the emergence of new psychoactive substances, prisons have proved a perfect marketplace for the criminal gangs.

And for our prisons, it has created a perfect storm.

And while there have always been low-level networks dealing in cigarettes or illegal contraband, the criminal networks and supply chains have recently got larger and more complex....

.....and new technologies have empowered gangs to be more sophisticated and brazen about the way drugs are smuggled in.

Many of you will be aware of the kind of things I'm talking about....

- " Spice, and other drugs, ordered with a 'Deliveroo-style' responsiveness on tiny mobile phones from prison cells and delivered by drones direct to cell windows.....

- " the paint used in supposed children's drawings sent to their parents in prison laced with liquid psychoactive drugs, or the pages of fake legal letters purporting to be from a prisoner's solicitor soaked in drugs....

- " gangs engineering situations where a prisoner, who has been released from prison, deliberately breaches their license conditions so they are sent back to smuggle in more drugs....

- " gangs enforcing control by using threats and violence towards prisoners, extorting their families and attempting to corrupt prison staff....

Cross-government work

Having a job after release is a crucial factor that determines likelihood of reoffending....

....but it is only one of several.

For someone coming out of prison, having a place to live and access to mental and physical health treatments are also critical.

In this sense, re-offending is not solely a justice problem for my department, but it is a wider issue about social justice and ensuring that offenders, many of whom have complex backgrounds, are not dismissed as part of society.

We need a cross-government approach to reoffending.

That's why I can announce today that I will be convening a cross-government group of senior Ministers, with the full backing of the Prime Minister, to work across all relevant departments to reduce re-offending and the £15 billion cost of reoffending to society as a whole.

This approach means that we can target prisoners and ex-offenders with the support they need to find a job, a home, to get help with debt, or to get treatment for a drug addiction or, as I mentioned earlier, a mental health issue.

I met with my Cabinet colleagues yesterday to discuss this and I am encouraged that there is a consensus on the mission and energy to make real progress.

Conclusion

Now I'm clear about what purpose our prisons serve - protection, punishment, and rehabilitation.

But for prisons to do this well we must get the basics of a safe, secure and decent environment right.

Only an immediate and relentless focus on maintenance, infrastructure and staffing will allow us to make further progress, and we are acting on that.

They are the best judge for what will work best in their prison.

So this is not about me imposing a top-down system or a list of incentives.

But I do want to give a couple of examples where I think we can more effectively use incentives.

Prisons are required to provide a minimum amount of contact between an offender and their family whilst in prison.

I think we could reinforce good behaviour by offering a prisoner extra and additional time to see family members, for example by using technology like Skype, to allow contact they would otherwise be unable to have.

Another example is giving an offender a better prospect of securing a job after release by providing access to certain training and experience.

For example, I want to look at the availability and use of "release on temporary license".

Specifically, I want to see how we can use ROTL to allow those prisoners, who have earned it, to have a routine where they, with close monitoring, leave prison each day to go to work nearby.

Work is the best route out of crime

I have seen how getting and keeping a job can change people's lives.

The prison and probation service have an important role to help offenders build the skills and experience they need whilst they're in prison so they can have the right attitude for work and get a job when they're released.

To do that, prisons and probation need to act more as brokers between prisoners and the local community, employers and education and skills providers.

We will shortly be launching our Education and Employment Strategy that will set out our approach to helping offenders get the skills they need to find a job and avoid the activities that landed them in prison in the first place.

From the conventional to the cunning, by design or device, through fear or intimidation....

....these criminal gangs will stop at nothing to maintain their access to such a lucrative market.

We need to make prison less congenial for the modern-day Harry Grouts.

It is clear that the reason drugs are so prevalent in our prisons is in large part because gangs are fuelling demand, boosting the supply and catching prisoners in a cycle of debt and further criminality from which they struggle to break free.

As I've been visiting prisons, the conversations I've had so far with prison governors have brought home to me the scale and nature of the criminal gang activity and the impact of drugs in our prisons.

Governors tell me that it's not just when the drugs come in that there is an issue, but a couple of weeks later, when they see a spike in violence....

