



**POA**  
**ANNUAL CONFERENCE 2016**

**VERBATIM**  
**REPORT**



Shaping  
**OUR FUTURE**

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# POA ANNUAL CONFERENCE 2016

## Tuesday 10th May Morning Session

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Good morning Conference, I haven't upset the Mayor, honestly, he's just gone for a comfort break due to the excitement of addressing and opening our Conference.

Good morning and welcome to everyone. I'm being told that there might be a problem with seating. Obviously Standing Orders will refer to that. We normally expect that everyone will have enough seating in the main body of the hall here on the floor. Is there anyone at the moment who hasn't been able to find seating on the tables in front of me? OK. We will try and address that as we go forward and I would just remind you that it's only delegates on the tables on the floor not observers, observers at the back, please.

So that's a brief update. As soon as the Mayor Kermode comes back we will begin.

Good morning again Conference, you will notice that I'm joined up here by Mayor Stephen Kermode, he will address you in a few moment's time, but first of all he gets to hear the lowdown according to the POA researchers on Mayor Kermode.

The Mayor was born in Liverpool and moved to Maghull in the early 1960s. The Mayor tells me he lives not too far from Moss Side Hospital and has friends on the working side within Moss Side Hospital. He attended Northway Primary School and then moved onto Days Lane High School. Upon leaving school he trained as an apprentice joiner for Tysons of Liverpool, taking a three-year apprenticeship with the company while attending Hugh Baird College to further his education. After working for Tysons as a joiner for six years Mayor Kermode setup his own business in 1984 and he has since gone on to win six building awards; four for the training of apprentices and one for building a bespoke house in 2010. Mayor Kermode is married to Gwen Kermode and they have two grown-up daughters, Victoria and Alex.

As regards to the Mayor's public life, during his daughters' education he became a school governor taking on the role of Acting Chairman for two years. He's been previously a councillor on Maghull and was Mayor of the Town Council in 2013/2014. He has also been the Deputy Chair of Maghull Town Council. He's been a Sefton Councillor since 2012 and in that time he's been on licensing and regulatory committees and overview and scrutiny committees (performance and corporate services) and also represented Sefton for three years on the Merseyside Integrated Transport Authority.

Through his personal work he is also involved with the Federation of Master Builders and has held positions as both Chairman and President of the local branch. In his spare time Mayor Kermode likes to read, watch his football – he's not identifying who he supports at the moment. He enjoys music of all genres, theatre and musicals. He enjoys walking his dogs, researching history and viewing historical buildings. Mayor Kermode also enjoys socialising and meeting new people.

Mayor Kermode, you're very welcome and we'd ask you to open our Conference for us, thank you very much.

### **The Worshipful The Mayor of Sefton Councillor Stephen Kermode addresses Conference**

**MAYOR KERMODE OF SEFTON:** Good morning everybody. Mr Chairman, ladies and gentlemen, may I welcome you here to Southport in the Metropolitan Borough of Sefton on this, your Conference.

Southport composes of Victorian style with modern developments and has many attractions, the shops and the boulevard in Lord Street, Park Promenade and the pier is the longest pier in the UK.

We have wonderful restaurants and bars and I hope you'll be able to visit some of them today and over your stay. And on behalf of my wife and Sefton Metropolitan Borough, thank you for coming here and enjoying the facilities.

Some of the attractions. Sefton as a borough was formed in 1974 and is named after a small village near Maghull called Sefton, which was the seat of the Molyneux family. We also twinned with Gdansk in Poland and Mons in Belgium. And the attractions of Sefton are the Grand National, which I'm sure perhaps some of you might have been; the golf links at Royal Birkdale which is often the championship venues for golf, and we have 22 miles of rolling coastline. We have a squirrel reserve and some natural flowers that might interest some people down at Thornby.

This is my last Conference that I'll be doing and I've done many Conference openings here and some of the interesting things I've done as the Mayor. Well can I tell you that as a young child living in Maghull we were often invited on an open day to Moss Side Hospital and now it's called Ashworth, and Kenet Prison, which I don't know if any of you are employed by, but we used to have the daunting experience of meeting Jimmy Savile. I was in the sea cadets and he used to come round and was presented to us as a guest of the Guard of Honour, which I'm not really, shall I say, proud of now I know all about him, but nevertheless that was the sort of activity that took place. But on this one occasion Jimmy Savile's car was left and the story is that he went back to the car and found that his tyre had been stolen and he didn't have a tyre to go on the car. So this gentleman that was standing there and he sees Jimmy Savile standing there and he said, 'What's the matter?' and he said, 'Oh my tyre's missing.' 'Oh why don't you take the spare tyre and put it on?' Anyway, this fella helps him to put the tyre on and he said, 'Well, there's not enough nuts to go round.' So he said, 'Don't worry, take a nut off each of them and screw them on.' So he said, 'OK, I'll do that.' So he says to him, 'What's your name?' he says, 'Johnny Smith.' He says, 'How long have you been in here?' He says, 'Oh, I've been in here since I was a young lad.' So he said, 'OK.' He said, 'Well, this is a mentalist establishment, isn't it?' And he says, 'Yes, it is.' So he said, 'What are you doing here?' He says, 'I don't know.' He said, 'OK, look, I'll ask the officials and see about your history.' So he said, 'OK'. So as Jimmy Savile was finishing putting the nut on, a brick hit him on the back of the head and this fella says, 'You won't forget now, will you?' <Laughs>

Some people say I'm not like normal mayors and I would agree with them, but some of the interesting things we've done, I went to one conference and they said to me, 'Can you just speak for one minute?' on the list that I got and when I arrived they said to me, 'Can you make it eight minutes?' So I said, 'Yeah, OK, I'll adlib for a bit.' So I'm working out what I've got to say and when I finally get to say what I've got to say they said to me, 'Can you make it five?' because there had been that much changes and people had overrun, so I said, 'OK, I'll make it five.' So I could see the clock ticking down and it got to four-and-a-half and I thought, right, that's it, I'll say thank you very much and walk off the stage and the fella said, 'That's spot on, thanks very much.' So it's come to that time now, so I'll just say thank you very much for choosing Southport to have as you Conference and I hope to see you all again sometime. Thank you very much.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you very much, Mayor Kermode, and I didn't think it was possible to get away with a joke about Jimmy Savile but you've achieved that. And you've taken us tiptoed through the delights of Southport and I think that's the first time we've heard about the squirrel sanctuary, so I'm sure there will a few squirrel fanciers out there who will be making their way towards that destination.

We do thank you, and no one leave empty handed when they come and visit the POA, so on behalf of the membership I'd like to make you this presentation.

Applause

Thank you, Conference, and we now have Vice Chairman, Ralph Valerio, with the Standing Orders Report.

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** Thank you, Chairman. Good morning, Conference, on behalf of the National Executive, the Committee and the Standing Orders Committee I now move the Standing Orders Report for this Conference 2016.

This is our 77<sup>th</sup> Annual Conference and as Chair of Standing Orders it is my intention to set out the order of business and advise Conference of any emergency motions or appeals. As usual we have a lot of information which I need to share with you, but firstly, you will note that in the order of business we have a number of fringe meetings scheduled during Conference, they are due to take place this afternoon, this evening, Wednesday lunchtime and evening and Thursday morning. This is the first time, Conference, that we have staged fringe meetings at Annual Conference and we have some important topics and invited guest speakers. Can I ask delegates to support these events wherever possible? Food and refreshments will be offered at each event and it would be your attendance and your support that will make them a rousing success. You will appreciate space is limited and would urge early attendance to avoid disappointment.

I hope you have all successfully registered and been furnished with the appropriate documentation for this year's 77<sup>th</sup> Annual Conference. Should you need any assistance during the week do not hesitate to contact Conference staff in the Conference Office or indeed any member of the NEC that you see on this table in front of you. I would ask that any delegate wishing to address Annual Conference make their way to the front and respect the decision of the Chair. Normally all delegates must take up seats on the floor of Conference, but it has been brought to our attention that there is insufficient seating space on the Conference floor this morning and I assure you this will be rectified at lunchtime and then normal procedures are expected to follow where only delegates will be asked to sit on the Conference floor and visitors and guests sit at the back of the hall.

Will you please ensure that you wear your identification badge throughout Conference, this is a special request from the security staff, it is there to assist them to ensure the safety of all of us in the hall. We are not on any special warning at this moment in time but I would ask all delegates to be vigilant. I would remind you that only delegates, as I've said, are allowed on the Conference floor and in moving Standing Orders Committee Report to this, the 77<sup>th</sup> Annual Conference, the Standing Orders Committee seeks the approval of Conference for the following delegates to be appointed as scrutineers and tellers: Stewart McLaughlin of Wandsworth; Wendy Price, Drake Hall; Phil Tuck from Cardiff; Dave Cook, Swaleside; Niall McIntosh, Whitemoor and Duncan Williams of Littlehey. Can I ask the Chairman to ask Conference to approve the scrutineers and tellers?

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Conference, can I have a show of hands to approve the scrutineers and tellers please? All those in favour? Any against? That's approved, Ralph.

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** Thank you, Chairman, and thank you, Conference. Standing Orders in regard to the rules and procedures and order of business for Conference are set out in the inside of the Conference Agenda. Please take a moment to remind yourself of these rules throughout Conference. I would also draw your attention to Conference Paper 3 of 2015 in respect of Conference motions, if you are unsure on any issues please feel free to speak to the Standing Orders Committee, of which I am Chair, and we are here to help. For this 77<sup>th</sup> Annual Conference we received 110 Annual Conference motions, 10 of these were received out of time, 14 were returned as not meeting the criteria, giving us an agenda for this Conference of 86 motions.

In line with Annual Conference motion 84 of 2015, the Standing Orders Committee contacted a number of branches and offered advice and suggested changes to the motions. Following an exchange of emails the branches concerned put forward a final version of their motion which is now included in the Conference Agenda. On behalf of the Standing Orders Committee I would like to

point out that the terms of this motion are not as simple as it would appear, therefore, to assist the Standing Orders Committee going forward I would urge delegates to seek advice prior to submitting motions next year in the attempt to rectify any problems at an early stage. I recognise that this may not be possible because individuals may feel the motion is correctly worded, but if we do not resolve this matter we may need to bring an emergency motion next year to amend Conference Paper 3 of '15. The reason it will have to be an emergency motion is because the Standing Orders Committee will not be in a position to report back to the Executive until the conclusion of the timescale for receiving motions.

Of the motions returned to branches there are no appeals to Conference, however, the Standing Orders Committee received one emergency motion from Bullingdon which was returned and the details of that motion were promulgated under POA Circular 35 of '16, sent out to branches on 3 May 2016. I will call Bullingdon to the rostrum in due course as they are appealing in line with Conference paper 5 of '15. We have also received one appeal and placement from the Barlinnie branch which has been upheld by Standing Orders.

The National Secure Hospitals AGM will take place on Wednesday morning. I will remind Conference that the section containing proposed rule changes will require a two-thirds majority and the rest of Conference agenda will require a simple majority. Therefore, Conference, we have an agenda contained in your Conference booklet and the three Conference papers will form part of the agenda. We have motions five, Birmingham, Conference paper 1; motion 53, NEC, Conference paper 2 and motion 54, NEC, Conference paper 3.

Conference, in order to expedite business throughout the week your attention is drawn to paragraph one of the Report of Standing Orders and Procedures, 'Should you wish to remove the Chair'. Also, paragraph two, 'Should any delegate wish to raise a point of order' and paragraph three, 'If any member causes a disturbance during the proceedings and refuses to obey the Chairman's ruling, they shall be expelled from the Conference and not allowed to return until a suitable apology has been tendered.' Conference is reminded that all mobile phones must be switched off or set to silent throughout the duration of Conference. Any branch who wishes to second a specific motion should ensure that they inform myself or Glyn Travis, the Secretary of the Standing Orders Committee, as soon as possible or before the Chair of Conference seeks a seconder to the motion from the floor. Delegates should be aware if you second a motion you must speak at that time as you will not be allowed to speak during the debate. If delegates intend to speak on behalf of the branch on a motion will you please come forward to the front of Conference and occupy one of the seats during the moving of the motion. Any delegate addressing Conference must give their name and branch so that the recording facilities in use for the verbatim report can identify the moving branches. Can I ask that all delegates, observers and providers return to their seats following any break in Conference so that the Chair of Conference can move business? Throughout Conference delegates may be required to attend the office on official business, all delegates must ensure that at least one delegate remains on the Conference floor whilst Conference is in session. In line with custom and practice, Conference, the Chair of Conference may call motions when guest speakers are attending and addressing Conference with the approval of Conference.

I now turn to the appeals to Conference and ask the Chair to invite Bullingdon to address Conference on their appeal.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Come to the rostrum, Bullingdon, please.

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Chair, NEC, Conference. This appeal was circulated by email last week; I am concerned whether it is not in delegates' packs.

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** Well we were informed that they were.

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Well, you could ask Conference. Has everybody got sight of this appeal paperwork?

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Conference, quite rightly so, is this in your pack which is 'Appeal to Annual Conference, emergency motion Bullingdon' which gives the Standing Orders paperwork and some legal paperwork, do you have this, POA Circular 35 of 2016? Standing Orders do you have an explanation for Conference?

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** I have no explanation because it was my expectation that it was circulated, but if it is I can read the content of the letter?

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** The letter is important.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Sorry, Bullingdon. Are we saying that it was actually sent to the branches and –

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** It has been promulgated amongst branches. I can't explain why it's not in the pack but it has been put out as public domain as part of POA Circular 35 of '16, Chair.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** The General Secretary is pointing out to me that it does say on POA Circular 35 of 2016, 'Please ensure you bring a copy of this motion and supporting document with you if attending Conference.'

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** It would just be useful if people could have the document.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Yes, no and I think that's a learning lesson, but I will give you some licence here to explain why you think this motion should be on the agenda paper. As you know I normally, and not just me, in the past we say be careful, you're going into the body of the motion, I would give you some licence on that.

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Thank you, Chair. OK, the motion reads that following the recent joint police, National Crime Agency and Prison Service operations which have taken place outside some of our establishments, the NEC and its solicitors provide the membership with, 1) Information on the civil rights and legal rights with regards to such operations, and 2) To enter into negotiations with NOMS to produce an agreement on how such operations should be conducted.

I don't intend to go into the body of the motion too much but I do need to reflect on the letter which was why it was returned to me and the reasons why it was returned and I will set out the counter argument to the paragraph set out in the letter.

It is correct that the branch new about these issues, which it is trying to address, with the second one occurring on 20 January 2016 and the branch were aware of the criteria by which motions were to be submitted for Conference, i.e. the closing date at the end of January. But at that point, we had indeed, Bullingdon had already submitted our maximum of ten so we could not include that, they had already been sent.

If you can see the legal letter as well that was sent to both the branch and Glyn Travis from Paula Porter of Thompsons which gives the branch the advice it was seeking is dated February 18<sup>th</sup>, which is after the closing date for motions to Conference. The letter also states that the motion asks for a consultation with the employer, which may not be in the best interests of the membership. Well, if we are allowed to present this motion to Conference we can, with advice from the NEC, Conference can make its own mind up on this issue. The motion does not call for definitive advice as it says in the return letter, it asks for information on civil and legal rights. The letter states that we

should be seeking to have local arrangements in place about the type of searching, not centre driven. The advice from Thompsons in the last paragraph under the heading 'Practical Measures with respect to future searches' states: 'I would advise the POA to negotiate with prison management, and, if relevant, the police in an attempt to ensure that this practice is adopted in relation to further searches.' We believe, as a branch, this is best done at a national level. All we ask as a branch is we be given the chance to speak on the motion, get it on the order paper and inform Conference what's happened at Bullingdon and the knock-on effects it's had for our staff. We do not believe this is an issue that can wait a further 12 months to be heard. If we fail to make a compelling case then so be it, but please support that appeal.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Bullingdon. And to respond for Standing Orders, Ralph Valerio.

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** Thank you, Chair. I've no intention to go into the body of the motion. It's a simple one for Standing Orders. Bullingdon branch were aware of the timescales required for submission of motions, they adhered to that with motions that you will see on the order paper today. These incidents that are referred to by Bullingdon branch took place prior to the deadline and the explanation inside the Circular 35 of '16 is self-explanatory. It is clear it is not possible to be accepted in line with the rules and indeed in the pursuance of the proposal from Bullingdon is you can't simply have a one-size fits all and the issue can be progressed through the normal working process. So on those grounds, Conference, I would ask you quite simply to reject.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Conference, all those in favour of allowing the motion onto the order paper, please show. Those against? That motion will be on the order paper, Standing Orders will advise on its placement later today.

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** Thank you, Chair, and thank you, Conference. Getting towards the end, Barlinnie has appealed the placement of Section 9 – Pensions, which were motions 84, 85 and 86, and as I mentioned earlier in this speech, they've requested they be placed directly after Section 1 – Rules and Constitution. This was upheld by the Standing Orders, we have no objection, other than to say that the agenda is rotated on an annual basis and no preference is given to any section, save that Section 1 of the Conference Agenda must always be Rules and Constitution.

Chair, if you'd like to invite Barlinnie to attend the rostrum.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Barlinnie to the rostrum please.

**JIM MCCABE – BARLINNIE:** Chair, Conference, motion 84 asks for a debate on recent pension statement and the inference of us not getting the pensions that we feel that we should be getting. Colleagues, I'm always wary of any changes that come with civil service pensions, statements and others, never fully recovered from us paying for a non-contributory pension, the deal that we got when we signed up for our terms and conditions of employment. I'm always aware that we were paid considerably less than the police and the fire service, and this was due to us having this non-contributory pension, to which the government changed. So in this year's pension statement I noticed a couple of changes...

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Barlinnie, can I just say, if it's helpful about not going into the body of the motion, can I indicate to you that you're pushing at an open door on the placement.

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** Jim, you're on a winner mate.

**JIM MCCABE – BARLINNIE:** That'll be a change. <Laughs> No, fair dos.

Laughter

I just feel that we should be aware of any changes in this year's pension statement. I don't know if you are aware that the figures that's on your pension statement are not a guarantee we're getting that money, it's just an illustration of the monies you may get. I don't think many people know that, I don't know many of our members know that, but next year's pension statement, it's in bold italic, why the change, why the change now? 20-odd years I've been having these pensions –

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Barlinnie, Barlinnie...

Laughter

... I'd hate to deny Conference the opportunity to hear what you have to say when you get to the motion.

**JIM MCCABE – BARLINNIE:** Right.

Laughter

Fair dos. I'll just pack my bags then.

Laughter

Applause

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** Thank you, Chair, that was Barlinnie asking for the placement of the motions to be moved. For goodness sake put them where they want them!

Laughter

Can I have a seconder for Barlinnie's succinct request?

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** Thank you. As I've explained, set out in the reasons for placement, it's a matter for Conference whether you accept the appeal for placement, like I said earlier it has been endorsed by the Standing Orders Committee, so, Chair, if you would go to the vote for placement.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ralph, we're happy for the placement.

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** Wonderful. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** No need for a vote or a seconder.

**RALPH VALERIO – CHAIR OF STANDING ORDERS COMMITTEE, NEC:** So that being the case then Conference, we're all happy, I'm getting to the end of my speech, the Conference motions on pensions will be moved and will be heard after motion 5, Rules and Constitution. I now ask the Chair of Conference to seek Conference approval for the adoption of the Standing Orders Report.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Conference, all those in favour of the adoption of Standing Orders please show? Those against? That's carried.

Before I give you an opening address it's that time, at Conference, when we remember those who have passed away in the last year, so in a moment I'll be asking you to stand for a minute's silence. But I do think that we should make particular reference to several people who have passed away this year, there was Lorraine Barwell, wasn't a member of the POA, she worked for Serco as a custody officer, an escort officer. She was murdered this year, not a POA member but a colleague

in criminal justice. I attended the memorial of Officer Derek Lambert at Portland prison who was the last prison officer in England and Wales to be murdered in his place of work in 1965. I think Derek Lambert deserves to be remembered. And there's that guy, Adrian Ismay, 'Issy' former branch official, union learning rep in Northern Ireland, he was murdered because he was a public sector worker working on behalf of society, and that's an attack on us all. Steve Gillan and myself went to the funeral in Belfast, it was a difficult day for ourselves and the Northern Ireland Committee, it was an impossible day for his family and his friends.

So when we stand can we remember everyone, but I think a particular reference needed to be made to those three people. I ask you to stand now for a minute's silence.

### **Conference observes a Minute's silence**

Thank you, Conference.

### **Chairman's Opening Speech**

I welcome you, once again, to the 77<sup>th</sup> Annual Conference of The Professional Trades Union for Prison, Correctional and Secure Psychiatric Workers. We've heard from the Lord Mayor in the traditional way of opening our Conference, we will hear from speakers this week as per your programme, but we are expecting to hear from the Shadow Prisons Minister, Jo Stevens, and we expect her to address you on Wednesday, obviously the timing still needs to be arranged. She's had permission from the Labour Party whips to miss a boat in parliament to come here to address us.

You will notice mention was made in the Standing Orders Report of the fringe meetings, I think there's some excellent fringe meetings scheduled this week, I would urge you to attend them. And we've pushed some of the speakers, not kicking and screaming, into those fringe meetings and I think that probably frees up more time for business here so I think that's probably a good move and we'll see how that works out this year. We will of course have the awards section, the Mabel Hempton Award, the Cronin Clasp and the Toe by Toe Awards, that will normally be just before lunch on Wednesday, business permitting. You won't see Pete Chapple, the Finance Officer, at Conference this week, Peter had an accident in the workplace which is still being investigated as to the cause of it and he has been signed off by his doctor beyond Conference, and certainly when I spoke to him the other day he was still suffering from severe headaches. So the finance report will be presented by the General Secretary and that's quite handy because of course he's a former finance officer so he should know what he's doing there.

The new National Chairman takes over on Thursday, Mike. I've spoken to Mike. Mike will address you at the end of Conference and give his way forward for the union.

Conference, I'll just touch on a few issues: prison population. Now, it's no coincidence, to me, that the prison population has doubled since the early nineties and the coincidence, and that's why it's no coincidence, is that's when they brought in the private sector, that's when they started to privatise justice, not just in prisons, but elsewhere throughout the criminal justice system and now the prison population has doubled. Because it's not the hardworking custody officers' faults, they're doing a job of work, some of them have had no choice but to be transferred to the private sector, and some have taken a place of work as you'd expect of a working man and woman. But the shareholders of these companies don't quite see it that way, they need not 90,000 in prison, they need 190,000 in prison if they're going to make their money.

Now, you can't build your way out of the crisis of the prison population, the country simply can't afford it, and yet once Kenneth Clarke's sentencing proposals were torpedoed or overturned by interventions by the media and certain politicians, we then had Justice Minister Grayling, and yes, even the darling of the Liberal elite...

Laughter

I do suspect that Andy Darken, once again, master of the dark arts is somewhere behind this.

Laughter

**ANDY DARKEN – DEPUTY GENERAL SECRETARY, NEC:** Don't keep looking at me.

Laughter

**PJ MCPARLIN – NATIONAL CHAIRMAN:** And I only thought it was God who said, 'Let there be light' but never mind. And, yes, the Liberal elite, the person who supports the darling of the prison Liberal elite, Justice Minister Gove states that he has absolutely no intention of sending fewer criminals to prison. Now, Mr Gove appears to be transfixed by the Right on Crime movement that's coming from the good old US-of-A, in which public safety, yes, remains the core responsibility of government, but that theory and theme reinforces the best possible results but at the lowest cost. But there does remain opportunities to reduce the size of the prison population, to end overcrowding, to ease the pressure in prisons, to facilitate proper engagement, dynamic security and provide the opportunity for illusive rehabilitation. But these opportunities need political will, the political will to empty prisons of non-violent prisoners and short-sentenced prisoners, to differentiate between the violent and the non-violent on remand, to place the mentally ill where they can be treated appropriately, to force through international treaties for the repatriation of foreign nationals. In my prison locking up circa 1600, sometimes 1650, 750 at Wandsworth are foreign nationals. Any number of those foreign nationals can't communicate in English. Now, that's almost an impossible task for the staff at Wandsworth and that's replicated elsewhere.

And then we had the closure of Holloway Prison, now that points to mixed messages, it's not a Victorian prison, it makes no sense whatsoever... and I take the opportunity to commend the work of the Holloway committee for their professionalism and support for their members during the closure process.

Let me touch on radicalisation in prisons. A review was commissioned by the MOJ into extremism in prisons. The main question of that review: Does NOMS have the capability to respond to the threat? When I joined the Prison Service in 1982 prisons were seen as a recruitment area for the far-right, and that hasn't gone away. Nevertheless, if Jihadists and purveyors of hatred cannot be controlled when under the jurisdiction of the state in prisons and prevented from causing problems, prevented from causing harm, then questions do need to be asked. The Quilliam Foundation think tank suggest that imprisoned Muslim extremists should be segregated within prisons to prevent radicalisation. Currently there are 12,000 circa Muslims who have their religion as Muslim, there are only 100... I say only, 100 is too many, 100 in prison for terrorist related offences. And it's not that simple. Following your chosen religion in prison can help to reduce the likelihood of future offending, and criminal and gang-related behaviour often uses the Muslim identity as a cover, but yes, there are those within our prisons who seek to radicalise others, and yes, there are terrorists in our prisons who pose a risk in prison and on their release.

So what are the solutions? Well, I'm not claiming to have the solutions but we need to be able to support the Imams if we're able to challenge behaviour, if they're able to challenge behaviour. We can't have self-appointed prisoners running the show and taking the lead. We need dynamic security but that interaction needs staff, staff to be available to do that work, to build relationships between prisoners and staff, to be confident in their workplace and trained to spot the signs of radicalisation. In this context and in other contexts benchmarking ratios are dead in the water. And I remind you of the *Gate Lodge Extra*, it's there, 30-1, 20-1 means absolutely nothing, you look at the circumstances of your prison, you look at the building, you look at what you're being asked to do and who you're being asked to do it with. Prisoners of whatever faith need to feel safe in prison, if they don't they'll seek protection from others, from gangs or extremists and then they'll be coerced,

on occasion, into senseless violent acts.

Where I come from in Wales there's a place called Frongoch ... get my teeth round that one carefully. It's now a ploughed field but in the 1920s it's where they put the Republican prisoners from Ireland, it wasn't a good idea then because they built and they used and they skilled each other in that place and went forward as a trained unit. I don't think it's a good idea to have a Muslim prison and we're asking government to think again.

Pay. The self-serving Pay Review Body have again ignored their own findings from their visits to prisons in England and Wales. Non-consolidated award is unacceptable for closed grades and at below inflation award is unacceptable for F&S grades. This year we've also seen the introduction of the first deployment scheme and differential rates of Payment Plus through various bonus schemes. This is a mishmash of policies and initiatives, born out of the chaos of mismanagement and policy failure. Annual Conference motion Frankland, 72 of 2014 has been enacted and took effect from 7 May for one calendar month, and I will remind you of the motion:

On a date, and for a period determined by the NEC, all POA members withdraw from the PB database. No POA members to work Payment Plus for one calendar month. This strategy to be repeated increasing the time period as required by the NEC with a view to introducing proper overtime rights.

As a trade union we have a right to persuade members to follow policy. The Executive also remind members that Payment Plus is voluntary. Now, we accept that this can be, on occasion, divisive, that in some prisons there may be resistance, but to quote the mover of the motion in 2014, Steve Jackson of Frankland, as he said in the speech on there, 'Do nothing, you'll get nothing'. The NEC will report back on progress.

Alongside motion 72 of 2014, at the TUC Congress in 2015, Congress accepted that affiliated unions need to unite in a coalition resistance and campaign together and take action, where possible, to ensure the pay cap is challenged. The POA have signed up to that motion.

Pensions. History lesson I'm afraid. Let's go back to 1877, prisons were put under the control of the Home Office and with it came a national staffing structure. Prison staff became Crown employees for the first time. Prison officers have had century funded pensions by acts of parliament dating back to 1878. Following strike action in 1918 by the then National Union of Police and Prison Officers the government setup the Prison Officers Superannuation Committee, and I'll read what Mr Baldwin had to say in parliament in 1919:

The committee decided that a case had been made out and that special treatment was due to this class of workers on the ground that the members may well understand the arduous duties in prisons and criminal lunatic asylums. This tended to cause more wear and tear to those responsible for carrying out the work than almost any other work in the civil service. The unanimous report of the committee for the House of Commons was that whereas normal retirement in the civil service is optional at 60 and compulsory at 65, for these officers' optional retirement should be 55 and normal retirement is 60.

There was then little alteration up until 1987 when Fresh Start brought with it a pension age for new starters of 60, in 2002 there was the introduction of the Classic Plus and premium schemes, in 2007 a pension age of 65 for new starters and then the seismic changes of 2012. The POA held protest meetings in 2011 and protest action... I've always got to be careful of the word I use for that, protest action in 2012 in which 80% of the membership took part. The survey by Professor Gail Kinman reported that the majority of respondents expressed concern that working beyond the age of 60

would adversely affect their ability to do their job, three-quarters indicated that working after 60 would impair their job performance very much, only 4% indicated that it would affect them a little or not at all.

Conference, in accordance with the March 2015 NOMS POA Agreement a joint business case on pension age has been submitted to the Minister, that joint business case is a part of ongoing negotiations on prison reform, these negotiations are on a without prejudice basis and the Executive will update the membership when in a position to do so. But, Conference, a grown up conversation will have to take place. The old refrain of 'what do we want? We don't know' will have to be addressed. I have members wanting to retire at 60, I have others looking to retire when they choose to retire. My view is simple, we have a right to retire from the workplace, not die in the workplace.

Violence. I'm often told there's no single cause of prison violence. Well, if you leave aside the obvious truth, the prisoners are responsible for violence, then OK, their motives and the causes can be varied: drugs, bullying, debt, radicalisation, staff members, benchmarking, the failure to provide new ways of working, regimes, constant change that we face. What is not in doubt is that violence is out of control in many establishments and the impact is life-changing on a personal level and destabilising in terms of stability and rehabilitation outcomes. Prison regimes are not operating with consistency, management systems are not supporting staff, clarity and predictability in workforce planning has been wanting, decision-making has been haphazard and overall there has been a failure to address risk. NOMS violence reduction project is well meaning but largely ineffectual. NOMS, as ever, over-promise and under-deliver. It can be no surprise then when workers take reasonable steps to protect themselves within legislation. Wormwood Scrubs withdrew to a place of safety on Friday and Mike Rolfe and Andy Darken attended the workplace to support and provide advice for the membership there. Well done Wormwood Scrubs, and I will give you the opportunity, during the week, to update Conference at a suitable moment in the agenda. It might well be just before the Shadow Prisons Minister speaks. That might be the best time.

An injunction was threatened and avoided when the membership of the Scrubs agreed a compromise, and thanks within that too for the efforts of Neil Johnson, our in-house legal advisor, and our instructed barrister on the day. And yes, Francis O'Grady of the TUC and honorary life member John McDonald for influence to bear. Steve Gillan and Ralph Valerio played their part in reaching that compromise. I wasn't much help to them as the POA phone provider decided to cut my phone off a week early, which wasn't particularly helpful when I managed, after two or three hours in the phone provider, to get it switched on, to find out that my name was on a threatened injunction letter and I didn't know a thing about it. But we got there.

Going forward, I remind the Union of the need to take care in preparing minutes of meetings and the content of emails. All will be disclosable in court. Inadvertent comments can prove fatal in injunctive proceedings. We also must emphasise the need to have the chain of evidence, to give our barristers a chance. Cell searching records, random searching records, mandatory testing records, figures and outcomes, 213 records, perimeter patrol details, adjudication details, witness statements. We need to put markers down as NOMS will come back with resource and complexity issues. An unacceptable excuse but an excuse that they will use. We must prove that NOMS knew or recognised the risk but have refused to do anything about it. It is the employer who has to learn the lessons from the workplace when assaults are averaging 14 a day, when serious assaults are at 24% and now we have the Prison Ombudsman reporting that 39 deaths were attributed of prisoners to NPS in a two-year period, up from 19 in the previous two-year period.

The first priority for Michael Gove, he tells us, is that prisons should be safe, secure and decent and free from violence. We have told the Justice Secretary that our members are stressed and brutalised by their working environment. MP Bob Neill, Chair of the Justice Select Committee, has said, quote: 'My concern is that the senior management of NOMS do not always give the impression that in their operations on the ground they have worked through in practice the assurances they have given to us in the Select Committee and elsewhere.' That's a damning assessment by their own

parliamentary select committee. Attacks on prison staff are an attack on society and yes, sentencing is beginning to reflect this, but we must have specific action to tackle violence in prisons. This Executive and this membership say to the Justice Secretary yes, there needs to be adequate regimes for prisons, but the POA represent prison staff and the Union will protect its members.

Autonomy. Announcements on autonomy are expected in the Queen's Speech next week. Now it comes with a health warning, because obviously sometimes they change their mind and we've seen recently a bit of a dilution on the schools' academy project, so sometimes I don't think the left hand knows what the right hand's doing but we do expect an announcement next week. According to the government, don't shoot the messenger on this one, governors who join NOMS with idealism are to be given more freedom to do what they do best ... I said don't shoot the messenger. They want them to be academy principals, chief executives and clinical directors of NHS foundation trusts. That's the comparison. According to the government, school academies and foundation trusts have shown, with increased autonomy within a structure of clear accountability, they can achieve significant improvements. Now back bench Conservative MP Philip Davis, in response, wondered if Michael Gove had gone native in record time, and that a number of his plans were, quote unquote, 'barking mad'. We shall see. But if we look at the comments made by Michael Gove on the 16<sup>th</sup> of March of this year, to the Justice Committee, he says a number of interesting things about the POA. When questioned about autonomy he says, 'If in individual circumstances there are particular regimes that local branches and prison governors can negotiate, which suit all the individuals and at the same time respect the national bargain position of the POA, great.' I say great as well Michael. 'I want to work' he says, with the Prison Officers Association and allow governors to work with their local POA branches to ensure that appropriate provisions are there. I do not want to move away from the current national pay approach. The Prison Service pay review body,' which I know that this association has not always been a fan of. And he says, 'I do not want to get into a situation where we are anything other than engaged in cordial and constructive dialogue with the POA.'

Negotiations are taking place and I am aware that there's a motion on the agenda which it would be wrong of me to go into, but we will need assurances, we will need more than words, we'll need sound assurances to enable us to protect our members and the trade union from something that really is a bit of a mystery at the moment, even to NOMS. I'm not entirely sure that NOMS are in favour of the project, because of course it's a direct attack on the nice little hegemony that they've got with their friends and colleagues.

But Conference, let's just remind ourselves of what we do as prison officers and related grades: we face danger in the course of our duties; we're expected to put ourselves at risk in order to protect members of the public and property; we're required to present ourselves for duty when ordered to do so; we have restrictions placed on our private lives and business interests; we are prevented by law from taking part in industrial action; we exercise a substantial number of statutory law powers including the power of forcible arrest; we're accountable for our actions or inactions on and off duty.

I don't know about you, but I am heartily sick and tired of government ministers trashing the reputation of hardworking public sector workers, whether it be prison staff, police officers, teachers and now the junior doctors. We work for an employer who constantly states that they want to change your working conditions, hours of work and attendance patterns, salary and pension arrangements. We are engaged in a fight but we remain determined to succeed in shaping our future. Our values in this union have served us well as organised labour for almost 100 years. That's why we will succeed. That's why we always seek solutions rather than headlines, but if headlines are required then we will write them.

Uncertain and difficult times define a trade union. I'm confident that going forward the POA will be defined by successfully dealing with the issues we face.

Thank you very much Conference. Let's move business.

Applause

Conference, Steve Gillan will now move the finance report.

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Thank you Chairman, Conference, Colleagues, it is now my duty to present the Union's accounts for the year ending the 31<sup>st</sup> of December 2015. Conference, I've not received any questions as per rule 12.17 on the audit accounts for 2015, so I will commence with the income of the Union. There was a small fall in membership during the year of 300, which meant subscriptions income was down £23,000. Contributions from the Relief Fund and Political Fund fell by £196,000, which after allowing for a £3,000 increase in endorsement receipts, accounted for an overall drop in income of the Union for the year of £216,000. Despite this substantial fall, we were still able to generate a surplus for the year of £71,000 and I will now highlight the areas where significant savings were made. The magazine costs and the cost of the diary and memorabilia fell by £24,000; salaries and superannuation costs fell by £91,000, predominantly because of reduced staffing at Lindon House, and the resignation of our in-house accountant. There was no Special Delegate Conference held in 2015. Reduced travel and meetings costs of £23,000 and a £9,000 reduction in printing, postage, stationary and telephone expenses was also achieved in 2015. The largest saving was in our legal and professional costs, which was in excess of £206,000 and allowed us a rebate on £1.2 million cap with Thompsons. These above cost reductions totalled in excess of £371,000 but were partially absorbed by a £79,000 increase in our contribution to the Provident Benefit Fund and additional costs in running an Advanced Branch Official Training Course.

Conference, overall the surplus for the year was a pleasing £36,000 higher than in 2014 and exceeded £71,000 for the year end 31<sup>st</sup> December 2015.

Turning now to the balance sheet, with fixed assets our properties were revalued during the year which resulted in a reduction in value of £137,000. Lindon House fell in value by £59,000, as did Calder Road. Again Cronin House rose in value by £120,000. Our net current assets rose by £221,000, principally through a fall in creditors due within one year. The overall net assets of the Union rose by £71,000, being the surplus for the year, which now stand at £4,444,000.

Looking forward, Conference, whilst I anticipate costs across the board might increase by over £100,000, this should be fully cushioned by a contribution from the Relief Fund of £33 per month per member. In addition, we now have a self-insured fund on a legal basis which currently stands at £668,000, which should be sufficient to cover adverse cases going against the union in any foreseeable future actions. Happily, the recent court case was won in the high court and you'll hear more on that during the course of the week. But had the ruling gone against us, in that case, the self-insured fund might have been absorbed in just one case, so that shows you even though we had £668,000 in there, that one case had a massive potential impact on this Union. As I say, you'll hear later, on Wednesday afternoon, from Doug Christie of Thompsons, in relation to that particular case.

Conference, it's a decent balance sheet for the end of 2015 but no one should get complacent. This Union is no different from any other union. We're suffering the government cuts just the same as any other public sector union and I'm proud to be part of the Finance Committee that intensely look after your money in a guarded manner but with the same principle that we will not just cut costs so as that it makes this Union ineffective. But where we can, we will make savings and when we can't we will spend that money that you've invested in this, because we're not a profit-making organisation. We're a trade union that must spend money on your behalf to ensure that you are protected and our members are protected at every turn. So Conference, as in keeping with previous finance reports, in the interest of transparency, even though we have had no direct finance questions under the rules and constitution, the National Executive Committee expense

sheets and fulltime officer expense sheets have been brought to Conference. If any delegate wishes to scrutinise them on an informal basis, we can do tomorrow or come and see me any time for a viewing of those individual NEC expense sheets.

Conference Chairman, that is the finance report.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Conference, can I have a show of hands, all those who accept the finance report please show. Any against? That's carried, accepted.

Steve are you going to move the annual report?

**STEVE GILLAN – GENERAL SECRETARY, NEC:** I'll move the annual report or the Welfare Fund, whichever you want first, Chair.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Go for the Welfare Fund.

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Chair, Conference, happy to move the POA Welfare Fund. As you know, this fund was set up many years ago to protect our members in times of difficulty, and when they set up the fire fighters' charity as well we amalgamated that in effect into the Welfare Fund so as that you were protected as well. Conference, I'm pleased to say, even with a small fall in membership, with together Gift Aid thereon totally £1,277 was more than compensated for by a £5,000 increase in the grant from the Civil Service Insurance Society. Grants and other costs paid out increased by £18,000 from the previous year, but still enabled us to uplift our reserves in the bank to a very healthy £555,000. It was agreed not to tie up any funds in the short term as the anticipated return would be negligible and the risk reward not acceptable in the current economic climate. This decision was endorsed by the CSIS Charity Fund comment that they supported referrals to the Fire Fighters Rehabilitation Centre, which in the year cost the POA Welfare Fund in excess of £60,000. And this was an expense that the trustees considered should be continued well into the future. A letter that I have received from CSIS Charity Fund states the following:

Our 2016 Grants Meeting has now taken place and I am very pleased to tell you that the Trustees approved a grant of a further £15,000 for the POA Welfare fund. Trustees noted that last year £9,000 of our grant was used to fund referrals to the Fire Fighters Rehabilitation Centre for members who are not at work due to an injury or illness. Trustees consider this is a good use of our grant and therefore invite you to submit an application to help fund further referrals.

As you will be aware, the CSIS Charity Fund is an independent charity linked to the Civil Service Insurance Society, a not for profit insurance intermediary which markets insurance products exclusively to civil and public service. The charity's income comes entirely from the annual trading surplus of the Civil Service Insurance Society, plus the investment of its reserves. Virtually all CSIS's annual trading surplus is paid into the charity under a deed of covenant. The money is then distributed to a wide range of organisations, mainly but not exclusively civil and public service charities, putting the money back into the community from which it originated.

The two organisations create a virtuous circle, customers to the society benefit from good quality insurance at competitive prices, and the profits benefit a wide range of charitable good causes instead of going into the pockets of shareholders.

The Trustees therefore welcome publicity and recognition of the grants we make to charities and of the link with the Insurance Society on which our success depends. To this end, we expect our grants to be mentioned in the newsletters, magazines and websites which charities produce, as well as the annual reports and statements of accounts. It would be helpful if you could forward to me any examples of references to our grant.

So I'm pleased that I've been able to read that letter out and we thank the CSIS Charity Fund for once again granting us the monies that actually go towards assisting our members in the time of need. So Conference, that is the Welfare Fund report for 2015.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Can I have a show of hands, Conference, on whether you ... all those in favour of accepting the Welfare Report please show. Any against? That's accepted.

Steve, would you move now please to the Annual Report?

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Yes, thank you Chairman. Conference, as you're well aware we used to bring the POA annual report to Conference. As a cost-cutting exercise what we decided to do was just put it online on our website. We would ask you to make good use of it, because over the years it has been an excellent reference document of all processes that the Executive and fulltime officers, the meetings that they go to and so forth, the POA circulars, and I'd like to thank the Executive and the FTOs for the work in relation to putting this good reference document together, and the support staff for assisting in that process. I urge you to accept the annual report. Thank you Conference.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Conference. Once again, can I ask you for a show of hands if you accept the annual report. Please show. Any against? That's adopted. Thank you Steve.

Before we go onto motions, the Bullingdon appeal motion which has been successful will be placed at 52a.

I'm assured, on this occasion, by Standing Orders, lunchtime will be a defining moment! If you come back up here after they have been distributed, I'll be very disappointed myself. So 52a.

Conference, we're moving into the rules and constitution section, first section traditionally, obviously, on our order paper. This requires, I remind you, a two-thirds majority. Two-thirds majority on motions 1 to 5.

First motion, NEC, Mike Rolfe. I'm reliably informed Birmingham to second.

## **MOTION 1**

*That Conference amend rule 2.1 under Objects & Powers by the addition of;*

*(n) Emulate any improved benefit or achievement with an employer with all other employing bodies for POA members such as pay and pension age.*

## **NEC**

**MIKE ROLFE – NEC:** Chair, NEC, Conference, speaking on behalf of the executive, urging you to support the NEC motion, motion 1. The motion speaks pretty much for itself so I'm not going to labour the point. What we're asking for Conference to do is to amend rule 2.1 under objects and powers to include extra point to emulate any improved benefit or achievement with an employer

with all other employing bodies for POA members such as pay and pension. I see my colleague from Birmingham has sat down there and I'm sure he'll have some interesting stories about some things that have happened at Birmingham. But this is the Executive seeking your approval that if we achieve a victory with one employer, whether that be at all sites that employer has interests in or whether it just be at one particular site that employer has interests in, that we're able to take that achievement and try and achieve it for all of you. And on that point I'll say please support the motion. Thank you very much.

**BRIAN CLARKE - HMP WINSON GREEN BIRMINGHAM G4S:** Good morning Chair, Conference, NEC, honorary life members and guests of Conference. Here today with my best of friends Aidy Watts, and both of us on facility time.

Seconding and supporting the motion. We've looked at what's been shared by us with the NEC in the five years since G4S took over. Body-worn video cameras one measure, and a measure introduced to us by G4S instantly recognised as a useful tool to de-escalate violent situations with prisoners. Shown and demonstrated to Andy Darken, who began a campaign to introduce them into gaols around the country.

The wrist protection band, common in escorting services up and down the country. Simple protection for all staff when using physical restraints on prisoners. A campaign which as yet has produced no results. Then of course consolidated pay awards over four successive years that make staff of Birmingham who transferred under TUPE in October 2011 the highest paid prison officers in the UK. Not huge awards, not even cost of living awards to be fair, but something more than was allowed by Treasury for public sector workers. An attendance bonus, non-consolidated, then in 2015 a pay negotiation that resulted in a 2% pay award across the board, consolidated and pensionable. A salary sacrifice option for all staff and a sacrifice of a small reduction in the accrual rights on their pensions for a retention across the board of a retirement ages of individuals on their individual contracts. That is to say I still have the privilege of going at 55. It's a few years behind me but people of my ilk still have that option. They have the option to go at 60 and 65. We have not been pushed to 68 as the public sector has. A small reduction by the way that will make no difference with small consolidated pay awards over a small period of time. All fine and good so far.

However, staff at Birmingham recruited since the transfer in 2011 have completely different contracts of employment, completely different terms and conditions of employment and much lower wages. Wages £8,000 a year behind the top salaries of staff that they work with on the landings; no payment plus, just standard hourly wage for undertaking the same additional hours; no travel expenses for attending bed and constant watches; less annual leave; no boots and shoes; no battens anywhere in the country save for Birmingham; and most distressing of all, no pay for the first three days of any absence unless of course it was an absence through assault or injury at work.

Staff at Birmingham also have an employer who will dismiss rather than show a care for, who will place prisoner welfare and their reputation for managing custodial places over their care of duty for the staff who work in their prisons, over the health and safety and their staff.

I enthusiastically support this motion and when doing so I emphasise to you, Conference, and I emphasise to our Chair and our NEC that when this motion is passed, it is a promise and a contract to all members in public sector employment and, more importantly, members in the private sector, that this union will campaign for equal pay for all workers in the *industry that we work in*; that this union will campaign for the same terms and conditions of employment for all workers in this industry that we work in; that this union will campaign for the same personal protection equipment for all employees in this industry that we work in; that this union will campaign for the health and safety of all workers within this industry that we work in.

Conference, it's a no brainer. This is acting as trade unionists. Please don't come to the rostrum with qualifications or conditional support. Bring your wholehearted support and support this motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Conference. Mike feels no need to come back, so I'll go to the vote. Do need a two-thirds. All those in favour of motion 1 please show. Those against. That's carried. Motion 2, Wormwood Scrubs. Can I ask you to come up to the rostrum to do that, Scrubs, please?

## MOTION 2

*Amend rule 2.2 (a)The Union may do anything incidental or conducive to any of the objects including (but not limited to):*

*a) Affiliate to relevant bodies, excluding the Trades Union Congress*

## WORMWOOD SCRUBS

**UNKNOWN SPEAKER – WORMWOOD SCRUBS:** Thank you Chair. Conference, Wormwood Scrubs would ask that you allow this motion to be withdrawn.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Scrubs. All those who give Wormwood Scrubs permission to withdraw the motion please show. Anyone who doesn't? That motion is withdrawn.

## MOTION 3

*Currently rule 10.10 reads,*

*Rule 10.10 The National Executive Committee will conduct the business of the Union in accordance with the policy laid down from time to time by Conference, unless these rules provide differently. We ask Conference to amend this rule to read,*

*Rule 10.10 The National Executive Committee will conduct the business of the Union in accordance with the policy laid down by Conference.*

*If a motion has been passed by Conference then only Conference can either, set the motion aside or instruct the NEC in its disposal.*

## PARKHURST

Motion 3, Parkhurst. Is there a seconder for the Parkhurst motion? Albany, thank you.

**DICK KNOX – BRANCH SECRETARY, PARKHURST:** Morning Mr Chairman, NEC, Conference. Currently rule 10.10 reads that The National Executive will conduct the business of the Union in accordance with the policy laid down from time to time by Conference, unless these rules provide differently.

We ask that that rule is amended to read: The National Executive Committee will conduct the business of the Union in accordance with the policy laid down by Conference. If a motion has been passed by Conference, then only Conference can either set the motion aside or instruct the NEC in its disposal.

At last year's Conference, Holme House brought motion 20, which read that the NEC inform NOMS that any compulsory redundancies or enforced transfers or compulsory detached duty following over-recruitment above Prisons Benchmark TSF will result in a ballot of members for industrial action up to and including strike action. That motion was carried.

POA Circular 65 of 2015 was promulgated on 12 August where the Executive decided to set aside that Conference motion based on an agreement with NOMS of a new protocol. This protocol apparently increased the opportunity for bumping within region and opened up the system for more volunteers. It did not stop staff being ordered on detached duty, and therefore cut straight through the intent of the motion. I believe the new protocol promised to keep a record of all staff instead. It's a reasonably safe bet that there are no names on that list, 'because I haven't heard of any.

I do understand that power is invested in the NEC when Conference is not sitting, but to completely disregard the intent of a Conference motion cannot be right. If the Executive can set aside any motion they choose, then what is the point of us sat here at Conference. I've no doubt the NEC will explain that we will tie their hands completely in any negotiations. They will explain, I've no doubt, that they would have enacted motion 20 had they had a complaint from a member about being forced on detached duty prior to the agreement with NOMS. I do not believe that there has not been a member forced on detached duty because we were told different when we rang the branches and we at Parkhurst made a pre-emptive complaint based on the fact that our management told us they were about to order our members. So please support the motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Glyn Travis for the NEC.

**GLYN TRAVIS – ASSISTANT SECRETARY, NEC:** Good morning Conference, Chair. The National Executive Committee asks you to reject the motion. Dick, as my colleague, know him well, has said everything really. If you want to have a policy that is so perspective that the National Executive Committee cannot do anything with it other than to follow it to the letter of the law, then support the motion. Bring about a rule change. And then the National Executive Committee can sit on their hands and say, 'The policy of this Union is that unless we get £50 for PP we accept nothing less.' And NOMS come up and say, 'We'll negotiate with you and put a joint submission for £49.99' and what do we say? 'No.' Conference, I understand fully what the branch is saying in relation to being perspective and the fact that the National Executive Committee have not enacted a policy, a policy that you determined at Annual Conference when you come here and you vote.

Unfortunately, Conference, the real world is that sometimes the National Executive, people that you elect, not me, I'm an employee, I don't make decisions, but they have to make a judgement call. And sometimes that judgement call is the fact that yes, they do not do as you have said prescriptively, but they do not do it maliciously; they do it because it's persuasive at the moment in time. We can all turn round and quote a particular policy of this Union, a particular motion that this Union has accepted. Yes? I could quote Durham, Albany, Parkhurst, Liverpool, Wormwood Scrubs, how many motions could we quote where there is a particular policy that we have to have, that the Executive have set aside because in the interest of the wider membership it is the right thing to do.

So if you want to tie the hands of the Executive, and determine that whatever you say at Conference we have to spend £55,000 to have a new Special Delegates Conference to change that policy rather than waiting back and coming back the following year and giving an explanation to Conference, then support this motion. But if you do, Conference, we will quickly be bankrupt or we will become completely ineffective as a trade union. And I say that for this simple reason: we should all be queuing at the gate at the start of our shift. It's Conference policy. It was brought by Wakefield and if my memory serves me right was 111 of 95 by ex-General Secretary Brian Caton. How many of you set that policy aside every day? And on that note, Chair, I ask you and Conference to reject the motion. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Parkhurst to come back?

**DICK KNOX – BRANCH SECRETARY, PARKHURST:** Conference, this here is the ruling body when sitting.

It's not for the NEC to make an agreement which cuts directly through the intent of the motion. It's alright Glyn, bless him, saying it ties our hands, it does whatever it does, but you cannot go against the motion. Set it aside by all means and do whatever you have to do with it but do not make an agreement that cuts straight through the intent of the motion. The motion was quiet clear, from Holme House, if you do this we're going to do that. We will ballot for industrial action. You cannot then go ahead and make an agreement and a protocol which allows them to do it. That is wrong. Support the motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Parkhurst. All those in favour of motion 3 please show. Those against? That motion is clearly lost on the two-thirds majority requirement. Motion 4, Low Newton. Is there a seconder? Bullingdon, thank you.

#### **MOTION 4**

*To add to Rule 12.5 at paragraph f:*

*Each consultative committee can bring motions to conference on matters affecting the membership of this union up to a limit of 10 motions.*

*These motions to be agreed at the last quarterly meeting of the committee.*

#### **LOW NEWTON**

**DAVID TENNICK – BRANCH SECRETARY, LOW NEWTON:** Chair, NEC, delegates, motion 4 reads: To add to Rule 12.5 at paragraph f: Each consultative committee can bring motions to conference on matters affecting the membership of this union up to a limit of 10 motions. These motions to be agreed at the last quarterly meeting of the committee.

Low Newton brings what we believe to be an important motion to Conference to allow us to promote our members' wellbeing by increasing the status of our consultative committee who represent sections of this union. At the current time our consultative committees do a good job in difficult circumstances, especially with the reduction in facility time. If Conference will pass the motion, you will allow all our consultative committees to bring important motions to Conference which can improve the working conditions of those members the committees are set up to serve, whether it is those working in the high security estate, operational support grades, health and safety, equalities, nursing and health committees. Other unions, such as Unison, allow this within their rulebook so it's nothing new.

We believe that this Union is to be at the forefront of protecting our members from the increasing uncaring employer who, to be honest, does not care one iota about yours, mine or our members' wellbeing. We need to use all our tools at our disposal available and allow those who represent our members to put motions forward which will improve our members' working lives. Our members from the field who sit on these committees do not all attend Conference and not all of them undertake any other local roles, and this will allow those committees to bring forward important issues for Conference to discuss and vote upon.

We do not seek to circumvent the rules; merely to enhance the roles of the consultative committee committees to help to represent our members. That is all. That is why these committees exist.

Please support this motion and allow consultative committees to assist every member of this union. Our strapline for Conference paper 3 states, 'Shaping our future'. Please help this union to do this by supporting us. Thank you.

