



Parliamentary briefing

MARCH • RALLY • LOBBY 20/3/19

**Stop the violence • No private prisons
Hands off our pensions: 68 is too late!**

Why we're in Westminster • p3

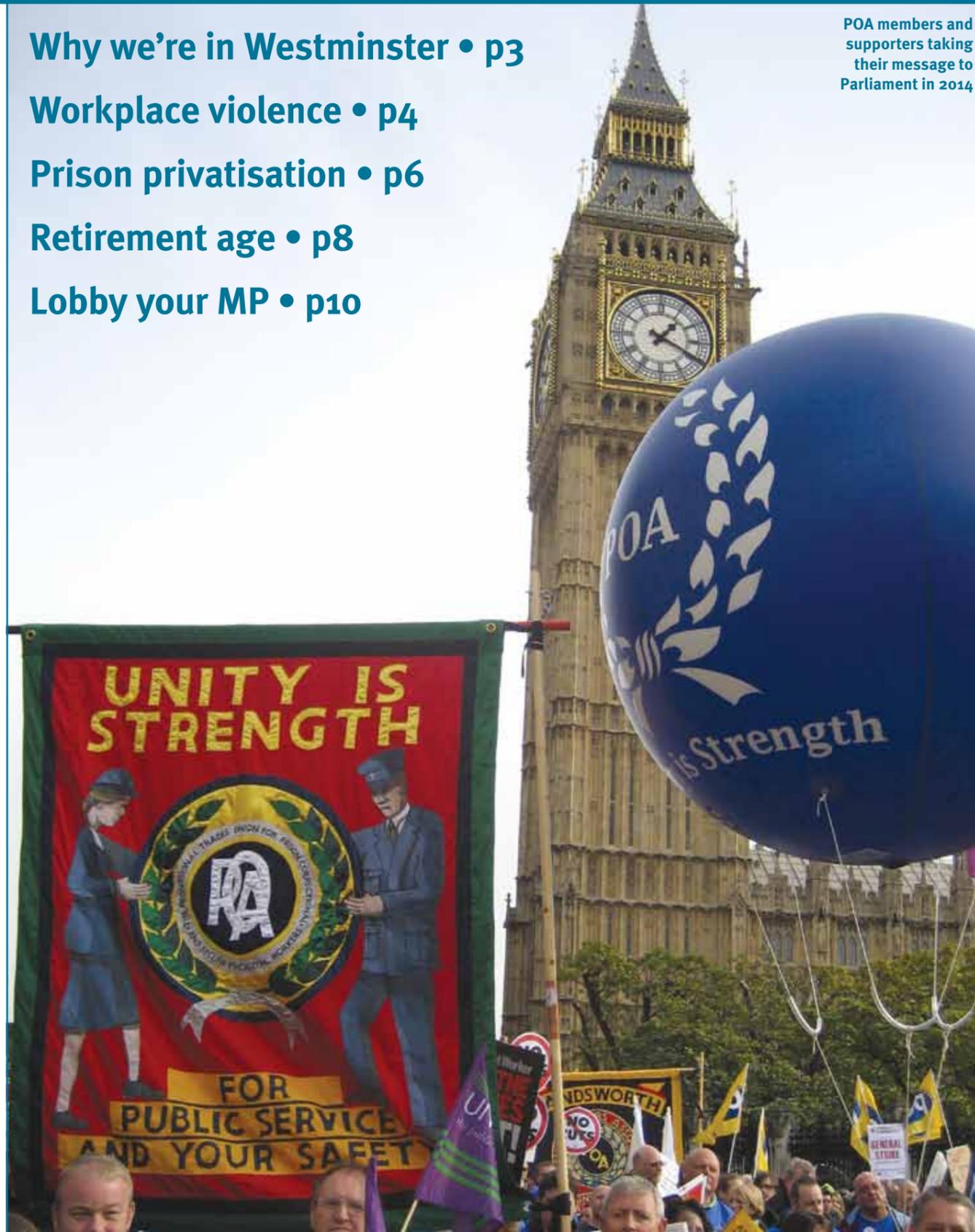
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POA members and supporters taking their message to Parliament in 2014



Politicians must listen

A lot has changed politically since we last marched through Westminster in 2014, but the crisis in our prisons has only become worse.