....a spike caused by prisoners carrying out attacks on fellow inmates and on staff as a payment in kind to pay back debts they have accrued by taking the drugs.

And it is not just about attacks on other inmates or staff.

We are seeing a rise in the incidents of self-harm.

Last year there were 42,837 incidents of self-harm in our prisons, involving 11,428 individuals. These statistics, together with the figures for assaults I highlighted earlier, are sobering.

But they only give us half the story....

Behind all the numbers, is a catalogue of physical and mental injury, of intimidation and of abuse.

I have been shocked and sickened watching some of the videos filmed by prisoners using illicit mobile phones that are posted on social media.

They show the terrifying and debilitating impact Spice can have and the drug-fuelled violence and humiliation it unleashes.

One of these videos shows inmates laughing and joking as the Spice takes over the mind and body of a fellow prisoner. The effect is immediate and shocking. Within a few seconds they are having a fit on the floor.

Another video shows two naked prisoners believing they are dogs, with makeshift muzzles and leads around their neck, barking at and fighting each other, goaded on by other prisoners.

Another shows a prisoner climbing into a tumble dryer in the prison laundry room. Other prisoners then turn the machine on and he is spun around inside - a dangerous act of humiliation to 'earn' himself some more Spice.

And I'm afraid, these videos are merely a short snapshot of a grim reality.

Many of the attacks against prison officers have been linked to Spice.

Last year for example, a prisoner viciously attacked an officer with a table leg at HMP Northumberland after the officer intervened to break up a fight. The attack left him with bruising and tissue damage.

The prisoner had no memory of the attack and subsequently described the officer as being a nice man who was thoroughly decent towards him whilst he was in prison.

Cases like this show starkly how drugs like Spice are leading to violence and undermining efforts to create safe environments and respectful relationships in prisons.

And it's clearly not just physical damage that drugs like Spice cause.

There is an enormous toll on the mental health of prisoners, often exacerbating existing mental health conditions and long-term issues with alcohol and drug abuse.

Prison staff have a key role to identify and support prisoners with mental health needs. That's why we are investing more in mental health awareness training for staff.

This is beneficial for prisoners but even more so for wider society.

So, I want to reset and reinvigorate the system of incentives in our prisons so they work much more in the favour of those prisoners who play by the rules and who want to turn their lives around, whilst coming down harder on those who show no intention of doing so.

However, prisoners should be under no illusions that a failure to abide by the rules will be met with strong sanctions.

I am supportive of the steps that have been taken to improve the punishment of unacceptable and illegal behaviour in prisons.

Just the other month, we introduced a new protocol between the Ministry of Justice and CPS to ensure that, where there is sufficient evidence, we bring to justice prisoners who commit violent attacks against prison officers and other prisoners.

But for those offenders who see their time in prison as a genuine opportunity to reflect and take responsibility for their crime and to be rehabilitated, to build the skills and behaviour they need to re-join society, I want to create the incentives that will support and encourage them in that effort.

That means prisoners having the opportunity to earn rights and freedoms, an opportunity to live in a more liberal environment with greater personal responsibility, and therefore have more to lose if they fall foul of the rules.

After all, incentives are given, and they can be taken away.

I know that prison governors feel strongly that the current approach to using incentives in our prisons is not working.

I hear that.

I also know that governors want more flexibility for what and how incentives are used in their own prisons.

I agree.

I believe governors should govern.

My experience and the large amount of research out there shows that 'incentives work'.

As Secretary of State at the Department for Work and Pensions, I saw how a mixture of positive incentives, support and sanctions can influence behaviour and help people change their lives for the better.

For example, the incentive of making work always pay more than benefits is a fundamental principle of our welfare system and has helped bring about record levels of employment in this country.

I believe we can not only make prisons safer and more secure, but also help to break the cycle of reoffending....

....supporting and incentivising people to make the right choices that will prepare them to lead crime-free lives when they leave prison.

An offenders' experience in prison is too often one of detention and boredom, which leads to drug abuse and despondency, which in turn, leads to debt and despair.

I am clear that offenders go to prison as punishment, not for punishment.

So, I want prisons to be places of humanity, hope and aspiration.

I want prisoners to know that there is a route to a better life....