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** I'm very happy to second this motion. I am a

member of the Health and Safety Consultative Committee for the POA. We meet quarterly, we discuss issues affecting health and safety, around the Whitley committees, and those that come in from the membership. It seems sensible to me that if you get a group of people together as a consultative committee to look at particular issues around certain parts of our Union, then why not allow them to band together and put together motions that are driven from that consultative committee that would enhance our Union.

We had a similar motion a couple of years ago which failed. This is a better motion. Please support the motion.

**STEWART MCLAUGHLIN – BRANCH SECRETARY, WANDSWORTH:** Chair, NEC, Executive, I sit on the POA Equalities Committee. We are a small committee taken from the field, have our conferences by video link and we attend the TUC on your behalf. Black Workers Conference, Women's TUC, LGBT and Disabled Workers. We are seen by a lot of the larger unions as being yes, quite small. We get up and speak on behalf of you all and all of those from those various groups. I would certainly welcome the facility that we could place motions on behalf of the groups that we represent on the equalities committee. So please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ralph Valerio for the NEC.

**RALPH VALERIO – VICE CHAIR, NEC:** Thank you Chairman. Conference, on behalf of the NEC I would ask you to reject this motion. As much as this is a well-intended motion from Low Newton, it just doesn't fit with our present structure, our framework of union organisation as a representative body. We have consultative committees for a reason and by definition their purpose is to be consultative. Their primary role is to advise and to shape policy via the National Executive Committee and through the respective national representatives and affiliated bodies, as we do right now through our consultative committees with the TUC. Our consultative committees already take motions to the TUC on an annual basis and have the capability to be influential throughout the trade union movement. They also have the avenue of having NEC officials as chairmen, chairpersons, chairwomen, of those committees, where they have direct avenues as shapers of policy, s creators of policy, via their NEC officials, to shape what NEC motions may appear before you on your order paper every year at Conference. They also have the opportunity of every single member of the consultative committee is able to take any decision making or any motions that they wish to pass back to their own branches, seek a democratic mandate from the branches in line with the constitution and be able to bring it, via their branch, onto the order paper to be discussed at Conference like this very motion today. And that really is where the sticking point really lies, because constitutionally, Conference, we are obliged to seek a mandate in order to get a motion onto the order paper, and that's why I'm stating in our present format it is unfortunately the case, but I will have to ask you to reject because a representative consultative committee is not able to seek a mandate from that consultative committee as in line with the rules and constitution and Conference paper 3 of 2015, where a mandate has to be sought by means of the membership. So ultimately, Conference, for the reasons outlined, it is a well-meant motion and if you want to have a look at, have an explanation of restructuring, of how we do things, this is a National Executive that are keen to have that discussion and you have a Conference paper in the pack to discuss restructuring, but in our present format this is motion does not fit, so unfortunately Conference I would ask you to reject. Thank you very much.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Low Newton, do you want to come back? No. Conference, all those in favour of the motion please show. Those against. That motion is lost. Motion 5, Birmingham. Is there a seconder for the Birmingham motion? Oakwood, thank you. Just in time, Oakwood. Getting worried there, Brian.

**MOTION 5**

*Conference accept Conference Paper one which sets out the rules to establish a Private Sector Services committee.*

**BIRMINGHAM (G4S)**

**BRIAN CLARKE - HMP WINSON GREEN BIRMINGHAM G4S:** Thank you for that nervous moment Oakwood! Chair, NEC, Conference, honorary life members, retired members and honoured guests, here today on facility time.

Laughter

Moving motion 5: We as Conference do accept Conference Paper one which sets out the rules to establish a Private Sector committee. You will have had Conference papers by way of separate packages or they are at the back of your agenda. Some of you might even have had time to read them and understand them. If you haven't and you're sitting waiting to be persuaded, let me clarify the situation and make it easy. The motion is asking for the change in the rules in constitution of the union to facilitate a very important direction for the union, a very important direction for our NEC and fulltime officers: the formation of a private sector committee. The conference paper, let me say, is hardly any work of my own. It's a reprint of conference paper two from the Special Delegates Conference at Southport 2013 with a very few additions, additions given on the advice of our fulltime officers in a meeting in London just before Christmas. Conference paper two at the Special Delegates in 2013 was accepted by ballot and it was voted on by yourself or your peers. It is a wordy document and work within it was recognised and appreciated.

Unfortunately, the conference paper did not address necessary changes to the rules and constitution that would allow the appointment of such a committee. This was recognised by Birmingham in 2015 and it was addressed in motion 79 of 2015. In a not unusual moment of uncertainty it was pointed out during Conference that year that the motion was not placed correctly on the agenda and Birmingham agreed to withdraw motion 79 to allow the issue to be brought forward again within Conference rules with clarity and with the agreement of the NEC. And there we have it. We're asking for your support for a conference paper and a motion already voted on and accepted as the way forward, but this time with the necessary changes to the rules and the constitution so that it becomes achievable, and it provides the NEC and fulltime officers with a forum and with a structure to work for the benefit of all our members. It gives them the opportunity to grow the union. We listened to the finance report and we heard about the slight reduction in membership this year of 300. Well let me tell Conference that there are potential 10-12,000 members waiting to be introduced to the POA and to join the Union. They're all working in the private sector. That is the target, that is the aim of this conference paper. It's also, bearing in mind that 10-12,000 potential members out there, it is also worthy of mention that the NEC, the FTOs should consider the appointment of a fulltime officer for the explicit purpose of going to those potential members, going to those workers in their workplace and recruiting them to the Union so that we do represent all workers within the industry that we work in. Please support.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Andy Darken for the NEC.

**ANDY DARKEN – DEPUTY GENERAL SECRETARY, NEC:** Morning Conference, responding on behalf of the Executive. We support this motion, Conference. The theme of this Conference, shaping our future, is very relevant to this motion. This motion would help shape the future, particularly and strongly for those that do not work within NOMS. Brian mentioned there it's a growing sector of our Union and growing significantly. Indeed, one of our particular branches in the private sector, Tascor are here today, on facility time of course. They've grown over 20% already this year and potential to be one of the largest branches within this Union. The private sector must have a voice, whether we agree that prisoners shouldn't be in the private sector or whatever the establishment is, they are

there. They deserve equal representation and good and positive representation. This motion will allow us to take that forward. It's probably been too long in coming since 2013. I would urge Conference to support this and immediately on closure of Conference next week I will start the processes to put this committee in place. Conference, it is absolutely vital for our members that don't work within NOMS to pass this motion. NOMS ain't the only employer in town nowadays. Please support this motion, Conference. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Birmingham, do you want to come back? Conference, all those in favour of the motion please show. Those against. That motion is carried. Barlinnie, you're on. We're now moving to 84, 85 and 86. You will recall there was a change of placement in Standing Orders. You'll also notice that the first one is a debate, so no seconder required, and 85 and 86 are updates, so I will not be asking for a seconder for these three motions. Barlinnie?

#### **MOTION 84**

*Conference debate the changes to the latest pension statements received and the inference of us not getting the pensions that we are expecting.*

**BARLINNIE**

#### **MOTION 85**

*Conference are given an update by the NEC with regards to the 68 Is Too Late campaign.*

**BARLINNIE**

#### **MOTION 86**

*Conference are given an update by the NEC with regards to any legal advice received or made in relation to the commutation rate presently offered within the Civil Service Pension Scheme.*

**BARLINNIE**

**JIM MCCABE – BRANCH SECRETARY, BARLINNIE:** Chair, Conference, an element of déjà vu here. I think I've been given the floor discussing this. I've asked for the debate on the changes to the proposed civil service pensions. It's the same area and I'm going to do that again. I'm very wary of any changes that come with regards to our pension. As I've stated, I've never fully recovered from paying for a non-contributory pension. You'll be aware that our wages were settled lower than the police and the fire brigade because we had this non-contributory pension and this was changed by the government and so given this I try to keep my head above and then certain changes come I try to keep up to date. So on my civil service pension statement from 2015, so it's within this year really, there's two extra paragraphs added. What I wasn't aware of is that the projected pension is an illustration only. We've been pointing out to some of the members, they thought that they were set in stone, the kind of money that you were going to get, they thought they were getting, be it x amount for a pension, x amount for a lump sum. People just assumed that that was the money we're getting. If you look closely, it quite clearly says this is for illustration only, it's not a promise of the benefits to which you may eventually be entitled. However, this year that's in bold lettering, so my question is why the change? What changed? What have we got to be aware of? Is there something coming down the line that they don't know? Is the government going to change something else again? Why add another two paragraphs and why emphasise the fact that this is only an illustration and it's not a promise to the benefits?

I just believe that you should always be vigilant when anything comes through our doors and we do still put it up without reading it. We should take a wee bit of extra care and see if there's any changes. So the reason I'm bringing this is to see if anybody else had any of these concerns ... or am I just paranoid? If anybody wants to debate, thank you very much.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Barlinnie. Joe Simpson for the NEC.

**JOE SIMPSON – ASSISTANT SECRETARY, NEC:** Thank you Chair. Taking part in the debate on behalf of the National Executive. Can I thank Conference for the debate. It's given me quite a bit of information to take back to Cabinet Office. Conference, the changes that they're making come simply before, if you remember when we were going through the pension changes and they put the pension calculator letters onto the website and then when our members were putting them in, the figures in, they were coming out and then all of a sudden we had the best pension in the world. And that was down to the pension advisors within Treasury stating that they had to increase your pension by 4.5% because they didn't want to be taken to court later on down the line for mis-selling your pension. Since then MyCSP has been given a kicking not only by the trade unions but by Cabinet Office and by parliament, so when they say this is just an illustration, that's what they mean. So when you pick your pension up, when it's your protected benefit, it is an illustration of what you would receive if you retire at 60 based on your salary at that time. That is for the final salary pension schemes.

On the second one, the career average, they can't work that out. They can't work that out to the penny. They can only give you an illustration of what's going on. But I will go back to Cabinet Office and ask them why those two extra paragraphs are in there. Thank you Chair.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Joe and thank you for the debate. 85, Barlinnie?

**JIM MCCABE – BRANCH SECRETARY, BARLINNIE:** Chair, Conference, motion 85 that Conference is given an update by the NEC with regard to the 68 is Too Late Campaign. I understand that this could have been formally moved just to ask a question. However, again I think we should all be aware of why these things are raised. It's OK having catch phrases, and it's been 68's too late that trips off the tongue, but sometimes we get blasé about these things. I think we've got to ask ourselves why is 68 too late? The National Chairman touched on it earlier, back to 1918, there was a strike with the police and prison officers and this resulted in prison officer superannuation committee setting up that we'd get the 2 for 1 pensions in 1919. So up to 1987, people could retire at 55. Fresh Start came in '97 and people then went up to 60. I think we've always got to keep in our head that for almost 100 years' consecutive governments had recognised the complicated, dangerous and stressful job that we carry out for society, so while I'm only asking for your feedback, I think we should always keep these things in mind. Why is 68 too late and we shouldn't be blasé about it, we should be starting asking questions and starting reinvigorating the challenge we've got at local level. Thanks Conference.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Barlinnie. Joe Simpson for the NEC.

**JOE SIMPSON – ASSISTANT SECRETARY, NEC:** Thank you Chair. Speaking on behalf of the National Executive. Colleagues, you heard the National Chairman this morning telling you that the National Executive are in without prejudice talks with NOMS on prison reform. They've had a lot from this trade union, and it's only right that this trade union demand or ask for what we want. Part of the talks, and I've got to say they're without prejudice, part of the talks is the commitment from NOMS that if you're in agreement, and you will be agreement because it'll be down to you, there will be an intention to call a Special Delegates Conference and then we'll go to the ballot of the members, so the first stage of those talks NOMS have informed us that they will reduce the pension age from 68 to 65, it will be a cost of £10.2 million which NOMS will pay. What does that do for our colleagues up in Scotland? They will be asking the SNP for their commitment because they did stand up and the Scottish Prison Service have also on record and said that 68 was too late and they would wish a return back to 60. Conference, that's the update. As I say, this will be the future or this will be the part of the prison reform and it will come to you at a Special Delegates Conference and after that if you decide on that day is worthwhile, then it will go to our members. Thank you Chair, thank you Conference.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Joe. Barlinnie, 86?

**JIM MCCABE – BRANCH SECRETARY BARLINNIE:** Chair, Conference, motion 86 reads Conference are given an update by NEC with regards to any legal advice received or made in relation to the commutation rate presently offered within the Civil Service Pension Scheme. Conference will be aware that a retired fire officer brought a test case against the government's actuarial department claiming that they'd failed to review the commutation figures between the years 2001 and 2006. It was heard in his favour and people who retired between these years received considerable lump sums, so the question I ask then, if the mistake can be made for the police and the fire brigade, even though they're paid through councils and stuff, could possibly the same mistake be made with prison officers? So the question's out there, and I believe I've got an answer coming. Thanks very much.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Barlinnie. Joe Simpson for the NEC.

**JOE SIMPSON – ASSISTANT SECRETARY, NEC:** Thank you Chair. Speaking on behalf of the National Executive. We did send this away for legal advice and because of the fire fighters' pension is actually based on a percentage of their pension is commuted over into a lump sum, the civil service pension scheme is a figure and it is for every pound of pension that you give up, you get £12 lump sum, so therefore the legal advice was that we had no case to take. If I can, also had further legal advice and that was on the Age Discrimination when it first came back whether I hadn't asked the right question. However, they never came back and satisfied us. There is very slim chance that we could win an age-discrimination case but it's going to cost a lot of money. We are still looking at that avenue to see if we can get it back to what we were, because the case that we're looking at is of those people who were forced over into the Alpha pension scheme from Classic Premium and from Novus. Let me say there is a slim chance, we'll be exploring it further and if need be, Conference, we will have to come back to you maybe to look at what kind of levee in order to take this forward. Thank you Chair. Thank you Conference.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Joe and thank you Barlinnie. Good job the Finance Officer isn't here because I did hear mention of a Special Delegates there. He'd have been panicking.

We now go back through the booklet to motion 6, under the health and safety section. It's an NEC motion. Is there a seconder for the motion? Hindley, thank you. Terry Fullerton for the NEC.

## MOTION 6

*Conference demands that NOMS publish the Independent medical report into Second Hand Smoke in prisons as published by Professor John Britton.*

## NEC

**TERRY FULLERTON – NEC:** Thank you Chair. Chair, Conference, Terry Fullerton speaking to motion 6 on behalf of the NEC and seeking Conference support. Conference, since 2007 when the legislation was introduced to ban smoking in public places and the disgraceful decision was taken to give an opt out to the Prison Service to allow prisoners to continue to smoke in their cells and consequently making prison officers and OSGs and all those who work in the public sector Prison Service and private Prison Service have to attend work and be poisoned by inhaling second-hand smoke on a daily basis. Conference, by being subject to second-hand smoke since 2007 this Union has been fighting to have the decision to allow prisoners to smoke in cells overturned. It was this Union that forced NOMS to commission the air quality tests, the results of which have been published on the YouGov website. It's quite clear from those air quality test reports that the levels of second-hand smoke in public sector prisons and private prisons are above the World Health Organisation safety levels. Despite the fact that the evidence within the air quality test report is overwhelmingly

damning, NOMS further attempted to mitigate this by commissioning a further report from professor John Britton. John Britton who specialises in a field of medicine which unfortunately I haven't got the ability to pronounce, 'cause the word's too long, but he is a member of the Faculty of Medical and Health Sciences. He was commissioned to provide independent medical advice on the content of the Parsons Brinckerhoff air quality test report. The final report was produced in June of last year and has been withheld from this Union despite the promise of NOMS to publish it when it was produced. Freedom of information requests have been resisted and attempts by the NEC to have the report released have been stonewalled. So therefore, Conference, the NEC are asking you to support the motion demanding the publication of the independent medical advice. You have the right to know what's in that report. If, as NOMS is saying, there's nothing in that report that isn't in the Parsons Brinckerhoff air quality test report, then publish it. They will not publish it because there must be something in that report that is damaging your health when you're in those gaols inhaling the second-hand smoke. So Conference, please support the motion. Thank you.

**STEVE DOUGLAS – BRANCH CHAIR, HMP HINDLEY:** In support of the motion. Conference, it's well known fact that second-hand smoke is a killer. There have been enough reports carried out and evidence is plainly there to see. Being around tobacco smoke is bad for you even if it's someone else's smoke. When someone smokes a cigarette most of the smoke doesn't go into their lungs; it goes into the air, where anyone nearby can breathe it in. Tobacco smoke has more than 4,000 chemical compounds, at least 250 are known to cause disease. Second-hand smoke makes you more likely to get lung cancer and many other types of cancers and it's also bad for your heart. So why the hell, Conference, are we allowing ourselves to be subject to this? We are signing our own death warrants while this government is sitting there in smoke-free, air conditioned offices with all the damning reports because they're worried what prisoners might do. Well if prisoners are threatening to do something, lock them up. They're there to be punished, not to be wrapped in cotton wool. I'm sorry to say this, but I believe we, the POA, have not done enough. We should be refusing to unlock, refusing to have open door policies until this government acts in the name of its own downtrodden staff. The service has agreed that it needs smoke-free prisons. We'll see what happens when the new gaol in Wales opens, because we are a smoke-free prison. We were a split site juvenile and YOI and we re-rolled to a Cat C split site YOI gaol in 2015 with the plan to have us continue as smoke free. Within half an hour of our first prisoner landing, who'd been smoking all his life, we was informed by some nutter in NOMS that it was now a gaol that allowed prisoners to smoke. What an absolute disgrace. Not only do we put our staff at risk, we also gave those YOIs who'd not smoked before access to cigarettes. Honestly, beggars belief. I'll put a scenario to our members and put a scenario to you, Conference; if the governor ordered you into a damaged cell with asbestos you would refuse to enter, so why the hell do we go into cells with second-hand smoke? Both are killers. It's as simple as that. Conference, the policy of NOMS, the advice is about waiting for prisoners to vent the cell before you enter. This is un-policeable, un-practicable and not worth the hassle. Staff will be subject to once that door is open. With benchmark core days having open door policies the only real way to combat second-hand smoke is to ban it completely. We need to force this government to publish this damning report to protect our members from life-threatening diseases. We need those members who have contracted life-threatening diseases from second-hand smoke to take this government to court to bring this disgraceful situation to the public domain. Conference, this government, this service does not care about you. It's time we started caring for ourselves. Let's get this report published, let's take on these crackpots who have been smoke free since 2007. And finally a message to this government, to NOMS and to all those idiots who want prisoners to continue to smoke, all we want to do is be treated like every other public citizen, have a smoke-free environment and I don't think it's a lot to ask for. Please support the motion. Thank you.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** It'll go to the vote Conference. All those in favour of the motion please show. Those against. That motion is carried.

Seven is Bullingdon. Do we have a seconder for the Bullingdon motion? Stocken, thank you very much Stocken.

## MOTION 7

*That NOMS provide all operational staff who are required to carry out searching with TURTLE SKIN WORK WEAR PLUS GLOVES, as PPE which protects members from needle stick injuries and other sharps.*

## BULLINGDON

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Chair, NEC, Conference, the motion reads that NOMS provides all operational staff who are required to carry out searching with TurtleSkin workwear plus gloves, as PPE which protects members from needle stick injuries and other sharps. It is a simple motion, sets out to provide our members with the protection they deserve when searching to prevent needle stick injuries and other sharps. It is important that this level of protection is afforded to all operations staff involved in searching of any sort. It's common that many establishments provide gloves to reception staff, dedicated search teams, but they're of different qualities and different various makes. We believe the highest level protection should be given to staff as PPE which they're ensured that right under health and safety legislation. I do not envisage this would be a problem for the employer as in the minutes of the Whitley Occupational Health and Safety Accommodation Subcommittee, held on the 10<sup>th</sup> September 2015, Kathryn Ball, who's Head of Occupational Health and Safety for NOMS, confirmed that the current gloves recommended were 'the TurtleSkin workwear plus gloves, which are a non-catalogue item. They provide needlestick resistance but retain good dexterity.' I'm not sure if she's got shares in that company but she seems to speak highly of them, so therefore, if you recommend them, please provide them to our staff. Support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Chris Donovan for the NEC.

**CHRIS DONOVAN – NEC:** Thanks Chair. NEC, Conference, on behalf of the NEC. While the motion brought by Bullingdon is a very worthy motion, looking to enhance the health and safety of members when carrying out searches, the NEC asks you to reject this motion. I've done some research into TurtleSkin gloves of which there are many different types that are designed for many different applications. The TurtleSkin workwear plus leather cut-resistant gloves, like Steve says, offer high levels of cut and abrasion resistance, excellent puncture resistance to larger needles, comfortable, good dexterity and grip. Conference, many of the other gloves in the TurtleSkin range give all this protection and more. Whilst we want our members to have the best protection in carrying out searching procedures, and on the face of it TurtleSkin workwear plus may be the eventual brand that will give the best protection, but by naming the TurtleSkin workwear plus as the glove of choice for us to pursue, it is too prescriptive and there may be other gloves on the market that will give better protection. For that reason, I ask that you reject the motion brought in the best interest by Bullingdon.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Chris. Bullingdon to come back?

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Yeah, I fully understand what Chris has got to say and OK, the manufacturer is irrelevant I suppose. It's the only reason that wording was put in there was because that's exactly what NOMS Occupational Health were saying. This is one of those motions where the NEC reworded it for me, so I'm surprised that we're getting that result, but there you go.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** We'll go to the vote Conference on motion 7. All those in favour please show. Those against. I'll call that carried. Eight, Bullingdon?

Is there a seconder for eight? Elmley, thank you.

## MOTION 8

*That the NEC seek a change to the RPE training package to remove any reference to entering and searching a cell*

## BULLINGDON

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Chair, NEC, Conference, the motion reads that the NEC seek a change in the RPE training package to remove any reference to entering and searching a cell. We bring this motion to Conference to try and put a stop to a practice which is highly dangerous and not agreed as an acceptable safe system of work or risk-assessed accordingly. The introduction of RPE, originally cell-snatch rescue equipment, was designed to provide staff with protection from smoke inhalation when inundating cell fires at the door. The NEC fought hard to obtain a change in its name for this equipment so the title did not imply that staff should be entering a cell either during or following a fire. The headsets protect your lungs but that is all, and anyone who believes it protects you from being harmed or burnt inside a cell is sadly misguided. The training package which staff are required to attend still involves entering a smoke-filled cell and searching for unconscious prisoners. This is not acceptable and should not be included in the training. I know some who've recently attended this training and were horrified to discover this is still included in the package. I for one refused to take part in this part of the training and encourage others not to do so. The only people who should enter the cell when there's been a fire is the fire brigade, and you might notice they come equipped with more than a plastic bag on their heads. This training needs to be amended now and any mention of entering a cell removed, and in the meantime, our members instructed not to engage in this part of the training and more importantly not to enter cells involving cell fires. Please support the motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Is that Wandsworth getting up? Yeah.

**JIM SHAW – BRANCH CHAIR, WANDSWORTH:** NEC, Conference, urging you to reject this motion. There's nothing that says in the training that you go in there and get involved in control and restraint, but we are expected to preserve life. If you've got a prisoner that's unconscious and not moving, you've got to get them out of there, and you'll have CCTV observing you standing outside when you're at the Coroner's Court as to why you did nothing about it if that's where you end up. So on those grounds I'd urge you to reject it Conference.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Wandsworth. Joe Simpson for the NEC.

**JOE SIMPSON – ASSISTANT SECRETARY, NEC:** Thank you Chair. Conference, responding on behalf of the National Executive and can I just say this is the bane of my life, RPE. We have been butting heads with NOMS over this since they introduced it as cell snatch rescue equipment. What does that mean? What they wanted you to do, as Bullingdon has quite correctly called it, put a carrier bag on your head and charge into a fire to rescue a prisoner who's set that fire. That's what they want you to do. I understand what Wandsworth has said, we've got a duty of care. Yeah, we have got a duty of care, but we've also got a duty, under the Health and Safety at Work Act, to look after our health and safety and the person stood next to you ready to go in. We thought we had a deal on this and the deal was if you look at the back.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Can I just say, I said earlier that we have a right to retire from our workplace. I don't want to die in the conference room! We'll try and get that resolved. Carry on, Joe.

**JOE SIMPSON – ASSISTANT SECRETARY, NEC:** Conference, we thought we had a deal with NOMS on this and the deal was that it went to the door. The whole idea of the RPE is to protect you from smoke inhalation. That's what it's therefore so you're going to the inundation point, you inundate and you then look in the cell. If the prisoner's conscious you ask them if they want to come out. If they don't want to come out, don't open the door. You have not done the training to turn around and say that fire is out. The only person who can determine that the fire is out is a trained fire fighter or somebody who has got the training in fire risk assessment. Conference, the Health and Safety Whitley Committee are in negotiations with NOMS to get this part of the training removed, so Conference, we ask that you support the motion. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Bullingdon, did you want to come back no that? Motion 8, all those in favour, please show. Those against. That motion is carried. 9, Elmley, is there a seconder for the Elmley motion. Bullingdon, thank you Bullingdon.

## MOTION 9

*Conference mandate the NEC to advise all POA members only to comply with official RPE training and not to train in "safe removal/rescue" elements of the RPE training course, to protect their own health and safety.*

## ELMLEY

**ANDY HAMLIN – BRANCH SECRETARY, ELMLEY:** Chair, NEC, Conference, motion 9 reads Conference mandate the NEC to advise all POA members only to comply with official RPE training and not to train in the safe removal or rescue element of the RPE training course, to protect their own safety. The Elmley branch have had a lot of dispute regarding RPE training for the last two years. We do not believe that any member of staff should be entering the cell that's been on fire. We accept the new training package goes some way to alleviate these issues but request that the NEC still advise all members not to train in safe removal or rescue. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Joe Simpson for the NEC.

**JOE SIMPSON – ASSISTANT SECRETARY, NEC:** Thank you Chair. Conference, responding on behalf of the National Executive. Conference, why are we here and why do NOMS ask you to enter a cell wearing a carrier bag? Quite simply to save their backside in a Coroner's Court. That's all it's there for. So therefore Conference, until NOMS give you the correct PPE and training to do search and rescue, which this isn't, the National Executive Committee advise all POA members not to do the safe removal/rescue elements of the RPE training. Thank you Conference.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you. Elmley to come back? We'll go to the vote. Motion 9. All those in favour please show. Those against. That's carried. We go on to a debate, which is number 10 on the order paper, Swaleside. No seconder required.

## MOTION 10

*Conference to debate and discuss POA policy on returning the private sector establishments in their entirety to the public sector.*

## SWALESIDE

**DAVE TODD – BRANCH SECRETARY, SWALESIDE:** Conference, NEC, Chair, the motion reads Conference to debate and discuss POA policy on returning the private sector establishments in their entirety to the public sector. Conference, Swaleside branch brought this motion before you

to take stock of where the private sector T's & C's are versus the public sector T's and C's and also the conditions that we both work in on a day-to-day basis. Hopefully this debate will be a platform for the private sector to direct the NEC and Conference on their preferred way forward. Conference, the Swaleside Branch would like you to consider some of the following policies during the debate: new entrant pay, pension age, fitness testing, new civil service sickness policy, the loss of T's & C's in some cases, whether that be via a transfer or the result of a disciplinary award; staffing numbers reduced by benchmarking; capability hearings. Consideration should be given to all the private sector policies versus public sector policies to make an informed and educated decision rather than merely taking it for granted that our private sector members would like to be returned to the public sector as this could be to their detriment. Conference, please join the debate.

**BRIAN CLARKE - HMP WINSON GREEN BIRMINGHAM G4S:** Chair, Conference, NEC, honorary life members, honoured guests. I hadn't actually planned to get up here because although we've only brought one motion to Conference this year, I planned to use the agenda, Conference, to bring up our issues, and our issues are going to come up in motions brought by our friends in the north, Northumberland, in 13 and 14, but I will say that this debate is an opportunity for those in the private sector, in particular Birmingham and Northumberland, to highlight the issues and the issues are those terms and conditions, the issues are pay, the issues are no pay for the first three days absence for any sick period unless it's covered by an assault or an injury at work. As regards recommending tactics, I think the tactics, and I've shared this, Jane at Oakwood shared it with me, I've shared it with the NEC, I think the tactics are in the hands of those bidders, those contractors themselves. It is a fact that G4S are losing their contracts or they want out of their contracts. They talk in their annual report about onerous contracts, they talk in their annual report about legacy contracts, legacy contracts where they're not making enough profit, onerous contracts where there is no profit in it.

They talk about propping those legacy contracts up with profits from other aspects of their business until the day when they can finally let them go. I'm sorry to say that I shan't be here in seven years when they will be letting go of hopefully one or two of their contracts, but it's something that we should all bear in mind for our colleagues in the private sector. I was having a drink over the road last night in the Vic and bumped into more than or two people who were worse for wear or a little happy and elated to be here at Conference this year and I was introducing myself, Brian Clarke from Birmingham Prison. 'Oh, the private prison.' I don't know whether you've really got the experience and the presence to get up and speak at Conference. I did remind the people but that was in drink so I'll remind you again here today, prison staff at Birmingham, prison staff at Northumberland, will have served for 20/30 years in the black and white uniforms that you wear in your jobs today.

I did 28 years as a prison officer for the Prison Service and NOMS and I've done five years in the uniform of G4S, all as a prison officer doing exactly the same job with exactly the same product that the courts send to our places of work. We work in an industry and it is absolutely right that every worker in that industry has the same terms and conditions, receives the same pay, because I've said it at Conferences before, a smack in the gob when you're working in an open prison hurts just as much as a smack in the gob when you're working in a high security estate, and believe me a smack in the gob in the private sector operated prison hurts just as much as in a public sector prison. Please bear that in mind when you're voting on issues concerning the private sector.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Jackie Marshall to enter the debate for the Executive.

**JACKIE MARSHALL – NEC:** Chair, Conference, speaking on behalf of the NEC. We've always believed that every prison establishment should be in the public sector and we won't change that

belief. We've taken Blakenhurst back, we've taken Buckley Hall back, we've taken the Wolds back, and in recent weeks we've taken Medway back. We have a policy and we'll continue to campaign. Agree with Brian, everybody should be treated the same, everybody should have the same. We need all these establishments back. We've had the strapline before, prisons are not for profit and ... forgot what I was going to say! We've had the strapline before, prisons are not for profit, it's before, it continues now. All private sector prisons should come back to the public sector. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Jackie. That was a debate. Thank you for the debate and some important points raised there, Birmingham certainly, and it was a good debate to be called by Swaleside. So we now move to motion 11. I do need a seconder for motion 11. Elmley, thank you.

## MOTION 11

*Conference to now reaffirm POA policy of returning the private sector establishments to the public sector prison service.*

## SWALESIDE

**DAVE TODD – BRANCH SECRETARY, SWALESIDE:** The motion reads Conference to now reaffirm POA policy of returning private sector establishments to the public sector Prison Service. Conference, we've just had a short debate. Certainly I and the Swaleside branch would like to see all private sector establishments returned to the public sector. Please support.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Jackie Marshall for the NEC.

**JACKIE MARSHALL – NEC:** Chair, Conference, on behalf of the NEC, speaking in support of the motion. Like I said before, we've got a policy, we'll continue to campaign. We continue to push that public is better, we continue to raise it with NOMS and ministers and we believe we were influential in keeping the new prison in Wrexham, HMP Berwyn, in that public sector. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Swaleside, you don't want to come back? All those in favour of motion 11 please show. Those against. That motion is carried. Move to motion 12, Northumberland. Do we have a seconder for the Northumberland motion? Birmingham, thank you.

## MOTION 12

*Conference accept the current privatisation program of wholesale prisons has been put on hold, but the contracting out of services (privatisation by another name) is a reality for public sector workers.*

*Prisons which have been privatised are reliant on the company performing well and making a profit in order to provide annual cost of living pay awards to POA members.*

*Therefore, conference accept that until such time as private prisons are returned to the public sector the union support these companies to protect and promote POA members and improve terms and conditions.*

## NORTHUMBERLAND

**GARY EDGAR – BRANCH CHAIRMAN, HMP NORTHUMBERLAND SODEXO JUSTICE SERVICES:** Chairman, NEC, Conference, also here on facility time. I think the following debate where number 11's been

carried puts us in quite a difficult position. If you take the second paragraph of the motion, that's a statement of fact. I'm not going to stand here and support a private company and profit making over staff safety. The company I work for is the 20<sup>th</sup> biggest company in the world. We're here to try and promote and protect members of the POA at Northumberland. Like Brian, been a prison officer since 1988. I've done in the job in the black and white uniform, I now wear a blue Sodexo Justice Services uniform. It's horrible. All staff at my gaol carry batons, all the new staff at Northumberland are given batons, and all of the new staff who have joined under Sodexo's T's and C's are members of the POA. I think this is a motion just to promote and protect those members. Not to justify the profiteers at Sodexo trying to increase their profits worldwide, but just to support us. Please support the motion.

**BRIAN CLARKE - HMP WINSON GREEN BIRMINGHAM G4S:** Chair, Conference, NEC, honorary life members and guests. Like Gary, on facility time. We promised we'd mention that every time we come to the rostrum. Happy to second and support our colleagues from Northumberland in moving this motion. We agree with our friends that the continuation of piecemeal privatisation is an ongoing business or process and it has to be stopped. It's necessary, however, to take the view of workers in the private sector, to understand and to feel this need for this motion and ask for the support of the Union. It's necessary to see past the paradox, and it is as paradox, of being against privatisation yet working for the private sector provider. Taking that view into account and taking the need into account, didn't mean that me or any of my colleagues in private sector operations are advocates of privatisation. We, certainly I do not believe that running prison should be down to a price. Prisons should be up to a standard, safe, decent and secure, prison fit for purpose. What the private sector face on a daily basis is the drive for profit in every aspect of the operation from paperclips to personnel. In my own establishment at least the annual process of pay discussions regarding pay awards, we're constantly directed to the profits and the shareholders' report. And let me give you some examples of the constraints that we face in our pay discussions. First, the operation at Birmingham is in a non-profit phase. Secondly, that the company shares have not done well enough this year. Third, that the attrition rate for staff who transferred under TUPE is not accelerating as fast as we, G4S, thought it would, and you can bet your bottom dollar they're trying to do something about that! Fourth, there is a formula for pay, annual average wage increases, less half a percentage point, that's the company's dividend on our success, the company's dividend on our pay awards. Fifth, this is an onerous contract, there's no profit. They are supporting our operation with the profits from other aspects of the organisation because contractually they have to. They wrote their quote on the back of a fag packet. During the very painful transition from public to private sector status we engaged in profiling exercises with the new employer and we were happy to do so, especially at the beginning when they promised us a profile that gave us six staff on every res unit in the prison, six staff in the morning, six staff in the afternoon and six staff on ED, and I know that is absolute luxury to what you all work in in your establishments today.

And we went through the core day and we got to 2100 hours quite content ... and they started putting their papers away, I was going whoa, whoa, whoa, whoa, what about the ED, what about the nights, the ED handover into nights and the operating of the prison? And the looks on their faces said it all, and the silence was deafening. Huge pause for dramatic effect ... they had forgotten that they had to run the prison from 9 o'clock at night until 7 o'clock the following morning. They hadn't profiled for any staff. So, we went back to the profile to look for those staff and we took bits out of that really nice jigsaw puzzle that they'd put together, we took bits out of the middle and added them on at the end and we took bits out of the middle and we added them on at the front, and we actually came up with a profile that covered the 24 hours that the prison operated, but of course the jigsaw in the middle now looks slightly different. We didn't have six in the morning and six in the afternoon and six in the evening; we had five in the morning, five in the afternoon and four, or five if you were lucky, on the ED, and that's what their bid was based on, a quote on the back of a fag packet. They did go back to NOMS and they

did ask for extra money to cover that and they got a certain amount of it. This year we're quietly pleased with our 2% consolidated pay award and the fact that we've returned our formal retirement ages ... we're quietly pleased, but that was achieved in a respectful negotiation.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Brian, I am going to have to ask you to start finishing up.

**BRIAN CLARKE - HMP WINSON GREEN BIRMINGHAM G4S:** I've got a red light, got to finish off! Because we're engaged professionally, because we engaged respectfully with our employer, profits for our employer are important but it's also important for the Unions in the private sector to understand the business needs and to have a cordial at least relationship with their governors or their directors, and to have respect for the paymasters and, as Gary said, to look after the interests of our members. In the private sector we should be aware that operators are paid monthly and annually on their performance. They also have escalators and inflation-proof compensators built into their contracts. That aside, please support the motion and engage with all of our members and potential members in the industry that we work in.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Andy Darken for the NEC. Oh sorry, carry on.

**CRAIG ROBSON – BRANCH SECRETARY, DURHAM:** I have got a problem with this motion. I fully support what they're saying. However, we have members in G4S, nursing staff, Sodexo have got G4S in as well. So if we're supporting one, we must support the other. The two of them are tearing each other apart. We try to send method runs up there from Durham and we've now got an agreement but G4S will turn round and say, 'We can't do it 'because we need this, we haven't got enough staff on, we need extra staff, it's going to affect our profit.' Unfortunately, we've got members in G4S, who would notice? So I think the motion is probably wrongly wrote so I'm asking you to vote against the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Durham. Andy Darken for the NEC.

**ANDY DARKEN – DEPUTY GENERAL SECRETARY, NEC:** Morning Conference. Responding on behalf of the NEC urging you to reject this motion. Conference, the speakers, particularly from Northumberland and Birmingham, spoke very well on this and we understand much of what they're saying, but we don't accept that privatisation is the way forward. The last two years I've done a lot of work within the private sector with some of the companies, be they Capita, Tascor, G4S, Serco, Sodexo, MITIE, and I and other members of the NEC have built up good relationships with their senior managers and directors of the establishments, but that's not to say that we're going to go out and say yeah, we want to support these companies. We don't want to support the companies. Yes they need to make a profit ... or do they? Now they've got it inbuilt into their contracts to make the profits, they could run them at cost but if they don't think they can make a profit why bid for the contracts? And if they don't bid for the contracts, they will stay where we want them, in the public sector. And I would expect any employer, be it NOMS or any of the other employers, Sodexo, Serco, MITIE, G4S, to look after our members, support our members, support their staff and improve the terms and conditions. I would expect that as a given. And how would I go out and show that support for these companies? That would send out a mixed message and Brian mentioned it, from Birmingham, it is a paradox, but it's not for us to support these companies. We will support our members and we would expect these companies to look after them and improve their terms and conditions. Conference, a well-meaning motion and we will look after the interests of our members that don't work within NOMS, but Conference, please reject this motion. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Northumberland to come back?

**GARY EDGAR – BRANCH CHAIRMAN, HMP NORTHUMBERLAND SODEXO JUSTICE SERVICES:** I'm a bit aghast here. The motion is quite specific. Like I said, the second paragraph is a statement of fact. There's nowhere in there that we say that we support the company in profit making so I think you're trying to put words in my mouth. I've never said that and that was never the intention and it's not there. The last paragraph is where we have to promote and protect, that's what we're asking for. We're not asking here to support Sodexo or any other private company that's involved. We're asking to protect the membership. So that's wrong, what's been said behind me, if I'm perfectly honest. Staff at Northumberland, since Sodexo Judicial Services has taken over, are getting a 1.5% pay rise every year, staff through our TUPE transfer, staff who aren't have got an average of 2-2.5%. That's what we mean, that's what we want to protect and promote. We want to protect the fact that they carry batons, want to protect the fact that they're doing a review of the profile to see if we need additional resources, want to protect health and safety by myself and my secretary. Sitting at the gate having a meeting two weeks ago because the gaol, in our opinion, wasn't safe and all the staff sat there to a man, none of them supported us. That's what we mean by protect and promote. Not protect and promote profiteers; protect and promote the members. Please support the motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** I'm going to the vote on motion 12. All those in favour please show. Those against. That motion is lost. Motion 13, Northumberland. Is there a seconder for the motion? Birmingham. Thank you Birmingham.

### MOTION 13

*Conference accepts it is important to gain recognition rights within all private sector companies. Conference instructs the executive to do all it can to achieve this.*

### NORTHUMBERLAND

**GARY EDGAR – BRANCH CHAIRMAN, HMP NORTHUMBERLAND SODEXO JUSTICE SERVICES:** I seek support of the motion. It's quite self-explanatory. To gain recognition rights within private sector companies. I think if I'd seen the position of the motions I would have put 14 before 13 and could have got a gauge of how things would have been. We've currently got staff from Forest Bank, who are another Sodexo gaol, on detached duty in Northumberland. They're asking can they join the POA. The question is out there: they want to join the POA, they want to join the right union for them. Please support the motion.

**BRIAN CLARKE -HMP WINSON GREEN BIRMINGHAM G4S:** Chair, Conference, NEC, honorary life members, honoured guests, here today on facility time. Standing before you to second and support this motion. If I look like I'm hogging this rostrum for the first few hours of Conference, please forgive me and believe me. I'm not standing for election for any elected post this year. I stand here because of the motions, the motions that relate to the private sector. Issues, and with absolutely no irony at all, if the private sector branches didn't offer mutual support then I'm afraid there'd be no voice at all. I feel there's little chance of support from the floor so I will stand up and support every private sector member who brings a motion. I've carried this message for many years, in particular in the years since G4S were handed the contract to operate Birmingham: when the works departments were privatised we did nothing about it; when escort services were privatised we did nothing about it; when catering services were privatised we did nothing about it; when medical services were privatised we did nothing about it; education services were privatised, we did nothing about it; court services were privatised, we did nothing about it. When private sector operators were allowed to build and operate prisons, and were allowed to operate as a business, we did nothing about it. When public sector prisons were put up for tender and sold off in a car boot sale we did nothing about it. Our membership has shrunk and we did nothing about it. In the past four

Conferences we've addressed the issue of representing our members and the shrinking membership and the shrinking revenue with rising costs. Our NEC and FTOs have done good work at keeping the Union strong and viable but what they need to do now is to grow the Union. What our NEC and FTOs have to do is to get out and recruit, take the workers in this industry that we work in. Sell to them the benefits of being the only union to represent those workers, the only union with the knowledge, the expertise and the ability to protect and to promote them and their issues. I'd also take a lesson from the private sector and reward those NEC members, especially if we get a full time officer appointed for recruitment in the private sector, and reward them with a bounty for every recognition agreement they achieve, for every member that they recruit. It's just a thought, incentivise our growth. The Union should look for these members and offer a promise that the private sector wage, his private sector terms and conditions, should be comparable to wages and terms and conditions in the public sector, or as motion 1 suggests, one wage, one set of terms and conditions for all workers in the industry, or potential members.

If we worked in the construction industry, consider would we choose to work for a company that makes us work without hard hats, without ladders, without scaffolding, without cranes and harnesses when we're working at height? Would we work for companies who pay the minimum wage only? Would we work for a company with a less than adequate pension scheme? Would we work for a company more interested in profit than the health and safety and the welfare of its employees? No, we wouldn't.

Make this a Union that will represent all the workers in this industry that we work in. Please support.

**MATT CLARKE – WORMWOOD SCRUBS:** Speaking in support of the motion. Some very close friends at HMP Bronzefield, also Sodexo. Let me just give you an overview of what life is like for POA members there. They're not allowed to hold meetings, they're not allowed to run workplace ballots, they've got no line of formal communication with the SMT, in fact the Branch Secretary was placed on a final written warning just for hanging a POA circular up on the wall. The fact that they don't have trade union recognition with the POA gives the employer an excuse to hunt them like outlaws. It's unacceptable. I fully appreciate that the FTOs do all that they can to support POA members in the private sector individually and for those that don't have the recognition rights of their goals, but the situation is frankly unacceptable. Please support the motion.

**JIM SHAW – BRANCH CHAIR, WANDSWORTH:** Urging you to support the motion. Just mentioned there Bronzefield. I thought I'd say some of them trained with me some years ago a colleague from Wandsworth was working in the private sector at Bronzefield. He kept it quiet, they were very anti POA, they had their own sweetheart union and they were happy to stick with that. He did his probation and once he was out of his probation he also proudly displayed his POA tie pin and was promptly told to take it off. He was disciplined. He started his own branch. We organised branch meetings in a pub down the road and up until then anybody who was under disciplinary, they were just fired, usually on the advice if they didn't fire them then they resigned on the advice of their sweetheart union, 'cause at least you wouldn't get a bad reference. This guy was suspended, they held a meeting in the Marriot Hotel as to how to stop the POA getting a foothold. Anyhow, at the end of 12 months I represented him. If we had recognition agreements, you wouldn't have to do that in your own time. He kept his job. From them on, pretty unanimous, they walked out from the PSU and they joined the POA. The only thing is, they haven't got recognition rights. They deserve it, so let's give it to them.

**RAY SOMERS – BRANCH SECRETARY, ICE:** Supporting the motion, and this goes way, way back for us, Tom Robson and Duncan Keyes got us a recognition agreement years ago and when Brian first went over to private sector they said give me any words of advice that you can and he said, 'For god's sake, get yourself a working recognition agreement. You'll need it.' With that we have enjoyed talks, meaningful talks, we don't always win, sometimes it feels like you're hitting out against a brick wall with them, but we have enjoyed meaningful negotiations and talks with them. We have that open avenue, because we have that agreement. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Steve Gillan for the NEC.

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Thank you very much Chairman, Conference, and indeed we do support this motion, but I want Conference to understand the great difficulties as well, 'cause there's two types of recognition. Most types are voluntary recognition and then you have statutory recognition. Statutory recognition kicks in when there is no union in place and the employer is refusing to give voluntary recognition. What then happens is if they've got more than 21 employees and you've got 10% of the members there you can get a ballot. However, if someone like Serco for example, where we're not recognised at all, does a sweetheart deal with another trade union, you cannot get recognition rights. We can recruit all we want but we can't get recognition rights because of the law. That's the harsh facts. We can still represent them on grievances and code of disciplines as James Shaw has just alluded to, but they will not recognise us for collective bargaining in that bargaining unit. Now the lad from the In Country Escorting is absolutely correct, going right back, and there is a theme to this, the Chairman alluded to it about the Wolds, and it was our policy back then not to recruit in the private sector because we'd promises that were broken about returning every establishment back into the public sector. So we had a policy not to recruit in the private sector back in '93 and as a result the GMB stepped in to that breach and they got recognition rights with Group 4 as it was known then, the same at Altcourse. And John Edmonds, who was their General Secretary at the time, wrote a letter to say to Brian Caton that if they were ever returned to the public sector, he would hand them back to the POA. He didn't have to but that's what they said because we weren't recruiting there at the time. Of course, when the employment legislation came in in the year 2000 and we changed our policy, that we would recruit in the private sector, we then started recruiting everywhere and the GMB made a complaint about us to the TUC that we were poaching their members at Altcourse and we got fined. Now at this present time we are, and I ask you to give me a little bit of licence Chair, on the timings of this 'because it is important, we are in dispute with another affiliated trade union called Community who took in that other organisation that Jim Shaw spoke about and the PSU, who ceased to exist, but Community by default have got recognition with Sodexo, with Serco. I have approached Rupert Soames, the Director of Serco, after Lorraine Barwell was murdered because all the enquiries came to us instead of Community, and I approached him for voluntary recognition. He wrote back to me declining. And the reason they decline is because they're frightened of the POA, the things that Brian spoke about. They don't want us to drive the terms and conditions up for their employees because they've got their profit margin that they've got to worry about. So the reality is we're in absolute favour of this, we want to resolve the issue because Jim and others have said it, we are the trade union with expertise. Why Community want to involve themselves in Northern Ireland and in this country trying to get non-members to join them is beyond me. They should stick to the steelworks where they know their industry. We don't go recruiting there, I don't expect them to recruit and drive terms and conditions down. So with that, we do support and we will fight tooth and nail in order to right the wrongs that go on with the legislation and we will be back at the TUC driving forward motions this year, I would suspect, on that very thing. So we do support it and thank you very much, Conference.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Northumberland, do you want to come back? We'll go to the vote on 13. All those in favour please show. Those against. That motion is carried.

Conference, there's a fringe meeting due to start in a few minutes: Respect the Risk, Keep our Prisons Safe. We do have speakers from Australia, from the Western Australian Prison Officers Union, so I would expect that they would know, coming from Australia, quite a bit about convicts, but we'll see. Laughter

So I'll break for lunch now, particularly as Brian is getting up on every motion, I think we'd better break for lunch there and I'll say quarter-to-two, 13:45 back in the Conference Hall please.

**Break for lunch**

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Conference, and we're still under the section 'Privatising and contracting out,' and we now move to motion 14, Northumberland. Do we have a seconder for the Northumberland motion? Holme House, thank you.

#### MOTION 14

*That conference instructs the NEC to remove the strapline "Prisons are not for profit"*

#### NORTHUMBERLAND

**GARY EDGAR – BRANCH CHAIRMAN, NORTHUMBERLAND:** Chair, NEC, Conference, I'd like the permission to withdraw.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Permission to withdraw. Do Northumberland have Conference's permission to withdraw? All those show please. Any against. That motion is withdrawn. Motion 15, Hewell Closed (Blakenhurst). Do we have a seconder for that motion? Send, thank you.

#### MOTION 15

*That the NEC challenge NOMS and the Government to review the awarding of Prison Service related contracts to private companies in order to establish that they are providing value for tax payers money and maintenance of standards of service.*

#### HEWELL CLOSED (BLAKENHURST)

**LES DENNIS – BRANCH SECRETARY, HEWELL CLOSED (BLAKENHURST):** Motion 15, that the NEC challenge NOMS and the government review the award of Prison Service related contracts to private companies in order to establish that they are providing value for taxpayers' money whilst maintaining standards of service. The aims of this motion are to highlight the negative impact of market-tested privatisation on the establishments through reductions in service levels and establish whether they provide value for money to the public purse and once established will provide further persuasive argument against future competition market testing. With many Prison Service departments now contracted out to private companies there are too many questionable contracts that, as in our experience at Hewell, are creating unnecessary delay, frustration and anger to those who live and work within our establishment. If savings are being made and the taxpayer isn't being ripped off by private companies then I can live with that but we need the evidence to support that. I'm sure each and every delegate in this hall will be in a position to address this conference detailing evidence of substandard services provided by profit-making companies and Hewell is no different. Our current court transport company finds it acceptable to deliver prisoners from city centre court to our establishment, a distance of less than 30 miles away, three and four hours after courts close, which results in staff being unable to complete reception duties within the core day therefore finishing late, which also impacts on prisoners being frustrated, angry and increases the risk of violence to my colleagues and members. No matter how hard we try and take it to our SMT and I've taken it to our local MP to highlight these issues no one seems to take responsibility or care. Our local estates contract also causes great concern. Not only did they overprice for items but they did not have them in stock readily. This in turn means delays in servicing or repairing cells which are damaged or old fitting suffering from wear and tear. A lot of items we are finding are no longer being manufactured and are being made by special request at an inflated cost with considerable waiting time. Hewell say they have spent more money in the first four months using our current provider than the previous year, which is clear evidence that we are not saving money and we are not providing value to the public purse. Currently at Hewell we have 21 cells out of long-term action.

Profit-making companies are the scourge of public services. If savings are identified as being able to be made then it should be for the public sector to identify and provide this for the benefit of the taxpayer rather than a private company doing this for the benefit of its shareholders and chief executive bonuses. With contracts being run in such a way which negatively impacts on our daily lives it can be so easy to conclude the only reason these contracts are being awarded is due to high-level corruption. Conference, my local MP, NOMS and the SMTs up and down the country are shirking their responsibilities to ensure the taxpayer gets value for money. It's time to step up and expose privatisation for what it is.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ralph Valerio for the NEC.

**RALPH VALERIO – NEC:** Conference, the NEC would very much like to support this motion from Hewell (Blakenhurst). Quite simply they've got it on the money haven't they? Every single contract that's been outsourced in recent times if you ask a direct question whether it be in the Houses of Parliament, whether it be put to the directors of NOMS, directors of Ministry of Justice or governors running an establishment there is not a tangible piece of evidence that would be able to justify how it would be beneficial for the taxpayer and every single one of us working in an establishment that is being hamstrung by contracted services to healthcare, escorts of course, here in our local, or the fantastic job done by Carillion and Amey when we have something goes wrong in our cells, in our prisons. You will know first-hand that it is not a good delivery of the standard of service and we thank Hewell for bringing this motion because it gives us an opportunity to start talking about what is the right thing to do for taxpayers' money, what is the right thing to do for the delivery of service, especially when you've got a government that has a narrative at this moment in time about autonomous prisons, about best utilisation of resources, freeing away from the boundaries of a public sector purse, public sector national policy and encouraging managers to go back to local procurement, outsourcing and delivery of services. A cynic might suspect that that's just further outsourcing and that's why you've got to vote in favour of this motion because it allows the executive to get around the table to ensure that prison autonomy and prison reform is not about wholesale market testing through the back door but actually doing the right thing about rehabilitation, about safe places to work and value for money for the taxpayer. Please support the motion. Thank you very much.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Hewell, do you want to come back? Go to the vote on motion 15. All those in favour please show. Those against? That motion is carried. We move on to the benchmarking section. Motion 16, Garth. Do we have a seconder for the Garth motion? Wymott. Thank you.

## MOTION 16

*That the NEC insist that NOMS acknowledge and publish to local Governors and Agencies that deal with prisoners that the personal officer scheme no longer exists and doesn't have any work profiled in Benchmarked regimes for wing based Band 3 officers.*

## GARTH

**NEIL ROSS – BRANCH CHAIRMAN, GARTH:** Chair, NEC, Conference, motion 16 reads that the NEC insist that NOMS acknowledge and publish to local and governors and agencies a deal with prisoners that the personal officer scheme no longer exists and doesn't have any more profile in the benchmarking regimes for wing-based Band 3 officers. Colleagues, the reason we've brought this to Conference is simple. It's another example of benchmarking taking away profile time to do work yet still expecting us to do it anyway. I suspect there are many jails here today that have managers and governors that are telling their wing-based staff that personal officer work still needs to be done, that

we should still have knowledge of a prisoner's offence, knowledge of their sentence plans and know everything about their circumstances and make numerous detailed C-NOMIS entries about it all. On top of that we still get contribution forms and the like from various agencies or departments to complete about the prisoners on our wings. Colleagues, there's still the perception from a lot of outside agencies that wing officers are personal officers and our members could be held to account because of this at such things like coroners' courts. NOMS have taken the time away from us under benchmarking and the creation of offender management units so it's simple to me: we don't do the work. A new scheme under benchmarking is called Every Contact Matters but if at shop floor level it has the same expectations as the personal officers scheme of old then it's not acceptable. We ask the NEC to challenge NOMS to make it clear that the personal officers scheme and all its associated work by wing-based Band 3 officers no longer exists and wing staff should not be expected to have the same knowledge and input they once did. Please support the motion.