The loss of at least 70,000 years of officer experience has led to ever-increasing violence, with assaults against staff both at a record high and rising at record rates.

Although the government now admits it was a mistake to slash officer numbers so drastically – and has launched a desperate recruitment drive – the damage has already been done. The MoJ has suffered the greatest budget cuts of any Department since 2010, and it is hard to see how the Prison Service can recover without a return of the funds stolen from it in the name of austerity.

The sinister shadow of privatisation has grown too, with new prisons in Wellingborough and Glen Parva set to be built with public money and then gifted to the private sector to profit from. By not allowing HMPPS to even bid for the new prisons, this government has shown it's not interested in any evidence that the public sector can run prisons better.

Let's be very clear – this is an ideological decision driven by an obsession with privatising public services. Official figures show that private prisons are disproportionately more violent and overcrowded than public prisons, and the POA will continue to fight against the austerity and privatisation agenda on behalf of our members.

Today, we're taking this fight back to Westminster to tell our politicians that enough is enough. They must listen to our concerns or be held accountable for the consequences.

Steve Gillan, POA General Secretary



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As Chair of the POA I am immensely proud that the membership has responded to our call to show politicians across the political spectrum and the general public how dissatisfied we are with the continued insistence from government that prison officers should work until the ripe old age of 68.

It was due to the Lord Hutton review of pensions in 2011 that our retirement age was raised from 60 to 68, as in his words he did not recognise prison officers as an essential public service and classed us as civil servants, yet did state: "However, for the uniformed services – the armed forces, police and firefighters – where pension age has historically been lower to reflect the unique nature of their work, a pension age of 60 is appropriate."

How can prison officers not be classed in this category?

We must be the only civil servants who suffer in excess of 10,000 assaults on staff yearly, get spat on, "potted", threatened and abused daily, suffer from PTSD because of the violence, homicides, self-harm and suicides we are forced to cope with and yet are not recognised in this review as an essential public service.

Well, enough is enough – and now the POA, its membership and their families demand that the government sit down with the union and rectify this glaringly obvious mistake.

I, personally, will not rest until our retirement age of 60 is reinstated. Thank you all for your support. Unity is strength.

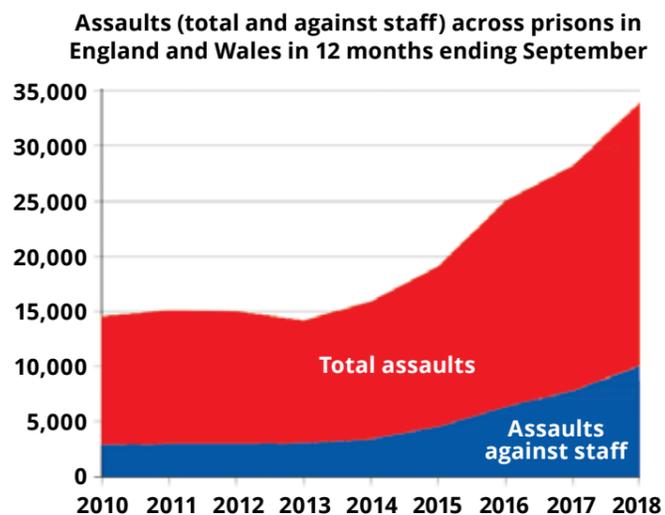
Mark Fairhurst, POA National Chair

A health & safety emergency

For years, the POA and leading politicians have highlighted the ever-increasing levels of violence in our prisons. All sides of the House of Commons and the Lords have recognised that the prison population is becoming increasingly violent and more dangerous. **The POA have to ask - when will this recognition translate into action?**

The Safety in Custody figures published by the Ministry of Justice on a quarterly basis confirm that prison staff are required to work in increasingly violent conditions.