....that there is a life to be had free from the clutches of gangs and free from the intimidation and abuse...

....and that the route to that better life is through purposeful activity, through education, through skills and through employment.

The way I see it is that prisoners have a contract with the state.

By serving your sentence and conforming to the rules, you are repaying your debt to society.

If you do that, you will find the State and the prison system backing you up, supporting you, and you will be able to earn greater rights and privileges.

We have also increased our grant to the Samaritans to fund the continued delivery of a peer support scheme called 'Listeners' which supports prisoner mental health.

We must ensure offenders have access to the treatment they need to come off drugs and support their recovery - whether that's in prison or in the community.

That's why we have been working with the Department of Health and Social Care and others to improve access to mental health and substance abuse services for offenders, including agreeing a clear set of standards across all the various agencies involved.

Tackling the drugs problem in our prisons and the gangs beyond prison

Every prisoner who attends one of these drug agencies will have their own story about what happened to them and it will very often involve, in some way, criminal gangs.

This government has undertaken many important reforms and cracking down on drugs and criminality has always been and remains a priority.

But the sophistication and reach of these criminal gangs into our prisons is a relatively recent development.

It is therefore right that we continue to adjust our approach to tackling it.

So, today, I am doubling down on our commitment to target organised criminal gangs and cut off their ability to do business in our prisons.

That's why I can announce today that we are investing £14 million to tackle the threat of serious and organised crime against our prisons.

This includes creating new intelligence and serious and organised crime teams.

Working with the National Crime Agency, they will enhance our intelligence and information-gathering capability across the country to help us identify and stop the gangs' ability to operate in our prisons.

This improved intelligence picture is already delivering major successes, including at least 30 successful convictions for drone activity following joint intelligence-led operations.

And in December, following an investigation by prison intelligence officers and police, 11 gang members were handed sentences totalling over 32 years for using drones to smuggle drugs, weapons and mobile phones into prison.

To build on that success, I can also announce today that we are installing technology at 30 prisons that will allow officers to quickly download data from illicit phones seized from prisoners.

This means officers can access information on a phone on the same day it is seized rather than having to send it away to be processed - something that can currently take months.

If a phone has details about an expected drone drop later that day, officers will be able to know where, how and when and can act on that intelligence and intercept it.

In doing so, we will be able to collect vital intelligence about the criminals' contacts and associates, who they are buying from and selling to and the bank accounts they are using.

This will help us to stop drugs getting in and give the police the intel they need to target the source of the drugs.

But technology can't be the only solution to tackling gangs....

Understanding and managing security risks

The fact is, there are around 6,500 prisoners who have links to organised crime.

At the moment, these offenders are spread across the estate and are helping to perpetuate the cycle of crime by drawing fellow prisoners into the clutches of the gangs.

So, I want to rethink how we categorise prisoners - that means looking again at who goes to higher security-level prisons.

Rather than just considering their length of sentence and risk of escape in determining which prison an offender goes to - or moves to - I want to look, as well, at their behaviour in prison and their risk of directing crime and violence whilst in prison.

This would ensure those ringleaders, who ostensibly behave but have others do their bidding, would be cut off from their network and prevent them from operating.

Incentives of hope over despair - the route to rehabilitation

Removing the ringleaders also means that prisons can then focus on maintaining an orderly environment and, crucially, get on with helping prisoners rehabilitate so that they don't re-offend when they leave prison.

We have to make it absolutely clear to prisoners that the path of further criminality only leads to more punishment and less freedom....

....that there is another, better way.

We also need to recognise that there is a better way for the whole of society.

Re-offending and the cycle of crime costs society £15 billion a year.

It creates more victims.

And, it leads to the perpetuation of unfulfilled potential on the part of offenders.

If the third and final purpose of prison is for rehabilitation, then we need to look again at what works.

I believe rehabilitation starts with conformity with the prison rules and a rejection of further criminality, a commitment to change and an embrace of opportunities that help offenders to leave prison as law-abiding, and tax-paying citizens.

I want to make those the desirable and attainable choices that prisoners make.

I believe harnessing the power of incentives in our prisons is an important way to do that.