**NEIL ROBINSON – HMP WHATTON:** Speaking in support of the motion we have one member of staff at HMP Whatton who's refusing to engage with the personal officer policy and he's now trying to be hounded out of the job by the senior management team. It's bullying. We shouldn't have to do it, it's not in the benchmarking. If we went to Amey and asked them to fix stuff that we weren't going to pay them for they'd say 'No, we're not doing it.' Pay us the money and we'll do the jobs. If you're not going to pay us we're not going to do it. Please support the motion.

**MIKE ROLFE – NEC:** Chair, NEC Conference, the NEC are seeking your support for this motion. Benchmark ideology was resource follows risk. ONU where offender management takes place is where this work sits. The role of Band 3 officers under benchmarking makes it impossible for quality personal officer work. Any branch that has this work profiled following benchmark implementation should be raising disputes and advising their members that this work has not been resourced within the benchmark. The employer wants everything for free, colleagues, and we aren't giving it for free. We went through this process to survive as a public sector service and we've done that for them but that doesn't mean they can push that envelope. Colleagues, please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Garth, do you want to come back?

**NEIL ROSS – BRANCH CHAIRMAN, GARTH:** No thanks, Chair.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** All those in favour of motion 16 please show. Those against? That's carried. 17 is Bullingdon. Is there a seconder for the Bullingdon motion? Hindley, thank you. Before you start Bullingdon, my job as national chairman is supposedly – or one of the jobs is – to bring clarity to proceedings so I'll read out what helpful advice Standing Orders have given me:

Motion 18 falls if motion 17 is carried. It stands alone if motion 17 falls. Motion 19 falls to motion 17 if carried. If motion 17 is lost and motion 18 is carried this falls to motion 18 if carried. If motion 18 is lost motion 19 stands on its own. I would suggest you ask Lancaster Farms and Hindley to address their concerns to motion 17.

I understand Hindley and Lancaster Farms have been spoken to and understand the reasoning... because I'm not sure if I do.

Carry on Bullingdon.

**MOTION 17**

*That the NEC open negotiations with NOMS to make changes to the benchmark core day, to  
1 remove the layered regime 1830-1930*

*2 change the weekend benchmark finish time to 1700 from 1800*

*And that those hours saved are re-invested into the new core day to provide an up lift in staffing numbers to support the regime without any cost to the employer.*

**BULLINGDON****MOTION 18**

*Conference mandate the NEC to negotiate an amendment to the core day shift times in all establishments of 07.30 to 17.30 on weekdays and 08.30 to 17.00 weekends and bank holidays.*

**LANCASTER FARMS****MOTION 19**

*For the NEC to re-negotiate with NOMS the removal of the 18.30 finish main shift and this to be replaced with a 17.30 finish main shift.*

**HINDLEY**

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Thank you. Chair, NEC, Conference, the motion reads that the NEC open negotiations with NOMS to make changes to benchmark core day to remove the layered regime 1830-1930 and to change the weekend benchmark finish time to 1700 from 1800 and that those hours saved are reinvested into the new core day to provide an uplift in staffing numbers to support the regime without any cost to the employer. As I say, this is the first of three motions on the order paper that seek to address issues around benchmarking core day and I thank Lancaster Farms and Hindley for their motions also. I think it goes to show that the benchmark core day is not fit for purpose and many of the timeframes within it do not deliver meaningful periods of activity for prisoners and certainly has a detrimental effect on the work/life balance of our members. A simple calculation based on the hours at Bullingdon this motion would seek to save would enable the governor to reinvest some 160 hours in Bands 3 and 4 back into supporting overstretched staff during what should be the normal working day. To put it simply it'd put an extra member of staff on four of our biggest wings per day where they're most needed. Please support the motion. Let's put an end to this core day and enable our members to spend meaningful time at home and make it not just a place to sleep between shifts. Please support the motion.

**STEVE DOUGLAS – BRANCH CHAIRMAN, HINDLEY:** NEC, Conference, we second this motion because when we read it on the order book it seems to give more options to the NEC if it carried than does motion 19. Well Conference this is a straightforward motion that we will all be aware of in our establishments but we must be in all agreement that the benchmark experiment has been an absolute disaster for the service and for our members, and those who devised this ill thought out process should be packed off to some penal colony somewhere in the Pacific Ocean with the understanding that they never, ever come back. But seriously, the core day associated with the benchmark are leaving our members tired, burnt out, stressed out and morally on their knees, and it doesn't help when we were sold such what I believe is a bum deal. We are living in an age where family values are very important to society but how do they expect our members to have the same family values when we feel we're never away from the place, especially the hell-holes that we work

in on a daily basis. It is also obvious that those who came up with such shifts don't actually have to work them themselves. In fact those that came up with such shifts have probably never worked in a jail before and if they have they're now sitting in an office in London. These are far away removed from reality. Do they not know the stress and anguish they are putting our members through? The answer is they don't and they probably don't care. Conference, let's support this motion and give our NEC the mandate to get this changed so our members can have the knowledge that they don't have to say to their kids on a Monday, 'See you Friday.' Conference, please support.

**CRAIG ROBSON – BRANCH SECRETARY, DURHAM:** Chair and Conference, I wonder if you can help us Mr Chairman, allow us to speak against motion 18? Do I speak now?

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Yes.

**CRAIG ROBSON – BRANCH SECRETARY, DURHAM:** Great, thanks. I'm speaking against motion 18, which is motion 17, primarily about the bank holidays. I accept what you're saying about changing the bank holidays but how do you do it? There's only three days which are bank holidays which are the same every year: Christmas Day, Boxing Day and New Year's Day. If you're going to do it do it locally with a verbal agreement. We've got that verbal agreement at present in Durham. I can tell you what happens. Last Bank Holiday Monday I was a quarter to eight start and a five o'clock finish. That was my main shift that day. I ended up starting at half past eight and finishing at half past five. I incurred paid 15 minutes' TOIL for the privilege of it. Now I did it because the rest of the staff want that but if you've got one member of staff who then complains and they say they want a vote, as I've told my branch last week, 'You want to vote on it? One person votes against I'm going to pull the whole lot because I think it's against Bulletin 8 and it's against the Boon letter so for that alone I've got to oppose it.' If you want to do it do it locally. The rest of the thing, yeah, great, but your motion doesn't say that so that's why I'm saying vote against motion 18, which is voting 17.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Mike Rolfe for the NEC, who will tie all that together.

**MIKE ROLFE – NEC:** Thank you Chair. I'm only speaking on motion 17 according to that booklet. Chair, NEC, Conference, the NEC do support this motion as it's one of reason and sense but we would remind you that we have already attempted to do this through the MOU of 2014 where we attempted to bring the new core day back to you. That was unfortunately rejected because of the wider deal that was offered within that but the NEC haven't stopped trying to look at the core day and for the very reasons the first two speakers who got up there made mention of. The impact on the health and safety of our members is absolutely fundamental to this executive and we see day in, day out the burn-out and tiredness as we visit those establishments that we represent within and we see that every single day and the need for that to change. NOMS have been bandying around for a while some ideas about some changes that they want to bring. We've not stepped into talks with them as of yet but they're talking about the public sector prisons operating model and within this they're taking into account the Carter review of 2005. I'm not an expert on the Carter review of 2005 but the outskirts of the Carter review were that prison officers should be doing personal officer work. Now we've just passed motion 16, which obviously spoke about prison officers doing personal officer work and we're quite clear: we're not going to be doing that for free. It doesn't come for free. If you want these things to be done then you need to resource them properly. So this motion talks about taking some of that time out and making a core day that's more beneficial not only to prison staff in terms of their own personal health and safety but reinvesting that time back into that core working week and perhaps maybe being able to reinvest that into some of those things that were mentioned within the Carter review, and NOMS are very clear that they want that to come back. They're starting to see the benefit of prisoner officers, lo and behold, talking to prisoners and spending that time day to day interacting with prisoners rather than just being turnkeys so we're very much in support of this but there's also if you are to change things and we are to bring about a new

core day, expect the employer to want something from that as well and we've got to make sure that that's resourced properly so it goes two-handed here. Please support the motion. Thank you very much.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Bullingdon, do you want to come back? 17 goes to the vote. All those in favour please show. Those against. That motion is carried. As a consequence 18 and 19 fall to 17. We come to 20, which is Lancaster Farms, and I've got an indication here that Garth wish to second it.

## MOTION 20

*Conference mandates the NEC to negotiate with NOMS to reinstate static Supervising Officers in all residential areas.*

## LANCASTER FARMS

**SARAH RIGBY – BRANCH CHAIR, LANCASTER FARMS:** Chair, NEC, Conference, the motion reads: Conference mandate the NEC to negotiate with NOMS to reinstate static supervising officers in all residential areas. As part of the benchmarking process Lancaster Farms was one of the prisons required to make changes to wing supervision, which included the introduction of the roving patrol model for supervising or senior officers. At the point that we asked our branch for motions for Conference this issue was one of the main themes that kept coming up. The roving patrol model does not work. There is no consistent support for staff and nobody giving any clear direction within each residential area. It is impossible to organise a wing effectively without a static supervising or senior officer responsible for the area and what is happening within it. Prisons are not being managed properly and important daily tasks are often being left incomplete. This comes at a time when already reduced staffing levels are pushing many Band 3 officers to breaking point. There are also new staff who are not getting the support and guidance that they need to learn the job properly. A Band 4 within each residential area for the main core day would help to alleviate some of the pressure. It would provide some continuity for both staff and prisoners alike and it is desperately needed. We ask that you support this motion so the NEC can negotiate with NOMS to ensure residential areas and the staff who work on them are properly supervised and supported by reintroducing a consistent Band 4 presence during the main core day.

**NEIL ROSS – BRANCH CHAIRMAN, GARTH:** Chairman, NEC, Conference, Garth are more than happy to support this motion and would like to tell Conference why. We're a Cat B training prison in the North West and prior to benchmarking most of our wings had an MSL of an SO and seven officers for about 130 inmates per wing. BDG came along and decided to make a new SDSOL of just six officers without a static residential SO. Obviously we challenged this immediately with a dispute but were overruled by Phil Copple. All of a sudden we had no leadership on the wings and no one for staff or even prisoners to go to when decisions had to be made. The roving SOs – what a complete waste of time. Most of them sneaked onto the wings when no one was about to sign the diary and then make a hasty getaway before anybody could speak to them although to be fair to them it was a better effort than the governors who retreated into the depths of admin and never set foot onto the wings whilst their jail fell apart around them. Each day six staff would turn up on duty. We had no briefing and in fact on most days we didn't even have a wing detail to tell us what jobs we were on. Add to the fact that at that time we had experienced staff leaving in droves and wings staffed by pull-out and detached duty it was an absolute joke. In fact, it wasn't a joke because it was putting staff in danger. It was an absolute shambles and it couldn't carry on. However, after a year of misery we got a new governor who straight away sided with the POA committee. We put a case forward for BDG to revisit Garth and look at putting SOs back on most of the residential units. The NEC were very helpful in this and both Ralph Valerio and Pete McParlin contacted me and were happy to

push the issue at national meetings. The end result was that BDG agreed to allow us to reinstate static SOs back on most of our wings. Locally as part of our RMP we made sure they were part of the wing MSL at all times of unlock. Colleagues, the difference was immediately noticeable. The wings were back running like they should be and the stability of the prison dramatically improved overall. Ian Mulholland recently visited Garth and everyone from the number one governor to the prison cat told him how much better the place was running. He did seem in agreement and hopefully he went away convinced that it was a mistake under benchmarking to remove the wing SOs. However, there are still rumours nationally that NOMS want to scrap Band 4s altogether and if that happens it would put us back into the position we were in a year ago and that's not something we can allow to happen. Any jail that's had wing SOs removed under benchmarking will tell you that it's an absolute must that Conference support this motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ralph Valerio for the NEC.

**RALPH VALERIO – NEC:** Conference, on behalf of the NEC we'd ask you to support the motion. What we've also got to be mindful of, as I think you've gotten a very good insight from both Lancy Farms and from Garth – two different types of establishment, same sort of pressures brought about by the removal of a team leader, a manager on site to help the staff in how to engage with some of the most dangerous people in society. It doesn't matter whether they're in Cat C or Cat B trainer, the fact is the risk level is there and the staff need to be supported and led. Now there's a wee bit of history back to it of course as we well know. The NOMS hierarchy some time ago made it policy that they wanted to eradicate the principal officer role and put all the pressure onto the senior officer. As a senior officer myself and as many of you out in the field at the time, we finished up running the jails because the POs were pulled away off to go somewhere else and then they in their wisdom decided, 'I'll tell you what we're going to do. We're going to bring back the PO role,' which we were supportive of. They called it a custodial manager but then when they came to us with the MOU 13 I remember Michael Spurr telling us quite straight and it was Steve Gillan who blew a hole in their argument when he said, 'We will give you all the SOs on units and it will be good but you've got online managers.' Bear in mind Fair and Sustainable had created this supervisory role, not benchmark. Benchmark was trying to further spread that wee bit of butter over a piece of toast and still leaving part of it dry, but as a sweetener for MOU 13 Michael Spurr tried to give us something back but it was fleet of foot, flight of fancy and it was at the expense of residential staff working on the units making that senior officer part of an unlock. So for example Garth, SO and six becoming six. We couldn't agree to that. NOMS went ahead with it in establishments that you're well aware of on the large wings but the fact of the matter remains. This executive not only support this motion but we want managers on the units. We want decision makers supporting their staff. We want staff to be empowered when prisoners are acting outside of policy of the IEP and to be managed properly on the units and to have a real strong uniform-led structure when dealing with good order and discipline in our prisons but our course as alluded to by Garth that will lead to some tough decisions to be made and prison reform is going to bring a whole raft of questions to us and what we want to do in our hierarchical structure so as much as we want to support this motion and as much as we want managers we're going to have to be grown-up and responsible about what it may actually look like because NOMS have been tinkering with it for far too long now. We can't allow them to keep getting it wrong so support this motion, empower your NEC to push to get appropriate staffing levels and led by the appropriate pay bands and to get the right levels of responsibility and to empower our members. Support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Lancaster Farms, do you want to come back? We go to the vote on 20. All those in favour please show. Those against. That motion is carried. We go to 21, Swinfen Hall. Do we have a seconder for Swinfen Hall's motion? Whatton, thank you.

**MOTION 21**

*Conference accepts that with the smoking ban within all prisons getting ever closer, conference instruct the NEC to secure a clear commitment from NOMS on their Zero Tolerance Policy on violence in the workplace.*

**SWINFEN HALL**

**PHIL SEAGAR – BRANCH CHAIR, SWINFEN HALL:** Chair, NEC, Conference, motion 21 reads:

Conference accepts with the smoking ban within all prisons getting ever closer Conference instructs the NEC to secure a clear commitment from NOMS on their zero policy on violence in the workplace. Colleagues, at the time of submitting this in January it seemed that we were all heading towards our long pursued goal of having smoke-free prisons to work in. One less danger for us to worry about. However, the government could not allow us this privilege and their clever lawyers got it overturned at the Court of Appeal allowing the MoJ to work on this themselves. This is not ideal at least in my mind as they have no rules to abide by. They can make it up as they go along but this is what we have at present. My members and I had and still have concerns on how unsettling the ban would be for every prison, which is the reason we submitted the motion, but the heart of this motion is for us to instruct our elected NEC to get a clear commitment from NOMS on their zero tolerance policy on violence. We have seen that this is a real issue and our strong and righteous colleagues at Wormwood Scrubs brought it right into the spotlight last week and I applaud them all for this. Brilliant. We've also seen similar issues reported for Highdown. We are all going through this problem. At our branch meeting last Wednesday we debated the very same option: to withdraw because staff were so concerned over the increased violence. We have had about as many staff assaults in the first four months of this year as the whole of last year. The decision locally was to tell the number one how close the branch was to withdrawing but to give them the chance to act. I would imagine he was very grateful of seeing that after the events 48 hours later. I read an article by Peter Lazenby in the Morning Star dated 29/4 that gave some shocking statistics from the MoJ report, some of which I'll quickly highlight for you. 91 prisoners have died in the first quarter of this year: one per day. That's the highest ever seen in a quarter. Prison suicides have almost doubled in the last three years. 20,000 prisoner assaults over 12 months to December 2015, a rise of 27 per cent. I have also looked at the MoJ safety in custody statistics for 2015 and find within that 4,568 staff assaults, up 30 per cent for the same period the year before, 2014. This equates to 12 and a half members getting assaulted every single day of the year. 595 of those were serious, up 33 per cent from 446 for the same period. That's 1.6 every single day serious assaults. Since 2012 serious assaults on staff have more than doubled. By my maths every member will be assaulted in about six years' time and that's if those figures don't increase. In closing, then, these statistics, the MoJ statistics, speak for themselves. Our places of work are not safe. NOMS have a duty of care to keep us safe with their zero tolerance policy. Conference, support this motion. Give our NEC the instruction to get this clear commitment from them and I sincerely hope after recent events NOMS are paying attention because every prison officer had had enough. Please support this motion. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Terry Fullerton for the NEC.

**TERRY FULLERTON – NEC:** Thanks Chair, Conference. Seeking support of motion 21. Conference, there's been a lot of talk from NOMS on zero tolerance to violence in our prisons but that's all it's been. It's only been talk. There's been very little action. Last year when we went into the 2015 agreement part of the outcome of that 2015 agreement was to set up a violence reduction strategy and the team that's been going has been meeting on a regular basis now for over 12 months discussing how we can reduce violence in our prisons with a zero tolerance policy. The outcome of it all is that that's what they've come up with: a wonderful leaflet that tells you how to control violence in our prisons, the custodial violence management model. So when you're faced

with an angry prisoner who's going to rip your head off and you've got this leaflet in your pocket you whip it out and you threaten him with it because that's about as much use as that's going to be to you on controlling violence in our prisons today. Conference, the health safety actions that have been taking place around the country from jails who've had enough to their back teeth have stopped being assaulted are on the back of the fact that the zero tolerance policy in prisons is quite simply not working. It's about time that NOMS realised that 12 months of sitting round a table trying to work out how to prevent violence in our prisons to produce that is not acceptable to this union. The way to reduce violence in prisons is put more staff back on the lines. Give us the staff back that you took off us. Give us the 3,000 prisoner officers that you took away under benchmarking. That will help control the violence in our prisons. Support this motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Swinfen Hall, do you want to come back? All those in favour of motion 21 please show. Those against. That motion is carried. 22 is Nottingham. Is there a seconder for the Nottingham motion? Stocken, thank you.

## MOTION 22

*With violence in prisons now at an unacceptable recorded level, this NEC demand from NOMS an independent review of the assaults on staff and prisoners and seek to urgently address this issue as a result of the findings.*

## NOTTINGHAM

**RICHARD WILLIAMS – BRANCH CHAIRMAN, NOTTINGHAM:** Chair, NEC, Conference, motion 22 reads: With violence in prisons now at an unacceptable recorded level this NEC demands from NOMS an independent review of the assaults on staff and prisoners and seek to urgently address this issue as a result of the findings. Conference, we have already heard in the chairman's opening address that violence is out of control in most establishments. We have also heard that serious assaults are up at alarming rates. Personally our branch has just had 23 assaults on staff in April. That's one nearly every day, and these are not just shoves or pushes: these are assaults requiring surgery that may well be career-ending. We're yet to know. I've been branch chairman approximately two weeks and my first task has been to submit a suggestion for change because of our instability, which is creeping back to the summer of 2014, and I will not allow that to happen. With this motion let's see if our employer really do support zero tolerance. Stop being paid the lip service that we've had to date to staff being assaulted and used as punch bags. See if we can identify any particular trends or patterns in these assaults and in carrying out full review to improve our colleagues' and prisoners' safety across the country. Please support the motion.

**SHARON MCNULTY – MORTON HALL:** Chair, NEC, Conference, we wholeheartedly agree with this motion and ask that you all support it, however we feel that the motion should be expanded to include all NOMS establishments in which POA members are present, thus including NOMS-run immigration centres. Please support the motion.

**PAUL WRIGHT – BRANCH CHAIR, LINCOLN:** Colleagues, I urge you to support this motion but what I do advise is that we provide the NEC and the people that matter with the correct assault figures. Not the assault figures that management would have you believe, not the figures that your health and safety people will want you doing, the actual figures, and that means going out amongst the members and making sure that they are reporting everybody. We had a difference of 52 – 52 different assaults, that's one a week – to what the management had the last time we did this so please colleagues, support the motion and do the work to get there. Thank you.

**GARY LYON – BRANCH CHAIR, ASHWORTH:** Chairman, NEC, this isn't wide enough. It should be every

establishment that a POA member's in. I work in the NHS. I recently put in a freedom of information request to ask about number of people assaulted in high secure services and the average over the last six years: 336 assaults a year on staff. That's arterial bleeds, broken arms, fractured eye sockets, not clips round the ear. These are serious assaults on staff and you ask management what they're doing. They've got a duty of care to us, we've got a duty of care to each other but over a six-year period it's going on year on year on year and not seeing any real reduction. The highest was 449 in a year. It's taken a bit of a dip now. It's down to 307 last year and that's seen as a result. 307 people off sick through assault. It's not acceptable. I urge you to support this motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ian Carson for the NEC.

**IAN CARSON – NEC:** Chair, Conference, responding on behalf of the NEC asking you to support this motion for all the reasons so eloquently laid out by the mover of the motion, and thanks very much Rich. We all know that the levels of violence are on the increase in our prisons and the national chairman outlined many of the causes in his speech earlier. I don't intend to repeat his words but I will however use the words of the parliamentary under-secretary of state for justice when responding for questions from the Labour justice team. Andrew Selous said, 'We do not tolerate any violence against our hard-working officers.' Yeah, right. Unfortunately, some of your managers don't agree, Andrew. Again, Andrew Selous said, 'I take safety in prisons very seriously.' Well so do we but again unfortunately some of your managers have got other priorities. He went on to say, 'We are strengthening the case management of those who harm others.' I don't actually know what that means to be quite honest. I Googled it and I got a six-figure grid reference for somewhere in the middle of Russia. Four weeks ago a serious incident at Holme House when I was on the unit, and after the incident I had an opportunity to look at the CCTV. The picture was as clear as day. One prisoner was attempting to decapitate another prisoner with a table tennis bat. Well there's an issue there you would have thought, wouldn't you? Clearly the police need to be called in, public protection matter, it's an issue. Well at this point there's been no police referral although as I've said there are clearly public protection ramifications. The matter is being dealt with in house and I've complained so let's see where it goes but there is certainly no strengthened case management there. We just concluded the last of the six health and safety inspections that we were offered and there are some themes that run through all six establishments and they are: unsupported staff working unsafely; benchmark is clearly wrong; there are no agreed or managers are not working to the agreed RMP; and most importantly regime delivery is taking priority over staff and prisoner safety. This is a complex matter but we need an independent review. Please support. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Nottingham are sitting down so we'll go to the vote. All those in favour of 22 please show. Those against. That motion is carried. 23 is an NEC motion. Is there a seconder for the NEC motion? Deerbolt, thank you. Mike Rolfe for the NEC.

## MOTION 23

*Due to the increased levels of violence, bullying, NPS/Drug use & illicit mobile phones; that the POA negotiate sufficient profiled staff in all types of establishments that the POA membership are present within, to ensure that daily cell & area checks are completed thoroughly. Further that routine cell searching is resourced so that every cell/accommodation room is searched fully within a minimum three-month period on a repeating basis.*

## NEC

**MIKE ROLFE – NEC:** Thank you chair, NEC, Conference. Sorry, one second. Conference, you will have read motion 23 within the booklet and you will see the NEC are asking for a return to routine searching and to daily accommodation fabric checks whether that be in public, private sector

prisons, whether that be in secure hospitals, whether that be in Immigration Removal Centre, across the piece where POA members are present. Only last week on Friday one of the main contentious issues while Scrubs took the industrial action... sorry, the withdrawal of health and safety that they took on Friday was parcels over the wall with regards to MPS, mobile phones and weapons. These were one of the main contentious points that we made to management while we were seeking resolution to staff's health and safety concerns. The day before they'd found a couple of parcels over there that contained at least four penknives and they'd also had a series of stabbings on the units. They were against prisoners. Fortunately, they weren't against staff but of course any of those incidents are absolutely terrible. It's essential for safety and it's essential for security that we are in those cells doing daily checks, removing these weapons, removing these phones, removing these drugs that cause violence to our members, violence to other prisoners. It says a lot when a trade union has to remind its employer what its main business is and its main business is security. Its main business is keeping those prisoners safe. Let's remind those but let's tell them what we need to have in place to do that. What we're asking for here is nothing short of the bare minimum of what we should be doing in every single type of establishment out there. We should be doing daily checks on cells but we haven't got the staff resource. We should be doing routine cell searching over a period of three months but we haven't got security departments and the employer in many different forms do not want to put that resource in. They do not want to cost it out so it's absolutely fundamental that we have those resources in place because that's what makes our members safe, that's what makes prisoners safe. Violence towards staff and prisoners we could talk about all day long. Every single person out there will have a story of it. Everyone will know the effects that this is having on individuals within the workplace. There's bullying amongst prisoners, we have mobile phones that cause mass embarrassment not only to us. We are civil servants and we want to do our job well. We want to make sure our jails aren't flooded with phones. We don't want the embarrassment of our prison being all over the news and one of our high-profile prisoners updating his Facebook profile because that's not us. We work very hard every single day in those jails to ensure that we are making sure the regime runs as safely as we can and yet this is an embarrassment not only to the employer but to us as well so we need that taken away and NOMS and the other employers that we work with as a trade union refuse to put mobile blockers in. Although it's simple and cost-effective they still refuse to do it so until such time bring back our security departments, empower our staff to get into those cells and remove these dangerous articles and those things that cause us and your embarrassment and save those victims of crime from all of that pain of seeing the person that caused all their pain in the first place enjoying their life and promoting how much of a wonderful time they're having at Her Majesty's expense. Thank you very much. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** 23 to the vote, Conference. All those in favour please show. Those against. That motion is carried. 24 is a debate so no seconder required. Nottingham to start the debate please.

## MOTION 24

*That conference debate the use of Body Worn Cameras and CCTV footage against our members in conjunction with PSI 6/2010 Conduct and Discipline and any other policies where POA members work.*

## NOTTINGHAM

**RICHARD WILLIAMS – BRANCH CHAIR, NOTTINGHAM:** Chair, NEC, Conference, motion 24 reads that Conference debate the use of body-worn cameras and CCTV footage against our members in conjunction with PSI 6 of 2010, conduct and discipline, and any other policies where POA members work. Conference, we haven't got body cameras yet but could certainly do with them in our

present climate. We do however like many now have CCTV on all residential wings and it is now common practice for CCTV to be used against our members in codes of discipline. Nottingham would welcome the use of body-worn cameras if we're given the option. However, we would like to hear from other branches who have got the body-worn cameras to see exactly how they've been accepted by the membership and how any footage from them has been used against them in codes of conduct and discipline as with the use of CCTV. Has the use of body-worn cameras reduced assaults on staff in those establishments? Please join the debate.

**BRIAN CLARKE – WINSON GREEN, BIRMINGHAM, G4S,** Chair, NEC, Conference, life members and honoured guests, supporting the debate with some woeful tales from the private sector, four case studies. By the way I was having a word with the sound engineers about these explosions from the mics you've got on the top table there. They put it down to static electricity from cheap suits. Don't know whether that's pertinent or not. Jackie, you're not to go anywhere near that mic.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** No disagreement up here, Brian. Times are hard.

**BRIAN CLARKE – WINSON GREEN, BIRMINGHAM, G4S:** Four case studies. A line manager who absented himself with a bad back and spent time on sick leave renovating his period abode in the shires. He was placed under covert surveillance and subsequently dismissed for fraudulently claiming sick pay. I think there's not a person in this hall who would have disputed the facts and supported the employer in that case. Case 2: female employee who tripped on a stairwell whilst repairs and alterations were taking place. She went to the doctor straight away and was signed off unfit for her duties with injuries to her knee and back. With 24 hours she was placed under covert surveillance. After a week she began to suffer from different symptoms and returned to her GP who issued a different sick note diagnosing bladder injuries and incontinence issues. After two weeks she returned to work and was immediately suspended for fraudulently claiming sick pay while she was actually fit for work. The employer's case proceeded on the video evidence and her own statement. The gross misconduct element was dropped with the provision of her sick notes but she was found guilty of claiming sick pay while fit for work based on her employer's opinion of the video footage and the fact that she didn't declare herself fit for work with reasonable adjustments. She didn't declare herself fit for work with reasonable adjustments. Case 3: male officer received injuries after responding to a lunchtime brawl on the floors. He slipped on spilled food, twisted his knee, he was punched and kicked but carried on with his duties. When the roll was called correct he began to suffer swelling and pain and discomfort. He excused himself, advising his colleagues to inform his managers. He phoned his prison on arrival back at home reporting to the dedicated sick line that he wasn't fit enough for work. He didn't go to the A&E, he didn't attend his GP. He treated his injuries with cold compresses, by wearing a support bandage and putting his leg up, resting. Within 24 hours he too was placed under covert surveillance. Upon his return to work six days later he was immediately suspended for fraudulently claiming sick pay. He went straight away to his GP, who noted the swelling still present and the tenderness and pain and discomfort. He was signed unfit for work for the next seven days but the employer continued their case based on the video footage and the member's own statement. Now he was found guilty of gross misconduct and was dismissed. He was found guilty of claiming sick pay whilst he was fit for work based on the employer's opinion of video footage and the fact that he too did not declare himself fit for duties with reasonable adjustments. Let's consider that again. Found guilty of claiming sick pay while fit for work based on the employer's opinion of video evidence without sound and the fact that they didn't declare themselves fit for duties with reasonable adjustments. That apparently is no longer the responsibility of the employer to offer reasonable adjustments, it's not the responsibility of the occupational health advisers to offer reasonable adjustments and it's not the responsibility of the GP to say, 'Yeah, you are injured but you can go back and do this and that and the other.' Case 4: just last week a male member of staff, probably the most capable man with difficult and dangerous prisoners, in fact capable with prisoners in general, he was instructed to supervise the removal of a violent, very violent and very dangerous prisoner from a contractor's cellular van. The person who should have

led that team declared himself out of date with his C&R and he also said that he'd just been promoted a few weeks and was not experienced in this type of removal. Our capable man complained when he was told that he'd got to do it, complained that he'd previously been involved in several violent incidents in the previous 24 hours and he complained that they always came to him with the most violent and difficult scenarios. He followed his orders, arranged his team in full PPE, tried to persuade the prisoner to exit voluntarily and he then showed the prisoner his baton and warned him of the consequences should he carry out his threats to stab the first officer through that door. Our capable man opened the door, the team went in and within seconds the team were in trouble. The shield was more of a hindrance than a help and not all of the team could engage because of the very confined space. Our capable man intervened and helped to subdue a very violent and dangerous prisoner. He wrestled the prisoner from the vehicle onto the floor outside the van and there he declared that this was now a C&R situation and the prisoner was located in the CSU. Following day he was suspended from duty charged with assault on a prisoner, provoking a prisoner and failing to wear PPE as a supervisor. The evidence was video footage from a body-worn video camera and from a handheld camera, both with a soundtrack fortunately. Video...

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Brian, I am going to ask you to allow someone else to have a chance to debate.

**BRIAN CLARKE – WINSON GREEN, BIRMINGHAM, G4S:** Yes, a few short minutes. Video cameras from the cellular vehicle evidence was not requested and in all of the video footage that we've seen it has been edited. Police investigation later, the police declared that our man had acted in self-defence and acted lawfully but the company still proceeded with a code of discipline charge threatening to dismiss. Edited video recordings and no soundtracks. Just a few examples of my feelings about what video surveillance and body-worn video cameras are. Body-worn video cameras can be a good thing in most situations most of the time. My feelings are that they protect our staff and our members most of the time but it shouldn't be used by bean counters and pen pushers to criminalise capable and experienced men and women who do the job that those bean counters and pen pushers cannot do. Please join the debate.

**STEVE BRIGHT – BRANCH CHAIR, RANBY:** Chair, NEC, Conference, I'm on annual leave. We've had body-worn cameras for the best part of a year. When they were introduced at Ranby there was no structured training given as such. We were told how to dock them, how to draw them and I think we were probably told, 'In the event you feel threatened, turn it on.' Initially we the committee and pretty much all the staff thought they were the best thing since sliced bread. We were told that they were only ever going to be used as supporting evidence, not to actively go after staff. We found that if you had a refractory prisoner that was in your face a bit if you turned the camera on and said, 'OK, look, anything we now do is being recorded,' nine times out of 10 the prisoner backed down. Some days out of 48 cameras that we had in the jail – bear in mind we've got 153 officers, at any one time probably between 50 and 60 on duty – 48 cameras, every single one was out every day. There were some accidental activations. There is some footage somewhere of me having ham, egg and chips for my lunch and of a very esteemed custodial manager going to the loo. We then had our first death in custody since we had body-worn cameras put into Ranby. When the footage was reviewed two members of staff were immediately suspended because the camera footage showed what management believed was evidence that they didn't try hard enough to save the life of the prisoner. Management went purely and simply down the line of the footage from the body-worn cameras. At no point did they look to see when those members of staff had been trained. Had they ever been trained in what to do when they found somebody suspended from a ligature? One of the members of staff had done first aid training and had not been refreshed for 28 years. The other member of staff had never had any first aid training. He'd been in the job 18 months and it was no longer part of the training. But because the body-worn camera footage showed that there was insufficient – as management put it at the time – assistance to the prisoner they took both those

guys down the code of discipline. Boxing Day just gone we had an incident on the netting. The only footage of that incident that was available was one body-worn camera but the member of staff as they walked on the wing turned the camera on. To be fair to her, she forgot that she left the camera running. She was given the job of the note-taker and stood on the end of the netting with a clipboard. She kept covering the camera up. Every time she didn't want to write she pulled the clipboard up. She then found herself being investigated for deliberately hiding body-worn camera footage and evidence of an incident. In October of last year our governor decided that she at the time would hold a review into control and restraint at Ranby. The deputy governor of North Sea Camp was asked to come in and do a review, which he did, and we were assured as a committee that at no stage would any of this body-worn camera footage be used against staff. It would purely be used to highlight training needs. We've just had a member of staff called back from a training role at Newbold Revel who was highlighted in that review. When a prisoner bit him he pushed the prisoner back and swore at him. He's now been brought back to Ranby pending an investigation. We also have a member of staff...

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ranby, I think you've made the points.

**STEVE BRIGHT – BRANCH CHAIR, RANBY:** Thank you. Steve Bright, who is routinely employed purely to review video footage. We do believe that body-worn cameras used correctly can still be a major aid to staff. However, it needs to be treated with caution.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Ranby.

**DAVE COOK – BRANCH CHAIR, SWALESIDE:** Chair, NEC, Conference, we were one of the pilot sites to receive body-worn cameras due to the instability of our establishment and I have to say they've gone down very well. We've used video evidence in adjudications. It's been used to actually prosecute the prisoners in adjudications. We've also used video evidence to prosecute prisoners in the court. We have a current case running at the moment and all these sort of things. It is good. It has to a degree reduced some of the violence in our establishment because the prisoners were very cautious of them in the very first place and everything else and the mere fact of you reaching up to switch a camera on you can actually see the prisoner calm down in front of you. Didn't work in every case and it doesn't work in all cases. It's not a stab-proof vest or anything else like that, it's just another aid and I have to say at Swaleside they have gone down well. The trouble with them is that they are pretty poor in quality. Picture quality is not too bad but the actual sturdiness of the camera, they're not soldier-proof at the end of the day. The clips that they're using to attach them to the uniform, they break very easily. They come with a lanyard which you put round your neck very similar to these lanyards with a snap device so if anybody grabbed it then it can actually be pulled off. It's not possible to delete any of the video coverage on the camera itself. Once you put it into the docking station it will automatically upload whatever's been recorded onto the computer. You cannot delete it. After 28 days it will self-delete if it hasn't been saved by the person who manages the system itself. So there's some good stuff with it but it is a double-edged sword. We had the same assurances about the use against staff and everything else. It was purely put into place for safety and about making our prisoners and our staff safer. It's there for the the prisoners, it's not there for staff. However, you'd have to be an absolute lunatic if you ever thought that camera evidence would never be used against a member of staff. To this date at Swaleside I have to say it hasn't but the idea of these cameras is they will turn up at court so if we do prosecute in court and everything else this video camera will go there. It picks up all sound and everything else and the picture's... Because it's attached to your body and it swings around and everything else the picture is jerky. If you put it at an angle it will record at an angle so it's not got a self-righting picture like most smartphones or anything like that. It will record at an angle. As I said about the quality of the cameras themselves unfortunately the computer system that actually works with it quite a lot, on certain days you can go there to get your camera, you get little electronic tag that sticks on the back of your ID card, you swipe it onto the device and it will highlight which camera you are going

to take. That system unfortunately breaks down quite regular so many times when we walk into Swaleside where our cameras are held in our main gate and you can see up to 30 or 40 cameras still sat into its slots. It's very temperamental. At Swaleside we've encouraged all workers in our prison to carry cameras and that includes all our civilian staff, nursing staff, teachers, civilian instructors, all this sort of thing because it is there for everybody, it's not just there for officers. They are good. They can help. It is a safety device. It's just another thing that makes it a little bit safer. We'll always have problems where if you get a member of staff who acts unprofessionally and everything else and that then our job is to then support them at that point but they are a good thing. Thank you.

**KEITH MCDUGAN – BRANCH CHAIR, GRENDON AND SPRING HILL:** Chair, NEC, Conference, happy to join the debate and really just give you some information from the open estate. We're not an official pilot site but we did get these cameras resourced locally and they have had an impact on dealing with prisoners' behaviour. Equally as other colleagues have said already from Swaleside it's there to provide evidence for future possible prosecutions and only very recently in a rare occurrence in an open prison we had an incident, a planned intervention where a prisoner had to be lifted. Strong intelligence from Thames Valley Police that he was regularly absconding, involved in criminal activities outside and needed to be put in closed conditions immediately. The staff arrived at the scene, there were three staff there and he immediately started to fight. Two staff were very quickly assaulted, one female out of the game with a sort of punch in the face, another male injured and the third remaining officer drew his baton to try and gain compliance and deployed it and we have local agreement in the open prison that when prisoners are re-catted and they're going to be lifted to go back to closed conditions that the staff in those conditions can draw batons from a central store. In this case because it's such a rarity there was immediately a precursor investigation to a full disciplinary investigation and the footage from the body-worn CCTV satisfied the investigating officer immediately that the use of force was justified, otherwise that may well have pursued into a disciplinary so it does go both sides. I would support a national roll-out of body-worn CCTV. I think it's better to be there, give yourself the option to use it but not have it. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Jim, I thought you were coming to the rostrum then. No? OK. Jackie Marshall will join in the debate for the NEC.

**JACKIE MARSHALL – NEC:** Chair, Conference, as part of the violence reduction project body-worn cameras have been piloted across the estate in 22 establishments for six months. On top of that, as has been mentioned, some governors bought their own. They were asked to follow the guidelines that were issued with the pilot ones. The pilot's now ended and we should know next week if the cameras will be rolled out across the estate. If they are going to be rolled out it's already been talked about the clips and the way they attach to uniform and that would be looked at before they are rolled out. The cameras came about following a campaign by the executive to provide our members with more protection when dealing with refractory prisoners. Early reports from prisons and staff were positive and body-worn camera evidence has been used in adjudications and courts when prosecuting prisoners for acts of violence. In respect of adjudications body-worn video camera evidence has been invaluable in supporting staff because the video evidence is visible and audible, which has resulted in speedier and less challenging adjudications. CCTV has also been around for a long time and more has been paid for through the violence reduction project. Governors were asked to put bids in for what they wanted. The body-worn video camera is new and throughout the pilot I've been contacted by branches stating that governors wanted to use them for various other activities: cell searching, turn it on as soon as alarm bell goes whether you're responding or not. There's even one governor that said from a prisoner focus group, 'If the prisoner wants you to turn your camera on while you're chatting to him then you must turn it on.' And of course we've got Mr Gove's comments, what he said about the cameras. It's not acceptable and we won't allow this equipment to be there purely to catch staff out just like we've done with the tracker system. There will be a PSI on the use of the body-worn video cameras with guidance to its use. We all know that CCTV is used both against us and against prisoners, mainly against prisoners,

and this is exactly the same with the body-worn video cameras. When we're dealing with an incident we deal with it professionally. We all know the consequences of unprofessional behaviour and I'm not just talking about swearing. Don't be afraid of this equipment. It's there for your protection and safety. Carry out your job as you do every day in a professional manner and there won't be a problem. More than one prison has used the recordings for training purposes when staff perhaps haven't acted as they should. They've not gone down on the staff and charged them: they've brought their attention to it used as a training video for them so that they can actually learn from it and it's been very effective and I think Nottingham for bringing this debate. If any of you think the use of these cameras has been misused, then contact me and I'll get it looked into. Just to finish we've got some quotes from staff from the pilot sites. First one, uniform staff: 'With the camera being there it's more of a de-escalation tool.' Another uniform staff: 'They know that when we put the camera on we can evidence what they are doing.' And another one: 'I think that having the camera is like having another set of eyes.' From a prisoner's point of view: 'I feel like they're always watching me.' It's a good piece of equipment, colleagues. Hopefully it will be rolled out sooner rather than later. Thank you for the debate.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Yes, thank you for the debate Nottingham and to those who contributed. I think we'll be hearing a lot more about body-worn cameras as we go forward. That's the afternoon break. 3:30, 30 minutes please, back in the conference hall. Thank you.

### Afternoon Break

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Conference, we return to the Agenda and we're at 25 which is a debate, so no seconder required, Bullingdon to begin the debate please.

### MOTION 25

*That conference debate the suitability of the issue uniform in the current operational environment.*

### BULLINGDON

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Thank you Chair. Chair, NEC, Conference, the motion reads that Conference debates the suitability of the issue uniform in the current operational environment. I hope many of you will join this debate as my branch feels it's a long time in coming. I've been attending Conference now for many years and we've had motions about the quality of the uniform, the introduction of the relaxed uniform in the juvenile estate, how many of each items we should receive and the debate about boots and shoes has been endless. At local level also when it's summer we can remove a tie.

I joined the service in 1987 and essentially the uniform I have today is no different than it was then, maybe a few sizes or two bigger but back then other services such as the police, fire and ambulance had relatively similar uniforms to us. But do they today? No. They've all moved on to a uniform which suits the operational environment in which they work. Let's face it, apart from a set of epaulettes you can walk into any branch of M&S and come out dressed as a Prison Officer. In fact, that's what many of our colleagues had to do recently due to the chronic shortage of uniform.

Many staff have to carry a lot of things around with them these days. Most of us have one of these clip on belts which they've paid for themselves, they have radios, batons, first aid kits, searching gloves, an odd one that one, evidence bags and due to the increasing number of violent incidents, many more carry cuffs. We're looking at the possibility of body-worn cameras which we have debated and stab vests, that can be standard items needed to carry out our jobs on a day-to-day basis. Is it not high time that the service will move on in terms of our uniform and come up with something which suits our members working in the current operational environment? NOMS say they want to invest in their staff. Well, let's start by giving our members the right uniform and equipment to

do the ever increasingly difficult job they find themselves in.

Please join the debate.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Mark Fairhurst for the NEC.

**MARK FAIRHURST – NEC:** Thank you Chair, NEC, Conference, colleagues, responding on behalf of the NEC. Very happy to contribute towards this debate but it is your debate and it is your opportunity to tell us what's wrong with the uniform, how we can improve things for you and what needs to change. For example, I remember and many of you will, we used to have a points system for uniform, where we could order what we needed when we needed it and then NOMS in their wisdom changed it to an annual allowance, so now we've all got loads of stuff we don't need and hardly any stuff that we do need in the name of efficiency. Well, it must be true if they told us.

Well, let's look at a few things. PE uniform, for one, needs to be modernised because PEIs are walking around with uniform like something out of *Life on Mars*, so that's one issue that we could improve. The issue boots, the black, hi-tech magnums from China, the feedback we've been getting on them is that it's positive and all the issues have been resolved, but again, we need you to tell us. The issue trousers, are they any good, do you want them changed, would you prefer cargo pants, more practical? What about the utility belt, why don't we get issued a utility belt? Staff shouldn't have to spend money on uniform. The shirts, the blouses, are they fit for purpose, would you prefer T-shirts, do they need to improve the quality? Again, it's down to you to tell us. I haven't heard many bad comments about the fleeces or the waterproof jackets that you're issued with so we can only assume that they're fit for purpose. And just to mention a few things that Steve's touched on there, we're well aware that there are shortages which is an absolute disgrace, POELTS coming into the service and they haven't got adequate uniform to last them the week. We're well aware of quality issues. Searching gloves, we're going to look into that one. Body-worn cameras, why wouldn't we endorse body-worn cameras as issued uniform? And stab vests, we've been going on at NOMS for some time now about stab vests, but I will take it further.

We need the same level of protection as uniform issue that police constables have because we're facing violence every, single day in our workplace. They may face it on the odd occasion on a Friday or Saturday night. You're facing that every single day and all you've got is a baton. Let's have the batons, let's have everyone with rigid cuffs, let's have a stab-proof vest, let's have pepper spray and let's have the tactical use of tasers, that's what we want and we're going to keep on pestering NOMS until we get it but this is your opportunity to tell us what you need, so you'd urge you to take that opportunity.

Thank you Conference.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Conference for the debate. We will move on to Motion 26 which is Bullingdon, do we have a seconder for this motion? Thank you, Stocken.

## **MOTION 26**

*That the NEC open talks with NOMS into providing operational grades with a uniform which is fit for purpose and is suitable for the operational environment in which they work.*

## **BULLINGDON**

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Thank you Chair. Chair, NEC, Conference, the motion reads that the NEC open talks with NOMS into providing operational grades with a uniform

which is fit for purpose and is suitable for the operational environment in which they work. I thank Mark for all his comments on the debate though and the ongoing issues we have with the bits and pieces of our uniform and how certain parts can be improved. As I said, this was a dummy motion to the following debate when we've heard some others, but I think we could get some information from the field out there to see what actually is required and we need to move on from our current uniform. It is not fit for purpose; it is not fit for the environment we now work in with the increased levels of violence. I don't claim to have the answers to what an issued uniform should look like or what it should be but I just hope that we can pass this motion to enable the NEC to engage in meaningful talks to access what that could be. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Mark Fairhurst for the NEC.

**MARK FAIRHURST – NEC:** Thank you Chair. NEC, Conference, happy to support this motion but as I said in the previous debate, we need you to give us the information to take forward, so if you can think of any when you're back at your establishments then please let me know, a little email will do, one phone call, we will certainly take it forward for you but it's well worthy of support and so please support this motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Mark, Bullingdon do you want to come back?

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** No thank you Chair.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** We go to the vote on 26, all those in favour of the motion please show. Those against. That motion is carried. 27, Low Newton. Do we have a seconder for the Low Newton motion? Holme House, thank you.

## MOTION 27

*That the NEC receives assurances from NOMS that PSO 1600 over-rides the guidance on use of force from Woman's Policy Group. Furthermore, NOMS instruct the managers of all Female Establishments to follow the instructions contained in PSO 1600.*

## LOW NEWTON

**DAVE TENNICK – BRANCH SECRETARY, LOW NEWTON:** Motion 27 reads: That the NEC receives assurances from NOMS that PSO 1600 overrides the guidance on use of force from Woman's Policy Group. Furthermore, NOMS instruct the managers of all Female Establishments to follow the instructions contained in PSO 1600.

I have brought this motion to Conference as the Governors notably at Low Newton have taken the recommendations from the Women's Group which states:

When appropriate how to physically restrain women safely and when necessary, including women who may be pregnant, senior, except in an emergency should be administered by female staff. Where male staff have been involved they should withdraw if items of clothing are to be removed. Note physical restraint may panic women who have suffered domestic violence.

Applying this to similar incidents, this puts members of staff and prisoners at risk by insisting female members of staff take over from male members of staff immediately after a C&R incident has occurred as a matter of course without carrying out the immediate risk assessment or consulting with the staff involved. There is a culture at Low Newton created by local managers of only using female members of staff for planned interventions, ignoring the risk posed by prisoners no matter the prisoners' physical size or state of mind and capabilities. We have had staff assaulted by an

increasingly violent female population and recently had an incident of a female prisoner nearly breaking free from a restraint situation after being suspected of taking NPS, which was only remedied by the use of three male members of staff. C&R is and should always be about safety, common sense and meeting the four principles as taught to every member of staff during their compulsory refresher but when did you see a manager in a suit appear at one of your refreshers? They contradict this by using more force than necessary, more staff than necessary, increasing the risk of injury to prisoner and staff and escalating the situation as well as decreasing the chances of de-escalation.

This isn't about more bravado, but using the common sense and the right staff for the right job, ensuring the task is completely safe, no matter when gender is being used. All uniformed staff are trained to a professional standard and should have the confidence to carry out tasks to that end without prejudice and interference by managers who have very little contact with prisoners but have read some comments in a policy document. Deviating from PSO 1600 which has no preference to staff being used for planned interventions or soon after creates problems and puts front line managers with Band 4s and Band 5s where also our members are in conflicting situations with senior management. All we want is clarification from NOMS on what we are to follow to ensure that safety of both our members and prisoners and if the recommendations from the Women's Policy Group is to be carried out then this needs to be encapsulated into PSO 1600 as a nationally recognised guideline to follow. If it remains a recommendation, then we ask that NOMS cascade this to managers so we can ensure the safety of all.

Please support this motion so we can have clarity on this matter.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Low Newton. Chris Donovan for the NEC.

**CHRIS DONOVAN – NEC:** Chair, NEC, Conference, responding for the NEC. The NEC fully supports Low Newton's motion and the reasons being for the reasons that Low Newton and so eloquently put forward. We will take this forward at the appropriate Whitley Meeting, please support this motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Low Newton, do you want to come back? No. We go to the vote on 27, all those in favour of 27, please show. Those against. That motion is carried. We move to Motion 28, Holme House, do we have a seconder for the Holme House motion? Durham, thank you.

## MOTION 28

*The NEC negotiate with NOMS to secure a Minimum Staffing Level of 3 Officers for external escorts of prisoners believed to be under the influence of identified or unidentified substances.*

## HOLME HOUSE

**ANDY BAXTER – HMP HOLME HOUSE:** Chairman, NEC, Conference, the motion reads: The NEC negotiate with NOMS to secure a Minimum Staffing Level of three Officers for external escorts of prisoners believed to be under the influence of identified or unidentified substances.

Following an incident where two Holme House staff and NHS hospital staff were assaulted by a prisoner being escorted who was under the influence of a cocktail of drugs, it brought home to us how vulnerable and isolated our staff are when on escort duties. Credit to our Acting Governor who immediately agreed to increase staffing levels on escorts where it was believed a prisoner had taken NPS. However, on this occasion it transpired that the prisoner had taken a cocktail of opiates, ecstasy and cocaine, hence the wording of this motion to include prisoners believed to be under the influence of identified or unidentified substances. Please support the motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Duncan Keys for the NEC.

**DUNCAN KEYS – ASSISTANT SECRETARY, NEC:** Thank you Chair, Conference, NEC, responding on behalf of the NEC. Conference, we're obviously going to be seeking your support on this motion, Holme House have got this absolutely right and if there was ever a time for the Executive to be pursuing this motion, should Conference accept it, then it is now. Clearly the example that Holme House have expressed this afternoon can be replicated, I'm sure, across the Estate. One of the things that we would require though is your assistance in placing this matter on the agenda for your regular Governor/POA meeting, so that when we go into discussions with Security Custody Whitley Committee that we're actually able to draw on your experiences and the fact that you have raised this use locally. The more that you can do, the more we can do, so with that in mind Conference, we'd ask you to support the motion.

Thank you Chair.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Duncan, Holme House to come back? We move to the vote, Motion 28, all those in favour, please show. Those against. That motion is carried. We now move onto the HR section, 29. It's a debate, no seconder required. Nottingham to begin the debate, thank you Nottingham.

## MOTION 29

*That conference debate the impact of PSI 6/2010 Conduct and Discipline on our members.*

## NOTTINGHAM

**RICHARD WILLIAMS – BRANCH CHAIR, HMP NOTTINGHAM:** Chair, NEC, Conference, motion 29 reads that Conference debate the impact of PSI 6/2010 Conduct and Discipline on our members.

Conference, violence against us all is now through the roof at unprecedented and unacceptable levels. The knock-on effect of this is that at every available opportunity our employer is now using PSI 6/2010, the Code of Conduct and Discipline against our members. Approximately 8 of our members per month are being wrongfully dismissed with local interpretation of this PSI of Conduct and Discipline. This leaves eight people not being able to pay their mortgages and provide for their families; that's unacceptable. Whether the code is reviewed or used as it should be, it's time for consideration, as used by Governors when using it against members who are faced with intolerable levels of violence on a daily basis. Things have to change. Please join the debate.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Glyn Travis for the NEC.

**GLYN TRAVIS – ASSISTANT SECRETARY, NEC:** Chair, NEC, Conference, joining the debate. What a wonderful debate. One of the most important documents, colleagues, that you use on a daily basis is to try and protect your members. You need to look at PSI 6/2010 Conduct and Discipline and any disciplinary policy that we have wherever we work, because that is the only means you have of trying to defend your members when they face allegations and they say that they are innocent. We need to look at PSI 1/2010 specifically because what we're now finding, even more so, is the amount of staff who are being charged or investigated by the police, subsequently acquitted and then *immediately* NOMS or any employees trying to get hold of that evidence which they're *not* entitled to. And I don't want to go into other areas because I know there are issues in relation to PSI 6/2010.

What I will say colleagues, is this. The Executive have been trying to persuade NOMS for the last year to review PSI 6/2010 not because it's a bad document, because it's consistently being mal-administered by the investigators, the hearing authorities, people who simply do not follow procedures and when you challenge those failings they just simply ride rough shot over it and NOMS' response is we're not even going to look at 6/2010 until 2017 at the earliest. So we're having to revert to alternative measures to try and protect our members and that can be through the legal processes of potential judicial reviews, where it's appropriate. And so colleagues, what you do need to do is make sure that when governors or hearing authorities are looking at PSI 6/2010, you force their hand to at least follow the procedures. All of the Executive, all the full-time officers are here to assist you if you ever need any assistance there, so please, when you see the other motions that are on the Order Paper, at least if you've got something to say on it, get up here and express your concerns over 6/2010, because NOMS are other employers simply think that it's fine.