The graph below shows the total number of assaults and assaults against staff that took place across the prison estate in England and Wales in the 12 months to September each year:



Incidents of violence have increased from 43 to 92 a day in the last 10 years.

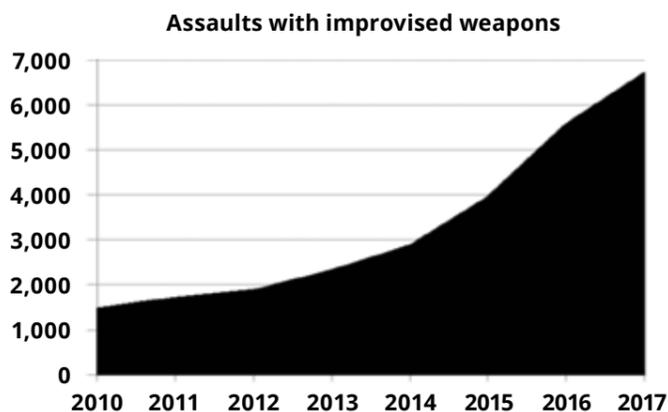
Violence on this scale is only a statistic to some - but it is everyday life for those tasked by society with the care of those who are sent to prison or hospital by the courts for crimes that require their removal from the rest of the law-abiding general public.

In addition to the general levels of violence between offenders, the volume of attacks on staff has also increased significantly, now reach-

ing over 10,000 a year. On average, that means 28 members of staff are assaulted every day while protecting the public. **Prison staff do not go to work expecting to be assaulted - they are not punch bags!**

The year to September 2018 saw a record of almost 1,000 of what the government calls "serious assaults on staff". The POA believe that this situation is getting steadily worse, with only slow and hard-fought-for progress being dragged out of the Ministry of Justice.

A look at the last published statistics on the use of improvised weapons used by offenders shows a truly alarming escalation since 2010:



The propensity for offenders to resort to the use of weapons is obvious to see. In order to reduce the risk posed by this, some limited changes to the use of glass or ceramic objects have been introduced to some parts of the prison estate, but more must be done. **The POA call on the MoJ to ensure the removal of ALL such items from ALL establishments to protect both staff and offenders.**

The number of sexual assaults in our prisons

remains an area of great concern for the Prison Service. Sexual offences are seen by the general public as being among the most heinous crimes that people commit. It should not be treated less seriously because the crime is committed behind the walls of our prisons. The 200% increase in this type of assault is not acceptable, but it is what the published data clearly shows.

Alongside the soaring levels of violence faced by prison staff, another serious problem they see on a daily basis is self-harming by offenders. Though the number of female offenders identified as self-harmers has been fairly steady, **the number of male self-harmers has increased by 113% since 2010.**

The Government pressed ahead with its austerity measures in almost blind ignorance of all the evidence repeatedly placed before them. Finally in 2016, after decimating uniformed staff numbers by 10,000, Ministers admitted that too many staff had been cut. But as the Ministry of Justice - which has suffered from the largest cuts of any department - sees its budget squeezed further and further, the annual cuts demanded are making our prisons ever-more dangerous places to both live and work.

On a daily basis we are seeing staff attacked, prisoner-on-prisoner assaults increasing, time out of cells for offenders cut, more and more offenders forced to share cells, rehabilitation programmes cut, training programmes for offenders cut, education provisions cut, staff numbers cut, and services privatised or delivered through an untested payment-by-results programme.

The POA call on the Government, Ministry of Justice and HMPPS to produce detailed ev-



Some of the injuries inflicted on prison officers

idence-based reports to support their stance that the cuts they are imposing on the Prison Service will not lead to an increased level of violence against offenders and staff and that their proposals will aid in the rehabilitation of offenders, not hinder it. And we demand the immediate roll-out of vital protective equipment such as PAVA and rigid "police-style" handcuffs.

The employer must get a grip on this health and safety emergency or be held accountable for the consequences.

• Please ask your MP to sign Early Day Motion 2043 on Violence in Prisons (see page 11)

End this private prison scandal

The POA were opposed to the operation of prisons and secure institutions for the profit of shareholders long before the opening of the first privately operated prison, HMP Wolds, in 1992. Indeed, we described the use of private companies in this way as **“morally repugnant”**.

Prison privatisation as a concept was exported from the United States, and successive British governments have increased the size of the profit-making sector, which now makes up over 17% of the prison estate in England and Wales.

During “competitions” in 1999 and 2001, HMP Buckley Hall and HMP Blakenhurst were transferred from private operation into the public sector. HMP Manchester remained publicly operated, and no private company was willing to even bid to operate HMP Brixton when it was put on offer.

Until 2011 private companies had only ever taken on the operation of newly built modern prisons. That October, HMP Birmingham became the first publicly built, owned and operated prison in the UK to be transferred to the private sector. Though the initial announcement of the “market test” for the prison was made under the previous New Labour administration, there were clear signs from the outset that the privatisation of one of England’s largest prisons was a potentially dangerous mistake.

Government figures show that private prisons are disproportionately more violent than public prisons, with three (HMP Peterborough, with 85 assaults per 100 prisoners in 2017, HMP Birmingham 81, and HMP Doncaster 56) of the top

10 most violent adult jails in private hands, and six (as above with HMP Parc 55, HMP Forest Bank 53, and HMP Thameside 49) of the top 20 – that’s 30% compared to less than 13% of all such jails.

Since the start of the austerity agenda in 2010, Prison Service management undertook numerous modernisations programmes. Whether Benchmarking, Fair & Sustainable or the Voluntary Early Departure Scheme, they all had one thing in common – cut costs and staff as much as possible. These schemes were trumpeted by management as making the public sector as cheap as the private sector, heralding an end to market testing and privatisation.

But despite these “modernisations” the government announced plans to market test a further nine prisons. Then in November 2012 the Ministry of Justice announced a change of plan, deciding that only five of the original nine would go to the competition process. The MoJ stated the process had “identified the means to accelerate cost reductions” and “set a new benchmark for running prisons”, which they could apply to all public-sector prisons to “maximise savings”.

As part of these competitions, where the public sector was permitted to bid, Britain’s first privately operated prison was finally brought under public-sector control, removing the profit motive from its operation for the first time in 21 years.

Despite the cost of untold millions to the taxpayer, this test of the market saw only one of the nine establishments, HMP Northumberland, finally handed over to the private sector to run for profit.

“Companies make a profit from the incarceration of offenders by having higher prisoner-staff ratios, paying staff less, and providing less annual leave, less training and poorer pensions”



In 2015 the government announced its intention to build nine new prisons, five of them by 2020, as part of a new-for-old scheme. Although the target date has been put back, in November 2018 Ministers announced that the operation of these new publicly built prisons, and of current private-sector prisons when contracts expire, would be put out to tender and that the public sector would not be permitted to bid for them. However the government did state it would “provide a ‘public-sector benchmark’ against which operators’ bids can be assessed and will take on the provider role if bids do not meet quality or value for money thresholds”.

The government has yet to provide any clarity as to how this comparison of private bids with the “benchmark” will work. **There is no transparency to the process to help carry public confidence this is not simply an exercise in handing the operation of these new state-of-the-art prisons to private companies to run at a profit.**

The level of threats from successive governments to privatise prisons has ebbed and flowed over the years. The 2013 Market Testing programme clearly showed that, when a fair

market comparison is made, private companies cannot compete with public-sector bids that do not contain a profit-related element.