Thank you Chair.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Glyn and thank you Nottingham for bringing that issue to Conference. We move to Motion 30 which is Durham, do we have a seconder for the Durham motion? Littlehay, thank you.

### MOTION 30

*That conference mandate the NEC to seek an amendment to PSI 6/2010 and any other disciplinary policy which affects POA members to ensure that when the Police take no further action following any incident involving staff that any investigation/disciplinary under these policies are stopped.*

### DURHAM

**CRAIG ROBSON – BRANCH SECRETARY, DURHAM:** Conference, Chair, motion 30: That conference mandate the NEC to seek an amendment to PSI 6/2010 and any other disciplinary policy which affects POA members to ensure that when the Police take no further action following any incident involving staff that any investigation/disciplinary under these policies are stopped.

What I'm talking about is the department threw a gift horse to us last year and I think we should grab a hold of it. It's about an incident that happened last year and I know you all know about it, it's about an army officer who got killed. He was murdered in London by two murders. One of them got injured at an incident in the prison. It happens. The police investigated it and said there was no case to answer. However, those lads were kept on forever and a day with threats. Eventually, I know, they didn't get sacked. It's not the point though, it's what you've got to go through. We have lots of members in my own estate, in my own establishment, that it's happened to. However, on this occasion they knew the difference between employment law, in criminal law, but on this occasion NOMS decided to speak out because of what the public were saying. The prisoner concerned decided that he was going to make a claim for a broken tooth, I believe. NOMS jumped straightaway and said, 'The police have investigated, there was no case to answer.' Well, if that's the case, stop the investigation straightaway, if you're happy for that when the police have investigated and there's no case to answer, it should be good enough for us, so stop the investigation fully.

Applause

**BRIAN CLARKE – HMP BIRMINGHAM:** Chair, NEC, Honorary Life Members, Retired Members, Honoured Guests, on facility time still. For the reasons I stated at length in the debate about body worn video cameras and CCTV recordings, I support this motion wholeheartedly and passionately. For the employer to take a member of staff after a police investigation through an investigation by the

Crown Prosecution Service who decided that member acted within the law and acted in self-defence, for the employer then to take him to a disciplinary charge under their code of conduct and discipline, is *absolutely disgraceful*. I myself was subject to investigations, OK, it was some years ago. Two internal investigations found no case to answer. A police investigation followed and they found no case to answer. The matter went to a judicial review, funded by Legal Aid and the response: no case to answer. The case then went to the civil courts, funded, so I'm told, by the National Council for Civil Liberties and Amnesty International. A week in the dock at the Royal Courts of Justice and a jury came out with a not guilty on all counts. I'll give my governor his due, he then accepted the four previous opinions of his governors, the police, the CPS, a high court judge and a jury. And he accepted that opinion that no further action be taken, but it did take three years to get there.

Conference, no employer should take a higher moral standpoint, no employer should be interpreting Halsbury's Law to discipline and to criminalise our members. Conference, we should support this motion unanimously with everything we've got. Vote and support the motion to change the policies.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ian Carson for the NEC.

**IAN CARSON – NEC:** Chair, Conference, responding on behalf of -

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Sorry, my mistake, sorry Ian, back in a moment, my error.

**JERRY LENNON – BRANCH SECRETARY, FULL SUTTON:** Chair, NEC, Conference, I've possibly been thrown to the wolves here by my branch, asking you to vote against this motion. I quite agree with the spirit, however, concerns re the wording of investigations/disciplinary and involving staff. Staff can be involved in investigations both as alleged miscreants and as victims and in some cases it would be for the members' benefit and possibly even for the greater membership's benefit for the investigation to proceed. It's not as clear. The spirit of the motion I agree with wholeheartedly, I'm just not happy with the wording, so I'd ask you to vote against. Thank you.

**PHIL BIRCH – BRANCH CHAIR, HMP SEND:** Chairman, NEC, Conference, speaking in support of the motion, however, with an addition to it as well, having represented members who have been on the receiving end of this having had no case to answer for excessive use of force on prisoners. The police have found no case to answer, yet the prison service has decided, in their wisdom, to viciously pursue that member to then be disciplined under 6/2010. If there's no case to answer under the police, there should be no case to answer under 6/2010 but furthermore, what I would suggest is that if we have a manager whose pursuing under that, that we then grievance them under the General Conduct Statement, Annexes have, Professional Standards for Bullying and Harassing Staff.

Please support the motion.

Applause

**STEWART MCLAUGHLIN – BRANCH SECRETARY, WANDSWORTH:** Chair, NEC, Conference, when I return from Conference at the end of this week I've got a code of discipline hearing booked for all next week and another couple following on from that. I just want to perhaps say a word of caution on this particular motion. Sadly, in my years as a branch official, I have had members of staff who have been investigated by the police and it did then fall that the police had no case against them because they couldn't prove it was the mobile phone and the drugs in their locker had been put there by them, but it was dealt with by the Prison Service's disciplinary. So backing up that word of caution, if you're absolutely certain that you've got staff who may potentially be corrupt but the police cannot find enough evidence to prove beyond reasonable doubt that they are the ones bringing in the drugs and mobile phones, then I don't know what system we're going to use to

prevent them from doing it. The code of discipline isn't brilliant but then again, it is our job as branch officials to defend our members to the hilt with all the resources we've got, so just bear that in mind as a word of caution when you vote on this particular motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ian Carson for the NEC.

**IAN CARSON – NEC:** Chair, Conference, responding on behalf of the NEC. Thank you Durham for bringing this motion, we're happy to support for all the reasons laid out by the mover of the motion and in supporting we offer the following advice: That where any member is interviewed under caution by the police and the decision is taken that no further action is to be taken, the member should write to the police officer investigating and inform them that they do not have their permission to release any information to the employer. The police must be left under no illusion that they do not have the permission to release any information. I know of a case where this has worked successfully for a member who was suspended for a considerable amount of time, NOMS managers were very, very frustrated. The back phone was lifted, the member ended up with medical retirement, they didn't get access to anything the police had, because they weren't entitled to it.

Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Durham, do you want to come back? No, OK. We'll go to the vote on motion 30, all those in favour please show. Those against. That motion is carried. 31, Hewell Closed, Blakenhurst, is there a seconder for motion 31? Send, thank you.

### MOTION 31

*That the NEC negotiate changes to PSI 6/2010 where "mandatory instructions" are only being considered advisory guidelines.*

### HEWELL CLOSED (BLAKENHURST)

**JOHN SWIFT – HMP HEWELL CLOSED (BLAKENHURST):** Chair, NEC, Conference, that the NEC negotiate changes to PSI 6/2010 where mandatory instructions are only being considered as advisory guidelines by those in charge.

The aims of this motion are to hold governors to consequence, the disregard of mandatory instructions and to protect our members and the wilful disregard currently displayed by many hearing authorities. I have witnessed over recent years the mandatory instructions as laid out in 2010 being ignored at significant, personal cost to those involved in conduct and discipline procedures. The added pain and anguish that often accompanies such processes has often been thoughtlessly and wilfully extended without consequence by those who are charged with maintaining standards within our prison service; in the words of a former governor, 'Because I can.'

PSI 6/2010 details how the investigating governor has 28 days in which to complete the investigation and he *must* apply for an extension if he wishes to extend the deadline giving a valid reason. How many times do you receive a paper just saying it was extended, with no reason why? I myself was suspended for 10 months, 4 months before I got my first interview for investigation. Did I get any pieces of paper? Nothing. How often does the investigation go over the 3-month deadline? Under ACAS regulation, it's a breach of natural justice. When you challenge this you're met with various reasons why. That the hearing authority are still happy to proceed; when you bring in counter arguments stating the governors and the IAs, the investigating adjudicators quite often dismiss charges against prisoners for this reason. They just simply ignore it and continue. If you criticise the investigator in the hearing - reference this - how often you're told the investigator isn't on trial, change your line of questioning. Simple investigations have disappeared under PSI 6/2010 but there

is nothing to stop investigators holding a simple investigation under PSO 1300. It's still a valid document, it's not been discontinued. Therefore, pursuing the investigation under 2010, they can use the information that they've gathered on a simple investigation, because it doesn't preclude it under 2010.

The purpose of the investigation is to establish the facts. Investigators try and solve the case before it gets to the hearing. Hearings and interviews do not need to be invigilated and recorded. I think they should be all the time and they should be compulsory. The facts of the investigation must be relevant to the terms of reference. How many times do you have to remind the investigator: Please come back to the terms of reference, you're stepping outside the guidelines. All documentation must be included within the report, including any disagreements that you've raised; how many times do you get a report, cross-reference it to the interviews and find a shortage of information? But the hearing authority still says, 'I'm happy to continue.' Whilst hearing authorities willingly apply time-bound sanctions to prisoner adjudications at the cost of natural justice, the same mind set is not applied to the staff, who are both potential victim and potential perpetrator the 28-day timeframe is seen as a point where both can gain closure and be able to move on in a professional manner. I witness increases of avoidable yet tortuous and punishing stress-related illnesses on both sides as a result. What we need are more and clear defined boundaries that can't be overstepped, if they are, they must be brought to the attention of the attending HR, at which the hearing should be adjourned and proper advice sought by them, as to whether the breach has been made during the hearing and made it invalid. This will make it safer for the persons under investigation and for the hearing authority. We would like the NEC to negotiate with NOMS, obtain a PSI which is fit for purpose when dealing with staff under investigation.

Thank you.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Jackie Marshall for the NEC.

**JACKIE MARSHALL – NEC:** Chair, Conference, speaking on behalf of the NEC, happy to support this motion. Our comment on this motion in the spirit I think it's written in that you want to ensure that mandatory instructions are followed as it says *mandatory*. If you've got a governor who does not follow the mandatory instructions, then you must raise it during the hearing, so that it can be raised during the appeal. If you still get no joy, raise it with your NEC rep and we will take it to headquarters. We continually raise it with NOMS, we continually tell them that their governors are not following policies. We continually tell them to governors for not following written orders, i.e. the PSIs. But let's get a case together, let us know when they're not being followed and we'll bombard NOMS with the, if need be. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Do you want to come back Hewell? No. We'll go to the vote on 31, all those in favour, please show. Those against. That motion is carried. We go to 32, Holme House. Do we have a seconder for the Holme House motion? Dartmoor, thank you.

## MOTION 32

*The NEC inform NOMS that as of 1st July 2016 at the members request all dismissal appeal hearings must be audio recorded to give a mutually beneficial true and accurate record of all contributions at the meeting.*

## HOLME HOUSE

**ANDY BAXTER – HMP HOLME HOUSE:** Chairman, NEC, Conference, Motion 32 reads: The NEC inform NOMS that as of 1st July 2016 at the members' request all dismissal appeal hearings must be audio recorded to give a mutually beneficial, true and accurate record of all contributions at the meeting.

The need for this motion became apparent at an employment tribunal when the judge asked a former DDC for a copy of the notes that he'd taken at an in-house member's dismissal appeal hearing. To say the judge was not pleased was an understatement when the DDC responded that he did not take notes at appeal hearings. When pressed by the judge the DDC added, 'It's not customary practice to keep a verbatim record of appeal hearings.' We as representatives are failing in our duties to our members by not ensuring an accurate record of such a vital meeting is made. It's my opinion that NOMS continues to apply an unfair procedure to our members and in order to protect our members all appeals against dismissal must be tape-recorded.

Please support the motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Duncan Keys for the NEC.

**DUNCAN KEYS – ASSISTANT SECRETARY, NEC:** Chair, Conference, NEC, responding on behalf of the Executive. Thank you again, Holme House, for this motion which is very worthy of its place on the order paper. Clearly, this is an important issue. There can't be very many more important meetings that one of our members can be invited to attend and it does seem remarkable that when during other parts of the process, the disciplinary process, they're only too happy to have people tape recorded. On this one, when to all intents and purposes, the only person that can possibly benefit would be one of our members, that it is not a mandatory requirement, let alone at the insistence of one of our members that the meeting is taped.

So for all the reasons that Holme House have identified and for some of those that I've just relayed to you the Executive are very much in favour of this motion and would seek your support. Thank you Conference, thank you Chair.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Duncan, Holme House, do you want to come back. We'll go to the vote on Motion 32, all those in favour, please show. Those against. That motion is carried. 33, Holme House, do we have a seconder for the Holme House motion? Sudbury, thank you.

### MOTION 33

*The NEC inform NOMS that as of 1st July 2016 at the members request all capability hearings where dismissal is a likely outcome these must be audio recorded to give a mutually beneficial true and accurate record of all contributions at the meeting.*

### HOLME HOUSE

**ANDY BAXTER – HMP HOLME HOUSE:** Chair, NEC, Motion 33 reads: The NEC inform NOMS that as of 1st July 2016 at the members' request all capability hearings where dismissal is a likely outcome these must be audio recorded to give a mutually beneficial, true and accurate record of all contributions at the meeting.

The need for this motion became apparent as myself and a member prepared for an employment tribunal. Our former governor seemed to have suffered a case of selective memory when we received the typed-up notes from the capability hearing. Isn't it strange when they investigate us they tape record us, when the police investigate us, they tape record us, when the interview us as a

witness in an investigation, the tape record us, when the Prisons and Probation Ombudsman carries out investigations, they tape record us. Yet when we ask for a capability hearing to be tape recorded, governors fall backwards off their perches. Protect and promote, that's what they're supposed to be about. Support the motion and protect your members.

Applause

**BILL BUPARAI – BRANCH CHAIR, HMP BELMARSH:** Chair, Conference, NEC, I'm going to speak against this motion but only because of the way in which it's worded. My concern is that the part of the motion which would allow a likely outcome means that the capability hearings risk being prejudged by the hearing authority or prejudged by the branch officials who are attending the hearings. It's too risky, if this motion is passed, that some capability hearings where it's prejudged might be tape recorded and some might not be tape recorded, so I think the wording needs to be revisited. Secondly my concern is that the whole point of a capability hearing is that dismissal is always meant to be a likely outcome rather than a specific case where it's a likely outcome, if you understand that, if I understand myself. And that's it. So please reject the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Glyn Travis for the NEC.

**GLYN TRAVIS – ASSISTANT SECRETARY, NEC:** Chair, Conference, the National Executive Committee seeks support from Conference in this motion and the reasons are that a capability has three outcomes. The first outcome is dismissal, the second outcome is a regrade, which is the equivalent of a dismissal and the third outcome is compensation following dismissal. So the likelihood is that most capabilities, and I know that some don't, always end up with the equivalent of a dismissal at the end of the process. So taking on board what Bill has said from Belmarsh, it's a very, very valid point, if we believe that the spirit of this motion is one that's worthy, it will put NOMS under pressure because of the constant lack of accurate information that is provided to our members. PSO 8404 is very clear in relation to what should happen 10 days before a capability hearing, how much compensation is likely to be paid if compensation is payable, what impact that has on your pensions and we know that once again NOMS consistently get it wrong. And it's not helpful to an individual when they're told, 'Oh, by the way you'll get 100% compensation, it will be £59,000,' and therefore the member's walking away thinking, 'OK, I know I'm going to lose my job because I can't do the job any more, fine,' only to then be told three months down the line, 'Oh, we got that wrong and actually you weren't entitled to any compensation.'

So for those reasons, colleagues, that's why we're asking you to support this motion, please support. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Holme House, do you want to come back? We'll go to the vote on Motion 33, all those in favour, please show. Those against. That motion is carried. 34, Holme House, is there a seconder for the Holme House motion? Durham, thank you.

### **MOTION 34**

*The NEC negotiate with NOMS to secure an independent appeal process against any dismissal. The appeal authority must not be part to the appellant's line management structure and must not be part of the dismissing manager's line management structure.*

### **HOLME HOUSE**

**ANDY BAXTER – HMP HOLME HOUSE:** Chairman, NEC, Conference, the motion 34 reads: The NEC negotiate with NOMS to secure an independent appeal process against any dismissal. The appeal authority must not be part of the appellant's line management structure and must not be part of the dismissing manager's line management structure.

As part of our preparation for an employment tribunal we obtained an email from our former

governor to our former DDC. The email was sent four weeks prior to my member's capability hearing by the governor that was preparing to chair my member's capability hearing. In the email, like I said, sent four weeks before the capability hearing, the following message was sent to the DDC: 'Should you be forced to reinstate officer X, that would really undermine my absence management.' That proved beyond doubt the predisposal to dismiss before the governor had even heard the evidence of the capability hearing but as well as that it was clearly an attempt to undermine my member's appeal before he'd even been dismissed. The judge said of my former governor that she displayed a clear determination to dismiss with what could only be described as indecent haste. The former DDC informed the tribunal that he visited our establishment often and discussed absence management with our former governor. The judge described the appeal process as *fatally flawed* and pointed out that paragraph 27 of the ACAS code of practice clearly points out any appeal should be dealt with impartially and where possible by a manager that has not been involved in the case.

Please support the motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Chris Donovan for the NEC.

**CHRIS DONOVAN – NEC:** Chair, NEC, Conference, responding on behalf of the NEC. The NEC fully supports this motion. The appeal process is not impartial as many DDC's will not overturn one of their governors' decisions who in many cases have actually been promoted into that position of governor by the DDC hearing the appeal. That appeal process in any right person's mind, would say it's corrupt and unfair to our members. Please support Holme House's motion 34.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Chris. Holme House, do you want to come back? We'll go to the vote on Motion 34, Conference, all those in favour, please show. Those against. That motion is carried. We go to 35, which is a debate, Nottingham, no need for a seconder. Thank you Nottingham.

## MOTION 35

*That conference debate the current use and effectiveness of the grievance procedure policy.*

## NOTTINGHAM

**RICHARD WILLIAMS – BRANCH CHAIR, HMP NOTTINGHAM:** Chair, NEC, Conference, motion 35 reads: That conference debate the current use and effectiveness of the grievance procedure policy.

Conference, the current policy is unfit for purpose, it cannot be right when the member raises a grievance that that grievance is either heard by a senior manager who does not have the authority to give the outcome sought or the hearing authority is the person named in the grievance. Yes, it has happened. I cannot remember the last time when a member was successful with the correct outcome sought and won. It simply is not happening. Conference, this is our first avenue of redress that our members can use when they feel aggrieved and time and time again the process is not successful or effective. On the balance of probabilities alone that again cannot be right. This current policy is grossly ineffective and the stance from members when advice is given to raise a grievance is why bother, because they are not seeing any worth from the policy in its current form. It may be that this policy requires a complete overhaul or to be rewritten in such a way that members have good faith that their aggrieved issues are going to be taken seriously and not paid lip service and it becoming a tick-box exercise.

Please join the debate.

Applause

**STEWART MCLAUGHLIN – BRANCH SECRETARY, WANDSWORTH:** Chair, NEC, Conference, yes, 8550. One of the problems with the grievance policy is sometimes down to the people who want to put the grievance in who are already bullied and at the end of their tether and the stress and strain they're under to then quietly complain about what it is they're undergoing, the policy's almost too much for them to proceed with. I've had cases at Wandsworth fairly recently where, curiously enough, we have been successful with grievances partially upheld and even a recent matter on a disciplinary process which I'm dealing with next week, where we did actually grievance the hearing authority who, strangely enough, partially upheld it against themselves! But as I tell a lot of my members you should always appeal at partially upheld grievance because you want it fully upheld and so we appealed it and it was actually fully upheld, but don't take this as being the norm at all. They are difficult to proceed with.

But our previous grievance policy had four stages of agreement, which meant you had every chance of getting it outside of the prison to the DDC or area manager and perhaps beyond but now the prison service reduced it to the two stage process which is the minimum requirement by ACAS, so I think it's worthy of review of our grievance policy. But I find locally, press the matter on before formal grievance as high as possible to get it heard by the highest level of management that you can and then you might just be in a position to then take it out of the prison for appeal.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ian Carson for the National Executive.

**IAN CARSON – NEC:** Chair, Conference, responding on behalf of the NEC. Thank you Nottingham for bringing this debate. The motion reads that Conference debate the current use, I would say that would possibly be as well read as misuse, because that's what's happening at the moment, we know that. Effectiveness should probably read lack of effectiveness because it isn't really effective for our members, so in general, the grievance procedure as it stands isn't fit for purpose. It's used to cover management failures and bullying. How many times do you see a grievance that says bullying on it? As far as I'm aware bullying on the PSI 6/2010 comes with a gross misconduct charge and potential dismissal and yet, how many times do you get the investigation that the grievance should prompt? Very rarely. What we need is a complete re-write of the current policy because the current policy, I believe, was written by the Marx Brothers!

Thank you for the debate.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Conference and thank you again, Nottingham, for bringing that important issue to the debate. We move to 36 which is Swinfen Hall. Do we have a seconder for the Swinfen Hall Motion? Nottingham, thank you.

## MOTION 36

*That conference instructs the NEC to go to NOMS and negotiate for an independent review board for grievance appeals and investigations once escalated to code of discipline as presently these are done in house and are therefore liable to be biased.*

## SWINFEN HALL

**MARK BRIGHTMAN - SWINFEN HALL:** Chair, NEC, Conference, the motion reads: That conference instructs the NEC to go to NOMS and negotiate for an independent review board for grievance appeals and investigations once escalated to code of discipline as presently these are done in house and are therefore liable to be biased.

Colleagues, I'm confident that this motion is worded well enough to stand alone without any expansion but I will add a few words. I'm sure we've all had this to deal with back in our branches and probably also got very frustrated by the way it's done. How can it be right that a governing governor can decide whether one of the members should be investigated, when the matter's completed they decide if it should proceed further? Surely that is not right. If they have made it into a formal investigation all interviews and evidence collected into the report, how on earth can it be right for that same governor to then pass judgment on it and to not need the same level of the burden of truth as would be needed externally? The governor only needs to conclude that they probably did it. Does that sound fair? Would the public have any faith in the court if the judges were doing the same thing? It's open to allegations of corruption and even depends if the governor likes you or not. To add insult to injury for our members who are now at their lowest, the appeal goes to the area manager who as we all know has a chat with the governors first, before they agree with them.

I mention grievance appeals too in the motion as they are equally frustrating. If members aren't happy with the outcome of a grievance, then it will be appealed to the next in line of management who is more than likely to agree with the first decision. These issues should be independently looked at and judged upon, not by people who are closely involved and already have an opinion formed on our member, not always for the better.

Please support this motion, thank you.

**RICHARD WILLIAMS – BRANCH CHAIR, HMP NOTTINGHAM:** Chair, NEC, Conference, we're fully supporting Swinfen Hall in this motion. As I stood here previously, the grievance procedure policy is completely unfit for purpose and neither is it transparent either; the same with the code of conduct and disciplinary, it can't be right that these policies and procedures, decision makers are keeping it in-house, it's not right on the membership and it's time it's changed. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ian Carson for the NEC.

**IAN CARSON – NEC:** Chair, Conference, responding on behalf of the NEC asking you to regret this motion and you may find that strange when we agreed that the current policy isn't fit for purpose. And whilst we understand the sentiments of this motion, it's fraught with danger. We need to have an independent panel, its decisions are a very, strong, persuasive argument when taking a case to an external authority such as an employment tribunal. Many grievances end up in the ET and an independent review Board decision would be a very persuasive argument at an ET. When we threw in NOMS' interpretation of independent, we could be walking into a perfect storm. What we need is a complete rewrite in common sense. Please reject this motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Swinfen Hall, do you want to come back? No. We'll go to the vote on 36, all those in favour of the motion, please show. Those against. That motion is lost. 37, Nottingham. I'd normally ask you to come up to the rostrum and get up but you feel you've been up and down all day, so I'll give you a bit of leeway there. We have Nottingham asking Conference's permission to withdraw 37. All those happy for them to withdraw not 37, please show. Those against. That motion is withdrawn. 38 is the Bure. And could I ask if there's a seconder for the Bure motion? Belmarsh, thank you.

## **MOTION 37**

*That the NEC insist on an independent appeal panel to resolve staff grievances giving the process greater transparency and effectiveness.*

## **NOTTINGHAM**

**MOTION 38**

*An increase in the rate for all Payment Plus is negotiated through collective bargaining by the NEC, and approved by the membership via ballot, if agreement is not reached, there will be a national Payment Plus ban on each last weekend of each month, starting in June 2016, commencing at the start of the night shift on the Friday and remaining in place until the commencement of the day shift on the Monday. This to remain in place until an acceptable recompense is forthcoming.*

**BURE**

**COLIN LEMMON – BRANCH CHAIR, BURE:** Chair, NEC, Conference, our motion reads: An increase in the rate for all Payment Plus is negotiated through collective bargaining by the NEC and approved by the membership via ballot. If agreement is not reached, there will be a national Payment Plus ban on each last weekend of each month, starting in June 2016, commencing at the start of the night shift on the Friday and remaining in place until the commencement of the day shift on the Monday. This is to remain in place until an acceptable recompense is forthcoming.

We are bringing this motion for three main reasons -

**UNKNOWN SPEAKER - BELMARSH:** Apologies, Chair, Conference, NEC, Belmarsh have seconded this motion and I've just realised that my delegate is going to perhaps speak against it, so I'd ask another branch to second this motion.

Laughter

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Sorry Belmarsh, were you saying that actually you realised the mandate that you had from the branch was to oppose/against? I have known people get up in the past and second but second to oppose, so I'll stay with the seconder, but we'll recognise if you get up, that you're speaking against the motion as the seconder. Carry on.

**COLIN LEMMON – BRANCH CHAIR, BURE:** Right, where was I? I am bringing this motion for three main reasons. The first one, Payment Plus has been in existence since 2008 and we've had no increase since that time, that's one. In the last Pay Review Body published this year NOMS stated its intention to remove Payment Plus and reintroduce a contracted hours scheme. Now we need to look at why they're going to do that, why do they want to do it? I'll tell you why they want to do it, because of what we're doing now. We are withdrawing Payment Plus or putting a ban on Payment Plus. If there's no Payment Plus, people will have to be contracted, they wouldn't be able to withdraw that Payment Plus working. So it's important until we get a proper overtime rate that we retain Payment Plus but let's have the rate increased. That's the second one, this is the third one. Conference, motion 72 of '14, which is what we enacted earlier this month, we've had branches stand up there, 'We can't deliver it, that's too long.' This motion gives you the better chance of getting a full support from the membership, one weekend a month. Our members who need Payment Plus to make ends meet cannot afford to do that month after month after month. We are giving them the opportunity to take part and support our union.

Please support this motion.

Applause

**DARREN WORBOYS - BELMARSH:** Chair, NEC, Conference, my apologies for all that earlier, I don't quite know... it's been a long day. Anyway, I'm going to be speaking against –

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Sorry speaker, could you identify yourself and the branch please, for the record?

**DARREN WORBOYS - BELMARSH:** Darren Warboys, Belmarsh.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you.

**DARREN WORBOYS - BELMARSH:** I have a slightly different view on PP than my friend here from Bure. Payment Plus has always been a very divisive issue, every time has EGP contracted out, it's all been a very divisive issue and it's one that tends to divide certainly our branch straight down the middle and I believe that is being weaponised to good effect by NOMS. We have members at Belmarsh and I am under no illusion, we cannot be the only branch with this problem, we have members at Belmarsh that do *anything* and I mean practically anything, for a little bit of money. They will go against everything this union has fought for and is fighting for in order to line their pockets. And the crux of my argument is this: I do not want our NEC using our collective bargaining rights to line the pockets of scabs. As far as I'm concerned leave it as it is. If they're not happy with the overtime rate they're being paid to prop up understaffed and unsafe regimes, here's a novel idea, simply don't do it. That should be good enough in itself to convince them to raise the rate or give us some better form of overtime. I do not believe our NEC should be fighting for it, I think they should be focussing on what is important. They should be focussing on pay, they should be focussing on pensions, they should be focussing on retirement age and our conditions of work, not our overtime rate.

Thank you very much.

Applause

**JACKIE BATES – BRANCH CHAIR, BUCKLEY HALL:** NEC, Conference, speaking against the motion. There's a difference between need and want. I understand why everybody does Payment Plus, all the days past but the time's coming when it will have no effect because the recruitment is coming, it's here and we're employing lower paid staff, you won't be able to have Payment Plus soon, there won't be any. So there's *need* and there's *want*, I think it's too confusing to just do it on a weekend, I think we need to stick with the month, do some more months for me speaking against it.

Applause

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Chair, NEC, Conference, I understand what the Bure's trying to do and we fully well know the problems with Payment Plus. Having had two years of the enhanced scheme where members could earn up to £30 an hour, which has now gone and they're down back to the standard £17, we've seen a massive drop off in those prepared to do it. And there was a tipping point, there was a tipping point where staff were prepared to do it for a certain amount of money or not and that is where we need to achieve.

I do have a problem though with the Bure's motion in terms of the weekend issue. It's a bit complicated but could also only affect one half of your staff for most of the year because if that same weekend falls on your blue or red days every time, you've got one division that can't do the Payment Plus and the other half who can and cash in on the other weekends. It may not work out right.

Applause

**GARRY JONES – BRANCH SECRETARY, HMP WYMOTT:** Chair, NEC, Conference, speaking against this motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Sorry speaker, I can't pick up where you're from?

**GARRY JONES – BRANCH SECRETARY, HMP WYMOTT:** Wymott.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Wymott, thank you.

**GARRY JONES – BRANCH SECRETARY, HMP WYMOTT:** Have we not come full circle? Do you not remember before pre-Fresh Start, people were working on a crap basic wage and working overtime to make it up, where are we now? That's what we're doing. We shouldn't be arguing about overtime rates, we should be arguing about basic rates, we should be arguing about making this job better –

Applause

We should be arguing about making this job better, more attractive, especially the London goals, to attract people and retain people. We've lost five at Wymott, so I don't know about the London and the Southeast and the Southwest goals, we cannot retain these new people because our basic pay is rubbish. And it's not so much the basic pay, but the hours that we're working and they have no family life, so that's it. Reject this motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Mark Fairhurst for the Executive.

**MARK FAIRHURST – NEC:** Thank you Chair, NEC, Conference, colleagues, speaking on behalf of the NEC asking you to reject this motion.

Let's look at it in a bit more detail. It says increase in rate of Payment Plus is negotiated through collective bargaining by the NEC but it doesn't actually give us what rate they want. I mean we could go to NOMS and negotiate an increase in PP and they can say, 'OK, we'll give you £17.20 an hour.' Well, I've just achieved that motion. Then it goes to ballot at the membership, we could be balloting the membership for ever and ever until they decide that they've got a rate which is acceptable. We've already got a conference policy which we're enacting now which states that we want an increase in the rate of PP, we want £30 an hour. Do you know why they want £30 an hour because you're working your premium time when you could be at home with the family and you're pulling the employer out of the brown stuff by doing it. So why shouldn't we be paid accordingly? Look at other public sector bodies, they get time and a half for a weekend on a normal shift, double time Bank Holidays and nights. That's what they get. NOMS are getting us on the cheap, £17 an hour after tax doesn't work out at very much.

And then the other part of this motion states that it commences at the start of the night shift on Friday and remains in place until commencement of the day shift on Monday. Well, I'll tell you what management will do now, it's called a temporary management override and they'll just change the times of those shifts to suit the business needs, so you could have one of your mates who's gone into work on a main shift, been told he's on a bed guard, and then is probably waiting until two o'clock in the morning to get relieved by night shift night staff because it suits their business needs to do a temporary management override. So it causes a lot of issues.

My colleague there mentioned, when he was moving the motion, that there hasn't been an increase in PP since it was introduced. Do you know why there hasn't been an increase? Why should our employer give us an increase when there's so many people doing excessive hours on PP at £17?

Applause

If you weren't in a trade union you've got to suffer a bit of pain and we're enacting the PP ban now, we're a few days into it and I'm telling you now the Northwest has already crumbled, they can't cope. Three days into a 28-day ban and they can't cope. Eventually they've got to sit down with us and come to some arrangement because I'll tell you now the number one governors will be

on the phone to the area managers and the area manager will be on the phone to Ian Mulholland and something's gotta give. But I'll tell you what, it won't be this membership that gives, because we need to stick to it and we need to get something out of this. Think about the trade unions who fought for their rights, we want £30 an hour or something decent above that. Let's get this done, let's reject this motion, let's stick to the motions that we've already got and let's do this PP ban, stick together, unity is strength, we will win the day, colleagues. Please reject.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** I can tell, colleague, that you're walking away!

We go to the vote on 38, all those in favour of 38, please show. Those against. That motion is lost but there's nothing wrong with the Bure coming with an alternative and that led to an interesting discussion to say the least. 39 is Lincoln. Do we have a seconder for the Lincoln motion? Stocken, thank you.

### MOTION 39

*That conference mandate the NEC to engage with NOMS regarding fair remittance for the use of trained negotiators in recognition of the challenging role they perform in that they are paid the same rate as other staff called in during incidents whether it be payment plus or tornado.*

### LINCOLN

**PAUL WRAY – BRANCH CHAIR, HMP LINCOLN:** Chair, NEC, Conference, still just on a rest day. Motion 39 reads: That conference mandate the NEC to engage with NOMS regarding fair remittance for the use of trained negotiators in recognition of the challenging roles they perform in that they are paid the same rate as other staff called in during incidents whether it be Payment Plus or Tornado. This motion quite simply asks the negotiator when he's called in or goes beyond their normal working hours to assist in resolving a situation, they are financially rewarded accordingly.

Colleagues, anyone who has actually stood at a cell door during a hostage situation or acted in a negotiator's role during an incident, they will realise that it can feel like the loneliest place in the world, knowing that one wrong word can escalate the incident causing serious injury or even death. On many occasions negotiators are being offered TOIL and I quote: 'Tornado was not called, so we can't pay you.' This can be when a negotiator has stood for several stressful hours with no chance of a drink or something to eat, while several C&R teams are sat being fed, watered and while waiting for the negotiator to do their best to bring this incident to a peaceful conclusion. To become a negotiator, you have to pass what I believe is one of the very few pass or fail courses remaining in the prison service. While accepting this is a voluntary additional role as is the advanced C&R team, it is also very demanding on the individual and all this motion calls for is that the role is recognised and suitable payments made. Colleagues, please support this motion.

Applause

**ROB ATKINSON-STOCKEN:** Chair, NEC, Conference, I fully support this motion, being a negotiator myself, it is, like you say, very difficult being at the door for seven/eight hours and knowing like you say the Tornadoes don't need to be called, you're just getting TOIL for that. With this I feel that you should be paid if not the same but more than the Tornado rates and I fully support this motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you. Mike Rolfe for the Executive.

**MIKE ROLFE – NEC:** Thank you Chair. Chair, NEC, Conference, responding on behalf of the NEC. The

NEC asks for your support of this motion, motion 39. All work should be paid for the employer and a fair remittance for performing the role of negotiator is only fair. The role of negotiator as my colleagues have already said before me is a challenging one that requires a great deal of responsibility, therefore is it indeed a JES issue?

A word of caution though before we pass this motion, if you want the NEC to be able to progress this motion and it is to be carried, go back to your branches and tell your members if you keep volunteering to do things for free then don't groan at this Executive when we cannot achieve what you have asked us to do. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Lincoln, you're not coming back. We go to the vote on 39, all those in favour of 39, please show. Those against. That motion is carried. We go to 40, which is Stocken. Do we have a seconder for Stocken's motion? I'll go for Hatfield, thank you Hatfield.

#### MOTION 40

*That conference call on the executive to enter into consultation with NOMS to ensure all operational staff receive parity in pay of £19.86 from the time an operational emergency is called or a request for assistance is made under mutual aid, operational tornado and or advanced C&R deployed and that this rate is payable until the conclusion of the incident ensure that no staff suffer a detriment and all staff are treated equally for the work they contribute to maintaining operational stability.*

#### STOCKEN

**ROB ATKINSON – BRANCH CHAIRMAN, HMP STOCKEN:** Mr Chair, NEC, Conference, motion 40 states that conference call on the Executive to enter into consultation with NOMS to ensure all operational staff receive parity of pay of £19.86 from the time an operational emergency is called or a request for assistance made under mutual aid, operational Tornado and or advanced C&R deployed and that this rate is payable until the conclusion of the incident, ensuring that no staff suffer detriment and all staff are treated equally for the work they contribute to maintaining operational stability.

Colleagues, how many times have our members been TOILED off when they have been requested to assist in mutual aid in order for them to claim the full Tornado rate because they're on shift? How do our members feel when NOMS have recognised that this is a dangerous and specialist task and staff are requested to do this as part of their normal shift hours? Our members at Stocken believe that if an operational member of staff is called to assist in mutual aid and they're on shift, their hourly pay should be uplifted to match that of national mutual aid rates. I call on you to support our members who assist to ensure that they suffer no detriment and they are treated equally for the work they contribute to maintaining operational stability.

Please support this motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Mike Rolfe for the Executive.

**MIKE ROLFE – NEC:** Thank you Chair, NEC, Conference, the NEC are asking you to go against this motion. The motion is a good intended motion, however, there's one thing that stops us being able to support this motion and it's simply the fact that by having an amount of money written within the motion it makes it too prescriptive. Do we think £19.96 is sufficient for our operational staff to work as they are expected to do during an operational emergency? We have currently asked for membership to withdraw from overtime for one month with a view to increasing overtime rates, what happens if we get that increase in overtime rate? Staff on Tornado shifts who get injured currently have no protections in place, so should we endorse the fact that they've earned £19.86 and then tell them, 'Tough luck.' This motion is stating the rate is £19.86 for all operational staff, a CM on inner London pay of £39,924 would get 16p extra per hour, is that fair remuneration? Let's not

forget that staff also have the right to do TOIL and take that time back at a later date. How would they be remunerated?

This is a well-intended motion, Conference, and I hope that Stocken will bring it back with an amendment in future. As I have highlighted, I would urge you to reject. Thank you very much.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Stocken, do you want to come back? No. We go to the vote on motion 40, all those in favour please show. Those against. That motion is lost. We come to 41 and this is when the Executive hold their hands up and say that a mistake, we believe, has been made, it's down as a debate and yes, the word debate is mentioned obviously, the third word in, in the motion, but we now look at it again and where it says, 'We seek assurances,' we believe that's a doing motion, so I'm going to ask for a seconder? Swinfen Hall, thank you.

#### MOTION 41

*That conference debate the abuse of agreed JES scores and job descriptions for all POA members. Furthermore, conference call upon the Executive to seek assurances from NOMS that only appropriate and approved work will be conducted by the grade identified within the JES scoring system.*

#### WHATTON

**WHATTON:** Permission to withdraw motion 41.

Laughter

**PJ MCPARLIN – NATIONAL CHAIRMAN:** The best laid plans...

**WHATTON:** We feel it's already been covered by motion 16, so thank you for doing the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Well, I've got a seconder but I'll quickly take us back five seconds and say do Whatton have Conference's permission to withdraw? All those please show. Those against. That motion is withdrawn. We're onto 42, Holme House, and I require a seconder, is there a seconder? Hatfield, thank you.

#### MOTION 42

*That conference instructs the NEC to secure a review and revaluation of Factor 9 from the original NOMS Job Evaluation Scheme assessment, which were carried out prior to F&S and Benchmark. Furthermore, in any new JES, the work of all operational uniformed staff must be re-evaluated to provide a fair and accurate reflection of the operational demands, reduce benchmark staffing levels, impact of New Psychoactive Substances on the roles that operational uniformed staff must deliver.*

#### HOLME HOUSE

**ANDY BAXTER – HMP HOLME HOUSE:** Chair, NEC, Conference, motion 42 reads: That conference instruct the NEC to secure a review and re-evaluation of Factor 9 from the original NOMS Job Evaluation Scheme assessment. These assessments were carried out prior to F&S and benchmark. Furthermore, in any new JES, the work of all operational uniformed staff must be re-evaluated to provide a fair and accurate reflection of the operational demands, reduced benchmark staffing levels, impact of New Psychoactive Substances on the roles that operational uniformed staff must deliver.

What sort of organisation does a Job Evaluation Scheme, comes in, looks at the impact on the staff, looks at operational resilience for uniformed staff, then it introduces a benchmarking programme and removes 42% of the staff from certain establishments and does not believe that there's been an increase in the operational pressures on the remaining staff? The JES was carried out before the huge rise in violence that has occurred following introduction of the benchmark, it was carried out prior to the explosion of New Psychoactive Substances. Conference, let's mandate the NEC to insist that the Job Evaluation is re-done for all uniformed operational staff and the remuneration reflects the risk. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ralph Valerio for the Executive.

**RALPH VALERIO – VICE CHAIR, NEC:** Thank you Chairman. Conference, on behalf of the NEC I would ask you to support the motion. Factor 9 has been around for some years, it was a great cause of contention between the National Executive and the leadership at the time of NOMS, largely because, quite simply through Factor 9, we were graded as being the same as hospital porters. It's something that we have been continually challenging throughout and interestingly there's been a piece of work been done as a result of our pressure and another union who is also representative in the prison service who I dare not mention their acronym, because we're not best friends with them, but there has been a piece of work been done by the JES team and the exploration of Factor 9 in particular, with regards to the rise in violence, the rise of NPS and the sheer volume of work. We have been banging on as an Executive about the lack of acceptance of volume of work; you can only do so many pieces of work in a working day.

We're completely in favour of this, but interestingly the work that has been done by the JES team was parked, for no reason given, but we know it's because if they actually acknowledge that we have to work in a more dangerous environment than what we used to do and it was already a dangerous environment when they graded us as hospital porters, and when they actually acknowledge the sheer volume of work that we have to do on a daily basis because there are less of us, it means they *will* have to pay us more. So for that very reason alone, I thank Holme House for bringing this motion and I would strongly urge that you support us by voting yes and that if you see any instances of people not being able to do their jobs as per job description because of pressure from management, because of sheer violence, because of the sheer volume of the work, then please report it to this Executive, encourage your members to raise grievances and give us the leverage and momentum to *really argue* the value of you. We deserve a pay rise and Factor 9 is an avenue to get it. Please support.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Holme House? No. We go to the vote on 42, all those in favour please show. Those against. That motion is carried. 43, Hewell Closed, Blakenhurst, is there a seconder for this motion, 43? Send, thank you.

### **MOTION 43**

*That the NEC negotiate with NOMS the mandatory inclusion of an elected POA official to any recruitment interview, selection panel or Board involving each individual establishment.*

### **HEWELL CLOSED (BLAKENHURST)**

**LES DENNIS – BRANCH SECRETARY, HMP HEWELL CLOSED (BLAKENHURST):** Chair, NEC, Conference, motion 43 reads: That the NEC negotiate with NOMS the mandatory inclusion of elected POA officials to any recruitment interview, selection panel or Board involving each individual establishment.

The aim of this motion is to rebuild the poor industrial relationships between staff and their management using successfully operated models used in other government departments. With far too many establishments and POA branches experiencing negative industrial relationships with governing governors this motion proposes the introduction of the proven education style system where an elected student council member, or as my daughter tells me, it's executive council member, sits on new teacher boards with equal voting rights and in some cases students have been voting on the head teacher. If Michael Gove can bring one positive idea to the Ministry of Justice with him for the Department of Education, it should be this one. This motion reduces the opportunities for cronyism, corruption and collusion between DDCs and establishment governing governors. The relevant PSI already includes that the POA branch agree a board member for interview selection panels, but like most PSIs these days, they are open to frequent and convenient amnesia when it comes to positive industrial relationships.

This motion takes the PSI that step further. Please support the motion, let's start evaluating those who will be in temporary charge of our establishments so we can have good relationships won't destroy what we professionally work hard to achieve on a daily basis.

**JIM STARKIE – BRANCH CHAIR, PRESTON:** Chair, NEC, Conference, asking you to reject this. Basically we think this is going to put POA in a bad light, we're not here to hire people, we're here to support people. Please reject.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Mark Fairhurst for the Executive.

**MARK FAIRHURST – NEC:** Thank you Chair. NEC, Conference, colleagues, Mark Fairhurst speaking on behalf of the NEC asking Conference to reject this motion. Conference, why would I want to sit on an interview for non-POA members because the first part of this motion says, 'An elected POA official to any recruitment interview,' so does that mean I've got to sit on a panel for OSGs? Certainly, I would think, I have to sit on a panel for governor grades. Well, I'd probably be about as popular as benchmark, wouldn't I? Because I don't know if you're aware but on the interviews they have this little matrix and they tot up the scores at the end of it and so without the other two panel members saying, 'I thought they were very good, I've got 90/100.' 'I thought they were very good, I've got 95, what did you get Mark?' 'I've got -20!' Laughter

So what happens if you carry this motion and I've got a promotion board I've got to attend this week, along with three other NEC officials, would that mean we cancel Conference? Now, is this best use of members' money? No. Is it best use of the NEC's time? No. Is it doable? No. Why? Because even if you do carry it, I ain't doing it! And just stop to consider we will not get facility time to attend an interview board because it's not a trade union duty and he ain't doing it on leave and he ain't doing it on me rest day. If we want to change the way things are done, then great, but let's not do it this way. Please reject.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Hewell, do you want to come back?

**LES DENNIS – BRANCH SECRETARY, HMP HEWELL CLOSED:** The spirit of the motion wasn't to ask the NEC to get involved; it's to empower us as branch officials to do this ourselves. We need to stop getting mugged off by these governors that get enforced on our establishment.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Hewell, we'll go to the vote. All those in favour of motion 43 please show. Those against. That motion is lost. I'm going to do one, possibly two more this evening because I realise there are fringe meetings and there's a meeting of the NCSHCS pre-meeting as well and the General Secretary in his role as Finance Officer as well, has got a few announcements to make. So we'll move on to operations section and it's 44 and it's Elmley and is there a seconder for the Elmley motion? Rochester, thank you, and can I just point out as well, this may be of use to Holme House, motion 45 we've determined would fall if 44 is lost, but it will stand

alone, 45, if 44 is carried. Thank you, Elmley.

#### MOTION 44

*That conference mandate the NEC to renegotiate Bulletin 8 with NOMS, making it relevant to all affected POA members in 2016. Once renegotiated, the membership is balloted for approval.*

#### ELMLEY

#### MOTION 45

*That conference instructs the NEC to ensure that any review of Bulletin 8 part of the negotiations with NOMS is to ascertain the viability of alternative patterns of attendance, such as four on four off without detriment.*

#### HOLME HOUSE

**DAVE GILLAN – BRANCH CHAIR, HMP ELMLEY:** Chair, NEC, Conference, motion 44 reads: That conference mandate the NEC to renegotiate Bulletin 8 with NOMS, making it relevant to all affected POA members in 2016. Once renegotiated, the membership is balloted for approval.

Colleagues, I joined in 1999. From the day I arrived in service to now Bulletin 8 has been the bible which we all adhere to. It's the one document that when quoted correctly will have governors backtracking over poor decisions they've made. Bulletin 8 isn't a bad document, it's just a bit tired and outdated. This motion isn't about getting rid of a collective agreement, it's about improving it, making it relevant to POA members in 2016. Bulletin 8 was introduced in '87, that's the time of Fresh Start, before the Wolfe report, before the Woodcock Report. They changed what we do in prisons back then. We now have Fair & Sustainable; we've been through the benchmark process into new ways of working. Regardless of our thoughts on these changes, they were changes nonetheless and altered the way we work in prisons.

So today I'm asking why are we still working to an effective agreement from 1987? Here are some examples of what I mean. Section 12, Point: An officer may work in some weeks more than his weekly hours because of Point A: Unavoidable attendance, such as returning from external duty. Unavoidable attendance... This is very rare. The most common reason that staff at Elmley work extra hours is because our employer has failed to recruit and retain the minimum staffing levels set out under benchmarking. Bulletin 8 doesn't mention this. On that theme, section 20:

Under normal circumstances local working arrangements will provide sufficient cover for temporary shortfalls in staffing availability. Reductions in complementing levels brought about by the promotion, transfer or retirement of staff will be made good as quickly as possible. When more serious shortfalls occur for which no early relief is possible, it will be for the governor, in consultation with his staff, to determine interim arrangements to meet operational difficulties.

Elmley has been running under its TSF for over three years, we've been working a restricted regime for two years. However, our employer has *not* made good the chronic staffing shortfalls, an ignored failure by our employer to stick to Bulletin 8. Then there's the whole issue of staffing being asked on occasions to work more than their average weekly hours. I wrote to the NEC some time back for clarification and Glyn Travis kindly replied. The word 'asked' really means 'told.' So what's the point of having this wording when it's misleading and what it should be saying is if an employer requires you to work, then you have to work? I thought I was an employee, not sold into servitude. If it's legal

to order staff to work as and when their employer requires, why is this not written? And then there's the repayment of TOIL within the five weeks fiasco. We're all very well versed in what... so I won't labour that point but I will say the current format and wording of Bulletin 8 is only an aspiration on every level. It talks a good game but when it comes to the nitty-gritty it comes up way short of what's required to protect POA members in 2016. If the NEC go and negotiate with NOMS and they can't get a deal that benefits the membership, then by ballot we'll no doubt reject it, but as a progressive union we should be at least trying.

Colleagues, I urge you to support this motion.

Applause

**JERRY LENNON – BRANCH SECRETARY, FULL SUTTON:** Chairman, NEC, Conference, speaking against this motion. I think the employer would be very happy to sit down and re-negotiate Bulletin 8 and that should tell you all you need to know. It's not perfect, a long way from perfect, but overall it's a very good piece of protection for us now. Colleagues, I fully expect my NEC to be sitting in offices and rooms with NOMS negotiating left, right and centre on various things. By all means negotiate to make our lives better, but don't take away something that actually does protect us at the moment in order to do it, they would love to re-negotiate Bulletin 8, let's keep it and then we re-negotiate something new. And the failures that Gilly just mentioned about repayment of TOIL, that's not an issue with voting Bulletin 8, that's an issue with management and that's an issue where our members should be banging in grievance forms, left, right and centre. Once they can't see over the paperwork, then they'll maybe start thinking about doing something about it but that's not a fault with Bulletin 8.

I'd say by all means negotiate but keep Bulletin 8 as it is, negotiate outside of that document. Please vote against.

Applause

**CRAIG ROBSON – BRANCH SECRETARY, DURHAM:** Asking you to reject the motion for the simple reason we've got Bulletin 8 now and you've got the Boon letter that's all you need. Every time it's a notice to governors from Ian Boon telling them what Bulletin 8 was about. They can't have their own ideas on it because Boon's told them what it is, so use that. Tell them what they've got to do, they've got to go short. They can't extend you, they can't do this, they can't change your shifts unless it's in the shift pattern, without your agreement. Stand up. We've got an agreement. The governors don't like it but our governor he says, 'I'm happy, put it in.' So stick with Bulletin 8. As last week, I said, let the NEC negotiate other things but don't just say carte blanche get away with Bulletin 8. Keep Bulletin 8, use the Boon letter against the management. It's a management tool, the management hate it, *use it*.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ralph Valerio for the Executive.

**RALPH VALERIO – VICE CHAIR, NEC:** Thank you Chair. Conference, I would ask you *not* to support the motion for a couple of reasons really and as much as Elmley are entirely well intentioned in what they're trying to achieve and I think they're right to want to be talking about modernising the union, modernising how we engage with the employer in a modern world, but there are some simple, unescapable facts about Bulletin 8. And as Craig from Durham as just highlighted you have got the Boon principles which have served us well. Bulletin 8 has been a protector for this union, branch officials members of staff and POA members for generations now and the *reason* it's been around for generations now is because it has done the job it was intended to do at its creation and because we as a union have feverishly fought to keep it alive and its principles and how they

cannot be abused by the employer. How many times have you as a branch official, as I now as a branch official myself, gone to management and said, 'You can't do that.' And that satisfaction of holding up Bulletin 8, showing them where they're wrong and then watching them doing what you're telling them to do. It's one of... it might be an oldie, but it's a goodie. It's one of the strongest weapons in our arsenal. There's also the fact that we have got legal precedence under Bulletin 8 and I'll give the George case ruling where all of Bulletin 8 was deemed as being contractual with the exception of two paragraphs.

Now, I appreciate Elmley may want to try and get around that with the wording of this motion by taking it to ballot but I suppose it begs the question, in a future that would seem is going to be based upon prison reform and governor autonomy and individual, bespoke decision making in individual establishments *why*, why would we want, as a national entity, to start talking about altering and changing what has been our protector for so long, right at the cusp of when we know that it will be coming under attack? Our working practices will be coming under attack, why would we want to negotiate that away early?

Quite simply Conference, it is well intentioned but it cannot be supported. Bulletin 8 is a protection for us all and, to close, the last time there was any attempt at altering Bulletin 8 - and there are some of you in this hall who will remember, WFM - and as part of WFM there was an attempt to negotiate, effectively do what Elmley are asking to be done. And one of the main reasons why the Conference hall said no, why the ballot box said no, is because it had alterations to Bulletin 8 within WFM and there was a lot of money waved under our nose for that. There's no money waved under our noses for this one, so for that reason, Conference, I urge you, don't support.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Elmley to come back?

**DAVE GILLAN – BRANCH CHAIR, HMP ELMLEY:** Colleagues, some really good points were made from the floor and the NEC. However, shall we just ignore it then? It's OK, it's a document that's older than most of our members but we'll just let it plod on forever because we're scared to go ahead. What's the harm in asking the question and that's all this motion is about. Again, I urge you to support it.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Elmley. We go to the vote on motion 44, all those in favour of motion 44, please show. Those against. That motion is lost and as a consequence 45 falls.

The General Secretary in his role as Finance Officer will now make a few announcements and when he's finished that will be the end of it for today. I'm sure you will mention the fringe meetings. I would remind you that we're a nine o'clock start tomorrow for the AGM of the National Committee for Secure Healthcare Services. They're an integral part of our trade union, you heard the speaker up here today talk about the issues that they have, which mirror the issues that we have. Please be in your seats for nine o'clock to support our members in the secure hospitals.

Steve Gillan.

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Thank you Chair. Conference, a couple of important announcements. Dave Phillips, photographer, along with Paul Carr and Tony Burke has called a Fund and if I can just read this out, it says:

Luke Clarke is a 14-year-old youth who suffered a spinal stroke on New Year's Eve 2015. He is still in hospital on a ventilator and paralysed from the neck down. He has some feelings in his hands recently due to intense physiotherapy. His school teachers say he's a very polite young man who is a very good all round

sportsman and that he's a delight to have in the classroom. When he's eventually allowed home he will need constant care and the family home will need to be adapted to suit his everyday needs.