For many years there have been volumes written about the virtues or otherwise of private-sector companies called on by government to operate our prisons for the profit of their shareholders. **The POA have been consistent in our approach to this issue – the removal of a person’s liberty by the state is a matter for the state and not for private profit.**

The POA have many members working within privately operated prisons. Our knowledge of them confirms that these companies make a profit from the incarceration of offenders by having fewer staff and higher prisoner-to-staff ratios, paying staff less, and providing less annual leave, less training and poorer pensions. This is the “innovation” to prison delivery that the use of private providers has brought to the system.

The past 25 years have seen the introduction of a great deal of new design concepts within prisons, and new technology has been developed. But these innovations can be delivered at our new prisons regardless of who operates them – they are not being introduced solely because a private company is operating the establishment.

There is no evidence that the use of private companies to run prisons brings any innovation or different ways of working, or delivers better quality or value for money for taxpayers.

We maintain that the decision not to allow a public-sector comparator bid for new prison contracts is dogmatically driven by the Conservative government’s desire to ensure that private shareholders benefit from our Criminal Justice System at taxpayers’ expense. They are trying to prevent any transparency or scrutiny of the process they are putting in place to deliver the policy. It is wrong and it must be challenged!

• Please ask your MP to sign Early Day Motion 1484 on New Private Prisons (see page 11)

We all deserve to retire with dignity

The public have always recognised the dangerous and professional work of our Armed Forces, Police and Fire & Rescue Service. Unfortunately, the work of prison staff does not receive the same recognition from the public or the government.

The POA firmly believe that the government's pensions policy, which requires front-line prison staff to work for the Service beyond the age of 60, is totally unacceptable and unjustified, and does not take into account the nature of the daily working environment that these staff have to endure.

The government's current policy is forcing front-line prison staff into a position where their aspirations for retirement are becoming more of a fantasy than reality. **To work to 68 in such conditions makes a happy retirement out of reach for far too many operational staff, as they die in service or are forced out of their career due to ill health and capability.**

This policy is another blow to the morale of front-line prison staff – morale that is already at an all-time low due to the numerous changes imposed by the government on working conditions in prisons. The perpetual calls for efficiency savings and savage cuts since 2010 has created a thoroughly demoralised and underfunded essential public service.

Increasingly, more and more employees view working for Her Majesty's Prison and Probation Service as a job, not a career. This is in marked contrast to the pride with which many older members of staff viewed the Service in the past.

The prison population, though generally old-

er, is more violent and dangerous than ever. At present, an average of 27 prison workers are assaulted every day. The severity of the attacks and the nature of injuries sustained are resulting in longer periods of sick absence.

The savings the government expected to make from increasing the pension age of front-line uniformed staff is negated through increases in payments for temporary injury benefit awards, medical inefficiency payments and medical retirement along with permanent injury benefit awards.

It is still recognised that front-line prison staff are in the most stressful occupation in the country. In the lead-up to Fresh Start Negotiations in 1987, it was noted that front-line staff had a life expectancy of only 18 months after retirement (then at the age of 55). This was due, in part, to the excessive overtime hours culture within the Service.

Though some progress was made with the excessive-hours culture in prisons throughout the 1990s and the early part of the 21st century, recent years have seen those advances significantly reversed. Slashed budgets have seen the Prison Service impose savage staff cuts, bringing it to the brink of total collapse. These factors, along with the unjustified increase in pension contributions, are leading to a return to "long-hours culture" as prison staff are forced to work excessive hours to operate prisons and earn a living wage. As a result, more and more staff are being forced off work with work-related stress due to excessive workloads, leading to burnout.



POA members marching through Westminster in 2014

People in society are living longer, but it cannot be said that operational prison staff will continue to be fit enough to perform the full range of duties, including the ability to pass the five elements of the Prison Service Fitness Test – in addition to annual mandatory Control and Restraint (C&R) training up to the age of 68.

It is not just the Prison Service in England and Wales that is suffering from these problems. The Prison Services in Northern Ireland and Scotland face the same issues. In privately run prisons, staff pension provision in most cases is even more inferior to that of their publicly employed counterparts. Within the NHS high-security psychiatric hospitals, too, there is growing concern that staff are suffering significantly as they are required to work in increasingly dangerous environments later and later into old age before they can look to retire.