Dave, Paul Carr, Tony Burke and other retired and serving officers are fundraising to help give this young man a better quality of life on his return home. Please help us raise much needed funds to be able to adapt this young man's home. If you can spare some money, any amount, large or small, please see Dave or Paul Carr, the photographers at Conference. Thank you.

So just before you do move off as well, there is a fringe meeting that was scheduled for six o'clock this evening. Now I know that as soon as there's a break prison officers tend to run off, so we're going to bring the fringe meeting forward because it's an important fringe meeting and it's one that if you care about the trade union movement, you should be attending. It's about the blacklisting nonsense that went on destroying people's lives and who knows, maybe even NOMS actually blacklist some trade union officials in this very room? So I think it's important that we listen to what's being said... The Orgreave Justice Campaign and the Shrewsbury 24 Campaign, a good range of speakers in relation to that. Now we do recognise that most of you have taken annual leave, so we know it's based on goodwill, the people that attend it and we're very grateful for that, so we have laid on some wine and beer and sandwiches to keep you company if you turn up!

Laughter

So with that we're going to bring it forward, Conference, because I reckon as soon as we get enough people in there, we can start and then you can be on your way once you've heard from these people that have travelled some distance and put themselves out, just like the Australians did, some considerable distance, it's important that we hear them. So please, give them a little bit of respect and turn up and let's have a good event.

Thank you very much.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Conference, so fringe and then we'll see you at nine o'clock tomorrow morning. Thank you very much for your efforts today.

**End of Tuesday Session**

## POA ANNUAL CONFERENCE 2016

Wednesday 11th May

**STEVE GILLAN – GENERAL SECRETARY, NEC:** ...then they appeared up there. So anyway I'm delighted to see Finlay on the top table and he knows nothing about this because I know that he probably wouldn't want me to say this anyway but I'm going to because Finlay is in his 30th year as area chairman for Northern Ireland.

Applause

### **Presentation to Finlay Spratt.**

That is an extraordinary record in itself, Conference, when you consider that during the Troubles and different things Finlay has come through death threats and all sorts, and he has done his job on behalf of his members in Northern Ireland with absolute courage, integrity and compassion as well. He's led from the front in difficult times, putting his members first before himself and that's what this trade union should be about. We don't often take the time to recognise and talk about our own trade union and the achievements that we have from within. I think Finlay epitomises everything that the POA stand for. I'm going to ask Finlay to say a few words in a minute but you know we're going to give him a small presentation. It's only a small token but one in which I'm very proud to do on behalf of the national executive committee and indeed yourselves. Finlay, thank you very much for your courage, dedication and the 30 years just as national chairman in Northern Ireland. It is a tremendous record, tremendous achievement, so on behalf of the union I'd like to present you with this small token. Thank you Finlay.

Applause

**FINLAY SPRATT – AREA CHAIRMAN, NORTHERN IRELAND:** To say I'm speechless would be an understatement. This was definitely a surprise and a shock but certainly it's a nice one and it's nice to be part of the POA family. I know we've had difficult times in Northern Ireland but it was through coming here to conference and meeting our colleagues that we have got through, and long may the POA continue. My time's coming to an end. Like everything, we all have to move on but thank you from the bottom of my heart. It's the best present that I could ever get, the recognition of serving the union, but I also must pay tribute to my colleagues in Northern Ireland, particular the area committee, and not forgetting the area secretary. Without her the Association in Northern Ireland would not function so I think she deserves more applause than I do because without her it just would not function. Conference, thanks very much. I'm speechless. I'm flabbergasted. You'll have to excuse me. Thank you.

Applause

### **AGM National Committee for Secure Healthcare Services**

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Conference, the order of business for this will obviously be that I will make the opening remarks as chair of the special hospital, then Duncan Keys will move the annual report. Josie Irwin on my left is head of employment relations and she will be our guest speaker where I will introduce them. We've got one motion, not two motions as indicated. Motion 76 will be the motion that's heard and 77 will remain in the body of the conference agenda so without further ado, Conference, I will give you my opening address. Conference, I don't intend to

make this a long speech in relation to my opening address, just to say that I'm very proud of the special hospitals in the work that they carry out on behalf of this trade union in very difficult circumstances and I think over the years there has been a little bit of frustration from the special hospitals that we tend to talk about prison officers all the time at our conference. I think we heard a little bit of that yesterday when Gary Lyon got up on a particular motion and said that it doesn't go wide enough, it should be about all POA members. I think now we've had some good debates this week about that and I think we've got to recognise that in the POA we've got multi employers and I think we've got to start recognising that when we're moving motions and talking about our trade union. With that I will move into some of the difficulties that we've seen notwithstanding the tremendous work that Rampton, Ashworth, Broadmoor and the State Hospital of Carstairs have done in relation to the agenda and the motions that were passed at conference last year. There has been some very, very major difficulties at Ashworth and I'm proud to say that we've stood firm against an employer who thinks that trade unions are just there to do as they're told and run their agenda for them. I'm very proud that the Ashworth branch and committee have taken steps to stop that nonsense. They have our full support in doing so. I just want to go into that slightly because last year you heard me say about a member, Stuart Eales, who was a longstanding member of our trade union for some 30-odd years. He was a longstanding branch official for Ashworth as well and had been suspended on allegations, serious allegations but to be honest with you ones that weren't in keeping with indeed the NHS code of practice. Myself and Duncan Keys, I laid the foundation on the investigation. I'm very grateful that Duncan, his expertise in these sort of matters, dealt with it very, very well and I'm pleased to say that Stuart has been not completely absolved but he's not been dismissed. The good thing is that longstanding member of ours, that longstanding branch official, his job is secure. I'm very grateful to the work that Duncan put into that and indeed the local branch. Moving on as well, the disgraceful victimisation in my view of the two members that were dismissed for restraining a patient at Ashworth Hospital. Violent situation.

My view is, the view of our lawyers is, that this is an unfair dismissal and we will do everything in our power to represent those individuals at the forthcoming employment tribunal. We took strike action over it and I've got to say it was a very, very proud moment that I saw many delegates in this conference hall from Lancaster Farms to Wymott to Swaleside to a whole variety, I think there was Kennett there as well and various other establishments that came and stood on the picket line. Certainly Risley were there as well. Many members of the executive stood on the picket line. It's not easy for executive members because they're all over the country in different places but where they could attend they did and I'm exceptionally grateful. It was horrendous weather but I couldn't believe the camaraderie between those members. Retired members came as well. I commend the Ashworth membership for what they did on that day. Again, we were staving off injunctions at the last minute, attempted or threats of injunctions, and I'm grateful to Neil Johnson for the work that he put into that because they were challenging our ballot, the legitimacy of that ballot. We stood firm and we move on but we've got another employment tribunal pending in June, which is the issue of Gary Lyon, who has been bullied, harassed, intimidated by local management for quite some time now and we are taking an employment tribunal against the HR director and the trust. We hope that we can win that one. Even if we lose it it doesn't matter. The lawyers have set it above 50 per cent chance of success. We need to go there, we need to support him and we need to make sure that management get the message that we are not going to lie down when a branch official in any of our jails are going to be intimidated and bullied into submission, and where we think there's an issue for trade union discrimination we will take the case to the employment tribunal as long as it meets the legal requirements or indeed if the executive determine otherwise. With that I'm going to ask Gary just to come up very quickly to give an overview – a very quick overview – of what happened on the lead-up to that strike action. Thank you very much.

Applause

**GARY LYONS - ASHWORTH:** You'll be pleased to know I've done my usual preparation. I can say that

this has been the most difficult year that we've had in the branch in some significant time. I'm glad that Stuart Eales, who I know is sat at the back, got a mention because when we talk about Ashworth branch it isn't... Ashworth branch and Ashworth Hospital are two distinctly different identities. We grew out of Ashworth Hospital but we're much, much wider. We have 32 sites round Merseyside and we've got members in many of those sites. When we talk about the strike we picketed three sites and all of the pickets, not just at Ashworth, were well attended. We picketed from 6:30 in the morning till gone 8:30 at night when the last shift came in and the weather was horrendous. I want to thank everybody out there that sent messages to us in support and for those who managed to make it down because it made a massive difference to the membership. The strike was born out of two members of staff who were assaulted and in the subsequent restraint management decided there was some irregularity in that restraint. When we saw the footage we didn't see what they saw. When Steve Gillan saw the footage he definitely didn't see it. We took it to a branch meeting. The members insisted we have a branch meeting. We gave them that branch meeting. It was relatively well attended. More than 60 people attended that, which is good for us because sometimes we struggle to get 15 through the door. Feelings were running really, really high. It was led from the floor and they were angry. They asked for a vote of no confidence in the Ashworth Hospital management and that was passed.

They also asked for a ballot for industrial action so I spoke to Steve Gillan. He wanted an indicative ballot doing and that came back as a resounding 'Let's take some action.' We went on to a postal ballot and that was resounding: 'Let's take some action.' But there were some issues regarding the ballot raised by the employer regarding numbers so there was lots and lots of emails bouncing backwards and forwards with our new in-house solicitor and we re-balloted. That improved on the figures. 'Let's take some action.' So we did and the membership stood. I wasn't sure. You're never sure when you're called to the gate who's going to be there but the membership stood tall. They were there. You were there. Many of you were there and for that we thank you. We really, really do. Steve mentioned the fact that I'm having issues personally with the employer. Well I am and it's all through that branch meeting. I as branch passed forward the motions what passed at that branch meeting to Steve Gillan and out of courtesy to our director of workforce who told me I should have stopped them. I should have stopped my branch from passing motions. That's the interference. That and some personal attacks within it. That wasn't acceptable and that's why the national executive, Steve Gillan and certainly Mike Rolfe has been... he's had his ear bent constantly over the last year, been a massive support. So really I stood up to just give you a quick view from branch level but really to say thank you. Thank you to you all. Thank you to the national executive for supporting us.

Applause

**STEVE GILLAN – GENERAL SECRETARY, NEC:** I would now ask Duncan Keys to move the annual report. Thank you Duncan.

**DUNCAN KEYS – NEC:** Thank you Chair. Morning Conference, NEC. Duncan Keys moving the report on behalf of the executive. Conference, the work of the committee is wide and varied and as you've just heard what used to be our understanding of each of those branches has changed dramatically. As they've moved into healthcare trusts the potential for membership within those organisations has expanded but along with that come all the difficulties that you can imagine of having to try and deal with a membership that is spread across several buildings, several areas of geographical location. It is very, very difficult work for them and they're all in that position now. It's not as I remembered when I was at Wormwood Scrubs where it was a very simple thing. Everything inside the wall that moved was going to be a POA member and we were able to represent.

It's no longer like that, colleagues, for our members that work in secure health services so it's vitally important, I think, that the POA continues to support these branches by way of the committee that is

now headed up by the general secretary. It's also through the general secretary that we finally managed to get observed status on the committees that we have long wanted to be part of, those dealing with the NHS, and that's part of the reason that we are delighted to welcome today Josie Irwin from the RCN and at the back of the room we've got another of her colleagues and a long-time friend of the POA, Brian Morton. The work of the general secretary in establishing our position on this committee allows us now and our colleagues on the secure health committee to put over their point of view to a much wider audience and I have to say in recognising the work of Josie personally the audience she has to work with is also wide and varied and encompasses a whole range of trade unions, not all of whom agree with each other all of the time and might have opposing views on things.

I have to say she does a fantastic job of keeping everyone in check. Not only that, she's a fantastic source of knowledge and information for all things NHS. Josie, on behalf of the POA and all of us that come to the meetings that you're secretary to we'd like to thank you for all the hard work that you do. Conference, you will have in front of you the report. It cannot encompass all of the work that takes place with the committee because clearly it would run to a very large document. However, it gives a flavour and identifies the key areas that the committee are pursuing. With that, Chair, I would ask if you would move the adoption of the annual report.

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Thank you for that, Duncan. Conference, can you indicate whether you're in support of the annual report for the special hospitals? Please show. All those in favour. Against. That's carried and it gives me now great delight in introducing Josie Irwin. We were just discussing earlier when the last time that we actually met and it was probably about 15 years ago I think when myself and Brian Caton actually went to see Josie in her offices, so time does pass by very, very quickly. In introducing Josie, she has been head of employment relations for the Royal College of Nursing since 2004. Josie is the RCN's lead negotiator. She's also national staff side secretary of the NHS Staff Council responsible for the pay, terms and conditions of 1.3 million staff in the NHS. Before joining the RCN in 1992 Josie was the HR director of a central London teaching hospital and she has also held HR roles in local government. Josie has also had a political leadership role as a local councillor for 13 years, 1990 to 2003. Please give a very warm welcome to Josie Irwin. Thank you.

#### **Josie Irwin - Head of Employment Relations, Royal College of Nursing**

**JOSIE IRWIN – HEAD OF EMPLOYMENT RELATIONS, ROYAL COLLEGE OF NURSING AND JOINT NATIONAL STAFF SIDE SECRETARY, NHS STAFF COUNCIL:** Good morning colleagues, and thanks Steve and thanks Duncan for those very warm words. I'm delighted to address your secure healthcare services AGM at this 77th anniversary conference of the POA. As Steve said, it's about 15 years since I last addressed a POA conference (I think it was in Portsmouth. It was somewhere on the south coast anyway), so long overdue. 2016 is the Royal College of Nursing's own centenary year and we're enjoying celebrating 100 years of representing nurses and nursing but as Duncan said I'm here to speak as the joint national staff side secretary of the NHS Staff Council and to update you on the work of the council protecting and improving pay, terms and conditions across the NHS in England and in the three devolved nations so I'm going to be talking about the NHS and NHS pay issues, but much of what I have to say I think will have resonance across the Prison Service. First, I want to say a little bit about how the Staff Council works and how the POA are involved in our work. The principal role of the NHS Staff Council in the words of the formal Agenda for Change agreement is 'to maintain a fair system of pay that supports modern working practices.' The Staff Council is tripartite. It has representatives of all of the four UK governments, representatives of the employers and on the trade union side there are 13 different trade unions. If we count the POA in that there are 14 trade unions. It's now three years since the POA have been included as observers on the NHS Staff Council. Sean Farrell and Duncan Keys have been diligent in attending Staff Council meetings and more significantly participating in discussions on the staff side about the future of national pay

structures, how best to resist attacks from the employers on Agenda for Change and dealing with pension reforms. That mentions just a few of the things that they've been involved in. We take an inclusive approach on the staff side and in practice observer status does not act as a barrier to the POA contributing to shaping our negotiating priorities and our strategy.

The NHS trade unions, including the POA, meet monthly to inform the work which the Staff Council executive takes forward. The executive is made up of national officers from Unison (they hold the chair), RCN (I hold the joint secretary's role), Royal College of Midwives, who are the treasurers, Unite, GMB, the Chartered Society of Physiotherapy and also the three chairs of the NHS trade unions in the devolved countries, in Wales, Scotland and Northern Ireland. I've been joint staff side secretary since 2004 and I was the staff side secretary of the previous nursing and midwifery staffs negotiating council. As Duncan alluded to, sometimes relationships on the NHS Staff Council on the staff side are difficult. Sometimes they spill over into a full-blown row. However, the fact is that so many of us have been around for such a long time that the staff side is strong, stable and therefore effective in representing our members.

So what is the NHS Staff Council doing about fair pay, the most important aspect of our role, the main job, and against a background of an extremely challenging period of pay constraint across the public sector and a pay review body that is being neutered or, some would say, has been neutered? I know there are issues about the Prison Service review body. The pay award for 2016 contained no surprises: 1 per cent for all across all four countries. The struggle for fair pay to reflect the work that health services staff do day in, day out goes on. This is the fifth year of pay restraint. If NHS pay had kept track with inflation our members would be 15 per cent – 15 per cent – better off than they are now, so there are some questions. How can it be that with a recruitment crisis in many of the NHS staff groups but most acutely felt in nursing, huge increases in demand, inadequate staffing levels and workload pressures on our members in the secure services as much as the mainstream NHS, low staff morale and staff voting with their feet – how can it be that the government doesn't recognise the damage of their short-sighted pay policy not only on our members but ultimately the people, the patients and the clients, the people that they are looking after? When staff leave the service, driven out by the stress of staff shortages, patient and client care suffers too. Inadequate staffing levels and associated workload pressures are the biggest factors in workload stress. We don't need to explain that to you and our members. When staff start a shift exhausted by the strain of working another job to make ends meet – many of our members are working agency to do just that – patient and client care suffers too. However, whereas last year there was an appetite for industrial action against an unfair award that targeted the top of pay bands only the response to this year's pay award across all of the NHS trade unions representing that range of diverse staff has been one of resigned and weary acceptance, except of course the junior doctors and I'll be returning to them.

If the government was to be so foolish as to propose reforming unsocial hours pay for Agenda for Change staff under the guise of extending seven-day services, the same as they have for junior doctors I think the story would be different. It's not just this government though that has NHS pay in its sights and I think it's worth going through the attacks on pay that have in fact been going on right back from when the economy crashed at the end of 2008. It all started before the Tories and I think it's a success for the NHS Staff Council staff side that we've held the government and the employers off for so long. It was in 2009 that the Department of Health first identified a list of potential reforms of the Agenda for Change package and prominent in this was incremental progression, increments seen as payment for time served rather than rewarding experience and competence, and unsocial 0hours' payments seen as old-fashioned and out of line with modern working practices. We've seen these themes returned to again and again, and they're most recently being played out in the junior doctors' dispute. The voice of the Treasury officials was apparent even in the dying days of the Labour government. Performance related pay and spot rate pay are not new threats. In 2010 the NHS trade unions saw off a proposal for a freeze on increments in return for a no compulsory

redundancy deal for staff in Bands 5-7. As we pointed out there weren't any redundancies at that time for Bands 5-7. It was a con, no other word for it. In 2012 we fought a successful, highly political campaign against regional pay, winning around the NHS pay review body, which recommended that there was already sufficient flexibility in Agenda for Change with local recruitment retention premia. We exposed a consortium of employers in the South West of England who were seeking to introduce region pay: pay cuts masquerading as pay reform.

We argued that it was ridiculous to assert that moving to local pay in the NHS would somehow save the economy. All it would do was entrench low pay in the most economically deprived areas. So coming up to date and last year the government asked the NHS pay review body to look at whether Agenda for Change was a barrier or enabler to seven-day services. We know the government wanted the review body to say that unsocial hours payments were antiquated, cost too much and were out of kilter with other industries. However the pay review body, our pay review body, was categorical that it wasn't Agenda for Change that was the barrier. If anything it was consultants not working at weekends. They also drew on evidence from other areas of industry, what they pay for weekends and bank holidays, and found that the utilities and Network Rail – just to quote two examples – actually pay considerably more than the NHS for unsocial hours. So while the review body has been limited by public sector pay policy to work within 1 per cent and although some would say that they have been neutered and their voice has been cancelled out, what they say in their reports – their recommendations – have actually been very helpful in supporting the staff side's resistance to attacks on pay and the resilience of national UK-wide pay arrangements. They may have been weakened but they remain helpful. Under this government I think we'd be much worse off without the review body. Last year the unfairness of targeting a 1 per cent pay award to staff – and by targeting I mean targeting at the top of pay bands – that resulted in a dispute with some of the NHS trade unions including the Royal College of Midwives taking industrial action and the Royal College of Midwives taking action for the very first time in their 134-year history. All of this came to a head in the run-up to the general election with a threat from the Ambulance Service. The government blinked first because of the general election and agreement was reached on 1 per cent for most staff except those in the very top bands. Part of the agreement was also to allow ambulance staff and their employer to buy out a maximum of three years' actuarial reduction if they choose to retire earlier.

Ambulance staff are still waiting for the early retirement reduction buy-out and also a job evaluation review that was promised. There's another dispute brewing in the background. So turning to the junior doctors' dispute. The junior doctors' dispute shows what happens when loyal, hardworking, overburdened staff are shafted and when staff see through lies and misrepresentation. There is a lot for the government to learn from the dispute about how not to negotiate but there's also a lot for us on the NHS Staff Council staff side to anticipate, to work out our tactics in preparation for any attack on unsocial hours to avoid ending up in the same place. Jeremy Hunt has violated almost every basic principle of effective negotiation. Firstly, unilaterally setting a deadline for reaching agreement. Secondly, threatening to impose a solution if there is no agreement. Thirdly, challenging the integrity of your negotiating partner. Negotiations require a degree of mutual respect between the parties but there is still no sign of this in Jeremy Hunt's public statements. He accuses BMA junior doctors' leaders of misrepresenting the government's offer and when they step up to withdrawing emergency cover most recently he accused them of promote extreme action.

Fourthly, contradictory messages, violating another basic principle of effective negotiation. Jeremy Hunt declares that the new contract for junior doctors is not cost-cutting. He also said that trusts must cut costs to begin reducing their deficits and help resolve the NHS financial crisis. It's clear to everybody who knows very little about the junior doctors' dispute that the argument that the new contract will help deliver seven-day services is cover for cutting the salary bill. Another error, alienating the people whose support and agreement you need to deliver the service. Doctors are antagonised and junior doctors alienated yet Jeremy Hunt relies on them to implement his reforms. I

think it was astounding that the BMA ballot of junior doctors in November last year was 98 per cent in favour of strike action on a 76 per cent turnout, particularly significant when you consider the attacks on balloting rules in the trade union bill. Then finally, alienating the public. As effective negotiators we appreciate we need to win broader public support for our demands or at least avoid alienating key stakeholders. Public trust in Conservative support for the NHS has never been high but Hunt's conduct of the dispute shows little awareness or concern about this key source of his own vulnerability and even after the all-out strikes at the end of April by and large public opinion remains on the doctors' side. All of the Agenda for Change trade unions remain anxious about where the dispute is headed and we've got a very close eye on the latest talks, the talks this week, and in particular on what's being talked about in relation to Saturday pay. Whether and if a deal is done the government will turn to the staff that we represent in the NHS next. I want to share with you our progress on one other element of the 2015 agreement to resolve the dispute. We've agreed to review the pay structure in the NHS as much to keep the moral high ground as with any intent to agree any change. The staff side in the NHS is well experienced at keeping discussions going without actually agreeing anything and we're very wary of concession bargaining, which just results in an ever spiralling reduction in terms and conditions.

The junior doctors' dispute highlights the importance of us trying to do a deal rather than have something bad imposed on our members. The staff side got its act together after the dispute was resolved in March last year. We were determined to get our ducks in a row. We held a staff side workshop in July, which included the POA, Sean and Duncan, to work out our strategy and tactics. We had a whole staff side event in November and most recently a joint Staff Council workshop in February. That was prompted by the staff side. What we're after in the NHS is shorter pay bands and to get rid of the overlaps between pay bands, something cleaner and simpler. We want the top pay point of the existing pay bands to be the acknowledged rate for the job, no spot rates and no non-consolidated pay. A further incentive for us looking at pay structures in the NHS is Osborne's new national living wage, which came into being on 1 April. Legally the NHS has to comply and in the context of a 1 per cent pay policy the living wage has to come out of the 1 per cent that's available for everybody else. To be compliant the NHS will start to have an impact on everybody else, resulting in less to go round for everyone. So in the same way as we managed to squeeze more money for staff out of the system in 2008, when we did a three-year above inflation deal by taking out middle pay points and redistributing the money, reaching agreement on a new pay structure could be the only way to get just a little bit more money for staff in the context of a 1 per cent public pay policy stretching to 2020.

While the staff side has a clear strategy however, on the other side of the table we face the same party who were involved in the negotiations for the employers for the doctors' contract. Worse, one of them led for the employers in the Ministry of Justice pay changes in 2012, one aspect of which was stripping out prison officers from institutions and you all know the consequences of that with staff to prisoner ratios worse at the same time as prisons are dangerously overcrowded. However, at least we know what we're up against and we have made some progress. We are clear we are in without prejudice discussions not negotiations. We have got the real employers – i.e. not the civil servants round the table – to agree with us that we should start by looking at pay structures and not touch unsocial hours arrangements. They also agree with us that shorter pay bands and ending overlaps would make sense. They agree that any new structure should still have at its heart equal pay for work of equal value and the job evaluation scheme that embodies this. They also agree that the original deadline of 1 April 2016 was unachievable and for now we have our devolved country colleagues around the table. However, we're not under any illusions. The talks this week between the government and the junior doctors about Saturday working will have a read-across to our discussions and we need to be prepared for the aftermath of the dispute. We are clear that it is complete nonsense in a recruitment crisis to propose paying those staff who are already working across seven days less for the work that they do on Saturdays. It would be morally wrong and economic stupidity, and we think the public will be on our side. So I've talked a lot about pay and

Agenda for Change because this is our top priority on the NHS Staff Council but the staff side and the Staff Council are involved in many other areas of work: public sector exit payments, resisting a cap on redundancy payments which goes across the public sector; bullying and harassment, and you've already heard something about that this morning; addressing work-related stress, the biggest cause of sickness absence across the NHS; workplace violence; promoting staff engagement.

Our strategy is to engage at national level and retain the moral high ground, and at the same time be vigilant for any local attacks and jump on them as soon as any intelligence reaches us so when a trust in South London recently had the bright idea of incentivising the recruitment of Band 5 nurses by offering a higher salary if those staff agreed to give up their pension contributions in return we took this up with the public sector pensions regulatory body, lobbied the board locally and exposed them in the national media including *Private Eye*. The trust was embarrassed into retreating. With apologies to any animal activists in the audience we call this the whack-a-mole strategy. That means that any moment any of the little so-and-sos or the little blighters throws up a little molehill on the lawn we get a big spade and whack it down. The whack-a-mole strategy.

As a staff side we work openly and transparently, sharing as much of any of the discussions we have with the wider staff side including lay delegates. There's huge benefit from us working together rather than separately as trade unions and together we've got over 1.3 million staff. The fact that we've weathered many storms since Agenda for Change came in is testimony to the way we operate: inclusive and not afraid of critical – constructive of course – challenge from our constituent unions. 12 years on we have a strong sense of collective purpose and endeavour. You've got a busy conference today, Chair, and while I have to get back to London my colleague Brian Morton from my team at the RCN will be staying for the policy debates on the resolutions. I'm particularly interested to hear the outcomes of your policy resolutions on appropriate and fair pay and also violence and assaults. Thank you for your time, Conference.

Applause

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Josie, thank you very much for that speech and I will pick up some of those remarks in my closing speech once we've heard motion 76. On behalf of this trade union I'd like to present you with this box. I'm not sure what's in it but we always give a box to every guest that comes. Thank you very much, Josie.

**JOSIE IRWIN – HEAD OF EMPLOYMENT RELATIONS, ROYAL COLLEGE OF NURSING AND JOINT NATIONAL STAFF SIDE SECRETARY, NHS STAFF COUNCIL:** Thank you very much.

Applause

**STEVE GILLAN – NATIONAL SECRETARY, NEC:** Conference, can I call Ashworth to move motion 76? Do we have a seconder? Carstairs, thank you.

## MOTION 76

*That conference accept the need for members to be supported during any trades dispute and authorise a monthly levy of 30 pence per month for 12 months starting in June 2016. This money to be ring fenced and its sole purpose will be to assist POA members who suffer financial hardships and seek support from the union. The NEC will consider each case on its merits and authorise a fixed sum from the levy fund.*

**ASHWORTH**

**GARY LYONS - ASHWORTH:** Chairman, NEC, Conference, the motion reads that conference accept the need for members to be supported during any trade dispute and authorise a monthly levy of 30 pence per month for 12 months starting in June 2016. This money to be ring-fenced and its sole purpose to be to assist POA members who suffer financial hardships and seek support from the union. The NEC will consider each case on its merits and authorise a fixed sum from the levy fund. The idea for this motion was kicking around for about a year at Ashworth and some of you who did branch official training last year with some of my colleagues on the committee may have heard of it because Tony Lynch, one of our committee members, is quite vocal on this. We believe that when people are out on strike they do suffer hardship. Even if it's only one day some of our lower paid members are earning £14,000 a year and some of them are the sole wage earners in the house so one day's pay is a big loss for them. I'm mindful that there is another conference motion which is asking for an increase in subscriptions and again, it's asking for 30 pence a month. I had a think about that and I thought we're asking people to actually pay another 60 pence a month, two pints a year. That's all it is, two pints of beer a year. The help that this could give people when they're in hardship is immeasurable but I'm addressing people here who don't have a right to strike. Rest assured there'll come a day when you will be on strike. There'll come a day when you will have these issues and you will have members in your branches who are suffering hardship. That day is coming. We can strike and we have been on strike and our members have suffered financially. We're not asking for us, we're asking for this wider union and we're looking to the future because it's going to come to us all. I ask people to support this motion. Thank you.

Applause

**STEVE GILLAN – GENERAL SECRETARY, NEC:** No other speakers so Ralph Valerio on behalf of the executive. Thank you Ralph.

**RALPH VALERIO – NEC:** Thank you Chairman. Conference, I not only ask you, I not only urge you, dare I say I beg you to vote in favour of this motion from Ashworth. I appreciate times are tough for our members, and I appreciate that 30 pence a month may in the eyes of some seem like a heck of a lot of money, and I know from many years of me coming to conference those of you on the shop floor have had difficult decisions about upping subscriptions or upping your monthly request of our members in order to support the cause of a trade union because we cannot lose sight of the fact, colleagues, we are a trade union. As trade unions we talk about fighting. We talk about resistance. We talk about challenging the people in charge of our country and the only way we can do that is indeed through unity and support and upholding the good fight. That's why we do it, isn't it? Because we act with integrity. We never lose sight of the fact that we are the good guys and sometimes when all is lost in the bargaining room, and sometimes when you can't get to that point where you can get managers to want to give you what you desperately need for your members, sometimes we have to take action. We know that in Ashworth's case – who have brought a valuable motion in my opinion, in this executive's opinion – we know that it's legal for them to take strike action and they've done so and they've brought credit upon this union in doing so and dare I say shamed other trade unions in their action in doing so in commendation to that branch. But these are difficult times for us as a union right across the board. We know that this present government are planning for the long term. None of this five-year window shenanigans for this government. They're planning for 10 minimum and you don't need me, Conference, to remind you they're not friends of trade unions. They don't like us. They don't like what we stand for. They don't like the resistance, the solidarity, the fight that we represent and that's why I beg you for 30 pence per month for 12 months starting in June to ask our members by means of a yes vote to give that levy so that the people who take that ultimate action and withdraw their labour have something that we as a union can help look after them and their families. Conference, this is a matter of conscience. This is a matter of integrity. This is a matter of unity and solidarity. I urge you to vote yes. Thank you Conference.

Applause

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Ashworth, do you want to come back? We'll put it to the vote. All those in favour of motion 76 please show. All those against. The motion is carried. Conference, that concludes the motions and I will now make my closing remarks. Thank you. Thank you very much, Conference. I'm sure you found Josie's comments and speech interesting because what Josie said actually affects most of the issues that she touched on, actually affects all POA members from pay to pensions to retirement age to actuarial reductions to exit payments to bullying and harassment and sickness. So I think this government have clearly set their agenda to issues pertaining to public sector workers. They have used the recession as an excuse to have a bonfire for public sector terms and conditions, and attacks on pay and so forth. So common themes do surround this and I am grateful to Josie Irwin and her support during a difficult time for the POA in trying to get just observer status in the first instance. Now you know me as general secretary. I'm a greedy person. I don't just want observer status for our colleagues in the NHS, I want a full seat on the staff side council because that's what we deserve.

I recognise that there is of course the internal politics of things with other trade unions and Josie sort of touched on that with their different agendas and she has to pull it all together but I am making inroads with other general secretaries, and that is the way to do it, in order to convince them to support us and that's how I managed to do it to get them to support in the first instance observer status, but I told the general council that I will not rest until we get what is right, and that is a full seat so that we can have more of an influence. I accept we have a small membership in the NHS but irrespective of that even if you've got a small membership you still deserve a say in what happens. I think we have brought something to the table as observer status, as Josie has said, and I will continue to work with those other general secretaries to find a way forward. Indeed I'm going to address the GMB conference in June – their new general secretary that's taken over has invited me – on a variety of issues from recognition in the private sector to hopefully we can touch on this issue as well. We will continue to work on that. We're on record as saying, our executive, that we have full support for the junior doctors because it's junior doctors today, someone else tomorrow. The reality is we've got to support other workers and not just look inwardly at ourselves. Of course this national executive recognise that our members come first and always will but we've got to be part of the wider trade union membership and that's how we build alliances because if we help others, others will help us in our time of need. Of course the junior doctors have come up against Jeremy Hunt. They're lucky they've got him. We've got Michael Gove. Both as bad as each other I think but the reality is as one junior doctor who's a gynaecologist said, who will ever forget that wonderful banner that said, 'I know a Hunt when I see one.'

Laughter

And I think on that note, Conference, I will close the speech and thank you for your attention during this good debate and motions regarding the special hospitals. Thank you.

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Conference, just before I do hand back to the chairman there is an announcement to make. It's been brought to my attention that in our order of business it says that two of the fringe meetings start at 12:30 today in the same place. It's clearly not. The NPS fringe meeting should read 16:30 today or indeed when conference finishes, not 12:30 as stated on the flyer so the NPS fringe meeting is after conference in the suite just outside there and the use of force fringe is still taking at 12:30. You've done very well in attending the fringe meetings. Please keep up that support because it's important that we do have delegates at the fringes so's that we can get our messages across. Thank you very much.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Morning Conference. We do have a busy day ahead of us.

The AGM has taken place for secure healthcare services. Thank you to Steve Gillan for chairing that as is the tradition. Later this morning we will get to the presentations section of conference. The national chairman will present the Cronin Clasps. A Toe by Toe will be presented by our dedicated lead for Toe by Toe, which is Mark Fairhurst taking over for John Hancock who is now retired and the general secretary will present the Mabel Hampton Award. This afternoon we've obviously got a speaker this afternoon looking at the agenda. We've got four speakers currently listed. It is my intention to ask the Scrubs to come up when Jo Stephens... before she takes her speech but that obviously will be depending on her time frame. I'm hoping the Scrubs will be able to give us an overview of events of last week. We've got a 16:30 finish today. In between that we'll try and do some motions. So we'll start off with an easy one. 46. Wormwood Scrubs. Do we have a seconder for the Wormwood Scrubs motion? Send, thank you.

## MOTION 46

*That conference instructs the executive to resist the MoJ proposal to give some Governors autonomy (autonomous prisons) and authorise the NEC to co-ordinate any necessary action to support this unions' opposition to this policy.*

## WORMWOOD SCRUBS

**MATT CLARKE - WORMWOOD SCRUBS:** Thank you Chair, Conference, NEC, lifers. The motion reads that conference instruct the executive to resist the MoJ proposal to give some governors autonomous prisons and authorise the NEC to coordinate any necessary action to support this union's position opposing this policy. I've been scribbling on this for the last two days because I really wanted to get this right because this is really important for us as a branch at Wormwood Scrubs and I think it's important as a service that we really debate this and see where we stand on this issue. We at Wormwood Scrubs got wind of the government's plans on prison autonomy at the end of last year. When I say plans, I did not know then what the specifics of these plans may be, only that the model and ideology would be based on the much criticised academy school model. So what is prison autonomy? Essentially an autonomous prison will no longer be governed, controlled or come under the jurisdiction of NOMS. The governor will have full control of how his or her money is spent and in the future this could mean your wages. We are currently awaiting confirmation on who the first pilot sites will be. However, I've been led to believe these sites may retain their civil service rights but as the national roll-out comes so will the uncertainty. We will likely see the end of national pay structures, national collective bargaining, dispute resolution, universal HR policies and according to some sources in the FBU a new, yet more challenging fitness test to be rolled out across all uniform services including our own. And let's not forget if you can't pass that fitness test you'll be likely to be receiving a reduced compensation scheme as the civil service scheme changes. In a few years the POA could become nothing more than pockets of local staff associations who are left to fend for themselves. Whilst I hope the phrase 'Unity is strength' will still have some national meaning, our status as a national service will be no more. We will likely be employees of our local authority, directly elected mayors or private companies making millions from misery, collecting different salaries likely depending on performance. Conference, I urge you not to be persuaded by arguments of needing to work with the employer or 'Let's not be hasty' but learn from the lessons of our recent past and see that this is nothing more than yet another strand of the austerity agenda forced upon our service. If there is a deal on the table on prison reform linked to a 65 pension age as Joe Simpson alluded to yesterday why are we not shown the courtesy of transparency of discussing it at this conference, which is already bought and paid for. Regardless, after years of rhetoric from the POA saying that 60 is the red line on retirement age do you really want to potentially give up your national collective bargaining powers for a three-year squeeze on retirement age? Well I tell them to shove it.

Applause

Furthermore what else are we going to have to give up? Conference, give the NEC the mandate to fight prison autonomy by any means necessary and together let's bare our teeth, snarl at Gove, Spurr or anyone else who attempts to take on the POA with a view of dividing and destroying our union and our profession. Please support.

Applause

**ANDY BAXTER – HOLME HOUSE:** Chair, Conference, NEC, I would like Scrubs to maybe give us some clarification of the wording of their motion. 'Conference instructs the executive to resist the proposal.' What does resist mean? Does it mean engage? Does it mean don't engage? I think we've learned lessons from the past that if you don't engage then you're not there. You're not at the table, you're not representing your members. Joe also alluded to a potential deal or a potential wish to get the pension age back to 60. Would as many of you be so vociferous in your support if Matt had said, 'If you engage with this you may get your pension age back to 60'? I wonder. My prison was decimated in benchmarking. I lost 42 per cent of my Band 3s. Throughout the process I've put in NOCS to get extra staff to make the prison safe. I've got nowhere. I've put in bands to get extra staff to make the prison safe. I've got nowhere. We're being told that governors are going to get autonomy to manage their own budget. Well that's great. I've got a huge shopping list of things that I want off my governor for my staff when he gets that autonomy.

What do I want? I want enough Band 3s in the prison to carry out daily LBVs. I'll be blunt. The minute they tell us that Holme House is on the autonomy list I want an extra 20 Band 3s in that prison. I want enough Band 3s to carry out daily LBVs, enough Band 3s to carry out cell searching, enough staff to reopen a proactive, very well staffed security department, enough staff to stop NPS coming in the prison. I want facility time for our committee. I want a new staff mess. Now I also believe that the people sat behind me here also have a huge shopping list that they want. Now when two sides come together to negotiate that's what you do: one side puts what they want on the table and the other side puts what they want on the table. Now I'm a bit bemused by the word resist and I hope that Scrubs can come back up and can explain what they mean by resist. Do they mean engage? Do they mean don't engage? If we don't engage do we think it's just going to go away? I don't think it is but I'm not standing here advocating that we hold hands with Michael Gove and go skipping off into the sunset. I'm as deeply suspicious as anyone else of Michael Gove. There's no meet on the bones. Do you remember WSM? Terms and conditions to follow. It's the same again. It's the same again. Let's not be hasty. Let's not make decisions until we've got all the details. We're very good at calling special delegates conferences. If I was a betting man this year I'd put two bets on: we'll be having an SDC on autonomy and we'll be having an SDC on pensions, or maybe more likely we'll be having one SDC on pensions and autonomy. Looking for clarification of what Scrubs mean by resist before I put my hat on the table.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Scrubs have the right to reply.

**ANDY BAXTER – HOLME HOUSE:** I'll leave it at that. Thank you very much, Conference.

**PHIL BURCH – SEND:** Mr Chairman, NEC, Conference, I'm going to disagree with Andy on this one. Sorry Andy but resist... if we don't engage and don't turn up that's not resisting, that's casual acceptable. Resisting is going, engaging and telling them we will not stand for it. We already have enough problems, as we've discussed earlier, with governors who have casual disregard for mandatory PSIs such as 06/2010 and for those who are dealing with it regularly as I'm sure we all are, particularly paragraph 4.9 with respect to letting staff know when we're extending investigations. How many investigation reports have full signed off extensions with full clear explanations? I doubt

very many. If we have autonomous prisons what will that do to investigations? On that point I wholeheartedly support the motion brought by Scrubs. Please support the motion.

Applause

**STEWART MCLAUGHLIN - WANDSWORTH:** Chair, NEC, Conference, I don't know any published details about this proposal. MoJ is being driven by a minister by the looks of things and as our national chair said it may be announced next week in the Queen's Speech, which means it will be government policy. Government policy similar to privatisation. We've had performance testing, we've had market testing and every one of those branches that have been put through that process have always been asked by their own members back in their own branch, engage. Talk to the employer. I think if this motion were to go through the branches that will end up being identified will find themselves between the rock and the hard place. Conference policy says resist, don't engage and your own branch membership saying engage with the government. I agree. I think we will need to see more details about these proposals before we make any decision here as there could be a number of branch committees in a very awkward position following next week's announcements.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Mike Rolfe for the executive.

**MIKE ROLFE – NEC:** Thank you Chair. Chair, NEC, Conference, obviously a very emotive subject and I think all the speakers have come with great passion there. The executive are asking you to currently go against this motion. The executive do not want autonomous prisons as described by the delegates and for the very reasons identified. However, as alluded to in the chair's opening remarks we and indeed NOMS do not know what the final negotiated position could potentially look like. As Jo mentioned yesterday, pensions – an important emotive subject – yet again is linked to reform and these are all things that we need to be able to put to you transparently, honestly and openly. I take the words that Matt used from Scrubs that we have an opportunity here. When we're within negotiations and those negotiations are continuing it wouldn't be right for us to bring that to you until it's completed. The process needs to be properly completed and we need to know what the final picture will look like. I suppose what I'm asking you to do and what the executive are asking you to do today is have some faith in your executive, in what we will try and do on behalf of this membership. You've had some people that clearly have a view that we should steer clear of anything to do with autonomous prisons and quite rightly we're very terrified of the potential threat of what it may look like if we were to end up like a foundation hospital or end up like an academy school. We are terrified of that and we are seriously concerned for the terms and conditions that not only we've worked hard for over the years but each and every one of you have worked hard for over the years to try and drive better for your members. If that's pulled away in one fell swoop then none of us are going to be particularly happy but I think it's important that you give this executive the chance to be able to finish those talks and bring it back to you in an open and transparent manner. That doesn't mean that we're going to push something through on you that you're not going to be happy with. We can come back and we can take exactly that passion that's been shown to resist this if that's the decision and the will of our membership and the decision and the will of a conference. So what we're asking for is time: time for us to be able to complete those without prejudice negotiations, time for us to bring it back to you in an open and transparent way. Let's not just cut our nose off to spite our face instantly. Let's see what they want to talk about, let's see what they want to offer and let's give the negotiators a chance to bring back something. If you don't ultimately like it you can tell us and we will gladly accept that position but let's do it and let's do it right and let's make sure everyone gets a chance and time to view and see what it means for us. Please reject the motion Conference.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Scrubs to come back.

**MATT CLARKE - WORMWOOD SCRUBS:** Thank you Chair, Conference, NEC. Right, the wording. Clearly there's already been a lot of engagement from the NEC. The wording is let's fight it, let's not accept it, let's do what the teachers' union did and kick this into the long grass. We say let's not instantly cut our noses off to spite our face, give us time. We put these motions in in December. These are not emergency motions. We've got announcements coming up. Wormwood Scrubs think we should take a stance today, oppose prison autonomy and what it means and fight it. Let's not skirt around the issues and engage in ways how we can best divide and separate our union and our workforce. I ask you humbly again, please support this motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** We go to the vote on motion 46. All those in favour of motion 46 please show. Those against. That motion is lost. Do we have 10 branches for the card vote? Yeah, you do. Scrutineers and tellers please. Can everyone please remain in their seat? The chair of standing orders is going to tell me the colour of the... Yellow. It's yellow in your pack. Please remain seated while the tellers do their important work. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Alright Conference, we'll wait obviously for the card vote but we'll carry on with business and we'll announce that card vote when we have the result. We move to 47, which is Wormwood Scrubs. Is there a seconder for the Scrubs motion? Gartree, thank you.

## MOTION 47

*That conference instruct the NEC to inform NOMS that the POA insist that prisoners use of weight training in NOMS establishments should be used as part of a well- rounded health and fitness regime and not for extreme body building and as such, all NOMS establishments should be equipped accordingly.*

## WORMWOOD SCRUBS

**MICHAEL CROSS – WORMWOOD SCRUBS:** Chairman, NEC, Conference, how do you follow that, eh? The motion reads: That conference insist the NEC to inform NOMS that the POA insists that prisoners' use of weight training in NOMS establishments should be part of a well-rounded health and fitness regime and not for extreme bodybuilding, and as such all NOMS establishments should be equipped accordingly. At Wormwood Scrubs the staff recognise and fully support the contribution our gymnasiums play in the daily lives of prisoners and staff alike. However we are concerned that some of our gymnasiums, specifically the weights rooms, are currently equipped and being used by a number of prisoners to achieve bodybuilding status. Some of the knock-on effects that these weight rooms create are steroid abuse, threats and violence to prisoners and staff, also bullying, and this is all getting harder to manage with the reductions in staffing levels.

At the Scrubs we are currently working on a regime which supports prisoners to acquire a work ethic that resembles as close to a normal working week as possible and to equip them to form habits... Sorry, bit nervous... that resemble normal daily living. It is our contention that allowing prisoners to access heavy weights beyond normal resistance training serves little purpose and benefits. We are not asking that prisoners attend the gym less or cut down their time. What we are saying is that allowing them to use dumbbells of 50 kilos or more and bench press 180 kilos or more is unnecessary and outdated. As such we request that conference instruct the NEC to inform NOMS that the POA insist that prisoners' use of weight training in NOMS establishments should be used as part of a well-rounded health and fitness regime and not extreme bodybuilding. Now I'll revert back to what happened last week on Sunday where two staff at Scrubs got assaulted on the landings by a prisoner who was well known for his heavy weight training. They say timing's wonderful, isn't it? Now I

don't know about everyone else here but I feel personally that this use of heavy weights and the excessive use of gym time by these specific prisoners is a danger to our safety and I urge you and plead with you to support the motion. Thank you.

Applause

**CRAIG DILLON – GARTREE:** Chairman, NEC, Conference, I never thought in my 20 years' service I would ever support a motion like this. I was three times national powerlifting champion during my years of service. Days gone by that was and times change. Back in the day weightlifting, powerlifting, was always synonymous with the Prison Service. We had world champions, European champions. One of our staff even became the World's Strongest Man. As I say, times have changed, things have moved as with society from being boxing orientated, weightlifting orientated to being mixed martial artists now, extreme bodybuilding and with those kind of things comes the change in the culture, as in the outside world, to the drug use within these kind of sports that these people are practising. With that drug use as the man's alluded to here comes the aggression, comes the physicality that comes with that and comes the problems that staff have to face in dealing with these individuals both with the aggression problems and with the extreme physicality of them. For those reasons I urge you to support this motion.

Applause

**DARREN WORBOYS - BELMARSH:** Chair, NEC, Conference, I hadn't actually planned to get up and say anything on this motion but I have to say I wholeheartedly support it. It's long baffled me why we insist on doing our best to churn out a stronger, faster breed of criminal. It has long baffled me. The more I think about it there is no reason for even weights in general in our gyms. They've got machines that could replace the weights, cardio, there's circuit training, there's all manner of training that can replace heavy weights and I would even go so far as to say rather than limit the weights remove them entirely. Replace them with resistance machines. Many leisure centres are following suit across the country so why don't we do the same in gyms? Please support the motion. Thank you.

**TONY WALKER – BRANCH CHAIRMAN, PORTLAND:** Chair, NEC, urging you to reject the motion. It's too prescriptive. How do you legislate? Do you have weights as part of a circuit? How can you legislate whether one person can lift X amount and another person can only lift this. It is too prescriptive. I do understand that having people get massive in gyms might provide a problem but the fact that they're getting bigger isn't the problem that we've got to deal with, it's the actual resourcing of the landings. The majority of time them prisoners that come down, it's not that they get massive, it's just part of their culture that they're being the way they are. Being massive, weights, is not the issue. If you remove the weights what are you going to do for them then? The motion's far too prescriptive. Please reject the motion.

**CRAIG DILLON – GARTREE:** Chairman, NEC, Conference, I understand what the chap's saying here...

**PJ MCPARLIN – NATIONAL CHAIRMAN:** I'm afraid not. You've had your go, sorry. Otherwise we'll have a free for all, Conference. Mark Fairhurst for the executive.

**MARK FAIRHURST – NEC:** Thank you Chair, NEC, Conference, colleagues. We are asking you to reject this motion. If you actually read the wording of the motion if we took this to NOMS they would say to us, 'Well we already do it. We already have establishments which provide a well-rounded health and fitness programme so we already achieve this motion.' That's what NOMS will tell us and do you know what? Locally each and every one of you have the power to decide what's in your gymnasium. All you have to do is knock on your governor's door and say to him, 'We're removing

the heavy weights from our gym.' He'll say, 'Why?' and then you'll provide him with the argument or the evidence. It's as simple as that. NOMS will want the same from us if we take this to NOMS. They will say, 'Provide us with the evidence that suggests that the majority of assaults on staff are down to people who lift heavy weights and if you can't provide us with that evidence where do we go with it?' As has already been mentioned it's not down to the weights they lift, it's down to the tuna and noodles that they devour so if you've got a problem with steroids and you've got a problem with threats and you've got a problem with bad behaviour then locally deal with it. Just ban them from the gym. If you've got a problem with people lifting too many heavy weights deal with it locally. Just remove the heavy weights from your weights room and just have lighter dumbbells and just have restricted discs so they can't lift 180 kilos on a bench press. Deal with it locally but don't take away the choice from every single branch in this country because there's some branches that might be happy having heavy weights. You've got to look at it from the rehabilitation part of it as well. There's a lot of coursework that gets done in gyms that require heavy weights anyway. If you're doing a personal fitness instructor's course you can't do it all on machine-based weights. You've got to have some free weights incorporated into it. Let's look at it from that point of view as well. We've got to mirror the community. If we're preparing people for release they've got a choice which gym they can attend. They can either go to a bodybuilding one or they can go to a cardio one. It's up to them. We should give them the same choice as well. And don't forget you're taking away this facility from staff. If we take this forward, if we carry it then I can foresee a lot of problems in each individual branch because don't forget it's you who's going to have to deal with the aftermath. It does take away a lot of frustration from prisoners and it does help keep control. What I would say is if you've got an issue then deal with it locally but don't bind the entire membership with this motion because we'll have to enact it and as I say, NOMS will say, 'Well we already do that anyway. We already provide a well-rounded health and fitness programme in every gymnasium in the country.' Then they'll say, 'Where's your evidence? Where's your evidence that this is causing a problem?' Don't restrict everyone. It's a good motion and I've often thought of this myself. It's a great idea. Cost-wise I doubt you'd get the money to do it anyway but as I say, locally deal with the issues you face, ban them from the gym, remove the heavy stuff, job done. Please reject.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Scrubs to come back? No. We'll go to the vote on 47. All those in favour of 47 please show. Those against. That motion is lost. 48, Whatton. Do we have a seconder for the Whatton motion? Rochester, thank you.

#### **MOTION 48**

*Any member of staff who is unable due to staff shortages, to take their full allocation of annual leave should be given the option to sell this back to NOMS at no less than PP rate should they wish.*

#### **WHATTON**

**NEIL ROBINSON – WHATTON:** Chair, NEC, Conference, those of you who were here last year will remember we brought a motion similar to this last year but we withdrew it because the motion wasn't tight enough. It was clear that staff would be able to abuse the motion if we passed it. This motion, if passed, won't affect the majority of people in this room. It won't affect the majority of staff that you deal with but some staff are clear now that they don't actually have the ability to take all their leave every year due to the fact that the jails are so under-staffed. It's physically impossible for all staff to get all their leave every year. I know you're all looking at me like I'm talking a load of rubbish but it's a fact. Some establishments are that short that staff are having their leave taken off them at the end of the next year because they're carrying over too many hours of leave. If passed, this motion would allow only those effective staff who were unable due to staff shortages to take their full leave allocation the option, should they wish, to sell it back to the employer. Please support the motion.

**STEVE DOUGLAS – BRANCH CHAIRMAN, HINDLEY:** Chair, NEC, Conference, asking you to reject this motion. Conference, short and sweet. To sell our holidays is an absolute irresponsibility and we the union should not agree to this whatsoever. It is a right for working people in this country to take time away from work with pay and it's called annual leave. To sell this for pay would leave us open to the unscrupulous governors we work for. It would also be in breach of our rules, being Bulletin 8, and would breach working time regulations. It could lead to members every year taking money instead of leave, which could also lead to fatigue and stress-related problems. The fact that there are shortfalls in our establishments is no fault of our members and NOMS should be taking responsibility for the recruitment shambles...

**NEIL ROBINSON – WHATTON:** Point of order. Sorry, Chair, Conference. We withdrew this motion last year because it was too open. We're talking about very limited staff who physically cannot take their leave, not like the gentleman just said...

**PJ MCPARLIN – NATIONAL CHAIRMAN:** ...with that, because that's not a point of order is it? It's a point of qualification, which you could come back on and you get the option to come back on.

**NEIL ROBINSON – WHATTON:** I just want to make sure that we know we're not talking about staff just selling their leave.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** You will be able to respond.

**STEVE DOUGLAS – BRANCH CHAIRMAN, HINDLEY:** Thank you. The fact that there are shortfalls in our establishments is no fault of our members and NOMS should be taking responsibility for the recruitment shambles and the poor pay to new members of staff only last five minutes before we give up our right to annual leave. Every member is entitled to their full allocation of leave. If this is not possible then branch officials and branches should be challenging governors and NOMS to make sure this happens. We should not be selling it for a quick fix. Please reject this motion. Thank you.

**GERRY LENNON – BRANCH SECRETARY, FULL SUTTON:** Chair, NEC, Conference, urging you to reject this motion. Annual leave is one of those sort of things, they're not perks, they're rights and it's for us to be rested, to recuperate and to remain well. Management in our establishment certainly and I'm perfectly sure in many others will happily pay a payment plus rate at the end of the year rather than properly recruit and staff their establishments. You open this possibility up saying it's for the staff to make that option but if the management then just don't staff the jail and everybody comes to the end of the year with leaving owing then they'll say, 'Well you've got that option to get paid.' It's giving them an open goal. If leave can't be facilitated then they should be curtailing the regime. Staffing the prison is not my job, nor yours. It's the governor's responsibility. If they can't do that something's going to have to suffer. If leave can't be facilitated while running a full regime something's going to have to give way. It shouldn't be me. Colleagues, it shouldn't be any of you. We fought for years as a movement, as a trade union movement, for decent treatment for working people including the right to sick pay, including paid annual leave. Do we want to be known as the union that started to throw that away? I don't think so. Please reject this motion, colleagues.