The implementation of changes to public-sector pensions imposed on staff has already been found wanting by the courts. The POA are pressing forward with our legal challenge, but even when successful it will not completely solve the central issue of our members not being physically able to work, day in day out, into their sixties in such a violent and dangerous environment.

The POA still maintain that this consideration should have been given to our members at the

time Lord Hutton carried out his review back in 2011. Unfortunately, despite requests and submissions, he failed to make the same special provisions for prison staff as he did for Police, Armed Forces and Fire Brigade staff. We maintain that this was a misjudgement by Lord Hutton, and that it needs to be revisited.

And the 1952 Prison Act gives prison officers the same protection and privileges as police constables – so why should they be expected to work for eight years longer than the police in such a dangerous and physically demanding environment?

The government have still not provided any evidence that front-line prison staff and psychiatric hospital staff can work in an operational role up to the age of 68. **The POA must ask Members of Parliament: "How many people over the age of 60 do you know who would be able to do the job of a front-line member of staff in the modern-day Prison Service?"**

The government must return to the table to discuss this vital issue with the POA so that their staff – our members – can return to a position of at least thinking about how they will be able to look forward to a long and happy retirement.

• Please ask your MP to sign EDM 1409 on Prison Officer Retirement Age (see page 11)

Take action now to defend your rights

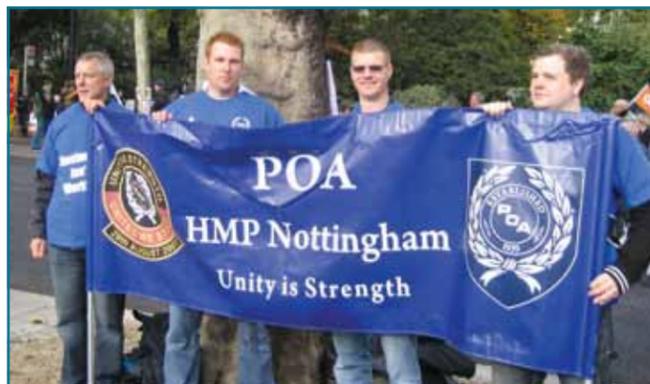
It's easier than ever to lobby your MP and other politicians. But while social media, emails, phone calls and letters are all effective, especially alongside websites like theyworkforyou.com and parliament.uk, nothing beats good old-fashioned face to face – and where better than at the “mother of all parliaments”, birthplace of the word “lobby” itself?

Any member of the public can walk through the Palace of Westminster (after airport-style security) into its beating heart – Central Lobby – and ask to speak to their MP at the main desk. You will be asked to fill in a green card with your name and that of your MP, who will then be contacted, probably at first by phone. If they are on the parliamentary estate and available, your MP is meant to come and see you.

You will have a better chance of a meeting if you tell them in advance you are travelling to Westminster. They might suggest a specific time that suits them better, and you can give an indication of what you want to discuss. Whenever you speak to your MP and their staff, remember it always pays to be three things: polite, clear and concise.

Your MP will be keen to hear about your personal experiences working in prisons, and first-hand stories of how the Ministry of Justice is failing both prisoners and front-line staff. Tell them about the three main campaign issues behind today's march, rally and lobby – violence, privatisation and retirement age – and why they matter so much to you.

If you are worried about punishment by the employer for speaking to your MP, please talk to POA leadership beforehand. The vast majority of MPs absolutely respect the confidence of



their constituents, but it's always worth checking whether similar concerns have been raised by local members in the past.

If your MP says they agree with the union's campaigns, ask them to sign the POA-sponsored Early Day Motions printed opposite. Although EDMs don't have a direct effect on making laws, they are a way for MPs to publicly show support for an issue and signal a willingness to act on behalf of the union. Some MPs, however, such as Ministers and Shadow Ministers, do not sign EDMs by convention.