Applause

**BILL BUPARAI – BELMARSH:** Chair, Conference, NEC, I'm speaking against the motion. Three of the points have already been raised so I won't repeat them speaking against the motion. I'll briefly touch on the fact that one of the reasons every establishment now has an RMP is because that is our way to deal with staffing shortfalls and not to curtail allocation of annual leave in any way. If staff can't get their leave locally that becomes a local issue. Please reject the motion.

**CRAIG ROBSON – BRANCH SECRETARY, DURHAM:** Asking you to reject the motion for the simple reason it's unachievable. Why would NOMS try to negotiate with NOMS and get... I don't know what PP is. I don't do it. It's just one of those things. 17 or 19 quid: why? Look at the staff handbook. It's already there. Tells you what the negotiations are and how to do it is they look at a certain month and they base your average pay on that certain month. I can't remember if it's March or February, whichever the better one is, 28 or 31 days. You get an absolutely derisory rate so why would they want to pay you 19 quid? It's already there. Staff handbook. It's just unachievable.

**TOM DOIG – BRANCH CHAIR, GREENOCK:** I think I've entered the twilight zone because I thought I was attending a union conference. Our forefathers fought to get us leave and what are we putting forward as a motion? 'Let's sell it.' Unbelievable. The motion should say, 'Make sure every member gets their entitlement to leave, not let's sell it. Reject this motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Whatton to come back? Sorry, Whatton. Sorry, my mistake. Chris Donovan, he's waiting there patiently. Chris Donovan for the NEC. Apologies Whatton.

**CHRIS DONOVAN – NEC:** Chair, NEC, Conference, the NEC are obviously asking you to reject this motion. Every member of staff should be able to get their allocated leave within the year. If this isn't the case committees should be asking the management, why. Leave is a rest period that has been hard fought for over many years by past union members. If this motion were passed NOMS will see it as a green light to bully and coerce our members to sell their leave. We should be knocking down the governors' doors for them to uplift the non-effectives, not to sell our rest and recuperation time for 30 pieces of silver. Please reject.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Whatton to come back.

**NEIL ROBINSON – WHATTON:** I agree with all your points. We all shouldn't be selling our leave back but some jails don't have RMPs, they don't have MSLs. Detention centres, you can't drop a task. I've been bringing this motion for the last four years. Everybody else in this room doesn't work under those conditions. We've asked for help from the NEC. This is what's going on. They're taking, they're just cancelling, they're reducing people's leave. We've been asking for help, we've been doing the grievances. That's why the motion's been brought. We want staff to take their annual leave. There's staff being ordered in seven days a week. There is no droppable task, there is no RMP, there is no benchmarking. Not everybody works in a jail. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Conference. We go to the vote on motion 48. All those in favour please show. Those against. That motion is lost but I would say obviously branches bring motions that are properly presented and passed at their branch and the speaker sometimes will believe in that motion and I'm sure he does on this occasion with that passionate speech and on other occasions maybe not but they're duty bound to bring motions and thank you Whatton for bringing it. We move to 49, which is Send. Do we have a seconder for the Send motion? Sorry, Hewell Grange, you were up there. Thank you.

## MOTION 49

*That conference instruct the NEC to engage with NOMS and seek an amendment to current policy to ensure that all staff who are subject to managed moves receive at least five years' assistance with travel costs.*

## SEND

**PHIL BIRCH - SEND:** Chairman, NEC, Conference, motion reads that Conference instruct the NEC to engage with NOMS and seek an amendment to the current policy to ensure that all staff who are subject to managed moves receive at least five years' assistance with travel costs. Colleagues, we all have copies of a sign around our establishments the first line of which is, 'We treat our staff properly.' It's a high aim but it's completely true it's hypocritical. It's a sad fact that without the closures of Kingston, Reading and Haslar Send could not operate any kind of regime except lockdown yet they expect our members to do up to 100 mile round trips on top of their shifts at the same time that NOMS only gives three years' travel subs. This is at a time when they've frozen our pay for six years and no sign of that policy changing. Not only that, on top of it there's been an increase in National Insurance contributions. The result is that our colleagues that have lost their establishments are now having to pay for the privilege of travelling to other jails which can be up to 50 or 60 miles away. 'We treat our staff properly.' No, NOMS, you don't. Please support the motion and let's see if NOMS put their money where their mouth is and let's see if they will actually treat their staff properly. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Jackie Marshall for the executive.

**JACKIE MARSHALL – NEC:** Chair, Conference, happy to support the motion. Current policy is that major moves are paid three years' excess fares with the next two years being considered annually and will only be paid if the receiving governor puts a good case forward or the member of staff puts a good case forward. Support the motion, colleagues. If they're forcing us to move then they should pay us. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Send to come back? No. We go to the vote on motion 49. All those in favour please show. Those against. That motion is carried. 50, Hewell Closed (Blakenhurst). Do we have a seconder for that motion? Moorland, thank you.

## MOTION 50

*That the NEC negotiates with NOMS to ensure a complete roll out of the biometric prisoner canteen application system throughout the prison estate.*

## HEWELL CLOSED (BLAKENHURST)

**LES DENNIS – BRANCH SECRETARY, HEWELL CLOSED (BLAKENHURST):** Chair, NEC, Conference, on my holidays! Motion 50, that the NEC negotiates with NOMS to ensure a complete roll-out of the biometric prisoner canteen application system throughout the prison estate. The aim of this motion is to force the public sector Prison Service into line with the private sector and the 21st century by rolling out the biometric prisoner application system, which the private sector have had the foresight to introduce. The current paper-based application system is wasteful and time-demanding yet does not provide acceptable results. I'm sure our colleagues in the private sector will extol the virtues of the biometric prisoner application system in similar ways that those prisoners who have been in both private and public sector establishments have described to me and my colleagues at Hewell. In similar ways to introducing mobile phone blockers in order for the public sector Prison Service to survive, evolve, progress and be relevant in today's ever inventive digital age, it needs to continually and thoughtfully invest in appropriate modern technology in ways that improve the safety, security, decency and help reduce violence and anxiety within our establishments from prisoners. In busy Cat B locals such as Hewell where the ever evolving dynamics of the prisoner population create confusion and uncertainty for those who live and work inside the passing and successful pursuance of this motion would assist greatly with reducing some of the by-products of prisoner anxiety. The evidence clearly indicates that NOMS are incapable of effectively spending the annual budget. The rush to needlessly spend departmental budgets towards the end of each

financial year is absolutely wasteful and embarrassing to be part of. I was informed that each new desk, which all appear round our establishments come March-April, costs an additional £200 to assemble by a local outsourced provider. Sorry, that was a different motion. Our governor spent a reputed £250,000 putting windows on the upper walkways in order to make the place look cleaner. It just hides the rubbish that's thrown out the windows. That money could have been better spent providing a better, purposeful, decent environment for our prisoners. Conference, we are the professionals in our jobs. We put the hard hours on the landings. We speak to those in our care, not those in central offices going on made-up statistics by alleged senior managers who rarely communicate with prisoners other than by letter. It is time we dictated to NOMS some more forward thinking.

**KEITH MCDUGAN – BRANCH CHAIR, GRENDON AND SPRING HILL:** Chair, NEC, Conference, urging you to reject the motion. Biometric application systems, ATM machines: the private sector had the foresight to implement these because it reduced staff. Can we afford to lose any more? Urge you to reject.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Glyn Travis for the executive.

**GLYN TRAVIS – ASSISTANT SECRETARY, NEC:** Chair, Conference, seeking support of this motion. Conference, we cannot hide behind the fact that technology is coming into the Prison Service. The restructuring of the prison estate as part of the wider reform agenda that's been touched on during this course of the week will bring in issues and we need to ensure that we've got the technology to support staff – not to cut staff but to support staff to deal with prisoners, to deal with offenders, to ensure we can do the job properly. What I will say and urge caution here is that this may be a difficult motion to achieve. It may take some time. It will be a bit like the tracker system where we'll get it in once they feel that there's a benefit to it. We do believe it's a worthwhile motion and we ask you to support. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Do you want to come back? We move to the vote on motion 50. All those in favour please show. Those against. That motion is carried. We would normally be joined on stage by John Clinton from the POA in Ireland. John has a family funeral to attend this week but we've got an able deputy in a very good friend of ours, Gabriel Keaveny, who's the assistant general secretary of the POA in Ireland and I'd invite Gabriel to go to the rostrum and provide fraternal greetings.

**Gabriel Keaveny, Assistant General Secretary, POA Ireland addresses Conference.**

**GABRIEL KEAVENY – ASSISTANT GENERAL SECRETARY, POA IRELAND:** Thanks Chair. Good morning Conference. Good morning national executive. I won't make as long a speech as John. A couple of pointers. I suppose we share an awful lot in common. We're all prison officers at the end of the day and the issues that you have on your agenda are very, very similar if not the same as issues we've discussed ourselves at our own conference just recently back in Athlone and we were delighted to be joined by some of your representatives there where knowledge is shared and it was very helpful to us. From our own perspective, Conference, we've been through a very challenging time in Ireland. Our country was bankrupt, the IMF have come in. Thank God they're gone but as workers we've taken a 14 per cent on average pay cut. We've gone through some fairly significant cuts in staffing to prevent even further pay cuts on top of that 14 per cent so most of what we talk about in Ireland at this stage as workers is pay restoration.

We're not even talking about pay increases and it will be some years unfortunately before we talk about that. It was a difficult choice for us. We either had to believe the mathematicians and the accountants or we had to take on the government. We were very proactive as a trade union in

that. We made very, very hard decisions but from coming to conference here folks, and the Scottish conference, and sharing ideas and listening we have gained a lot of experience throughout the years. Some of the issues that hit ourselves and as we go on our daily business in the prisons we've highlighted huge issues with breakdown of law and order within the prison estate in Ireland. A horrendous amount of vexatious complaints has been made against our staff – only five per cent of all complaints are upheld – and prisoners are using that mechanism to circumvent the whole discipline system within the prison. Of course like England the management are turning a blind eye to that and we find ourselves unable to do our job as prison officer when you can barely say good morning to a prisoner or he'll have you on a category A complaint.

We have a director general and a team who have embarked on a road of appeasement with prisoners. They try to give them everything. We highlighted at our conference there two weeks ago that one of the most violent and disruptive prisoners in the system, last year they gave him a birthday cake. They've moved on and this year they've given him a fish tank on the landing. It takes four officers in riot gear to unlock this guy and the fish tank hasn't improved him either. Laughter

He still assaults staff. We move to another chap who held prison officers hostage in 1996 so we're going to build a garden for him. We doubt that that's going to rehabilitate him. We're very supportive of that but we think the 100,000 euro on the garden for the hostage taker could be better spent on other prisoners that are conforming and complying with us. This is some of the stuff, folks, that we face. We have been threatened in recent times with privatisation. We don't have it to any real extent in the Irish prisons but management share ideas also, folks, and they are over here looking at your systems on a regular basis. We're looking for policies on what I've talked about – violent and disruptive prisoners – and to move away from this road of appeasement. The levels of assaults on staff – we have two assaults every week and you must remember we're a tenth of your size so that's a very, very, very contentious issue for us obviously and we try to get it out into the media as much as we possibly can. The other thing of course with assaults, folks, is management playing down the levels of assaults. It's alright for a prisoner to spit at you, to abuse you, threaten your wife and your partner and your kids – that's not really an assault – but it's not all bad.

We have made progress in some areas and we have visited some of your prisons. Some of you will know us and particularly the knowledge we share and that we gain from those trips really, really is of huge benefit to us, folks. We hope to continue that with your new national chair. I'd like to wish Mike the very, very best in his new role and to thank PJ for all his help over the last number of years and wish him well on his retirement. I'd just like to finish up, folks, by saying we have been through a very significant time in Ireland. We've had huge challenges, huge suffering not just within the prison service itself but across the wider trade union movement, but there's only one way we got through that and we are coming out the other end now, believe it or not, and that was with unity. I got a bit of advice when I came into this job initially and it was from my general secretary when he said, 'Remember, they're always the management and you're always the trade union side.' That is an absolute fact, folks. They'll always be out to do us in and we'll always be there to represent people. It's not what you get at the end of it all but I would say the only way we've got through it and the only way you'll get through it is with unity. I wish you the very best with your conference, folks, and thanks very much for the opportunity to talk.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Gabriel. I think you realise that you have our utmost respect for the work that you do from across the water. I have been pulled up in the past for saying 'from the mainland', which didn't go down particularly well. From across the water you have our utmost respect and I think it's well worth mentioning that on the dreadful day of Adrian Ismay's funeral in Belfast the general secretary and I were there but also representatives from the Republic

of Ireland POA attended to show their support in incredibly difficult times. The problems we face are the same and we work together to get the solutions or to arrive at the solutions. Gabriel, thank you very much for those fraternal greetings. Conference, that's the morning break. Can I ask you to be back in the conference hall for 11:30. 11:30 please? Thank you.

## Conference breaks

### Presentation of Cronin Clasp Awards.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** ... make your way, if you've got any family members with you, if you could bring them with you.

Steve, could you and your family members come to the rostrum please, the stage?

Conference, we have three awardees this year for the Cronin Clasp. The Cronin Clasp provides the opportunity to acknowledge outstanding work and contributions by our branch officials. Yes, it measures experience, but also measures knowledge, also measures commitment. The award bears of the name of our founder for the very reason that it's such an important award and it means so much to the recipients and it means so much to the members who are there to see them receive it. The nominations that I read out are provided by the recipients' branches, so any legal issues or actions, that's where that's got to go to. In no particular order, Wendy Price, HMP Drake Hall.

As far as we can tell, Wendy, known as the wicked witch of the west, joined the committee at Drake Hall in April 1995, was then elected Secretary between November 1995 and 1999, when she was elected chair, a post that she has held continuously to date. Wendy's passion for the POA and her colleagues has never diminished and she continues to inspire and lead everyone with her relentless work to help make Drake Hall a safer, decent and secure place to work for all. She is fiercely committed to the principles of trade unionism, both on a personal and ideological level, to the extent that she still fights for ex-Drake Hall staff who have moved to other establishments, as well as taking on a well-known supermarket chain more than once in order to protect her daughter-in-law's job. It is not much of an exaggeration to say that she has had to be bodily restrained during POA meetings with management and she has seen off many governors in her time, all of them tattered and shell-shocked when they leave. One favourite technique used by Wendy when representing members at investigations or disciplinarians when someone is saying too much is a bodily kick to the member's shin, which everyone is briefed prior to and it means 'shut up'. People have bruises to tell but this is a minor issue when the process ends with no charges. Wendy has also acted as a scrutineer in national POA ballots for a number of years and is well known and respected by many from the NEC. Although it can never be proved, Wendy and I know that her involvement and passion for unionism has stopped her progressing through the Prison Service ranks and it's the Prison Service's loss that they've never used her skills in a higher capacity. It may not be relevant, but it would be remiss of me to finish this tribute without mentioning the time when Wendy, radiantly expectant, pushed her husband off the roof ... or the spank the student party that she was reluctantly dragged to while at conference, or the time she was auctioned off for the pleasure of a baying crowd of branch representatives at a training event. And of course she has been running from the Cardiff committee for twenty years at Conference, and although on occasion she's been weakened, mainly by gin, has never succumbed to their persuasive and relentless attempts... I shall leave it there. Frivolity notwithstanding, Wendy has been utterly dedicated to the POA and its membership for longer than some of our members have been

alive and Drake Hall's committee and I think that she deserves to be recognised for it with the Cronin Clasp award. Today is also Wendy's birthday so double-celebrations can be held. I did ask her her age, but she couldn't remember. That's what age does to you.

Wendy Price, Cronin Clasp awardee 2016.

Applause

David Nigel Cook.

Laughter

Let me read out what's written Dave.

HMP Swaleside. Dave has given up his personal life to carry out POA work for many works. He's attended many events which include Eurofedop, TUC Conferences, Tolpuddle. He has also lobbied parliament and partaken in rallies to highlight issues that our members face during their working lives. He has faced disciplinary action for his commitment to safety. I can recall one particular dispute when the branch took the decision not to unlock the gaol as the Duty Governor had knowingly breached the op cap of the prison. As we were due to be in Cronin House that day for a meeting, we had turned up for work in civilian clothing. The branch, after the meeting, went to their work areas to await our instructions. Dave and the Secretary then went off to negotiate an agreement to bring the dispute to a close. The negotiations were with a couple of bullyboy governors who thought that they could shout and scream at us to get the prison unlocked. Dave and the Secretary were resolute in that the gaol would not be unlocked until they had discharged a prisoner. The two governors were again shouting and screaming at Dave to unlock the prison, to which he replied, 'No.' They then turned to the Secretary and ordered him. His reply was to show them his key chain minus any keys. The look on Cookie's face was a picture when the realisation had set in. Anyway, they discharged a prisoner and we gave the order to unlock. The POA will lose an active member within its ranks when Dave hangs up his keys for a final time. Dave's son once said that, 'if you cut my dad open he will have POA through the core'. The Swaleside branch see this as a fitting tribute for their longest serving Chair to date. Dave, on behalf of the branch, thanks for the work you have carried out over the years.

David Nigel Cook, HMP Swaleside, award winner of Cronin Clasp 2016.

Applause

Steve Jackson. Former Frankland, retired now.

Steve joined the prison service at Brixton in December 1980, transferring back to his native northeast to Frankland in March 1987. The Prison Service saw the first sign of his rebellious streak at the training school in Leyhill when he was nearly sacked for discussing the finer points of fairness with his Training Principal Officer. This continued in his first posting at Brixton, when Steve had the audacity to tell the Chief Officer, who was also an insurance salesman, that he wouldn't be buying one of his 'mates' rates' insurance policies. You can only imagine how that conversation went. Steve always took a keen interest in Trade Union issues and making sure things were done properly, and eventually was persuaded to join the branch committee at Frankland in 1990, becoming secretary in 1991

and finally Branch Chair in 1992, holding that position unopposed until his retirement on 23 December 2015. During this period Steve has, year on year, achieved the unachievable, limiting the effect the constant budget cuts and efficiency savings have had on his members and ultimately managing the savage job cuts the benchmarking process brought, and not retiring until he was satisfied that he had got the best possible outcome for his members. Steve was also a member of the National POA Restructuring Advisory Group from 2011 to 2013. His vast knowledge of the Code of Discipline has, over the years, saved countless careers. If I was to list all of the achievements, we really would miss last orders at the bar, so I won't. What I will say is he's seen off ten governors, including Phil Copple, so that's not a bad thing. Joking aside, Steve's sense of righteousness and integrity and his drive to make things transparent and fair was always his only goal, and he very rarely did not achieve this. His moral compass simply would not be swayed when he believed that he was right and he believed his members were being wronged. Whilst Steve is here at Conference today to be honoured for his passion and dedication to the POA, a special mention has to be given to his wife Doreen, who has supported him throughout his 25 years as a POA official, often helping him with both his admin, research and preparation and with anything Steve was dealing with at the time. Doreen accepted that when Steve was on the E shift, an L shift or a main shift, he was in effect always going to be an A shift as he was very rarely home on time. You often hear wives and partners say, 'I'm a golf widow'. I can say for certain Doreen was most definitely a POA widow. Finally Steve had to be persuaded to come today to accept the Cronin Clasp, not because he didn't want it, but because he is such a selfless person who believed he should not be rewarded for the role he was so passionate about for so long and for the differences and great achievements he has made. I'm sure everybody will agree, we wish Steve a long and happy retirement. However, his knowledge, passion and tenacity will be sorely missed on behalf of the Frankland branch.

Steve Jackson, Cronin Clasp awardee and winner, 2016.

Applause

There is no pressure, but I would invite the recipients to come to the rostrum if they feel able to, the three recipients, and I have a feeling that they will feel able to, to come and say a few words.

**WENDY PRICE – CRONIN CLASP AWARDEE 2016:** I don't often stand at the rostrum at Conference. I think I've spoken once. Completely overwhelmed. I'm going to kill Dave Bowden when I get out! I think one person that does get forgotten in my life is my husband, bless his cotton socks. Been together thirty-odd years and he just sighs when the phone rings but he's got used to it over all those years.

I've had a fabulous time in the time that I've represented the POA and I hope to continue to do so for a few more years. I'm going to continue to run from the Cardiff lads, but it's always fun trying. Thank you so much. Thank you.

Applause

**DAVE COOK – CRONIN CLASP AWARDEE 2016:** Thank you. I never thought I would be one of the people stood up here receiving such an honour. Thank you Dave. I think this pays you back for the ribbon. I never ever thought that anybody who would stand in front of Conference and propose a motion about a ribbon in a diary would get the Cronin Clasp!

Laughter

Just like Wendy, we've got our partners and everything else that tirelessly put up with the phone calls in the early hours of the morning or the weekends that are being destroyed, sitting on the beach in Spain and your phone rings, somebody wants some advice.

I'd like to thank my branch for nominating me and everything else. Thank you. Thank you very much.

Applause

**STEVE JACKSON – CRONIN CLASP AWARDEE 2016:** As I'm retired, it seems a strange thing to say when you retire, doesn't it, I'm only 58 and I wish actually that's when we could retire, 58. What I will say this is, 'cause I'm retired, I actually can say what I like, can't I?

Laughter and applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** I'll be very surprised if anybody puts a point of order...

**STEVE JACKSON – CRONIN CLASP AWARDEE 2016:** Excellent, then I'll be in my element, won't I? First thing I'd like to say is this. There's a custom and practice when you come to the rostrum and I don't often come to this rostrum. I think over the years people know that I'm one of the quiet people, I just hide in the background, but if there is something to say I get up and say it. Whether it goes down well or not is entirely up to you, the audience, but today I can say that ... I can say Chairman, Colleagues, Conference, Steve Jackson, *former* Branch Chair for Frankland. It's a nice ring to that because he's right, I didn't want to come here and I didn't want an award and I don't think I deserve an award. People say differently and I said I wouldn't get emotional today and I'm not going to ... 'cause I'm going to say to you, I've been persuaded about this award thing and the reason I'm persuaded by it is because you don't do it ... not one of us in this room do it to get an award. What you do is you're all volunteers and at the moment we strive constantly, don't we, to try to make a difference. It doesn't matter how well you do it or how poorly you do it. The fact that you do it is what an award is all about, so I was persuaded to come, in fairness, my wife persuaded me, because at the end of the day I've been a prison officer for 35 years, 33 of which I've been married, and I know how to keep me marriage, and it's basically you do as you're told!

Laughter and applause

24 years as a Branch Chair's a long time and you do have to put up with a lot of S-H-I-T and an NEC member who was our area rep many years ago, Tony Friel, you might remember, we had an argument about what he thought was the reward for being a representative, and he always said Conference was part of that reward, the ability to let your hair go, get your subs, have a few drinks, and I've always argued that that's not what it's about. What it's actually about is moving business, and I think we've lost sight of that, but I can say what I like so ...

I was part of a restructuring committee or a restructuring meeting, we kept changing our name as we went along. I've seen little restructuring take place and I'd like to think that at least me saying that might push us in the general direction of doing what we think we need to do for the future.

24 years and I've never been a big union member. It might sound strange that I never have, and it's strange to end up not being a union member, being a Branch Chair, for as long as I did, and getting an award like that, which I know is a very prestigious award ... I'll be honest with you ... it means a great deal to me, because I used to have a phrase at my establishment: I haven't got any friends; I've got various degrees of enemy.

Laughter

But I think today I've realised that I've actually got a lot of friends and the people I didn't really imagine would be my friends. The only reason I'm here today, and the only reason I became a Branch Chairman was that woman there. 'cause 24 years ago, when I came in constantly from

Frankland whinging about we need to change this, we need to do this, she said, 'Why don't you just put your money where your mouth is and do something about it?' And that's what I did. And that's why I think this award is genuine, 'cause it comes from people who understand what is necessary, but for me, I'm just a backroom guy, I'm not one of the front leaders, I don't believe that I've done anything incredible in the time I've been a Branch Chair, and if people believe I have, then you aren't working hard enough, are you?

Laughter

But the fact that you do it and you keep on doing it is a plus for me, and I think without people doing it, we won't get anywhere. So thank you Conference and I hope you have a good Conference.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** I'm almost tempted to ask Doreen to come up!

Laughter

Especially to confirm that you've been doing as you've been told for the last thirty-odd years!

I do have to give you this message as well, otherwise I'll be in trouble, from our photographer, Cannon, who reminded me, and I think Colin might be in the hall, that Colin once suggested he was going to sack Canon, our photographer, and he said, 'You can't do that, Colin, because I haven't got a contract and you don't pay me anything.' But the message is, from Cannon, when you come off the stage, can you, with your branch officials, please go through the back of the hall for further photographic opportunities.

Conference, you've heard from our worthy recipients, I'd ask you now to give them a traditional POA welcome, the 2016 Cronin Clasp winners and awardees.

Applause

### **Presentation of Toe by Toe Award**

**MARK FAIRHURST:** Thank you Conference. It gives me great pleasure to say a few words about the Shannon Trust. Just a few brief words for those who've maybe never heard of the Shannon Trust before, we were actually formed in 1997. It was a trust that was set up originally as a charity and it first came into our prisons in 2001 in Wandsworth, and what it actually does, it's like a peer mentor scheme, so they will teach prisoners who will then teach other prisoners to read. It's a no brainer really 'cause it costs absolutely nothing and they will provide all the resources to do that work. In 2013 the Prisons Minister announced that there was going to be a National Reading Network and in 2015 the Shannon Trust introduced the Turning Pages initiative. If you haven't got the Shannon Trust in your goals, then you need to ask your governor why you haven't. Because there will be time made available to do this work, and as I say, when we're talking about rehabilitation, Mr Gove talks about rehabilitation, 40% of the people we look after have got literacy skills that are so low that it excludes them from 90% of the jobs that we hope they'll go into, and here we have an initiative that costs us nothing, that's fully resourced and relies on prisoners teaching each other to read with our help. What could be better than that? So I would encourage everyone to take on this initiative and I'm sure my colleagues from the Shannon Trust are going to say a few words on how to actually access that if you need to. Without further ado.

**ANGELA CAIRNS SHANNON TRUST:** Hello and thanks very much. It's a real pleasure to be here today to speak to you all about Shannon Trust and our work. I think Mark's covered quite a lot of what I was going to say there but one thing that really struck me was it was 15 years ago that our first reading plans started off in HMP Wandsworth and then, as now, it was a prison officer who really made it possible that that could happen, so for me what's really important, that you as prison

officers make a real difference to the reading plan, and we're here to celebrate some of that today. Last year we had over 4,000 prisoners start to read with Shannon Trust reading plan and using Turning Pages, and because it was a mixed year some of them were using Toe by Toe and some of them Turning Pages. Our cup is still called the Toe by Toe Cup, perhaps it should be the Cup Formally Known as the Toe by Toe Cup.

You play a really important role as prison officers in identifying people who might not be able to read. If you see someone, find out who is the Reading Plan Lead in your prison for Shannon Trust, refer that person, look at what the pathways are, because it can change people's lives quite dramatically. We find that not only does it help people to learn to read the very basics and vital things that we all take for granted in life, being able to do things like order our food; quite commonly we have prisoners feed back to us and say well now I've learnt to read, I can choose what I'm having and not just guess what I'm picking from the menu. So being able to identify people is really key to this and you can play a really important role in that, but also in making sure that people are unlocked, and we know that this is often difficult because security is a priority and takes precedence, but we know that when people are unlocked and they get their 20 minutes a day with their mentor, five days a week, or more or less as that happens, that it starts to change people's behaviour as well. They gain in confidence, they start to engage with other things, and we see this time and time again. So thank you for all that you do in making this happen.

Today we're celebrating the role of the Reading Plan Lead, which is the prison officer who liaises with our volunteers who go into prison to train the prisoner mentors and to give support. That Reading Plan Lead is really important in getting the messages across throughout the prison about the Shannon Trust reading plan, whatever it's called, whether it's called Toe by Toe, Turning Pages or Shannon Trust. And today we're celebrating that role. It's always hugely difficult for us to choose who that person's going to be because we have a vast array of exceptional people in that role. We do know, we had a shortlist, we got this down to three people which was quite difficult, and in those recommendations we had valiant runners up in Sandra Dodkin from the Isle of White and Tony Lloyd from Aylesbury, but we have chosen one person today to receive this award, and that's Georgina Stone, Georgie, from HMP Foston Hall, and I'd just like to just say a few words about Georgie that have been fed back to us and were the reason that we decided that she should get the award this year.

Georgie has a firm belief in what Turning Pages offers and with her infectious enthusiasm, which cascades through the mentor team, she leads a coordinated drive for Turning Pages across the prison.

And it also adds that when Georgie became the Reading Plan Lead there was no Shannon Trust activity in her prison so the fact that she's made this into a very successful scheme there is to her credit. Recently she managed entirely of her own volition to secure a regular slot at the monthly Reducing Reoffending Meeting of senior managers, where she supplies the monthly Turning Pages data and raises any concerns and tries to find solutions about making it even more successful.

And this comes from our volunteer, who works closely with her:

Georgie is a true asset to the work of the Trust, and by association to Foston Hall Prison. She offers the Trust the opportunity to provide its support to Foston Hall Prison with the least operational obstacle and in a manner that, from the Trust's point of view, exemplifies what an ideal prison/Trust working relationship should be.

Applause

**UNKNOWN SPEAKER:** She doesn't want to say a few words.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you very much and thank you to Mark as well, for making that presentation, and clearly when your peers decide that you are the worthy recipient of that award then it really is well deserved. And you're here with your partner, whose name is Phil, who I'm sure you will say has supported you throughout your career to date and especially with this work that you've taken on by Toe by Toe. It is wonderful for the POA to have been involved from the very beginning and to continue that involvement, and of course I'm particularly affected by that because it's Wandsworth Prison and I well remember the officer involved, Neil Lodge. That's a cause that has been successful and it's something that management of the prison service, I think we shouldn't forget, wanted nothing to do with it originally, wanted nothing to do with it whatsoever and it was prison officers, the POA, who took it up and helped to put it at the place that it is now, so thank you very much on behalf of the POA to the Foundation and to you as the award winner. Thank you very much.

**GEORGINA STONE – TOE BY TOE CUP WINNER:** Thank you.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Our in-house photographer will be very disappointed with me if I don't say can you, three of you, make your way to the back of the hall where there are photographic opportunities, I'm told. Thank you very much.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Before we, Conference, move on to the Mabel Hempton Award, we're going to invite Terry Watson of HMP Preston to come up here on stage and 28<sup>th</sup> January was Terry's last day in the prison service following 44 years! That's some effort, I think we'd all agree. So we'd invite Terry – come and sit here beside me a moment. Steve Gillan has been asked by Terry if he'll say a few words on his behalf, that Terry has provided for Steve Gillan.

**STEVE GILLAN – ON BEHALF OF TERRY WATSON:** Thanks very much. We had Preston contact us about Terry Watson, a loyal POA member for 44 years. In actual fact, it's not Terry Watson's speech – the author of the speech actually was John Hewitson, the Governor, on Terry's last day, and I think it's lovely that we have Terry here actually and this is probably one of the only times he's been at Conference and I think it's nice that we represent these individuals. So I'm not going to read out everything that John Hewitson said about him, because I think in many respects that's private to him and indeed the Preston branch, but the reality is we thought Preston made the approach to us in order that we could recognise that he's probably the longest serving member that we actually have, and I think to stay true to the POA for 44 years is absolutely a tremendous feat and we've invited him to the dinner tonight for honorary life members and Cronin Clasp holders because I think he should take his place there. So Terry, you are very welcome here at our conference and I'd like to present this to you on behalf of the Trade Union.

Applause

**PJ MCPARLIN:** It's the usual health warning. If you make your way to the back of the hall ... Cannon is waiting for you.

### **Presentation of Mabel Hempton Award**

Now, are we ready for the Mabel Hempton? The Mabel Hempton Awards will be presented by the General Secretary.

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Chairman, Conference, the Mabel Hempton Awards to Neil Cumming and Fraser Love. Just before we start with Neil Cumming, it makes me quite humble to

stand here as General Secretary and present this award for very brave individuals. The Mabel Hempton Award was brought in, you all know Mabel, she was tragically blown up in Northern Ireland and subsequently died many years after.

So Neil Cumming, and I've gotta warn you there will be some pictures being displayed on the screen that are quite shocking. Neil Cumming works as a residential officer at HMP Glenochil. He has been a prison officer for 11 years, having previously worked at HMP Cornton Vale as an operations officer. Prior to joining the SPS, Neil worked in the mining industry as a mechanical fitter. On the evening of the 30<sup>th</sup> October 2014 Neil Cumming was working within Abercrombie Hall carrying out his duties as normal when a prisoner approached Neil presenting no signs of aggression. Without warning the prisoner attacked Neil and assaulted him with a razor blade, slashing his face. It was described in court as a calculated, unprovoked and motiveless attack on a prison officer in the course of his duty. This incident has only recently been dealt with by the courts and such was the brutality of the attack and severity of the injuries that a prisoner received a 12-year sentence; he should probably have received more. The injuries inflicted upon Neil are some of the worst this union will ever see. Neil required 53 stitches in the side of his face and was fortunate not to lose his eye. Following staff intervention, Neil was rushed to hospital and due to the seriousness of his injury, he was transferred to a specialist hospital to have plastic surgery. It goes without saying that Neil took time to recover from this traumatic event. The Chief Executive of the Scottish Prison Service, the Assistant Director and HR supported Neil during this time and assured Neil that there were many areas within the Scottish prison service that he can be redeployed to when he was ready to return to work. Those assurances were continually offered but what Neil insisted he wanted was to return to the residential area where the incident occurred. He did not want to return to work on a phased basis and nor did he want to work in a prisoner-free environment. Neil wanted to return to work alongside his friends and colleagues who supported him on that traumatic day. Neil never wavered from that decision and I'm delighted to be able to report he is back to work now over a year working in the same residential facility alongside his friends and colleagues. I am sure Conference will agree that this demonstrates very forcibly the strength of character and courage within Neil. He's a credit to the role of prison officers and someone of whom we all are rightly very proud of. It is for that reason we are delighted to award Neil Cumming this year's Mabel Hempton Award.

Applause

I'm now on to the second award, Conference, for Fraser Love. Fraser Love is a residential officer at HMP Glenochil and he had has been a prison officer for seven years. Fraser is an armed forces veteran who has served in Afghanistan and whilst on tour Fraser witnessed some of the most traumatic events a person would want to see and was badly injured himself. Fraser Love was on duty alongside Neil Cumming on the night of the 30<sup>th</sup> October 2014 and when the prison attacked Neil Cumming, Fraser was the first respondent. Without care for his own safety, Fraser immediately came to Neil's assistance. He restrained an armed and dangerous prisoner and during the struggle Fraser himself was assaulted and suffered two stab wounds. Fraser was sent to hospital to receive medical attention but the very next day Fraser turned up for duty with his injuries stitched up and bandaged, stating he'd had worse. At his own insistence Fraser completed his shift, but he was eventually persuaded to report unfit for duty. Fraser's attitude towards this incident and his colleagues' is remarkable. Having been seriously injured during the incident the night before, he was determined that his friends and colleagues would not be left short the next day. Equally his determination that he was not going to be kept from his work by the incident is a great testimony to his strength of character and resilience. That coupled with the selfless actions and quick response by Fraser on the night are why we're here today talking about an incident that was shocking by any standards, but had the potential to be even worse but for his intervention.

Conference, I think you'll agree, the actions of Fraser Love on the night of the 30<sup>th</sup> of October 2014 and his character are truly astonishing, and we're very proud to have him as one of our own. It is for that reason I'm delighted to present Fraser with the Mabel Hempton Bravery Award.

Applause

**FRASER LOVE – MABEL HEMPTON BRAVERY AWARD WINNER:** Good afternoon. Firstly I'd like to thank everybody for the warm welcome. I'd like to thank Bill Thomas and the rest of the branch at Glenochil for the nomination. It very appreciated and I'm very humbled to be here amongst you all. I think the night in question was certainly the darkest day of my career and speaking to a lot of colleagues it's been the darkest day in a long, long time and I think when incidents like these happen, unfortunate as they are, it shows when staff can come together. I wasn't the only one to respond to that incident and there was a lot of colleagues who deserve recognition as well, but it shows our staff, as white shirts, we all come together to pull each other through the dark times. Thank you very much.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Before we break for lunch, I have the result of the card vote which was, I'll just make sure, I'll check, that was motion 46, number of votes in favour 8,639; number of votes against, 14,348, so the motion falls. Can I ask you to be back in the room for 2 o'clock, ladies and gentlemen? Thank you.

### Conference breaks for lunch

#### Wednesday afternoon

**PJ MCPARLIN – NATIONAL CHAIRMAN: [Starts mid-sentence]** On this afternoon's agenda we have a number of speakers and, of course ...

#### (break in recording)

**CARL DALTON – VALLEY PARADE MEMORIAL TOURNAMENT ORGANISER:** Probably the only two people left on the Council as well, given Cameron's cuts. I wanted to get that one in, obviously I've got a captive audience. So what am I here to talk about? Something called the Valley Parade Memorial Tournament. As PJ said, 31 years ago today on 11<sup>th</sup> May 1985 the tragedy of Bradford City unfolded, as I'm sure you all know and have seen from previous news footage what took place in 1985. Following the fire in 1985, the then Executive of the POA had some fundraising at your AGM and with that funding you approached Bradford Council and the idea of a living memorial was born from the fundraising that you guys got together for. So we created something called the Valley Parade Memorial Tournament. The idea was that it would be a living memorial, an international football tournament for boys under 12 and under 14, given the ages of the children that passed away in the fire and that that would continue as a commemorative aspect for everybody that obviously was involved and touched by the fire.

31 years later we still support it through the sponsorship from the Prison Officers with the Valley Parade Memorial Tournament. There is a number of milestones, obviously I'm conscious of time but I wanted to talk to you about with regards to the tournament. We've currently had 11,000 young children that have participated in the annual event; a number of those have gone on to be professional footballers, most recent are good people like Fabian Delph, Tom Cleverley, Mike Hanke in Germany who has gone on to play in a World Cup. So the level of football and the standard has been incredibly high. The idea of the tournament is obviously, first and foremost, is it's a commemorative thing for people to obviously pay respects to people that died. The secondary part is about friendship through football and the idea of building relationships and strong partnerships. And it's the idea of partnership with you guys working with us that I think is a fantastic example of how partnerships can work and hopefully will continue to work.

The partnership is strong because of key people within your organisation that support the event, namely PJ, he's one of the people that has been heavily involved with this and supported the

event. Jackie Marshall as well that's done an awful lot of work with us and visits every year to help present trophies and medals. There's Terry Fullerton; PJ nearly got me and told me his last name was Pumpnickel, I think it was, thankfully he spared me that embarrassment. There's Paul Wray from Lincoln Prison; the Lincoln officers play in our veterans' tournament because we have Bradford City ex-professionals as well as the juniors playing and the Prison Service actually participate in the event now as well. So all those people, as I say, are key to making the event very successful. We do have a stall in the foyer area which has DVDs and programmes so you can read through those and I'm quite happy for you to take those away with your DVDs and information so you can see a little bit more about what goes on in the tournament and where your funding actually goes. Because without your funding and support we wouldn't be able to run the tournament, we wouldn't have the 11,000 children that have participated in the event and each one of those children gets a very special medal that, again, is paid for through the sponsorship that the Prison Officers kindly support us with.

PJ has given me permission as well, given that time is limited, to do... if you would all be upstanding and do a minute's silence with me because today we would be in Bradford obviously observing a minute's silence. So if I could kindly ask people if you could stand and we could do one minute's silence just to finish off my few words. So, thank you.

### **(One minute of silence)**

Thank you everyone. Thank you to the POA and thank you for your continued support and hopefully in 31 years we'll be doing the same. Thank you.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Carl. We're joined on the platform here, sitting beside the General Secretary, Jan Willem Goudriaan. In May 2014 Jan was elected as the new General Secretary of the European Federation of Public Services Trade Unions, EPSU at the ninth EPSU Congress. He started in the Dutch Public Services Trade Union in 1989. In November 1992 he started work with EPSU, he was EPSU's Deputy General Secretary from 1997 to 2014. He pioneered the social dialogue with the employers in the electricity, gas as well as local government sectors. Together with the trade union delegations he negotiated European Works Council agreements and transnational company agreements including with Europe's leading energy and water companies, including a ground-breaking deal on improving equality and equal pay in GD Sewers. He actively promoted the social dimension of the energy community for southeast Europe and has been an active campaigner against the privatisation of water companies in the EU and other countries.

He proposed, and is Vice-President, of the first ever successful European Citizen's Initiative on the human right to water and sanitation which collected 1.9 million signatures. He is a member of the ETUC Executive Committee as well as the Executive Board of Public Services International, the global trade union federation of public services unions. Jan, you're very welcome and I'd invite you to address conference. Thank you.

### **Jan Willem Goudriaan, General Secretary EPSU addresses Conference**

**JAN WILLEM GOUDRIAAN - GENERAL SECRETARY EPSU:** Thank you, good afternoon. As you probably hear, my accent is not really... what should I say? British, English, Welsh, Scottish. I'm from the Netherlands and you probably will hear that in my accent. There's no time to stand up if you don't understand me so I hope I'm clear enough.

Esteemed President, colleagues, delegates the POA meeting, thank you very much for the invitation. It's a real honour and a pleasure to be with you and say a few words on behalf of the organisation I represent and which the POA also joined.

EPSU is the European Federation of Public Service Unions, we bring together unions from all over Europe in the European Union but also beyond. We have changed our experiences, our practices but we are much more than a loose platform of trade unions. We want to influence the policies of our governments, of the employers and also of the European institutions we try to mobilise for action and change. I bring you the solidarity greetings from EPSU, our unions, but also from PSI, Public Service International, our global organisation representing workers across the world.

I want to say a few words on the priorities of EPSU; I will touch also on the UK referendum if time allows me. I'm not going to ask you, to convince you, I know it's a controversial issue but as a European trade unionist it's something that is important. Mostly I will talk about the work we do in prison services.

Maybe first of all to congratulate you, you and your colleagues in other public service unions in the TUC, because you scored an important victory in the House of Lords around the Trade Union Rights Bill. You gained a number of things back which the Conservative government wanted to remove. We also have sent in submissions to the House of Commons, to the Commons, to the Lords, to the government consultations. We actively also campaigned with you and your colleagues; we have been standing outside of the UK embassy in Brussels supporting the Heart for Unions campaign of the TUC, making clear the important role trade unions play in the funding of workers' rights and how unfair these changes proposed by Cameron's government are.

We are also continuing the campaign in the International Labour Organisation around the limitations which are still on the table of the right to strike, something which we need to defend our members, our workers' interests and which many governments in Europe are attacking. Not just in the UK, we also see that in Spain, in France, where trade unionists who have participated in strike action are facing jail sentences. We see our colleagues in Romania Prison Services, workers have been taken away the right to strike which they used to have and it's also something we are addressing together with them.

So the right to strike, trade union rights, collective bargaining rights, are under attack in many European countries. It's part of what you also are facing in the UK, the austerity policies of our governments, austerity policies which lead to cuts in funding, cuts sometimes even in wages, in many countries freezes in public service wages, undermining of collective bargaining rights and governments pursuing also structural reform, weakening our bargaining rights, weakening labour protection and labour legislation. That's something we try, as unions together in Europe, to confront.

The cuts in funding are justified by many governments, and I assume here including in the UK, because there's no money. There's no money to invest in public services, in prisons, in better healthcare, in salaries of public service workers. On the other hand, we know the money is there, there's loads of money. I assume some of you will have eaten in McDonalds or if not in McDonalds in Burger King, for example. I will not ask you to raise your hands, some of you might not find that fair. But McDonalds is one of those companies which avoids paying its taxes. We have done, together with American unions, research in McDonalds and over the course of four or five years McDonalds has avoided paying €1.3 billion in taxes. That is money which is available to invest in public services, in salaries of workers in the public sector. McDonalds is just one of those companies, there are so many of them and the rich and the wealthy who hide their tax, who hide their wealth in tax havens.

I think this week, if I am correct, Cameron is organising an international conference around taxation and around corruption. One of the things he has to face is that so many of the tax havens are UK-based – in the Virgin Islands or the Cayman Islands, in the Channel Islands. The one thing we are asking of Cameron and of other governments is to close tax havens, to end the tax avoidance, because the money for investment is there and we want the rich, the wealthy and the corporations to bear their fair share of taxes.

That is what we need, that is what we campaign for as unions also in the European Union. And we

are successful in that campaign, we have convinced the European Parliament to set up committees to investigate these companies, they have to come to the European Parliament to defend their behaviour, to explain their behaviour. Some of the governments are now fining companies: McDonalds is fined over €300 million in France and similar cases are pursued in Spain and in Italy with regards to McDonalds, for example.

That's the sort of work we try to do. We are also, as EPSU, on a European Commission platform on taxation where we are confronting the accountancy industry, the corporations, to change taxation rules in Europe. We have an unexpected ally, George, your Chancellor of the Exchequer, Osborne. He says he's also in favour of more tax transparency, also supports country by country reporting of corporations. But what we want is public country by country reporting so that we can see what companies pay.

Some of you here will work in the private industry, something we do not agree with, the privatisation of the prison services, but it has happened, especially in the UK and some of you will work in some of these companies. Well we want these companies also to pay their tax, their tax, and what we need for that, to monitor that, is this public country by country reporting.

Fighting to end austerity, fighting for another tax regime in Europe, more tax justice, more equality that also means, are some of the priorities. Fighting against the trade agreements. I don't know how much you are involved, I know the TUC and some of the other unions are making that a key priority, fighting against trade agreements with the United States, with Canada, because we see these trade agreements as opening our public services, making it easier for competition, making it easier to privatise our services, also undermining democracy and democratic regulation. So we are campaigning actively to prevent these agreements coming through.

Which brings me to a very contentious issue. In a couple of weeks you will be asked to vote on the membership of the European Union or not. I'm not going to advise you what to vote, far from me to do that. But as European unions we are concerned, we have expressed a position as European unions, because we think it is better for the UK to stay in the European Union. There can be many reasons and the newspapers are full of articles about what is good and what is bad. If I read them I get confused and I imagine that's the same for many others. Why do we think it's important, we, as European trade unions, think it is important for the UK to stay in the European Union? Because the European Union does guarantee workers' rights which we think the Conservatives will take away from UK workers once you are out of the European Union. Working time, health and safety legislation, information consultation rights, rights which are there because of the European Union. I will be the first to admit there are many things wrong with the European Union, there are many things we need to change, and that is something we are working for as unions together. That certainly we also do with you, with your colleagues in the TUC.

As I said, it will be a difficult decision for many of you. I wish you success in your deliberations on that; it will not be an easy decision but we, as European unions, think it is important to fight for change together in the European Union.

Maybe a few words about the work we do in prisons and I also address the strike we have currently in Belgium in prisons already for two weeks now. We do a number of things in our prison network in EPSU. It's a prison network of active, committed prison officers but also probation, healthcare staff in the secure hospitals. We organised the European Day against Overcrowding; I think that's also an important issue in the UK, certainly also in Belgium and some other concerns.

Also, the work we do to defend trade union rights, to fight austerity, to fight for better tax and social justice obviously are part of the things which are important for public service unions.

We know in many countries in prisons the prisons are now used to hold a large variety of groups, many of who are on the margins of society, but we see more and more and not just in the UK but

also in other European countries that drug addicts are in prison. Increasingly in many European countries also for national and undocumented workers. And obviously that changing profile of prisoners has a significant effect on the way prisons are managed and the task of prison staff. I was speaking with one of your colleagues who picked me up at the airport, thanks to Rob from Liverpool who works in one of the prisons in Liverpool, and we were also talking about some of the problems this causes in his prison and also the personal problems that has caused there. That's the same in many other countries as well.

If you allow me, President, Steve, since I thanked Rob, also to thank your other staff who have been so excellent in guiding me here and taking care of me. Thanks to your colleagues as well.

So, speaking with Rob we were also talking about what's going on in Belgium. Our colleagues in Belgium, your colleagues in Belgium, are on strike for two weeks now. In Belgium they do have the right to strike and the prison guards are outside of the prison. The reason is fairly straightforward – over the years there has been a lack of funding, underfunding, cuts in budget to the prisons which leads to more overtime, leads to more stress for workers, leads also to, I think you would say in English, a crumbling infrastructure of Belgian prisons. Some of you will have seen earlier this week in one of the prisons there was a huge riot, a fire and one of the causes was that the inmates are also faced with that crumbling infrastructure.

So, for two weeks our colleagues have been on strike now and what they want is more staff, they're demanding 450 additional staff in the prisons, they want more funding to deal with the overcrowding, to deal with the crumbling infrastructure, to modernise the prisons they have. Basically why is this taking so long? It's that they have no faith in the government because the government has made them promises and promises and promises and they are not being realised. So that is why it's taking so long.

On top of it now we have another situation in Belgium when the prison guards are on strike, the prison staff are on strike, the police would come in to take over some of the basic tasks in the prison. Well, you know, in Belgium we have had some terror attacks in March, on 22<sup>nd</sup> March, horrible, horrible, they happened very close to our office and some of our staff were out on the street organising an event for World Water Day. But for the police it also meant and is meaning that they have additional burdens. So the staff union and the police union actually has called on its members not to replace prison guards because of their own heavy workload. So you have probably seen that the government is now proposing to send in the military in the prisons, a so-called humanitarian mission. As trade unions we are saying that this is like... I think the English word for that is scabbing, trying to break the strike, and the latest development is that the prison guards are now organising blockades, a step further than a picket line, so that nobody can get in and out of the prison. So a very tense situation at the moment for our colleagues in the Belgian prisons. One thing we are making clear is that this militarisation of public services we are absolutely against and we stand with our Belgian colleagues against this.

Overall in Europe we see that the ratio of prisoners to prison staff has worsened and, again, the consequences of the financial crisis, the austerity policies have had an impact. If I am correct, also in the UK you've seen a huge slash in staff in prison services over the last couple of years. So that is something which we are very much concerned with. In one of the seminars we actually organised here in the UK some of the colleagues mentioned that they see an impoverishment of prison staff and also of their families. We have addressed the European Justice Ministers, urging them to stop the cuts, warning also for the consequences this will have, especially with regards to health and safety, increase in stress but also an increase in violence.

Violence - not everywhere in Europe are statistics kept on this but in general we see a reflection of also a trend in the UK. For example, our Spanish colleagues themselves, they assembled statistics showing that attacks went up and almost every day in Spain there's now an attack against prison guards. For us, one of the things we campaign around together is staffing levels. We think that is very

central to address also in our work with the European institutions, also in our work with the Council of Europe. The Council of Europe which has taken over a demand around sufficient staffing and on permanent contracts because also there in many more countries we see permanent staff is replaced by workers on non-permanent contracts, part-time and so on.

I already mentioned that EPSU is very concerned about the privatisation of prisons. We don't think profit should be made on prisons; we oppose that. We are not in favour of public/private partnerships, most of the research indicates it's more expensive, it doesn't lead to better quality, so I think this mirrors very well also the concerns the POA has expressed over the years.

Dear colleagues, a final word. We see across Europe that prison services are under pressure, that prison staff are under pressure, many staff are struggling to cope. We all know in public services we do our best, we do our utmost but when governments underfund our services it becomes more and more difficult. Unions have a key role to play in defending our workers, in defending workers, in defending our members and improving terms and conditions in our society.

Dear colleagues, we are very new together. Your union recently joined our Federation. There is much to learn from your experience also for other unions in Europe. There is much to contribute, I hope, from us and other unions to your struggles in showing our solidarity and learning more and advocating joint solutions addressing also issues at European level, be they in the European Union or the Council of Europe.

Colleagues, we are from many different countries, many different cultures but we do have the same fight. We do have the same fight for social justice, for improved pay and conditions. That, colleagues, we would like to work with you over the coming years together to improve for everybody in public services our terms and conditions, our health and safety and for better justice, all in Europe. Thank you very much for allowing me a few words to say to you. I wish you a very good Congress. All the best and we'll be working together in the years to come. Thank you.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Jan, for that thought-provoking address and you've given us a lot to consider there. And I thank you as well for the offer of support and advice which is always welcome because we are a union that don't believe that we know everything and we're willing to take advice and support from you where we can get it. And we'll hear more about our European position when the General Secretary moves a strategy paper. But in the meantime, Jan, on behalf of the POA thank you for that address and I hope that you'd accept this little gift on our behalf. Thank you very much.

Applause

Conference, I'm joined on the platform here by Jo Stevens, the Labour Member of Parliament for Cardiff Central but she is, of course, also Labour's Shadow Prison's Minister and Shadow Solicitor General. I'll give a more... slightly lengthier introduction about Jo in a minute but while Jo Stevens is with us I'd invite the Scrubs, Wormwood Scrubs, to come to the rostrum and give an overview of events that occurred at HMP Wormwood Scrubs last week.

**MATT CLARKE - HMP WORMWOOD SCRUBS:** Thanks Chair and Conference. It's a Thursday afternoon, I was at home, I was catching up on that week's episode of Game of Thrones, I won't spoil it if you haven't seen it. I started getting phone calls from some deeply concerned members at Wormwood Scrubs and they were speaking to me privately and in confidence about the current state of health and safety at the Scrubs. Amongst other things, the issues we've had recently which they highlighted were large weapons caches found, a near-fatal stabbing of a prisoner and one officer whose family received death threats at home from a serving prisoner.

I spoke to the available Branch Committee members that day and we decided to call an emergency Branch Meeting outside the gate on Friday morning. So we called the meeting and we outlined the concerns of those members and other people contributed to the discussion of their own concerns around health and safety. The Branch stated that until assurances were met from the management of Wormwood Scrubs they wouldn't be entering the gaol. So I informed the management of their decision and with support from Mike Rolfe, our NEC Rep, we opened a line of communication with the Governor outlining these concerns on behalf of staff.

Initially, I'm sad to say, the Governor and NOMS did not acknowledge a single issue that the Branch had raised and we were then threatened with a High Court injunction. Now, for me, threatening staff who are taking action to protect their own health and safety, for them to be threatened under Section 127 of the Criminal Justice and Public Order Act is frankly disgraceful. However, the injunction never came and by nine o'clock that evening there was an agreement between the two parties that the initial concerns were immediately addressed and since then I've been told that every single health and safety issue that led to the action on that day has been addressed by the management.

Now there's clearly still lots to do at Wormwood Scrubs as news broke Sunday of two officers being severely assaulted and hospitalised by a prisoner. And it's shameful to say that one of those officers has only got three weeks in the job.

Now the problems at Wormwood Scrubs are not unique. It's indicative and endemic in the whole of the service. I feel it's about time that NOMS, Sodexo, T4S, Serco, SPS, act now to make our prisons safer.

I'd like to say how proud I am of the staff of Wormwood Scrubs for standing up and being masters of their own destiny. And I've got a few thanks I'd like to say as well, if I may. Sean Hoyle, President of the RMT, Ian Lawrence, General Secretary and Yvonne Pattison of NAPO, the Caerphilly Lodge of the National Union of Mineworkers, Unite members and officials, UNISON members and officials, the committee for Workers International, the Socialist Party, the National Shop Stewards Network, the NEC for their support and solidarity that day. I'd also to think the wider POA membership but most of all I'd like to thank the members and Branch Committee of HMP Liverpool.

I wish you had been there, Terry, when I had the pleasure of telling my branch that our friends in the north were prepared to walk out in solidarity should we be faced with an injunction and I'd really like to thank you from the bottom of my heart.

Lastly I'd like to say thanks for letting me say a few words. Stay safe and just remember, it's only the bosses win when we're be divided. Thank you Conference.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Scrubs. As I say, Jo Stevens is the Labour Member of Parliament for Cardiff Central. She's Labour's Shadow Prisons Minister and Shadow Solicitor General. Prior to her election in 2015 Jo was a solicitor and director of Thompsons Solicitors, the leading UK trade union law firm and, of course, the POA's own lawyers.

Born in Swansea, which does come as a little bit of a surprise to me as we've stood on the terraces of Cardiff City together, and state educated in Swansea and Mold, Flintshire, she started working for Thompsons in 1989. Over a 27 year legal career she represented trade union members injured, killed and mistreated at work. She also practised criminal defence work for trade union members accused of work-related crime for ten years.

As a director of Thompsons Jo also has significant business experience at board level, particularly in business development, people management and promoting diversity. Her political interests include

human rights, employment rights and international issues, particularly through her involvement with the NGO Justice for Columbia, campaigning on behalf of Columbian trade unionists, human rights defenders and political prisoners there in Columbia. Jo is currently the Vice-Chair of the Parliamentary Friends of Columbia group.

In Parliament Jo is Secretary of the Trade Union Group of MPs. In her spare time Jo is an avid follower of sports, including rugby, football, cricket and darts. Jo Stevens, I'd invite you to address our conference.

### **Jo Stevens, MP Cardiff Central addresses Conference**

**JO STEVENS – MP CARDIFF CENTRAL:** Thank you very much indeed, Chair. Thank you Conference. It's been a bit of a year, hasn't it, so, as PJ said, twelve months ago I was part of Thompsons, the POA solicitors. Little did I know, having worked with friends and comrades across the trade union movement and in the POA over that time to collectively ensure equality, solidarity and safety in the workplace that twelve months on I'd be standing here at this podium receiving a very kind invitation to speak at your conference as Labour's Shadow Prisons Minister.

I want to assure you that that close working relationship that I've had with the POA over very many years will continue now as we develop together Labour's prisons policy for the election manifesto and the next Labour government.

I'm absolutely delighted to be here and bring the thanks of the whole of the Labour Justice Team and the Parliamentary Labour Party. You have one of the toughest jobs in our country. You work with industry, with compassion and with resolution to protect the public and to make and change lives for the better. You have our and my deep gratitude for your unstinting dedication and professionalism in dealing daily with what I think are the most challenging circumstances across our prison estate during my lifetime and I'm 50 year so that's over quite a long period. So I wanted to really say thank you very much indeed for all that you do.

This time last year we had Failing Grayling as Justice Secretary, propped up by the Lib Dems, and we saw five disastrous years of regressive criminal justice policy that saw prison staffing levels reduce by 41% whilst the prison population grew to over 85,000 people. We had that ridiculous ban on prisoner books; we had the National Secure Training College proposal, which I think, looking back on it, sounded a bit like a Sports Direct warehouse. We had the completely reckless and misguided privatisation of the Probation Service that has created chaos and seen reoffending rates rise. But, above all, there was a failure by the government to listen to professional advice, to listen to people who know about prisons, to listen to you, based on your years of experience, and the refusal to accept sensible recommendations about prison safety and reform.

So I know that you will share my scepticism of David Cameron and Michael Gove's sudden, almost evangelical, interest in prison reform. This rehabilitation revolution that they keep talking about, I think by my calculations it's the third rehabilitation revolution that we've been promised. So whilst we wait on that promise and wonder how we managed to miss the first two, what actually has been happening in our prisons?

The combination of cuts to staffing, prison budget cuts, a growing prison population, prisons awash with drugs and alcohol, has created a perfect storm of violence, of self-harm and of death. The former Chief Inspector, Nick Hardwick, predicted this danger in his report in 2010 and he described then how the incremental pressures produced by a combination of those factors would increase instability in what was an already inherently fragile environment. What he predicted has sadly now happened. You're more likely to die in prison than you were five years ago. More prisoners have been murdered, have killed themselves, have self-harmed than five years ago. More prisoners have been victims of assault than five years ago. And the number of prison officers who have been assaulted and seriously assaulted, as we just heard from the comrade from Wormwood Scrubs is

much, much greater than five years ago.

You know, more than anyone else, all of these problems have costs. They cost lives, they cost livelihoods, they cost all of us, us the taxpayer, everybody in this room, a lot of money. We have the highest imprisonment rates in Western Europe and an average annual cost per prison place of £36,000 yet 45% of adults are reconvicted within a year of release. For those serving sentences of less than 12 months that rate is 58% and for the under 18s it is a horrifying 68%. So we don't just have a crisis across our estate, we have, in the words of a Conservative peer only a few weeks ago, Lord Fowler, a prisons scandal. Were it not for the hard work of your members up and down the country in almost impossible conditions that situation would be even worse.

We've seen swingeing budget cuts of £900 million and there's more to come with staff cuts across the estate. The benchmarking process that was signed off by ministers imposing standard regimes on each prison, along with centrally and unrealistic approved staffing levels, and a prison closure programme introduced when the prison population is still rising. So we see every day 14 prison officers assaulted at work. Assaults are up 36% on prison staff and serious assaults are up 42%. We've had riot squads called out nearly every single day of the year to deal with violent prisoners, an increase of 50% on the prior year. If this was happening in any other part of our public services there would be an absolute uproar.

I want to say a few words about Wormwood Scrubs and thank Matt for coming to the platform to tell us what happened over the weekend. The Government knows that the situation of Scrubs is beyond serious. Nick Hardwick made this very clear in his report following the inspection at the end of 2015. That's the same Nick Hardwick who in his final session giving evidence to the Justice Select Committee complained of political interference in the independence of the Prison Inspectorate. The findings that were in the published version of the report on Scrubs had been changed by the new Chief Inspector of Prisons and I know this because I saw a leaked copy of the original version of the report. So findings had been watered down, words had been changed but even despite that the report was still damning.

So when your colleagues refused to enter the prison last Friday on grounds of risk to their safety, based on the evidence I have seen and heard, it was absolutely justified. It is not acceptable for you and your members to face assaults and injury at work and it is not acceptable for NOMS to threaten an injunction against the POA, describing it as industrial action. And it is not acceptable for the Government to say on Monday of this week that the prison is running a normal regime when on Sunday two comrades were seriously assaulted at Scrubs and hospitalised.

The Prison Inspector has warned that the increase of NPS is the most serious threat to the safety and security of gaols, to you working in them and to prisoners. Use of NPS has increased by 615% between 2014 and 2015, you know this, and Spice use has increased by nearly 5000% over the past four years. I want to talk a little bit about NPS because every POA member I meet tells me that it is the most critical issue that is currently facing the prison service. Nick Hardwick thought so, Peter Clarke thinks so, I met him on Monday and he is deeply concerned about it. I'm not sure what he's going to put into his reports and what ideas will come out of it but he realises the severity of the problem. And you know that serious incidents relating to the use of NPS are being reported on an almost daily basis.

A drug culture with some prisoners being forced to take drugs to entertain other prisoners.

Ambulances queuing up at prisons to take prisoners to A&E for treatment. Your members overcome by NPS vapour, their health and their safety compromised and injuries resulting from that, many of them needing hospital treatment because of exposure. You know that these drugs make individuals behave with unimaginable unpredictability. I was told this week about one offender who had tried to gouge his own eyes out after taking NPS. And even Andrew Selous, the Prisons Minister, has finally realised that NPS is an issue but he hasn't got to grips with the problem with the urgency that it

requires. He told me in February that the Government takes a zero tolerance approach to drugs in prison. Well I don't think that's working very well, is it? He told me that 300 dogs had been trained, specialist training, to detect NPS and yet we know that it takes five years to train a dog.

We can't wait for five years, the problem is immediate, the problem is now. But the Government says that in response to this crisis they've legislated on psychoactive substances to make possession within prison a specific offence. I don't understand why the Government thinks this is going to resolve the issue. Bearing in mind that the people using NPS are people who are in prison because they haven't abided by the law in the first place, making it an offence to have it in prison... yeah, I don't see that it's going to make much of a difference. It doesn't fill me with confidence.

The Government should be doing an urgent job of addressing how NPS is getting into prisons in the first place. And we know how it gets in – over the walls, via drones, smuggling by visitors, prisoners even deliberately getting recalled so they can bring the stuff back in. But what's the common denominator in all of this? Not enough prison officers to be able to carry out the required searches with sufficient regularity to stop the flow of NPS into our prisons.

It leads to self-harm; nearly 30,000 incidences of self-harm in the last 12 months, an increase of 21%. 267 deaths in prison, one prisoner dying every four days. Homicides in our prisons at record levels and every single one of those deaths is a tragedy with long-lasting impact, not just on the victims' families but on prison staff and your families too.

Just one example which I wanted to mention because it's in HMP Cardiff, it's in my own constituency. Darren Thomas who had been jailed for breaching an antisocial behaviour order for street begging in the city centre, he was suffocated and stabbed to death with a ballpoint pen in his cell by his cellmate a couple of years ago. Colin Capp, the inmate who murdered him was convicted of his murder last year. Darren should never have been in prison in the first place and Colin Capp should never have been sharing a cell with Darren. And I've been helping Darren's family in relation to the Prison Ombudsman's report that came out a few weeks ago. Darren's mother, a very private woman, has been broken by this experience, absolutely broken. Prison has become a social dumping ground for those with mental health problems and those with alcohol and drug problems and it cannot be right that people who need treatment for mental health conditions are, in some cases, like Darren, deliberately seeking a gaol sentence in order to access treatment. It cannot be right that the people who are in the care of the state end up dead because our prisons are overcrowded, understaffed and unsafe.

Now, we're expecting the Prison Reform Bill next week, in fact this time next week we probably will have heard the details of it, and David Cameron's speech in February, the first time in twenty years we've had a Prime Minister talk about a vision for a reformed prison system set out. But we knew what was going to be in it because the substance of that speech had been trailed quite widely by Michael Gove in advance. What are we promised? We are promised Michael Gove's schools academy model for the prison system, a model that Cameron says has revolutionised our schools. So Michael Gove thinks that he can transform prisons simply by imposing an academies structure onto them, a structure that has been heavily criticised, not just by the Labour party but by school Heads, school teachers, by education unions and by the parents. A structure even his own party wouldn't support this week which he and his Education Secretary, Nicky Morgan, had to withdraw in a humiliating U-turn.

But let's give him the benefit of the doubt and let's see what's in the Bill next week. I think I know what won't be in it. There won't be a move to reduce the prison population because Gove's already said he believes he can achieve reform without lowering the population number. And there won't be any extra money for rehabilitation because he's already ruled that out. In fact, there will be less money because, as already agreed as part of the Comprehensive Spending Review, £600 million cuts to the MOJ budget by 2019/2020 and that's the equivalent of what it costs to run thirty medium to large prisons annually.

So if we have the same or an anticipated increase in prison population, less money, a continuing prison closure programme and a handful of new prison buildings, what is going to change? I bet we'll still have an overcrowded prison estate with dangerously low staffing levels, with prisoners locked up for at least 22 hours a day because there aren't enough staff to let them out for purposeful activity, and with the endemic cycle of drug and alcohol use fuelling ever increasing levels of violence. And with your members fearing for their safety when they go to work. It will be Tory business as usual.

Now, I know and you know that public sympathy for prisoners isn't high on people's lists of priorities. Prisons and criminal justice policy isn't sexy social policy; it doesn't get a lot of coverage. But we really need to persuade the public that looking at prisons and determining prison policy in isolation from health, education, early years, housing, jobs, skills and training policy will never deliver reform. We know the path to prison is determined for many people at a young age and in their early years family and surroundings shape what happens to them later in life. So we can only solve the problem by effective prevention. Stopping people from ending up in prison in the first place but if they do, ensuring that their time inside is productive enough and they receive the education and rehabilitation so they can find employment on release and do not reoffend and return.

Prisons try and teach offenders to be good prisoners and to be compliant but I think it's even more important that we teach them to be good citizens and show initiative and independence to prepare them for reintegration into our communities. And you and your members play the critical role in that happening but you can only do it if there are enough of you in safe conditions with the time to carry out that role. At the moment there are not enough of you and we desperately, desperately need more of you.

I want to finish up just by mentioning the Trade Union Bill which is now unfortunately the Trade Union Act, as of last week. I joined your General Secretary to speak at two trade union co-ordinated rallies outside Parliament against the Bill. Trade Unions, Labour MPs and peers, union members and many civil society organisations joined together to fight that Bill. I was on the Bill Committee that heard evidence and challenged Government witnesses and scrutinised the Bill line by line. With an inbuilt majority with the Tories the Government were always going to get the Bill through unamended at that stage and we actually lost all fifty votes, that's something I didn't enjoy at all. But we fought hard, preparing the ground for challenges by colleagues in the House of Lords and, believe me, I never thought I'd stand on a platform and say I was relieved to have the House of Lords in place but we really need them at the moment.

I know that you remain resolute in your campaign for restoration of your trade union rights. And the Trade Union Bill affected comrades in other unions more than it affects you because of those restrictions on your rights. But the original clauses in the Bill, particularly on facility time, on check-off, powers of the Certification Officer, and the political fund, your political fund, were critical and would have been disastrous for your union. So we managed together, all of us collectively, to rip the guts out of that Bill, that divisive and completely unnecessary Bill. And the Act that has now passed, although we don't want it, what's left of it represents a victory for the Labour and trade union movement. I want to pay tribute to you all, to your Executive, but particularly to Steve Gillan, your General Secretary, for the part that he has played in achieving that result. Thank you, Steve. It has represented all that is best about our movement, all that is best about the solidarity and the collectivism that we achieve together.

So, thank you again for inviting me to speak today. I hope I'll be back again next year and I hope I'll be back in 2020 when we have a Labour government to help implement the policy that we will put together together. Thank you.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you for that, Jo. Steve Gillan to reply on behalf of the POA.

**STEVE GILLAN – GENERAL SECRETARY:** Thank you very much Chairman, Conference and thank you Jo Stevens for coming in your capacity as Shadow Prisons Minister. I've got to say you've picked the issues up very, very quickly in relation to what's happening in our prisons and what's happening within our criminal justice system. I'm not going to be very long on here responding because I know that we have had dialogue in the past and I've had a dialogue as recently as the weekend with Charlie Faulkner and others, John MacDonald as well.

We will need you probably more than ever when the Prisons Bill comes to fruition through a White Paper. I would imagine during the Queen's Speech that will be announced and then this union has its work cut out because they've clearly set their agenda on autonomous prisons and they will also be announcing six early adopter sites where we will be clearly keeping a close eye on that particular issue to ensure that they do not tamper with our national terms and conditions.

So we will need to work very closely politically with yourselves and I was refreshed to hear some of the changed language from the past. It's great that you come here as a Shadow Minister calling people comrades and referring to people as comrades, that's the sort of trade union language, actually, that I like to hear. So you're very welcome using that at this conference. I'm also very heartened to hear, Jo, that the Shadow Cabinet are very happy to work with the POA on policy that Labour will develop towards their manifesto in relation to the next election and, indeed, to prisons. I'm sure myself and the new Chairman, Mike Rolfe, will be working very closely with the Shadow Cabinet in relation to that. Because, as will come as no surprise to you and you mentioned it latterly in your speech, we want to right the wrongs of Blair and Straw, the promises that didn't materialise when they came to power in 1997 when they promised us the restoration of our trade union rights and the abolishment of Section 127 of the Criminal Justice Public Order Act. So it will come as no surprise, Jo, that will be top of our agenda to shape, and I've had that conversation already with John MacDonald and Charlie Faulkner on behalf of this union, but myself and Mike will develop that further as we progress.

And, of course, the second major issue for us is the return of those prisons privatised to the public sector where they rightfully belong. So we hope to be able to persuade you, and I don't think with this current Shadow Cabinet it's going to take much persuasion actually, to have that in their manifesto and we look forward to dealing with that.

On the Trade Union Bill I was happy to stand on platforms with yourself and others and other leading trade unionists because whilst the meat doesn't really affect us because we don't have the right to strike, I was very conscious of our brothers and sisters in other unions that it's certainly going to affect them. And I still have a message for those in the other trade unions – follow our example, break bad laws when necessary and rely on the Health and Safety at Work Act to protect those members.

So Jo thank you for coming to our conference. Excellent speech and we look forward to working with you in the coming years. Many thanks.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Steve and I think it's refreshing to have a politician come to our conference who isn't time bounded. I think many of us in the hall remember a Conservative Prisons Minister arrived here at eleven o'clock and tell us he was booked on the 11:51 from Southport and he wasn't able there to engage with us as we thought was properly to be engaged with. So that's refreshing and I do know it's a busy day in Parliament today and Jo did seek the Whip's, the Labour Party Whip's, permission to be here. She was given it but she also tells me that if she hadn't had been given that permission she was coming anyway. So I think that's encouraging. And before I give you a presentation on behalf of the POA, Jo, just from a personal perspective my last MP was Sadiq Khan and my next MP, constituency MP, is you. So I expect now I'll be leafleting again eventually.

But on behalf of the POA thank you very much for that address. Steve, Mike and the rest of the Executive are looking forward to working with you and hopefully the next government. Thank you very much.

Applause

Conference, that will be the afternoon break. Shall we say half past three please. Half past three.

### **Break**

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Conference. Conference, the general secretary.

**STEVE GILLAN – GENERAL SECRETARY:** Thank you very much. Chairman, Conference, the guy standing next to me is the man that's responsible for those gunshots. Now seriously, Geoff from Fastlane has been doing our conference themes and stages for 25 years. Of course we pay him to do it but the reality is he does a terrific job for this trade union and over the years he's been absolutely brilliant whether we've wanted stands at TUC or at Conference or so forth. I found out at the beginning of the week just in conversation that it's obviously 25 years he's now decided to retire and the business will be handed and continued by others. Just as a small appreciation, Chair, here's a small gift from the trade union. Thank you very much and I hope you a long and happy retirement.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Conference, while I've got the general secretary on his feet over there I'd ask him to read out a fraternal greetings message from the leader of the Labour party.

### **Fraternal greetings from Jeremy Corbyn**

**STEVE GILLAN – GENERAL SECRETARY:** Yeah, this has just been sent over from Jeremy Corbyn by email. It says, 'Fraternal greeting to POA annual conference from the right honourable Jeremy Corbyn MP, leader of the Labour party. I am sorry that I cannot be with you in Southport and wanted to send you my best wishes for a successful conference. Firstly I want to thank you for your support of my leadership campaign and since I was elected leader of the Labour party it has meant a lot to me. Your members do an incredibly difficult and stressful job and I congratulate you on your work to improve the health and safety of prison officers and indeed of inmates too. It is wrong that your members are now facing the most shocking levels of violence because of Tory cuts that have led to prison closures, fewer staff and increased overcrowding. Tory cuts have left our prison system in crisis and your members at risk. That is wrong. The Tories need to put people first and stop pursuing the ideology of privatisation. Prisons should not be run for profit. They are an essential public service. They should be properly funded and fully staffed and be returned to the public sector. These cuts are the result of the government's austerity policies but austerity is a political choice, not an economic necessity. I am proud that Labour is now an unequivocally anti-austerity party. Whether it's the trade union, the Labour party, the welfare state or public services, these institutions are under attack because they are the basis of our collective power. Not only will Labour repeal the trade union bill when we come back in 2020, we will extend people's rights in the workplace with new trade union freedoms and collective bargaining rights so that workers have the strength to reverse the race to the bottom in pay and conditions. The spirit of resistance and rebellion is what won us democracy. It is what built strong trade unions like the POA and I wish you a great conference.' I think that speaks volumes of what we have at this moment with the Labour party and I think myself and Mike and the executive can work with those individuals to guide their manifesto so I endorse everything Jeremy Corbyn has stated there.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Steve. I'm joined on my right here by Ronnie Draper, the general secretary of the Bakers, Food and Allied Workers Union but before we hear from

Ronnie Draper I'm going to remind all of ourselves about business so we're going to do a few motions. You've probably forgotten about motions. So we'll go to 51, which is Bullingdon. Is there a seconder for the Bullingdon motion? Holme House, thank you.

## MOTION 51

*That the Target Staffing figure for all public sector establishments in England and Wales be increased to provide adequate cover for at least one bed watch or constant watch 24 hours a day within the profiles, and that the same position be sought for those working in Scotland, Northern Ireland and the private sector if applicable.*

## BULLINGDON

**STEVE WRIGHTON – BRANCH CHAIR, HMP BULLINGDON:** Chair, NEC, Conference, the motion reads: That target staffing figure for all public sector establishments in England and Wales be increased to provide adequate cover for at least one bed watch or constant watch 24 hours a day within the profiles and that the same position be sought for those working in Scotland, Northern Ireland and in the private sector if applicable. Bullingdon brings this motion to conference in the hope that the ability to staff bed watches and constant watches, which are now an absolute certainty, not just a may happen even in our prisons on a daily basis... Our members are fed up that the moment a constant watch goes on and an escort goes out to hospital they are expected to begin a restricted regime and work with reduced staffing levels to cover an event which is now entirely predictable. It happens every day. I am fully aware that the proposal in the motion does not cover the full extent of the amount of constant and bed watches that do happen but at least it goes some way to addressing the issue. We are fully aware that this would in reality mean an increase in the target staffing level of establishments roughly by around 10 officers and the employer may ask the question about what these staff do when not engaged in staffing a constant or bed watch. In my own establishment this is highly unlikely but it could be profiled as flexible work, which has all but disappeared from our profiles anyway, and could be available as and when required.

The problem is worse during an evening or a night stay where at this point the regime already has no scope to curtail it. We rely on volunteers to cover this work or order staff to extend shifts, work excessive hours and the knock-on effect is the next day you start off short of staff for those who did the work on the night before. A few weeks ago on a set of nights that I was on the hospital escort had gone out during the ED. The staff who took the prisoner out were quite rightly asking to be relieved at the earliest possible time so the first two of the night staff in went out to cover the escort, leaving a CM and three. By 10:00 another officer and myself were on the way out of the establishment in an ambulance now leaving a CM and one in an establishment of 1,114 prisoners. Fortunately, two of the reception staff who were working late decided they would stay on and cover the rest of the night in support of that CM. Just as that happened, as the ambulance was going out, our SEG kicked off, every single observation panel went through. It was a hell of a night for that CM and the staff that were left. I know some will point to the PP agreement and state that we already have an agreed way to cover this staffing for these events but should we be relying on the goodwill of staff to do additional hours when extending already long days which benchmark throws up. In any event it is extremely difficult to cover those initial hours when the incident happens. Constant and bed watches are now predictable and a certainty. Let's get this work in our profiles, increase the staffing levels to cover this work. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Brian, sorry, seconder is Holme House speaking next.

**ANDY BAXTER – HOLME HOUSE:** Chairman, NEC, Conference, we gained additional staff on nights through the MTT funding after our night staffing levels were decimated under the benchmark. We're

a Cat B local with a roll of 1,230 prisoners. We pointed out to BDG that they'd taken no account of the number of emergency hospital escorts that Holme House as a large Cat B local dispatches during the night. We compiled two years' worth of night shift escort data. BDG discounted this data as they said because the escorts were dispatched before 10pm they didn't count. We know we're vulnerable on night shift, prisoners know we're vulnerable on night shift. Why don't NOMS admit we're vulnerable on night shift and give us the resources we deserve? Please support the motion.

**BRIAN CLARKE – HMP WINSON GREEN, BIRMINGHAM, G4S:** Chair, NEC, Conference, life members and honoured guests, it's Wednesday and it's still facility time. Many thanks to our friends at Bullingdon for identifying a major cause of disruption to regimes, activities and not to mention to the social lives of our staff and our members and for noting that this too is an issue in the private sector. Just a quick story of the discussions with G4S in the transition from successful public sector prison to successful private sector prison. In the months before the handover I said yesterday the committee engaged with the new employer to discuss regimes, activities, programmes, interventions, services, rehabilitation and resettlement, all of the things that make a prison work, that make a prison successful, something not many branch officials will have done outside of new builds and service level agreements and change of employer. Maybe under autonomous prisons again but it is a very small group when you tackle a project that large. I described the fiasco over nights but whilst working through the core day we reminded our new employer that between unlock in the morning and lock-up in the evening that we can guarantee them that there are 2.5 bed watches every day out at Birmingham Prison and there are on average 2.5 constant watches happening every day at Birmingham Prison. That's eight staff each shift. That's 16 staff a day and do the math, work it out over the week and put your non-effectives and you come to a figure of something like 42 staff required every day of the year and we did acknowledge that there are peaks and troughs and we acknowledged the feast and the famine and we did understand that some days there will be absolutely nothing out but the next day you will be swamped and then we mentioned nights and as I said the response was dramatic. Long pause. Long, long pause and a gasp of breath.

They hadn't included the price of the night shift. And we mentioned that as well as the night shift under NOMS we had built into our nights profile an element of staff to cover bed watches and constant watches. Not all of them because you can't factor everything in but a significant part, enough to make the role of night orderly officer somewhat easier than the one Andy was describing just earlier. They were profiled but only on nights. You can take the point of view that overtime and payment plus is a good thing for staff to have some of the time. You can argue that staff also would not be volunteering their rest days and volunteering for overtime over the Christmas period. We all know what that's like. Christmas Eve the PP book is empty and it's empty till January the second. It's also empty when the sun's shining. It's also empty on bank holidays all the way through the year. You can argue that as a night orderly officer when your third hospital escort leaves after midnight that staff on the detail are more useful to you than staff sleeping at their beds at home even though their names are in the volunteers' book. I take the view that permanent jobs, real jobs, are a better option than voluntary overtime, operational emergencies or payment plus. Jobs with decent wages, jobs with decent terms and conditions, jobs with pensions, jobs that take people off the unemployment queues. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Chris Donovan for the executive.

**CHRIS DONOVAN – NEC:** Chair, NEC, Conference, the NEC welcomes this very worthy motion from Bullingdon to get at least one bed guard onto the profiles. You want to see my writing. We ask Conference to support this motion. If this motion is carried by Conference this afternoon the NEC urges all branches to meet with the local management at the monthly meeting to tell them that they want at least one bed guard to be included in the profiles. This will cause management problems in that to achieve this objective our members may have to refuse to do PP. Our members will feel a little pain to achieve this but it will be in the long run better for our members. Now is the

time to take this forward with the ongoing ban on PP. At this time governors are carrying out bed guards and constant watches. We need to strike while the iron's hot colleagues and get this worthy motion enacted. Please support.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Bullingdon to come back? We'll go to the vote on 51. All those in favour of 51 please show. Those against. That motion is carried. 52, Albany. Is there a seconder for the Albany motion? Scrubs, thank you.

## MOTION 52

*Conference instructs the NEC to ensure that all work required to be completed in establishments is properly resourced and profiled and this to include the important roles of family liaison officers and care team members of staff.*

## ALBANY

**NEIL YULE – BRANCH CHAIR, ALBANY:** Chair, NEC, distinguished guests, colleagues, the motion reads: Conference instructs the NEC to ensure that all work required to be completed in establishments is properly resourced, profiled and this is to include the important roles of family liaison and care team members. My branch at Albany and recently it's become with its inpatient healthcare unit a national resource for the end-of-life care of prisoners, we've had over 20 DICs in the last 18 months and that number's only going to increase with the style of prisoner that we have and their ages. We believe that NOMS has failed to recognise those tasks such as care team members, family liaison officers. I would therefore ask for your support in this motion. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you.

**MATT CLARKE – WORMWOOD SCRUBS:** Thank you Chair, Conference, NEC, speaking in support of this motion. Again like I say, while I support it I think it should go further to include things like staff first aiders, MDT officers as a non-flexible staff, control room officers in Cat B locals and above for a 24-hour cover and things that have kept into profiles that weren't on the original benchmark like foreign national officers. Please support.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Terry Fullerton for the executive.

**TERRY FULLERTON – NEC:** Thank you Chair, speaking in support of Albany motion. Conference, NOMS are very astute at introducing new work through a variety of ways, for example Prison Service Instructions, Prison Service Orders, notices to staff et cetera et cetera, but within those notices to staff, Prison Service Instructions and Prison Service Orders there's always that little caveat at the bottom that says, 'This PSI will be resource-neutral.' That then tells you that you're going to get nil cost so you get no more money and no additional resource for the work that's identified in that PSI or PSO. Personally I don't believe there's any such thing as resource-neutral or nil cost work that NOMS want you to do. Impossible for that to happen.

The only work that is resource-neutral or nil cost is work that's done on your days off for nil pay, probably what most branch officials do for their members day in and day out but you're the only people who do nil cost work. If the work's done by someone who's on shift then it comes at a cost and that cost should be put into your profile and profiled correctly and the resource put into that profile to give you the staff to cover the work that you need to do, so Conference in order for the NEC to help you to deliver this motion if you've got work on profile or if you've got work at your establishment that's currently not on your profile then put your SFCs in under the local disputes

procedure. Put your SFC in and tell your governor you want this work resourced so that you get the staff to cover that work. Conference please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Albany, do you want to come back? We'll go to the vote. Motion 52, all those in favour please show. Those against. That motion is carried. As I say we haven't forgotten you Bullingdon but we'll have a pause there for our invited guest. Ronnie Draper is the general secretary of the Bakers, Food and Allied Workers Union since 2010 and was previously national president and national health and safety officer for 12 years. Born in Liverpool more than 30 years ago – considerably more than 30 years ago – a grammar school boy who missed out on Eton. Trained in commercial art, worked for Allied Bakeries in Liverpool between 1973 and 1983 with three children and seven grandchildren. Living in the New Forest with his partner Shirley who was his first love and they're back together after a 40-year sabbatical. Lifelong member of the Labour party and proud Jeremy Corbyn supporter. Member of the General Federation of Trade Unions executive council and the Trade Union Coordinating Group. Elected as a regional organiser for BFAWU in 1987, a position held for six years before being promoted to district secretary for Manchester district in 1993. He's a former member of the Asthma Project board, one of the co-authors of the Asthma Charter which seeks to improve and give greater understanding of workplace asthma. He's been involved with workplace awareness campaigns in Egypt, Israel, Palestine, Uganda and Russia. A lifelong socialist, Twitter user, constant thorn in the side of the Tories, McDonald's – I guess that's not John McDonnell, that's the burger chain – and anyone else who seeks to exploit working people or persecute the disadvantaged in our society and I would mention that the bakers' executive agreed a donation for Adrian Ismay, our murdered colleague from Northern Ireland and I am told to say the traditional greeting for the bakers is 'All rise for the Bakers' Union'.

#### **Ronnie Draper, General Secretary - Bakers, Food & Allied Workers addresses Conference**

**RONNIE DRAPER – GENERAL SECRETARY, BAKERS, FOOD AND ALLIED WORKERS UNION:** Thanks PJ. I got told nobody was going to tell any jokes here, they were going to leave it up to me. First of all comrades can I say that I'm really pleased to bring fraternal greetings from the Bakers, Food and Allied Workers Union and that it's great to be amongst like-minded people. The only thing, the downside is I've got a bit of a pain in my neck because all the comrades I talk to – obviously I'm vertically challenged – I've been looking up at all of them and they've been great, the debate I've had, except at lunchtime Joe and Emma walking me along the promenade each wanted to take a hand and swing me along and I said, 'No, there's no way.'

I also objected because I see the sign out in the hall there that says, 'Southport welcomes the Prison Officers Association.' Well I hope in four weeks when we have our conference it says, 'Southport welcomes the master bakers.' I think

I was asked to come and speak because of my new found fame since the *Sun* have taken an interest in me. They like to write things about me quite regularly now. Last week I got a call from an activist while we were at our national executive and he said, 'Have you seen the *Sun* this morning?' So I said, 'No, I don't read the *Sun*. We don't allow the *Sun* in any of our meetings.' He said, 'There's an article in there, they've called you the trick cyclist.' I said, 'Trick cyclist? On a bike?' He said, 'Yeah.' I said, 'Spell it. That's "Trotskyist".' They called me a Trotskyist because I had the temerity to stop the Labour party or ask the Labour party not to allow McDonald's to donate £30 to a stand at this year's Labour party conference, a company that exploits workers right across the piece and doesn't recognise unions, won't talk to us about the members that we've got so I had that temerity but also we're a militant union because we were the union that knocked Community off the Labour party executive.

Well you know we didn't orchestrate anything to get Community knocked off the Labour party

executive. We put a candidate up for the first time in ages and we won, and in my book comrades that's called democracy.

You know, I'm not the only Trotskyist in the room though because Steve Gillan is also a Trotskyist. You might not know it but three years ago at the TUC when this conference put forward the motion talking about the feasibility of a strike at the TUC I arrived at the TUC late on a Sunday. Beautiful day. I had a pint while I was waiting to go into the hotel and another general secretary, shall we say not of the left persuasion, came to me and said, 'What do you think about Trotsky?' I said, 'Never read it.' 'No,' he said, 'Steve Gillan from the Prison Officers Association, he put this motion calling for the feasibility of a general strike. What do you think about that?' I said, 'I actually think we're seconding it.' He didn't like it but of course this was the thing that was going to be pushed out of conference. They were never going to get it through and lo and behold Steve did a great speech at the conference and of course seconded by Bob Crow, and we supported it and we got it through, but the thing that does me in is the other general secretaries who had the audacity to stand up and say we can't vote for a general strike because we tried it in 1926 and it never worked. My mother wasn't born in 1926.

So Steve went in the course of three hours from pariah to an absolute messiah within the trade union movement. The problem comrades is that motion got passed virtually unanimously and it's lay on the general council table ever since and nobody has ever done anything. You know, if you don't ask the question of your members you'll never, ever get an answer. I'll tell you what we did: we actually balloted our members. We ran a consultative ballot that if the TUC calls for the feasibility of a general strike in favour of the Prison Officers Association will we support it, and we got a 71 per cent yes vote because we asked the question and the problem is others don't. All we've had from the TUC really is we've had a series of marches. We take a day off, we all bus or train down to London, we march the streets, show of strength, shout something about 'Maggie, Maggie, Maggie'... Oh no, she's dead, isn't she? We don't do that one any more. We shout slogans, we wave flags. I thought to myself it actually reminds me of North Korea when it's Kim Jong-un's birthday except that we don't have missiles and tanks to move down the road but all we do it actually we block the road, shout slogans, we show our strength for a day and then what happens? Like North Korea we go back and many of our members go back to a life of poverty, a life of drudgery and in your case a life of harm against your health and safety rights. That's what's happening.

Comrades, it's diabolic that as the fifth richest country in this world we have more than a million people who are dependent on food banks. A rich country like us and we've got people who can't afford to feed themselves and their families. We've got record evictions, we've got the bedroom tax, which is rampant where disabled people are now included in that. We're having a tax on the welfare state which in essence is whipping up hatred against migrant workers who are coming into the country and all our family silver's being sold off never to come back again and they're looking now for more that they can get rid of. The best we ever get from Osborne is the jibes that people looking out through their windows while you're coming back off night work and they're looking and they're doing nothing and they're grabbing benefits and that we should never, ever be responsible for loading debt onto future generations. Conference, it's absolute garbage. Why can't we borrow money to invest in our nation? They did it in 1945 after a world war and we ended up with a welfare state, decent education, National Health Service and do you know when we finished paying that debt off from 1945? I'll tell you. It finished in December 2005. I never came from a wealthy family. I lived in terraced housing in Liverpool but I never heard anyone of my mother's generation ever say, 'Them debts left us in poverty.' People just got on with it. I believe that people will get on with it with being in debt if... Let the banks worry about our debt. I'm not worried about it. They've got more money than us. Let them pay but the fact is as long as it's responsible borrowing to invest in our nation that's what we should be doing.

I think it demonstrates, Conference, that there definitely is a better way for us to go. Austerity is not a

fiscal necessity for this country, it's a political choice but it's class driven because austerity doesn't affect the rich in this country. The people who caused the problem, the bankers, are not bothered about what happens to the rest of us but if you're not involved in it there'll be family members, there'll be friends who'll be massively hit. While they flip their money off to Panama our members are looking down the back of the sofa for pennies to feed the family.

I was thinking last night when we were over the road watching the football, you know it could be worse. We could have Trump. Do you know, when you think about it it's not worse, because everything that he does our government do. They're overtly racist. Look at the campaign he ran against Sadiq Khan and his mayoral... in London. They're anti-women. Look at the contracts of employment that they are offering junior doctors. They are totally against women. They're anti-disabled. They're cutting welfare benefits and as I said imposing bedroom tax now on disabled people. And of course they're anti-worker. You've only got to look at what was called the trade union bill or in my case the anti-trade union bill, which is now the Trade Union Act and if I've got one criticism – it's not a criticism, it's a difference with what Joe said before – yes, we got concessions on there, yes we thank the Lords for everything we do but do you know what? It wasn't a victory because they're still hammering us. There's still going to be thresholds. Whilst they put on things that are going to restrict working people from taking their legal right to take action, whilst they stop prison officers from the right to strike in defence of their terms and conditions we have not got the real concessions. What we look at is a victory when I would hope that Jeremy Corbyn will say that we will ensure that you get trade union rights in the future within the Prison Service. So that is what's happened within that.

The trade union bill, the concessions... I mean armbands? We're probably never going to wear them anyway or we would have all wore them. We would have all been Spartacus. We would have all ended up in jail. The certification officer, right to come to your office. If he's got a key he gets in, if he hasn't got a key he ain't getting in. That moment he hasn't got a key but the important thing is these thresholds. They've not moved on them and the electronic voting. I'm telling you now comrades if our members decide that they want to go on strike they will go on strike and I don't care what figure a Tory government or a coalition government or indeed in the future a Labour government puts on us. If our members want to go on strike because they're going to protect themselves they will get it and you know, one of the things that's been there for a long time, since Thatcher, has been the question of picket lines. You're only legally entitled to have six pickets but you know the government's really pissed off the justice system, haven't they? They've done the probation officers, they've had a go at the prison staff, they've cut the amount of police that we've got. For the first time ever we've got barristers out on strike with the junior doctors. Never been known in the history of a government. And you know when we had our dispute, which was a successful dispute, in Wigan just a few miles down the road we didn't have six pickets on the line, we had 400 on the line and we made sure that our members weren't starved back to work and we won that dispute and the police didn't do that. Never charged anybody, nobody was ever arrested. So I think that we can recreate that system.

I hope – and I know that Jan when he was speaking earlier on was talking about McDonald's, about the case that was taken against them. Well let me tell you it was our union that took that case. I actually went and delivered the complaint to the European Court against them for their exclusivity use of zero-hour contracts, a company that has 97,000 people in this country, 90,000 plus are on zero-hour contracts and the company come along and say, 'We're going to offer people contracts in future. We'll give them a four-hour contract or a 10-hour contract.' It's not enough comrades. You cannot get a mortgage, you can't afford to live, can you? You're most certainly not going to be able to have a holiday and so we served a complaint to the European Court against McDonald's and we also joined in the complaint against the non-payment of tax. I don't know the Prison Service so well but looking from the outside I see that you may not have as bad terms and conditions as far as pay goes as many other workers within the country but of course this government now has got

this regime where they're concentrating on private prisons and I think that is diabolical. And if we – and I include all trade unions in this – if we allow that to happen then you're going to find inevitably terms and conditions will be driven down in the future. We say – and I'll tell you the Bakers, Food and Allied Workers Union have debated it – that the Prison Service should be in public hands and it should be under the banner of the Prison Officers Association. That's the way that we're going to get proper prisons and proper treatment in there. One thing I would say about the trade union bill: because these thresholds haven't been met we are going to be hit. A union is going to be made a scapegoat somewhere along the line. They'll pick one of us out and they'll have a go. They'll force us down into a cul de sac which we can't get out of. Well let me ask the question: if it was the Prison Officers Association that was driven down there you would be looking for support from other trade unions and rightly so.

I would hope that the TUC would get off their backsides and mobilise people because we've got to make sure that an injury to one is an injury to all and it doesn't necessarily have to be a general strike. If people are scared of the words general strike well let's not worry about it. Let's call it coordinated action because there's not a worker in this country – maybe Cameron and Osborne – who hasn't got a beef in some way about their jobs and so instead of saying, 'We're going to have a general strike on the 15th of June and let's all walk out,' 'Wormwood Scrubs have got a problem with violence. We're going to take action.' It's going to be on health and safety terms of course. I wouldn't advocate breaking the law at all. You take action on the 15th and my members are having overtime payments cut. What date will we pick? We'll pick the 15th of June as well. And of course they're closing fire stations down so we get the FBU to take action on the 15th of June. It's not rocket science. More importantly it is not illegal to have coordinated action and so comrades we are a massive organisation. There's six and a quarter million of us. What we can't do is just rely on the TUC. They've done very little across the trade union bill as far as I can see. Any action that has been done has come from the Trade Union Coordinating Group of which there's nine unions. Your union, my union are part of the founding members of that. We hope that will grow with like-minded trade unions but that's the only place where action's come from. Politically I believe that we need to change the system that we've got that says every five years I have to pick from – I don't even get a list where I live. You could put a pig up there. Oh, better not mention pigs had we when we're talking about Tories? Where I live you could put anything up with a blue rosette on and it would get elected unfortunately and so I'm not going to have the choice but why can't we look at a different system that allows workers to be represented properly in Parliament? I believe the way we're going to do that is to rally behind Jeremy Corbyn and stop the infighting that's going on within the Labour party and people self-serving going on television and arguing the point. We don't want light blue politics. We want manifestos that mean something to us. We want election promises to become actual vision at the end and adopted.

I want to finish, Chair, by saying that Joe Simpson and I were talking at the STUC the other week about motions that come before the conference and sometimes motions are worded wrong or they don't really make sense and you think, why's that on the agenda? But because the standing orders let it through it goes through. Well comrades, we're here on the 12th of June. We've got a motion that's guaranteed to make every one of you busier and I don't know whether you're going to be pleased about that, whether you're going to be unhappy about that but let me tell you the motion reads, 'That this conference agrees' – all our motions start like that – 'that before prisoners are released they must say where the bodies are buried.' I thought, I just imagine – I don't know whether you call them a parole meeting or a release meeting – I was just thinking about the dialogue you'd get. A panel's sat there with a prisoner. Last day, due out. 'Jones, you're to be released tomorrow.' 'Thank you, governor.' 'Before you go, tell us where the bodies are buried.' 'Sorry sir,' he says, 'I'm only in for shoplifting and I'm no good at quizzes neither. Is it possible that it'd be the cemetery?' We've got that one to deal with in four weeks. Comrades it's been an absolute pleasure to speak for you. I hope you have a great rest of conference and solidarity to you all.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Ronnie. As ever you were well received and you were as entertaining as ever but within that entertaining delivery was a message of solidarity, a message of united action, a message about the benefits of acting collectively, about coordinated action. We support you in that as you support us with our views on that and you made mention to the motion that Steve Gillan led on at the TUC. The TUC do need to dust that off and get on with it but Ronnie, thank you very much and on behalf of the union please accept this box. As we always say, we haven't got a clue up here what's in it but I'm sure you'll tell us if it's not up to scratch. Conference, I'd ask Doug Christie to come down to the stage please but as Doug makes his way down we'll do 52A. That was the appealed motion you will recall. Bullingdon. Do we have a seconder for the Bullingdon motion? Cookham Wood. Thank you Cookham Wood.

## MOTION 52A

*That following the recent joint Police, National Crime Agency and Prison service Operations which have taken place outside some establishments, the NEC and its solicitors provide the membership with*

- 1. Information on their civil and legal rights in regards to such operations*
- 2. To enter into consultation with NOMS to produce a policy on how such operations should be conducted*

## BULLINGDON

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Chair, NEC, Conference, The motion reads that following the recent joint police, National Crime Agency and Prison Service operations which have taken place outside some establishments the NEC and its solicitors provide the membership with 1, information on their civil and legal rights in regard to such operations and 2, to enter negotiations with NOMS to produce an agreement on how such operations should be conducted. Just to let you know we'll be referring to some of the issues in the paper that was distributed to you yesterday so if you have it to hand it may be useful for you to follow some of the issues that are contained within my movement of the motion. Thank you all in support of the appeal yesterday that allowed this motion on the order paper. Let me start by putting out that the branch are not against additional security measures which are intended to reduce the seemingly endless supply of drugs, legal or not, and mobile phones into the establishment. We in fact welcome them. The issue for the branch is that the lack of guidance either by employer or that of the union as to how members are expected to be treated during these such operations and what part if any prison staff play in these police-NCA operations as our CMs and dog handlers have been working alongside the police and the NCA in these operations. The first of these events, Operation Turns was in September 2015. This is a copy of the letter that every member of staff and visitors on that day received before entering the prison and you had to comply with this to be allowed to go to work that day. It's headed by the NCA, National Crime Agency, Prison Service, Ministry of Justice, Thames Valley Police and the South East Regional Organised Crime Unit. 'Operation Turns. HMP Bullingdon in partnership with the South East Regional Organised Crime Unit, Thames Valley Police and the NCA are currently carrying out operations to reduce criminal activity in the community, on prison property and the supply of illicit items into the establishment. As part of Operation Turns should you wish to continue your visit' – well I wasn't visiting, I was going to work – 'you will be required to participate in one or more of the following: your vehicle to be searched by the use of a drugs dog; your vehicle to be swabbed for traces of drugs, officers may carry out a search of your person; officers/prison staff may carry out a search of your vehicle. You may be asked to give your details to the police. If any illicit item is found about your person or your vehicle you will be dealt with by the officers and may face prosecution. You may also be banned from entering the establishment in the future for a set period of time. Should you refuse to cooperate with the operation you may be dealt with by the officers and refused entry into the establishment.' And it goes on to give a list of all the banned items and the

thing you have to sign and also a little box to circle whatever substance you may have tested positive for. All staff and visitors were stopped on what we believe is a public road and funnelled into searching lanes, the occupants asked to step out of the car and the car swabbed, the occupants escorted to what was the staff mess and swab tested. Drug swabs were also taken from the person and tested. A positive outcome from either your car or your person would lead to your car being searched by the police or Prison Service dog handlers. In the first operation nine members of staff produced a positive swab from governor grade to an officer. In addition some non-directly employed staff such as teaching staff and of course numerous visitors whom did not get in on that day. The problem with the first operation was that staff and visitors were all swabbed and searched in the same area. This led to a prisoner's visitor informing anyone that would listen in the visits hall about officers she'd seen failing a drugs test and still being allowed into work.

However so this problem was rectified on the second operation on January the 20th 2016 when staff and visitors were separated. The local branch were asked by many members as to the legality and authorisation of these operations. In addition, which PSI or part of the NSF or the SF covered what was happening during these operations? We drew a blank as there were no clear instructions to search of the person within the establishment. I'm fully aware that members in the high security estate go through these processes daily. This is the reason why we sought legal advice in the name of one of our members who was aggrieved by the process of the operation. We have a copy of that legal advice given to you as part of the appeal. I'll draw you to page 3 of that legal advice and probably about the second or third paragraph down it says, 'I have been asked to advice whether the prison governor can assert that anyone entering the road which accesses the prison can be subject to search while the jurisdiction of prison governor does not extend beyond the prison. The facts do not suggest that prison officers or staff were involved in undertaking the search.' Well they were. It was Prison Service dog handlers and CMs were out there doing it. I know I've got a red light but I won't be too long. This issue of whether any positive drug swab relating to our members would lead to their number plate being linked to involvement in drugs and triggering ANPR alerts is still not resolved. It is possible that due to the nature of the employment and inevitable contact with drugs could lead to your car being stopped and searched when out shopping with your friends and family. I've also been informed by a union colleague from the UCU who has members that work in various prisons around the area that the positive swab at Bullingdon has led to a possible ban at another prison so the information is being shared and used. When the second operation took place one of our members pulled up to the point where staff and visitors were being stopped and informed he would not go into work on that day unless he cooperated with the search procedures. He declined, instead stating that he believed...

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Bullingdon, I've given you a lot of leeway. Two and a half minutes over.

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Last paragraph, Chair. Sorry. He declined and instead stated that if he believed that he had reasonable grounds to search him he would go voluntarily to a local police station and in the presence of the duty solicitor be searched and his car. He also called me from the public road. I went out to talk to him. He asked me what advice I could give him and I couldn't give him any because there's none published. He then decided to turn his car round and go home. At that point he was followed by Thames Valley Police, pulled over in a layby and questioned to why he left the scene. This member is currently suspended from duty. I'm aware these types of operations have happened elsewhere and I hope there are other branches out there who will come to the rostrum and talk about their experiences. What the motion calls for is information and consultation. We believe our members deserve that. Please support the motion.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Glyn Travis for the executive.

**GLYN TRAVIS – NEC:** Good afternoon Chair, Conference. The NEC seek your rejection of this motion not because the spirit of the motion isn't valid because it is but it's because of the complications that complying with this motion would actually bring because the motion that we've got in front of you says that we should enter into a position with NOMS to get a policy but the policy would actually have to be with the police and the National Crime Agency, who are both independent so therefore we could agree a policy with NOMS, a policy that would be potentially detrimental to you because we'd be saying that we agree with the way that they do your searches and then the police and the National Crime Agency say, 'Well that's a very nice policy that you've got. Right, we're not prepared to sign up to it because we're independent.' So that's the first hurdle that we would have to get over. The second hurdle is there is never, ever a one size fits all piece of legal advice in relation to such a complex issue and if we were to try and put out a generic legal advice to you we could turn round if we wanted to and say, 'Yeah, we fully agree with this conference. You've got the advice. It's attached. We'll engage with NOMS,' and that would be disingenuous. Every case where staff are involved and where they are being stopped and searched by the police or the National Crime Agency outside of a prison may lead to individuals requiring legal advice. Individuals who leave the scene where the police are – and you've heard from Steve that the officer was then followed, stopped and he's now subject to disciplinary action. Is that what we want as a policy? And so what we are saying, Conference, is that yes we will talk to NOMS on this issue as we have done in relation to violence and other issues to try and get... If we're going to get an agreement it has to be a tripartite agreement at least so therefore we have no problem taking forward part of this but the second one where it's asking for you to have legal advice, Conference, that would be wrong. It would negate your right as an individual under Rule 19 to apply for legal advice because we'd say, 'We've given you the advice. It's general advice.' And so therefore Conference for those reasons we ask you to reject this motion, allow the executive to take this forward and allow individuals the right to apply for legal advice where it's appropriate. Thank you. Please reject.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Bullingdon to come back?

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** I understand part of what Glyn's telling me but in terms of the fact that Prison Service staff have been used alongside the police and the NCA in these effects there is no guidance, there is no policies that states what their actions should be: what those dog handlers, those CMs are doing out there. There is nothing out there that legislates what they're doing in regards to their own conduct and that of the members. I'm looking to support those members that have actually been told to engage in running these operations as well as those that face the challenge of going through them so that's an important issue and that's not covered in the legal advice. We're just asking for information and consultation. It doesn't have to be specific. We can do local agreements round specifics but we believe our membership needs some information.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Bullingdon. 52A to the vote. All those in favour please show. Those against. That motion is lost. Doug Christie who is beside me now is the union and client director for Thompsons overseeing the arrangements between that firm and its union clients and working with the lawyers who liaise with individual trade unions on a day to day basis. He is on Thompsons' executive board. Doug continues to advise other unions, not only the POA but the RMT, FBU and BALPA. Doug qualified as a personal injury lawyer with Thompsons in 1990. Although he continues to work as a PI lawyer he added pensions, industrial action ballots, trade union rules and other areas to his portfolio from 1998 onwards. He became the firm's union and client director in 2007 and was present and influential in the negotiations along with their chief executive Steve Cavalier and the executive in Thompsons becoming the POA's solicitors. Doug, you're very welcome. Would you address conference please?

**Dougie Christie, Senior Partner Thompsons Solicitors addresses Conference**

**DOUG CHRISTIE – UNION AND CLIENT DIRECTOR, THOMPSONS SOLICITORS:** Thank you Chairman, Conference, comrades. You don't often have too many lawyers addressing you and it's relatively rare. That may be a wise thing but this afternoon you've had two. I won't say for the price of one but you've had two lawyers nevertheless. It reminds me of the time when Bob Crow addressed this conference. I think it was Portsmouth in 2010 when he was introducing my colleague Stephen Cavalier and he described lawyers as being a bit like pox doctors. He said, 'You know it's never good news when you've got to see one but you'd rather have one than not.' Only Bob could get away with that. Rest in peace Bob.

I'm very proud to be here. In fact I've just come from the FBU conference in Blackpool and I bring their greetings and solidarity from that conference just up the road there but I'm very proud to be here, proud that Thompsons are representing the POA, a great union, a great fighting union. I'm here to talk about one particular case, which is a good example of the POA as a fighting union. That's the case of Cox against the Ministry of Justice and that case concerns the subject of vicarious liability, which might sound like a bit of a dry, legal sort of techy subject but actually it's a very important area of law for workers and workers' rights and it concerns the right to compensation for injuries caused by others working in the same organisation, which is a very, very common situation. It concerns the right to sue employers in that situation and this case brought by the POA – which by the way went all the way to the highest court in the country, the Supreme Court that replaced the House of Lords – this case actually rights a wrong that dates back nearly 200 years to a case called Priestley and Fowler in 1837. Now that was a case which really entrenched discrimination against workers in the law and really amounted to quite naked class oppression by the judiciary of the day who were very much part of the ruling class elite of the day.