Good MPs will often want to visit their local prisons, so please make sure you invite them. Offer to put them in touch with branch committee officials, and then tell the union leadership, who will make the necessary introductions. Visiting a prison is often a life-changing experience for parliamentarians, and is bound to build solidarity and support for our struggles in the workplace. If your MP seems especially keen, suggest they join the new Prison Service Parliamentary Scheme, designed in conjunction with the POA, in which MPs and Peers receive training before shadowing prison officers

EDM 2043: Violence In Prisons

That this House expresses grave concern at the soaring levels of violence in prisons as revealed by the most recent Safety in Custody statistics; is alarmed by the 20 per cent rise in the recorded number of yearly assault incidents across the prison estate in England and Wales to 33,803, and the six per cent rise in serious assaults to 3,949; is further alarmed by the 29 per cent rise in the recorded number of yearly assaults on prison staff to 10,085, and the 27 per cent rise in serious assaults on staff to 997; believes that this record level of violence against staff is a major factor behind the crisis in retention of prison officers, with low pay and a retirement age of 68 also contributing to rock-bottom officer morale; further believes that prison staffing must return to pre-2010 levels before this health and safety emergency can be properly tackled; and calls on the Government to reverse its cuts to the prisons budget and to develop a violence reduction strategy in collaboration with staff unions as a matter of urgency.

for an initial five days.

And please invite them to join the Justice Unions Parliamentary Group, sponsored by the POA, Napo, PCS, UCU and Police Federation, to receive regular briefings from sponsoring unions. The JUPG is part of a wider alliance of unions representing prison workers, including Unite, BMA, RCN, Unison and GMB, which is launching the Safe Inside campaign for better health and safety in the prison workplace. Keep your eyes on your inbox for an email survey on working conditions, and please pass it on to colleagues whether or not they're prison officers or union members. With the results of this survey, the eight national unions will lobby the government together for urgent action to protect all prison staff.

While conditions in prisons are at an all-time low, support in Parliament for prison officers is stronger than ever. With your help, the growing number of supportive MPs can put greater pres-

EDM 1484: New Private Prisons

That this House notes the Government's announcement that two new prisons are to be built in Wellingborough and Glen Parva; expresses alarm that the Government intends for both these prisons to be run by the private sector; expresses further alarm that companies under investigation by the Serious Fraud Office for overcharging the Ministry of Justice will be allowed to bid for contracts to run these prisons while HM Prison and Probation Service will be excluded; believes that it is economically illiterate, socially irresponsible and morally indefensible to let the private sector profit from incarceration in this way; and calls on the Government to commit to ensuring that all new prisons are run by the public sector.

EDM 1409: Prison Officer Retirement Age

That this House commends the commitment, bravery and dedication shown by prison officers, who face challenging, dangerous and physically demanding working conditions on a daily basis; notes that the Prisons Act 1952 confirms that a serving prison officer shall have all the powers, authority, protection and privileges of a police constable; believes that the prison service must be treated as a uniformed service alongside the police service, fire service and armed forces; regrets that the retirement age for prison officers has risen to 68, compared to 60 for members of the other uniformed services; and calls on the Government to lower the retirement age for prison officers to 60 as a matter of urgency.

sure on this government and make it admit it was wrong to cut so much money from the Prison Service. Proper investment is crucial to tackling the state of emergency in our prisons, but the Treasury must be coerced into action – it won't move of its own free will. Together, we can build the Parliamentary muscle necessary to do the job.

Headquarters: Cronin House, 245 Church St, Edmonton, London N9 9HW

North Regional Office: 1 Linden House, Sardinia St, Leeds, LS10 1BH

Northern Ireland: Castell House, 116 Ballywalter Rd, Millisle Co Down, BT22 2HS

Scotland: 21 Calder Rd, Edinburgh, Sctoland, EH11 3PF



**The Professional Trades Union for Prison,
Correctional & Secure Psychiatric Workers**