The case concerned a horse-drawn carriage. The case is that old. It pre-dated the railways in fact. This carriage overturned because it had been badly loaded by one of the staff or the team of staff employed by the stagecoach company and before the court was the issue of who was going to get compensation and you had the middle and upper class passengers because in those days you tended to need to be fairly wealthy to travel on a stagecoach – everyone else had to walk – and there were also the working class workers on there, the driver and the footman and so on. The court looked at the fact that both groups had been injured in exactly the same circumstances, both were entirely innocent of any fault, both had just been riding on this thing and it had overturned and they got injured but they decided that only the passengers, only the well-off passengers could recover and the workers could be discriminated against by a doctrine they called common employment, which effectively defeated vicarious liability. That injustice continued right through the Victorian age where you had huge numbers of industrial accidents, fatalities, very serious injuries invariably caused because it would be other workers operating machinery by other workers not really through their own fault, through the sort of systems they had to work in those days, but that injustice continued until 1948 when the post-war Clement Atlee Labour government, lost amongst – you all think about what that government did with the NHS and with the nationalisation of railways and so on and coal – but lost amongst what it did, and of course the welfare state, were reforms like this, which overturned that injustice but there was a but and that was that it only applied to the actions of other employees so what it meant was that there was still a form of discrimination against members of this union working alongside prisoners, people in secure establishments, in workshops and in kitchens and so on, so if the same thing happened to a POA member working alongside a prisoner as happened to somebody else working in a factory or a workshop or whatever else the POA member would not get compensation and other workers would.

That was clearly wrong but there was really no chance of getting that changed until recent case law in recent years, which extended the concept of vicarious liability to those who were not really employees, for example church clergy and nightclub bouncers, that sort of situation. Bear in mind this isn't about assault situations, this is about accidents at work, this is about negligence. You had cases where you had nightclub bouncers who had gone over the top, who had seriously injured

people, very serious head and neck injuries because they'd gone over the top, they'd been too physical. That was negligent but the employers were saying, 'Sorry, they don't work for us. They're contracted out and so we're not responsible.' The courts didn't accept that and they decided those sort of people although they weren't employees the company had to be liable.

So we saw there an opportunity to end the discrimination against POA members and this particular case concerned a POA member in Swansea, Sue Cox, and she worked in a prison kitchen and she was injured by the negligence of a prisoner working in that kitchen. The claim was put to NOMS and they refused to pay on the basis that was what the law said and so the case was taken to court, the county court. The county court upheld NOMS's arguments and rejected the arguments we put that really they ought to look at this as being more akin to those other cases I've mentioned. That was the point at which the union really took the big, the bold and the brave decision that unions sometimes take, and this union I think can be very proud of taking that decision not to accept that decision of the court and to look carefully at the legal advice, which said that there was a good chance of getting the law changed and of fighting a test case. The case was taken to the Court of Appeal and the arguments were put and the case was won in the Court of Appeal. As far as we were concerned that was it: case law has been established now, NOMS have lost, we can all go home. But of course NOMS didn't want to accept that. They thought, we've got plenty of public money to spend here. We can go and employ some expensive QCs. We never hear them say that, do we? But that was what they thought. It was so important they were going to spend some money to fight the case and so the case went to the highest court in this country: the Supreme Court, the Law Lords. There are five of them and they give individual judgments and they get an individual vote and so you can have a split result. It can be 3-2, can be 4-1 and so on. They lost 5-0. They didn't even get a single judge saying anything positive about their case. Cronin House, they were chanting, 'Five-nil to the POA,' long into the night. It was quite a result and that decision ends, as I've said, nearly 200 years of injustice and indeed 70 years of discrimination against POA members. Let me thank Glyn Travis the legal officer for supporting the case throughout, Steve Gillan as well, the chair of NEC, but really this is a victory for everybody here. It's a victory for the POA and all of its members. Thank you very much.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Doug. You've had a very close working relationship with this union over many years and it's very welcome to hear you coming here with some good news, with a victory. We do get them. Just need to keep going. Sometimes we don't win, sometimes we do and I think we've got the best legal team that we could possibly hope to have. Doug, thank you very much and on behalf of the union a small gift for you which I hope you'll take away and remember us by. Thank you. Conference, there's good news and bad news. The bad news is the NPS fringe meeting will now due to circumstances beyond our control not start until 5:00 so we're going to carry on with some motions but the good news is there is free beer at the fringe meeting. So we'll move on to 53. Steve Gillan. Is there a seconder for the NEC motion? Secunder, sorry? Nottingham. Thank you Nottingham.

## MOTION 53

*Conference accept our strategic aims and objectives from 2016-2020 as set out in Conference Paper two.*

## NEC

**STEVE GILLAN – GENERAL SECRETARY:** Thank you Chairman, Conference. I'll be as quick as I can because I know time is pressing but this is an important conference paper of the strategic aims and

objectives for us between now and 2020. Of course it doesn't cover absolutely everything and obviously we'll come back as positions change as I'm sure they will during the course of the next four years but we've got to have a generic strategy of aims and objectives in order to take forward on your behalf, also recognising though the different countries within our rules and constitution because this probably wouldn't affect Scotland or Northern Ireland or parts of the special hospitals. It would certainly affect the private sector and immigration and so forth and our public sectors that come indeed within England and Wales.

It won't affect the Isle of Man who of course have got their own government, as have Scotland and the Welsh Assembly but indeed for the Welsh jails most of it will come under because they come under the English and Welsh service. Over the next few years we've listed some bullet points that certainly should be in any strategy document including pay, terms and conditions; pension age reduction; improved staffing levels; training and professionalisation; reduced violence against members; to ensure the Secretary of State reforms do not have a negative impact on POA members; and that any negotiated settlement is balloted by the affected membership; implementation of smoke-free workplaces; and a clear strategy on combating new psychoactive substances, so it's effective that we have a strategy in place and of course we work within the TUC, the Trade Union Coordinating Group and the justice union parliamentary group.

We've also extended knowing that we're going to need lots of parliamentary stuff done so under our political fund we have political consultants called Union Services led by Simeon Andrews and Laurie Malone, and in your packs you will already have seen an update in relation to the parliamentary work that this union and executive have carried out on your behalf already since we engaged with Union Services and Simeon Andrews and Laurie. We've got to keep that up and we will be rolling out of course political schools as part of that for the executive and indeed for you as delegates as well so that you understand the parliamentary processes and the legislative procedures, which is going to be important because you're going to have to get involved. Every branch in the country is going to have to help the executive with their political strategies. Now I know that we come from a wide political spectrum. It doesn't matter because we will need to use every single political party out there. We'll have to reach out to the Tories, we'll have to reach out to friendly Labour MPs, friendly Conservative MPs, Libs et cetera. So we need to engage with all political parties. Our members have got to play a part in that because we don't know what's going to be contained within this prison bill. We've got to be ready for it and we've got to scrutinise it and we've got to try and get changes to it as it goes through that parliamentary legislative timeframe. So Conference I hope you endorse this strategic aims and objectives paper. Let's work together for the betterment of this union and use our best endeavours through the parliamentary process and other processes as well in order to do that.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Steve. We'll go to the vote on 53. All those in favour of accepting our conference paper 2 please show. Those against. That's carried. 54, NEC motion, Steve Gillan for the NEC. Is there a seconder for this motion? Lincoln. Thank you Lincoln.

## MOTION 54

*Conference accepts Conference Paper three in respect of progress on restructuring of the POA.*

## NEC

**STEVE GILLAN – GENERAL SECRETARY:** Conference, again thank you Chairman. I think it's very important that we gave you this detailed update on restructuring under the terms of annual conference motion 61 of 2011. Of course, Conference, we haven't managed to achieve everything but we've achieved some things in those conference papers in 2013 that were passed, conference

papers 1-10. We accept there is still much work to be done but you know we also came to the conclusion as well that whether we went from a national model to a regional model we didn't know where to actually go to and it wasn't because the executive didn't want to make a judgement, it's simply because events have overtaken in relation to this. So for example when the Prime Minister made his statement in relation to prison reform we as an executive determined that we don't know what that means for this trade union in going forward so we need to halt the restructuring as it is at this minute in time until we know exactly where we're going with it but that hasn't actually stopped us from making some important changes to the rules and constitution and indeed to the make-up as we did in 2013, but restructuring started long before that in actual fact and we've put systems in place... Because obviously we've lost between 7,000 and 8,000 members. That cost a lot of money and we had to cut our cloth accordingly and we have done so as outlined in this paper. So I ask you to accept on behalf of the executive this update on the restructuring under 61 of 2011.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Sorry, I did see somebody there. Not speaking on this one? Over there.

**TOM DOIG – BRANCH CHAIR, GREENOCK:** I spoke to you earlier colleagues and I said I was entering the twilight zone. Now I'm entering the embarrassed zone. This paper gives our executive carte blanche to do what they want. We've heard as this conference has developed that the special hospitals don't feel included, that our private sector colleagues don't feel included. This says to me, 'We're the biggest part, England and Wales,' and at the moment that's true but if you keep losing membership at the rate you're doing that won't be for very long and I think there are people behind us who need to get real on that. This basically says – and if you look at the second bottom paragraph, page 1 – that basically says, 'England and Wales are bigger than any of the rest of you so we'll take the big stick and do what we want.' There is absolutely no way as a supposedly inclusive trade union that we should be giving these people behind us this amount of power. In fact I would actually suggest that the people on the NEC behind me that voted for this to put it forward as a motion should actually resign if this is rejected by conference as I really hope it is.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Excuse me speaker. You are addressing 54.

**TOM DOIG – BRANCH CHAIR, GREENOCK:** Conference paper 3?

**PJ MCPARLIN – NATIONAL CHAIRMAN:** We're on 54. Conference paper 3.

**TOM DOIG – BRANCH CHAIR, GREENOCK:** That's what I'm addressing, yeah. That's what I said. Second bottom paragraph on the first page... they're not even listening now. I can't follow that up. Please reject this. This just gives them carte blanche to do what the hell they want and I don't trust them as far as I can throw them and these days that's not very far.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Steve Gillan, come back.

**STEVE GILLAN – GENERAL SECRETARY:** Thank you very much Chairman. Well Tom I must admit I'm very confused by your intervention there but that obviously is your divine right. You say this gives us carte blanche to do what we want. Well I'm not sure you've read the paper properly. This is actually an update report on what we've done. We're not actually asking you to do anything and we're not actually seeking us to do anything either. We've given you an update on where we've come from and where we're at as of today. What we're effectively saying is we can't take the restructuring of the union forward for the simple reason we don't know in England and Wales – and I accept in England in Wales, it will only affect England and Wales, it said that in the paper – for the simple reason that the prisons bill white paper that's going to be coming forward only affects England and Wales but you are absolutely correct. We won't rest on our laurels with regard to restructuring

because we've already developed meetings with your executive to discuss legal issues up there about the Scottish legal system because we've reduced our bill down here and we want value for money in Scotland as well with the legal bill in Scotland. So the reality is this isn't a divisive paper. This is a paper that's just giving you an update on issues that we've got to.

We could have come and said, 'Right, we're just going to impose or ask conference to go with certain changes for the sake of it.' If you actually go back to 61 of 2011 and it was a motion that I brought to the executive and indeed to conference not because I had a crystal ball about what was going to happen but I knew that we were going to be in a period of austerity and we needed to make our union fit for the future. That's what we're trying to do but we did say in the moving of that motion 61 of 2001 we're not just going to have change for the sake of change's sake. Everything's got to be done for a reason and wholly justified to conference. You will be the ultimate decision makers on restructuring of this union, not the executive. It's the other way round. Thank you Conference and I ask you to accept the executive update to conference.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** We go to the vote on motion 54. Does Conference accept motion 54? All those in favour please show. Those against. That is carried. 55 you will note I'm not asking for a seconder because Mike Rolfe on behalf of the executive will explain.

#### MOTION 55

*That conference endorses the POA NEC to conduct detailed analysis of income over expenditure by area in England, Wales, Scotland and Northern Ireland and also by Public Sector establishments, secure hospitals and private establishments.*

*The NEC would then redistribute resources or make changes to target expenditure where it exceeds income or improve services to POA members where there is a surplus. Changes that would affect member's benefits, the POA rules and constitution and employed or lay structures would be brought back to conference to be ratified.*

#### NEC

**MIKE ROLFE – NEC:** Chair, NEC, Conference, we'd like to ask permission to withdraw this motion. In doing so what we were aiming to achieve before bringing this motion when it was first put on the table was to have some consultation period with the relevant parties it would affect. Unfortunately, we've had lots of recent events that have kept our hands very busy and very tied and that consultation hasn't had time to take place. We're asking for your permission to withdraw, Conference. Thank you very much.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Conference, the executive are asking for your permission to withdraw motion 55. Please show all those in favour. Those against. That motion is withdrawn. 56, Whatton, is a debate so I don't need a seconder.

#### MOTION 56

*That conference debate the current format of conference and discuss ways to encourage more delegates to address issues and provide a broader knowledge and understanding of how policies impact on POA members.*

#### WHATTON

**NEIL ROBINSON –WHATTON:** Chair, NEC, Conference, motion 56. Colleagues, anyone who enjoys speaking at conference must be mad. As we have seen this morning not every motion is popular but it's in the rules and constitution that we the elected officials have to speak even if it's against our own opinion. How can it be made easier? I don't know the answer but personally I learn more at conference listening to everyone else speak than I do from anywhere else. I've lost count over the years of the number of delegates I've spoken to have said they've been coming for years and years and years to conference and have never got up and said anything. An outsider would assume that Bullingdon is the only prison with health and safety issues, Barlinnie is the only prison with pension questions, Swaleside is the only branch flooded with mobile phones. You can see the point I'm getting at. Do I like speaking at conference? No, I absolutely hate it. You can tell I'm nervous. I am but it's in the rules. Personally I always prefer to do my hangover sat down than stood up here. So what can be done to encourage more branches to speak at conference? Should there be a requirement for all branches to speak? Should we have training at conference? Should more branches be encouraged to bring observers to introduce them to conference procedures? The depth of knowledge and experience in this room is a priceless resource and it can only be enhanced by delegates speaking at conference. Conference, please support this debate and come up with ways to encourage and support more delegates to speak at conference. Thank you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Jackie Marshall to enter the debate on behalf of the executive.

**JACKIE MARSHALL – NEC:** Chair, Conference, I really don't know what to say. Everybody in this hall has the chance to submit motions. Every member has the chance to submit motions. Every one of your members has the chance to tell you that they want you to speak at this conference. I don't really know where the debate's going. The chance is there. If you want to speak you're entitled to speak. Your members can ask you to speak. If they don't, you don't want to speak, then it's up to you.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you for the debate, Conference. 57 is also a debate. Whatton. Don't need a seconder obviously for the debate.

## MOTION 57

*That conference debate the demographics of delegates at annual conference and discuss the options that are available to the union to increase the number of delegates from minority groups.*

## WHATTON

**NEIL ROBSON WHATTON:** Thank you Jackie. Motion 57, Conference. I don't know why I bother really. Why did the branch propose the motion? Simply put, they come to conference every year. I'll just read it out because I've written it down. I've taken the time. Can count in single figures the number of delegates from minority groups at conference. Does this accurately reflect the membership of your branch? Surely the demographics of the union should be reflected by the delegates at conference. We asked for the figures of how many members come from minority groups but apparently they don't exist. What can be done to reflect this? I don't know. What I do know is that every time someone refers to female members of staff as the girls in the office or a female speaker at conference as bringing a bit of glamour to the stage I wonder why anyone from a minority group would come to conference. If we are to reflect the diverse nature of this union to enable to support the needs of the membership fuller we should be supporting minority groups, not affirming out of date stereotypes. So what can be done? Could we survey the membership to establish what could be done? Should we actively recruit members from minority groups as we do with OSGs or are we happy with the current demographics? You're probably not going to bother but please support the

debate.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Is there somebody. Well done gentlemen, well done.

**BILL BUPARAI – HMP BELMARSH:** Chair, Conference, NEC, in my opinion there's no point in promoting ethnic minority branch officials if they don't have the ability or desire or proven ability or desire to fight. This union needs officials who are not afraid to fight for what is right and what is just and we shouldn't be aiming to please the liberals in the think tanks. The reason why we're all in this hall today is because you have been elected based upon your ability and your desire to fight for your members and no other reason. This is a democratic union. Let's keep it that way. Thank you.

**NEIL EARL – COLDINGLEY:** Chair, NEC, Conference, all I can do is echo the words of the last speaker. If someone wishes to become an official they can become an official. They do it by being a branch member, working within the branch and if they feel strongly enough about committing themselves to this union then anyone, anyone can come and join in and anyone can be sat up there. Colin Moses proved that. And we can do that again. It doesn't matter what accent you have, it doesn't matter the colour of your skin. If you're a true trade unionist then you are welcome. Please don't support the...

**JACKIE BATES – BRANCH CHAIR, BUCKLEY HALL:** NEC, Conference, I am a minority I do believe and I haven't got a clue what that were about. You're voted in, they choose you, you speak if you want, you don't if you don't want. I just haven't got a clue. End.

**CRAIG ROBSON – BRANCH SECRETARY, DURHAM:** I'm probably a minority group because nobody can understand us. However I was at a conference at Portsmouth when a delegate got up and spoke in Welsh. You remember that one. Nobody understood a word she said and people were going to get up and stop her but you could do that. Anybody can speak in their native tongue. People didn't say they can't, and the same with minority groups. Like everybody else has said, if people want to get involved they can put motions to conference. If they want to come to this conference they can come as a delegate if they get elected. It's as simple as that so I don't know where they're coming from.

**MATT CLARKE – WORMWOOD SCRUBS:** Thank you Chair, Conference. I think the mover of the motion is getting some unfair criticism for making a point here. While I don't see anything wrong personally with the current way of things I don't think it would be any detriment to the union if there were caucuses that promoted BME, LGBT members within the trade union and I can see it would have very little cost to the union. I don't think it's an idea that we should rubbish and I don't think you should be persecuted for it. Thank you. Support the debate.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Ian Carson for the executive.

**IAN CARSON – NEC:** Chair, Conference, thanking Whatton for this debate because after all the branch officials are the voice of their members and that's what we're here to do aren't we? Voice the opinions of our membership. And it would be difficult to comment on the demographics of delegates because demographics are quantifiable characteristics of a given population. That's what Google says and the criteria can include education, nationality, religion and ethnicity – difficult for me to say. A NOMS definition might be protective characteristics. So unless we conducted a survey of our members to determine what we wanted to establish it's not possible to accurately reflect on the demographics of delegates here today but it is perhaps something that we would like to do, Conference, next year. The POA is an inclusive union. We welcome all. We have a system where members can progress through the union. We're open to all. Thank you for the debate.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you Conference for that debate and I do pick up again on what Scrubs had to say and I did say it earlier and it happened to be the same branch. Passed standing orders, got through standing orders, it's on the order paper, it's come from a properly constituted branch meeting and voted by the members and he's stood up here and delivered it and there's no implied criticism of that. I look at the time and I look at the content of the next motion, 58, and I think given that it's been a very long afternoon, we've had a lot of speakers, been very warm, some of you out there might think you're close to collecting an increase in the death benefit so I think we'll adjourn there for today and we'll meet again in the morning. Thank you very much Conference. Oh yes, there's a fringe meeting. Free beer.

**End of Wednesday afternoon session**

## POA ANNUAL CONFERENCE 2016

### Thursday morning

**PJ MCPARLIN - NATIONAL CHAIRMAN:** ... update you on progress with our contribution to the charity, thank you, Peter.

**PETER HANCOX:** Thank you Chairman, NEC and Conference. As the Chairman's pointed out, I'm an Honorary Life Member and former Finance Officer of the Union. This year's Chairman's nominated charity is the Francis House Children's Hospice, as it was last year. Last year, through your good efforts, we raised £5,000 for the hospice and the hospice covers from Manchester, it covers right through to the Welsh borders, to Huddersfield, Calderdale, Kirklees and Bolton to Crewe. Francis House Hospice provides care for children, teenagers and young adults that have life-limiting conditions. All the children who come to Francis House have life-limiting conditions and their care is palliative. Where life is short, it needs to be of the highest quality.

Francis House help over 370 families from across the North West. They provide home care, day care, respite care and end-of-life care, with that palliative care added. Francis House also provides at the most difficult times for families. They deliver a quality of palliative care as the young person reaches the end of his or her life. The hospice care is given free of charge and regardless of faith or cultural background. The total cost of running Francis House per year is in excess of £4.5 million. Within that £4.5 million, they only receive 12% of that income from Central Government. Any support which Francis House receives can be seen to make a positive impact on the lives of the families and of the children, and we believe that Francis House is a growing family, with more families who are able to support in the community as the community grows.

Any donations which can be received will help those children and help those families. If you have donated to a charity recently, you may be aware of Gift Aid. Gift Aid is a fantastic bonus to a charity. For every £1 donated by a taxpayer, Francis House can claim an additional 20%, so for every £1, that's £1.20. If you would like to go into a Gift Aid situation, there are pamphlets available which can be given by Chris at his stall in the hotel.

Chris is the Fundraising Officer for Francis House and will address you shortly, but in the meantime, Colleagues, I would like you to see a video which is now going to be put on for you, to give you some more indications of the work that Francis House does. Thank you.

### video plays

#### **Chris Swinden - Fundraising Officer, Francis House Children's Hospice**

**PETER HANCOX:** Could I just ask Chris to come and address you, just for a couple of minutes. Thank you.

**CHRIS SWINDON – FUNDRAISING OFFICER, FRANCIS HOUSE CHILDREN'S HOSPICE:** Good morning, Conference. Thank you very much for inviting me back again this year and taking the time to watch our promotional video there. It's great that we've had the facility for you to be able to watch that because while it's wonderful for me to be able to come and address you and tell you all the amazing things that Francis House does, and how many families and children that we support around the North West, the only way I think it can be even better conveyed is by the people and the young children and the young adults who actually receive our care. Without your support, it's very likely that children's hospices and, indeed, adult hospices, around the UK wouldn't be able to do the work that they do today.

With Francis House, the one difference that separates us apart from many hospices, being a children's hospice, is we don't actually have an upper age limit. So when a young person is referred to us under the age of 16, they're with us for as long as they need to be or as long as they want to be. The reason we say we're a growing family is because we don't just look after the young children or the young people with the life-shortening or life-limiting conditions, we do look after the whole family because with something like Duchenne's muscular dystrophy, or one of the many conditions which our children and young people have, it doesn't just happen to them. As you can imagine, it does happen to the whole family.

So to be able to look after the siblings who, as you can imagine, may be easily forgotten in a situation like this or, indeed, the adults who, more often than not, as you can imagine, need the looking after almost just as much. To be able to do that and to be able to take the weight off the shoulders of a family, even for a couple of days every few months or for a stretch at home or however we can during and, indeed, after the child or young person does pass away, we are able to be there and we are thankful that we're still able to be there, down to the support of organisations such as the POA and others around the region.

I'd just like to thank the National Chairman, Peter McParlin, for taking Francis House as a charity for the year. I'd like to thank the National Executive Committee, in particular Glyn Travis, and the Welfare Committee for their donations and support and, of course, for the membership as a whole for supporting Francis House Children's Hospice again this year. Thank you very much.

Applause

**PETE HANCOX:** Conference, the NEC and Welfare Committee will support any branch who promotes a fundraising issue for their young children or adult hospice by donating £100 for their first fundraising event. As you will all recognise, in every branch, I am sure someone will know of a child or an adult who may at some time need the palliative care of a hospice, either on an everyday basis or for quite some considerable time in the future. The POA recognises that need and wants to roll out across the whole membership its support.

After Conference, there will be a POA Branch Circular which we put to all branches, identifying where possible locations of hospices are to your establishment. It would be most helpful at local level for a volunteer to be the first contact with the hospice near your branch. You can rest assured, in relation to the National Executive Committee and the Welfare Committee, that on receipt of a request for financial support, once that has been recognised by the National Executive Committee, the support will be in place. Finally, Conference, at the end of Conference this lunchtime, there will be buckets for collection in support of Francis House. We'd be most grateful if you could donate as much as you can to help this worthwhile and needy cause. Thank you very much indeed, Conference.

Applause

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Chairman, Conference, I'm very, very grateful to Pete Hancox for moving that but I've had a chat with the Finance Committee but we need your authority, Conference, to donate £1,000 upfront to this very worthy Francis House Children's Hospice.

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Do we have Conference's authority for that? All those please show? Any against? You have the authority.

Applause

Thank you, Conference. Chris, thank you for coming here today in your capacity as the Fundraising Officer but you've eloquently, along with Pete Hancox, not that Conference needed it explaining, the pictures and the video that you showed say its own story about why you are our chosen charity. Thank you for the work that you do.

Applause

Conference, Pete Hancox is right, that if we're going to be finishing at lunchtime, we'd better get on with some motions but I also ask Benny Goodman to come and join me on the stage and he'll address us a little bit later on behalf of the Honorary Life Members. We move to Motion 58 which is an NEC motion; is there a seconder for this motion? Dartmoor, thank you.

## MOTION 58

*That conference approves an increase in the death benefit from £3250 to £5,000. To offset the additional costs a subscription increase of 30 pence a month is introduced from June 2016.*

## NEC

**TERRY FULLERTON – NEC:** Thank you, Chair, Conference, speaking on behalf of the NEC asking Conference to approve Motion 58. Conference, the NEC are fully aware of how difficult it is to persuade our members to part with money in these difficult and trying financial times where our members suffer nil pay awards year after year after year; we do realise how difficult that is. But on behalf of the NEC, I'm here to try and persuade you that this motion's a worthy motion for consideration. Those of you on the floor who've experienced visiting bereaved families' homes to hand over the POA death benefit cheque, or sometimes it's a cash equivalent, will know exactly how much that death benefit can mean to those families in their time of need. Quite often, in today's times, lots of people don't have life insurance. If a death is sudden, you can't access your life insurance until such time as you've got a death certificate, and it's quite difficult for people to try and arrange funerals, with funeral costs and everything else.

Within the last 12 months, Colleagues, 40 of our members have passed away and with the rise in retirement age set to rise to 68 and possibly beyond, it's not unrealistic to expect that those numbers may well increase. But like most things, Conference, even the cost of dying has increased, with average funeral costs now estimated to be £4,500. So, Conference, the motion seeks approval for a rise in the death benefit by £1,750 and a 30p per month increase to help assist in paying for that rise in death benefit which, in real terms, is the cost of a pint of beer a year. That's what we're asking you to give up, one pint of beer a year in order to provide £1,750 extra death benefit to our members. So please, Conference, support the motion.

**JAMES EVANS – BRANCH CHAIR, THORN CROSS:** NEC, Chair, Conference, I'm going to have to speak against the motion on this one. We've just passed the motion to raise by an extra 30p a month, I'd ask the Conference to put this back for 12 months. We've got a lot of OSGs, a lot of new starters who are struggling. We need to go back to them and say I've just put your contributions up by 60p. I can afford it, I'm quite happy to put my card up but some of our members can't. It's worthy. I'm not arguing against it and I'll happily stand up here and support it next year, but this year, for my members, I'm going to have to vote against it. Thank you.

**GARY LYON – ASHWORTH:** Chairman, NEC, Conference, speaking in favour of the motion. As mentioned, this is a pint of beer a year moment, 30p a month, £3.60 a year. £1,749 – not even what our loved ones would gain from this is in 486 years. That's right. You're still getting more back unless you live for 486 years and you're paying into it. It's a no-brainer.

Last year, my Branch Secretary and I went out and we gave £3,250 to one of our member's wives. He'd tragically died of a heart attack and she didn't even know she was getting £3,250. She was

making a choice between paying for a holiday for her and her two autistic children or paying for her husband's funeral. That £3,250 meant that she could, in part, pay for the funeral and she could still take her kids on holiday. £5,000 would have made things a lot easier. This is a no-brainer. I understand what my colleague from the other branch said, we voted for 60p. If this goes through, it's 60p a month, £7.20 a year, two pints. I ask you to vote in favour of this motion.

Applause

**BRIAN CLARKE – HMP WINSON GREEN, BIRMINGHAM G4S:** Chair, NEC, Conference, Honorary Life Members, honoured guests. The sun is shining, it's Thursday and guess what kind of day it is? It's a facility time day. Conference, I've come to the rostrum to speak in support of the motion. In 2014, this Conference, our Union, honoured four friends of mine, four colleagues, by the award of the Mabel Hempton Award. One of the recipients of that award, Ian Whitehouse, couldn't make it to Conference; the reason was that he was looking after his poorly parents, his mother, she took a tumble just the day before and he could not get here. I was very sad about that, but I had the pleasure of taking to his house that award, posthumously.

I didn't beat a path to his door when returning from Conference. The man was suspended from work over a different matter but work related, and I dealt with him by telephone and I dealt with him by visits. The weekend when his suspension was lifted and he was due to return to work, he passed away with heart failure; stress anxiety caused, in my mind, by the suspension and the threat of action against him. But I took that Mabel Hempton Award along and I passed it on to his two sons and his step-daughter and I became involved in the funeral arrangements for the most worthy of men. The funeral was held on a day such as this, bright and sunny. Glyn and Jackie came from the NEC to show their respects for the recent award and for the man himself.

I know that that funeral, not extravagant by any means, no grand celebration, no horse-drawn carriages, just cars that you and I would hire for our family occasion, came to in excess of £5,000. I'd had the occasion, sometimes as many as twice a year over the past 12 / 13 years, of going to friends' houses and handing over this death benefit. I know it's always welcomed but I know it's not enough. Please support this motion. It is 30p and if you are wondering what you say when you get back to your branches, to your members, say I abstained or I voted against it but it is the will of Conference. Please support.

Applause

**DAN ATKINS – BRANCH CHAIR, DARTMOOR:** Chair, NEC, Conference.

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Dartmoor, I'm sorry. You seconded the motion and you need to speak immediately following the motion.

**DAN ATKINS – BRANCH CHAIR, DARTMOOR:** First time.

**PJ MCPARLIN - NATIONAL CHAIRMAN:** No. Terry Fullerton for the Executive.

**TERRY FULLERTON – NEC:** Thanks, Chair. Colleagues, I appreciate what my member from Thorn Cross said at the platform but we can't bring it back next year. It would have to be two years before we can bring it back. So what we're asking for is Conference to support this motion. Please support.

Applause

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Conference, we go to the vote on Motion 58. All those in favour, please show? Those against? That motion is carried. 59 Nottingham; is there a seconder for the Nottingham motion? Lincoln, thank you. Apologies Lincoln, you did indicate earlier.

## MOTION 59

*That the NEC now fund subsistence of the TUC employment law diploma for branch officials so that members can be represented on a more equal footing.*

## NOTTINGHAM

**IAN KILEY – BRANCH SECRETARY, HMP NOTTINGHAM:** Chair, Conference, Motion 59 reads, 'that the NEC now fund subsistence of the TUC employment law diploma for branch officials so that members can be represented on a more equal footing.' Conference, this motion speaks for itself. The strapline to his year's Conference is 'Shaping our Future.' So let's start, as the strapline says, so that all of our branch officials can enter into disciplinary, capability and grievance hearings with a level of knowledge in employment law that our members expect them to have. These issues are just an example but they can become complex, difficult matters – matters that we have to deal with at the time.

We can only do this if we have the knowledge which, when required, means we are best placed to advise our members and also to challenge the head of the hearing and the degree qualified HR rep that's sat next to them. Times have changed, Conference. Times have changed rapidly and our workplace is now more challenging than ever before and far more complex and we believe that for members to be represented fairly and equally, which is their right, and for local officials to be best placed to do this, then the NEC should fund this diploma for officials, to further their learning and knowledge by completing the employment law diploma. Please support the motion.

Applause

**PAUL WRAY – BRANCH CHAIR, HMP LINCOLN:** Quite happy to support this motion. I think all of us in this room are spending far more time than we really should be doing over petty, pathetic management attacks on our members. Please support this motion, prevent us going to tribunals and if we do need to go to tribunals, we have the knowledge that we need when we get there. Please support the motion.

Applause

**ANDY BAXTER – HOLME HOUSE:** Chair, Conference, NEC, I've done branch officials training. I've completed advanced branch officials training. Both very worthy courses, good content, well delivered. However, as branch officials, we need the avenue of a higher qualification. I realise the NEC will probably say why do we need it, we've got good solicitors in Thompsons. Well, let me tell you from experience, branch officials become the conduit between the solicitors and the members and it's vital that we, as branch officials, look to that job.

In the two ETs that we ran earlier this year, it was myself and a very capable barrister that provided the support at court. It was very daunting to find yourself in that position, with the expectations of your member and their family on your shoulders. I was very impressed earlier to hear how much we've saved on our legal bill; let's put some of that towards this motion. This training is the natural progression for those who are committed to do it. I ask Conference to support our committed members and support the motion. Thank you.

Applause

**PHIL BIRCH – BRANCH CHAIR, SEND:** Chairman, NEC, Conference. Membership fees are there for the support of members and in current times, with complete disregard shown by governors for PSIs and employment law, we need to make sure that all branch officials are at the races for the benefit of our members. We already give up annual leave beyond attending Conference to support our members. This enables officials to have their expenses covered at a time of a pay freeze which has no end in sight. Please support the motion.

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Glyn Travis for the Executive.

**GLYN TRAVIS – ASSISTANT SECRETARY, NEC:** Morning Conference, Chair, NEC. The Executive is seeking rejection of the motion. If people want to develop themselves and go and do this course on the TUC Online, there's no costs. The Union doesn't need to spend money on subsistence. If individuals want to develop their career for whatever reason, whether this is a branch official, as a stepping stone, it's an individual's choice. We've just had a debate about a 30p increase and yes, the Union has done extremely well in 2015 on finance. We have, on average, seven Committee Members; people who are co-opted on.

Once you open the door to this course, Colleagues, and the cost of this course, which can be a 30 week course, which you will get facility time in the majority of cases from managers who care about people developing themselves, but the reality is, even with this qualification, would we open ourselves up to the vicarious liability of you representing individuals incorrectly in tribunals? I don't know. Would members who did this course save the Union money by actually going and saying, actually you don't need to apply for legal advice because I'm qualified and I'll do an employment tribunal? I genuinely don't know.

What we do know, Colleagues, is that the NEC, through you, have invested £100,000 a year on branch official training, two initial courses and an advanced course. The advanced course is designed to ensure that branch officials, chairmen, secretaries or anybody who's competent who wants to do that, has got the capacity to deal with the basics; capability hearings, investigations, disciplinaries and yet even with that investment, we still recognise that the Executive needs to support individuals.

Qualifications don't always mean that you've got the competencies. If we open the door to say that we're going to fund this, you fund it for everybody but be mindful, Colleagues, there will be a significant cost and if you can then go back and justify that that cost and the increase in that warrants an increase in subscriptions, fine.

This Union is not opposed to increased education qualifications but everybody, health and safety reps, fire safety reps, branch officials, but it's about the competence and skills of the individuals, not the fact that they want to just go and do a course. And what you would be doing by opening this door and this Pandora's Box is saying write a cheque to everybody who wants it. Who controls the quality of the subsistence? What's the mileage; where's it going to be at? It's a very dangerous motion, Colleagues. It could be a very costly motion. It might not be but the Executive believe it's not warranted and we would ask you to reject. Thank you, Chair.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Nottingham to come back?

**IAN KILEY – BRANCH SECRETARY, NOTTINGHAM:** Conference, a bit disappointed that once again, the motion has been brought to Conference and once again, the National Executive seem reluctant to enhance the skillset of the local branch officials. Only yesterday, my branch supported this Executive by seconding Motion 53 from our NEC and we heard from the General Secretary that one of the aims over the next four years was to improve staff training and professionalism. If this is the case, and it really is a strategic aim of our NEC to improve staff training, then they must reconsider their stance on the motion, otherwise it's lip service.

Conference, the working environment and conditions of us, as I've already said, has changed rapidly over the last few years and as local officials, we are representing our members in many complex matters on a daily basis, with more of our members than ever before being dismissed under PSI 06/2010 Code of Conduct and Discipline and PSI 1600 for inappropriate use of force. Branch officials' training is good but it doesn't prepare you for this arena. Any training costs involved, if you support this motion, are irrelevant when we look at the costs to dismissing members. Let's get our branch officials fully trained, as our members expect and deserve. So please support this motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Nottingham. We go to the vote on Motion 59. All those in favour of 59, please show? Those against? That motion is lost. Benny Goodman, Honorary Life Member, is sitting beside me and he'll be known to very many of you and this is the traditional part of Conference when he provides fraternal greetings, if that's the right expression, from the Honorary Life Members. Benny, please address Conference, thank you.

**BRYAN GOODMAN – HONORARY LIFE MEMBER:** Chairman, NEC, Conference, Cronin Clasp Holder, Honorary Life Member, not on facility time.

<Laughter and applause>

I am here at your invite in my 13<sup>th</sup> year of retirement time and it's great. But yes, I'm here to give fraternal greetings from the Honorary Life Members, some of which are sitting on the back table there, others to the left. Just before I do that, the first part of this Conference this morning where you saw the donation to the charity, I've been a POA member since 1971. We've always been a giving Union and that is a demonstration of what we are about. People don't report that. They report all the nasty things that they want to say about us but that is us as a Union, we've always done that and thank you very much, this Union, for doing that; you deserve credit for that.

All the Honorary Life Members are really proud to be here, really pleased to be here. You don't see us at the back nodding off; sometimes we may. We are here because we are interested. We love this Association, this Union, and it's great to see that we are still here. The arguments are the same: no staff, too many prisoners, uncaring governors, the Tory Government hell bent on ripping us to pieces, like every other public service they can get their hands on. Well, we're still here. The way we deal with things has changed but we are still here and we will be for a long time, providing everybody sticks together when they're asked to take some action.

But just moving on from that, so thank you on behalf of the Honorary Life Members; we really do appreciate it. We had an evening last night, we always have a dinner on the Wednesday, sponsored by Bob from Aviva. It was absolutely wonderful. We appreciate every single bit of what you do for us when we come to this Conference. You treat us with respect and that's all we ask really.

But just moving on, so there are now going to be some changes on the top table. When I first went to Wandsworth which was in 1986, I brought to this Conference, this hall, a young whippersnapper who wanted to be an observer at Conference. There was myself, Mark Healy, and Steve Spratling and this other young gentleman wanted to be an observer so we brought him along. He obviously had his sights set on high office then. His name was PJ McParlin and this is his last Conference.

On a personal level, I'd like to thank him for what he's done as a Chairman of this Association. I'd like to wish him, and on behalf of all the Honorary Life Members as well, a very long and happy retirement and all good wishes to Mrs McParlin as well. And everybody who came here yesterday after the awards said, and we all know this, every one of you knows this, that we were only able to operate as we did, defending people, promoting and protecting the interests of the membership, because we had partners and people supporting us; and that's very, very important, we should never ever forget that.

But we not only wish PJ well, we also wish Mike well on taking over as National Chairman; a very, very difficult job. We all know that things are not going to get better. We hope they are. If we see what's happened in the last few weeks with the academies and how they can think of that sort of system being in a prison, I just do not know. What they've had to do with the junior doctors, and we hope they get some resolved, they're crumbling; they are absolutely crumbling. They're fighting over Europe and I just hope that we can get in there and do something about that and get some

changes that will assist us to keep moving this Association forward, but I think it won't be without a fight. But we wish you all the very best. Thank you very much again for all the invite. Good luck.

I did also mean to mention Wormwood Scrubs and I think Holme House was the other establishment that had some problems this week. But last Friday I was out doing my garden, as I did. I was probably cleaning up the compost, PJ, thank you very much, and my phone went and it was my daughter who said, 'Put the telly on, the Scrubs are out.' So I did and about a minute later, my son rang, 'Put the telly on, the Scrubs are out.' They have lived this Association along with me and they know how much it means to me and how much it means to all of you. You note that when people come up here for awards, some of them are very... they can't speak because it's very, very humbling when people that you've worked with, people that you've done lots for, honour you in such a way. So thank you very much. Good luck with everything you do. God bless you all.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Benny. We'll move on to Motion 60 which is Albany. Do we have a seconder of the Albany motion? Rochester, thank you.

### MOTION 60

*That conference instructs the executive that if loans are provided to members of the executive (NEC) that those loans are advertised to all POA members at the same rate of interest.*

### ALBANY

**NEIL YULE – BRANCH CHAIR, ALBANY:** Morning Chair, NEC, Conference. My branch has asked me to seek the motion be withdrawn over the wording and bring it back at an appropriate time next year.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Albany seek Conference's permission to withdraw Motion 60. Do they have your permission; all those please show? Those against? That motion is withdrawn. 61 is also Albany, do we have a seconder for 61? Parkhurst, thank you.

### MOTION 61

*That all loans or advances that have been provided to members of the NEC or staff that work within the NEC are declared and shown in the annual accounts.*

### ALBANY

**NEIL YULE – BRANCH CHAIR, ALBANY:** Chair, NEC, Conference, I refer to my previous answer. My branch has asked me to seek the motion be withdrawn over wording and bring it back at an appropriate time next year.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** I'll ask Conference's permission there because I did get a seconder and that really means I should plough on, but in the spirit of what the speaker has said, do we have Conference's permission to withdraw 61, please show? Those against? That motion is withdrawn, thank you Albany. 62 Albany, just give me a bit of a clue, you're not planning to withdraw this one, are you? You are. Okay, I won't ask for the seconder. Go on.

### MOTION 62

*That all members of the NEC are allowed to claim the same daily and overnight subsistence as all delegates.*

### ALBANY

**NEIL YULE – BRANCH CHAIR, ALBANY:** Yes, Chair, NEC, Conference, again can I ask for permission to withdraw this motion please?

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Do Conference give Albany permission to withdraw, all those please show? Those against? 62 is withdrawn. Thank you, Albany. Motion 63 is an NEC motion. Do we have a seconder for this motion please? Exeter, thank you.

### MOTION 63

*That conference accepts the amended Finance Manual.*

### NEC

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Chairman, Conference, thank you in that Conference accepts the amended Finance Manual. Conference, when the Finance Committee looked at the Finance Manual as approved by Annual Conference in 2013, we recognised that there were some issues contained within that documentation. For example, I think it is on page ten of the document, you will see that it refers to Eurofedop. Well, we're no longer affiliated to Eurofedop, so we took that out but then when we looked at other bits and pieces within it, some of it didn't actually make sense and so, therefore, we amended it.

If I can just give you an example on page two, it says, 'the authorisation and authority, some of these regulations require authority to be given by the Finance Officer but a) in the absence of the Finance Officer, the National Chairman or General Secretary may give authority but not to him or herself; b) the Finance Officer cannot give him or herself authority, it must be given by the National Chairman or the General Secretary; and then it said, c) the National Executive Committee.' It didn't say who gave them authority. So, in actual fact, that should be deleted and so on. In relation to page three, instead of branch, we've said Union and in respect of the same page, it says 'anyone who fails to comply with these regulations a) will be reported to the membership and b) may be subject to disciplinary action under rules.' We have strengthened that and said, 'will be dealt with by appropriate and applicable action, not 'may,' it will in future be that.

So, Conference, in moving it forward, unless you want me to go through it line by line, I think it makes common sense to do so, I've only had one question in from one branch and when I explained that, they were actually out of time under the rules for putting questions but they accepted and in the interests of transparency, I gave them the answer and I would have done it had they raised it as a formal question under any rules and constitution. So I'm happy, on behalf of the Executive, to recommend Conference accepts the amended Finance Manual.

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Steve. Do Conference accept the amended Finance Manual, please show? Those against? Conference accepts. 64 is Lincoln and I do have a seconder, Hindley.

### MOTION 64

*This conference condemns this Conservative Government for its continued abuse of the Prison Service & this union's membership, it has continually undermined the professionalism and dedication shown by those who work within our secure environments and refused to acknowledge with any degree of sincerity the unacceptable levels of violence faced by our members, or the risks it is taking with our health and safety.*

### LINCOLN

**PAUL WRAY – BRANCH CHAIR, HMP LINCOLN:** Chair, NEC, Conference, just before I do start, on behalf

of my branch, we also would like to wish the Chairman a long and happy retirement. Conference, Motion 64 reads 'this Conference condemns this Conservative Government for its continued abuse of the prison service unions and this membership, and it's continually undermined the professionalism and dedication shown by those who work within our secure environments, and refuse to acknowledge with any degree of sincerity the unacceptable levels of violence faced by our members or the risks it is taking with our health and safety.' Colleagues, the first lesson to be learned is when getting your Secretary to write Conference motions, be sure to be in post when Conference comes around.

I have no need to tell you, my fellow delegates, of the rise in violence, drug misuse and staff assaults that has happened in our establishments over the last few years; but I will, just from Lincoln. Between 2010 and 2015, reported incidents of violence have risen 110%. Assaults have risen 76% and staff assaults have risen 68%. In this same period, frontline prison officers have been reduced by approximately 30%. There is no coincidence that the opening of that document has risen by 81%; quite simply because there are not enough staff to spend time with those in crisis.

The role of a prison officer is unlike any other. During the course of a single day, you could be a diplomat attempting to solve prisoner issues; fighting to protect yourself or your colleagues on the landing and other prisoners; a fireman putting out fires started in cells; a paramedic attempting to administer first aid and save lives from someone who has smoked NPS, often the same person that earlier on in that day was wanting to kill you; a psychologist listening for cries for help to prevent them from harming themselves or others – and looking after people that society deems too dangerous to be on the street; with the added pressure that for a wrong decision, you will be investigated.

It's amazing how nearly every autumn, prison officers are the best asset that NOMS and the MOJ have, but come February / March when the pay award is reviewed by the 'independent' Pay Review Board, there is no money. So we cannot reward our hard work; in fact, in real terms, have another pay cut. Yet those who manage and have made the poor decisions get patted on the back and pay rises between 3% and 4%; once again, frontline staff carrying the can for the failure at management and ministerial level. And let's not get started on MPs' pay rise. I don't claim to be the most intelligent man in the world but when I went to school, and it was quite some time ago, 11% of £65,000 equates to a lot more than zero percent on £29,000. So much for us all being in it together.

So how do we solve these issues? Well, one solution, Mr Cameron, that could come from your experience because if being called 'Dodgy Dave' leads to somebody being taken from your workplace, I estimate that by 9.00 on any given morning, I could have Lincoln Prison empty. If you are sincere in wanting to make prisons work in a safe, decent and secure manner, engage with our Union officials who spend the time working on the frontline, not someone who last worked on a landing 10 to 15 years ago and is now sat in an office miles away, or even worse, with someone who has no experience of prison life.

The POA are not the enemy. We know what works in our prisons. We have the safety of not only our members at heart but also those partner agencies that work in our prisons and even those in our care. Recognise that, although new staff are being recruited, it takes years to gain the experience. As a branch official, I'm fed up fearing that phone call when I'm at home that one of my members has been seriously injured or even worse. To media at the back of the hall, listen to the truth from our NEC and publish the facts. We want the public to be aware of what goes on behind those walls and what goes on in our prisons. Please support this motion.

Applause

**STEVE DOUGLAS – BRANCH CHAIR, HINDLEY:** NEC, Conference, happy to support this motion. Conference, this Tory Government has an agenda and that is to destroy the public sector. That is plain to see. So it fills me with sadness when I witness politicians trying to outbid each other, cutting

public sector jobs like they did after the 2010 and 2015 General Elections. As part of this process, they often vilify the public sector. When public sector staff stand up for their jobs and services they provide through strikes by doctors, firefighters and civil servants and so on, the Government accuses them of irresponsibility. It's heart-breaking. They aren't just talking about taking away people's livelihoods and reducing service to the public but they are vilifying people who are willing to give up their lives for the jobs they do.

Those of us in the public sector cover many jobs and come from every walk of life. The pay is nothing like what some factions of the media would have you believe and many of us receive little or no recognition for the jobs we do. Most of us do it simply because we believe in the service we are proud to represent. But we have to condemn what they are doing, not just in the prison service but also to the wider public sector. But we in the prison service are suffering – suffering at the hands of a Government who live in a bubble of Utopia, a place where everything is okay and a place where they pat each other on the back every night, forgetting that we are the people that make this country safe and secure by locking up the undesirables in society. The Government are far removed from reality. They don't have a clue what is happening within the four walls of our establishments. They don't give two hoots about the staff being assaulted, about organised crime going on right under their noses and the disarray the service is in and yes, we should condemn them.

Let's look at those we are condemning because we are lions being led by limp and lame lambs. Firstly, there's dodgy Dave Cameron who's started to resemble the ludicrous David Brent running a third rate paper suppliers, appointing third rate managers to make him look like a friend first, a boss second and probably a chilled out entertainer third; a man whose father masterminded an offshore tax scam, whose family benefited from hundreds of thousands of pounds. Dodgy Dave is flanked by a Chancellor, Gideon Osborne, or George as he likes to be known, who honestly believes in his own destiny. A man who has the look of a dodgy car dealer, who thinks by wearing high vis jackets and safety helmets everywhere he goes, he will brighten up his dull exterior and make us believe his long term economic plan is working.

The rest of dodgy Dave's Cabinet comprises of lightweights fit for nothing more than saying yes to whatever ill-thought out neoliberal scam is imposed on them. Let's look at the pair in charge of looking after the two biggest spending departments, Health and Education. The exceptional mediocracy of Nicky Morgan and Jeremy Hunt is truly frightening, because when quizzed on policy, both have a startled look, as if they'd just returned to their Audi Quattro in the Waitrose car park only to find a couple dogging in the backseat. To hear Hunt, easily the thickest man ever to hold a Cabinet office, telling NHS experts on how to run a service he will never ever use unless the cameras are present, is to lose faith in all political process. To hear Morgan, tell teachers how to teach students the best reason to stay in the EU is so they can go safely inter-railing is to lose the will to live.

Then we have Business Secretary, Sajid Javid, who was nowhere to be seen when Tata pulled the plug on our steel industry, or rather, he was on a family jolly in Sydney catching the last rays of the Aussie autumn while a key industry went into meltdown. We have an effortless, insignificant Foreign Secretary, Philip Hammond, warning Vladimir Putin you'd better stop doing nasty things in Syria or he'll have to answer to him, which would be the equivalent of being savaged by an anaemic stick insect. There is also our past leader, Chris Grayling, the gaff machine, best summed up as gothically comical while about as funny as piles.

And finally, our new leader, Tory boy, the fictional character in Harry Enfield and Chums, brought to life by Michael Gove, a man who thinks that by giving governors autonomy over prisons, it will solve all the problems and the violence and the drug abuse and the POA will just disappear as if the Great Soprendo had just pulled off one of his greatest tricks of all time. What he doesn't realise is that most of these governors could not run a booze up in a brewery.

This condemnation of the Government and the way it treats us in this room, our members and the

prison service and the way it treats the rest of the public service, is just skimming over the shallow pool of non-entities who pass crucial decisions on our lives. So imagine how we feel in the prison service, imagine how the doctors, steel workers, soldiers, teachers feel whose fate lies in the hands of these people who haven't got a clue what we are going through and what the hell is going on in their own departments. So yes, we condemn this Government for what it's done to the prison service but we also condemn what it's done to all public sector who keep this country running. I'll finish by saying it was my parents' generation who had an unhealthy trust in anyone in authority who wore a suit. Surveying this lot of idiots is to put more trust in a clown who's coming at you on a tricycle with a bucket of custard. Thank you, Conference, please support.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Andy Darken for the NEC.

**ANDY DARKEN – DEPUTY GENERAL SECRETARY, NEC:** Responding on behalf of the NEC. I actually wrote quite a bit down on here what I would say but when listening to the two speakers particularly, what I didn't want to do, and I won't do, is take away the thunder from those speakers and this Conference. This condemnation is a voice on behalf of this Union. You are that voice. I'm not going to take that voice away from you but I will say this. I will be proud, on behalf of this Union, when you pass this motion and yes, you will pass this motion, to write that letter of condemnation to dodgy Dave, his cronies and Michael Gove, and let's hope, and let's actually make them take notice of what we say. Conference, thank you for bringing the motion. Make me a proud man and pass this motion. Thank you.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** We go to the vote on Motion 64. Does Conference condemn the Conservative Government, please show? Those against? They are condemned.

Applause

65, Elmley do we have a seconder for the Elmley motion? Grendon Spring Hill, thank you.

## MOTION 65

*Conference instruct the NEC to seek a partnership with a charitable organisation that specialises in PTSD and Mental Health issues, to offer support and therapy to members who are struggling with these illnesses.*

## ELMLEY

**ANDY HAMLIN – BRANCH SECRETARY, ELMLEY:** Chairman, NEC, Conference, Motion 65 reads: 'Conference instructs the NEC to seek a partnership with a charitable organisation that specialises in PTSD and mental health issues to offer support and therapy to members who are struggling with these illnesses.' Many of you will have attended capability hearings where members have been dismissed due to mental health issues or PTSD, whether through deaths in custody, serious assaults or the stresses and strains that are increased with our workloads. But what do we do to offer professional support to those members which may even lead to it not coming to capability?

The Elmley branch believe that, by this Union seeking a partnership with a charitable organisation that specialises in this issues, support and, hopefully, therapy could be offered to all members who need it, before NOMS and our governors kick them out the door with two years' pay compensation, if they're lucky. The Government, NOMS, the prison service and our governors simply do not care about our wellbeing and it is not fair on anyone to allow them to just show them the door without offering any ongoing support. So let's support each other because you never know, it might be you next. Please support the motion.

Applause

**KEITH MCDUGAN – BRANCH CHAIR, GRENDON SPRINGHILL:** Chair, NEC, Conference, and we've said it all really but I just wanted to second this motion. At our own branch, we've had a couple of incidents in the last year. Members have been regraded, Band 5 to Band 4, because of capability or because of underlying symptoms from PTSD that just wasn't understood or even supported by the employer. They took a punitive stance from the start and that's how it ended in the finish. We've got a member currently litigating against the employer, again diagnosed with PTSD, been through the OHA, OHP, then its management procedures and their reports, their recommendations in support of him continually ignored by the employer, and he's now having to litigate against them. So please support the motion.

Applause

**EDDIE JARVIS – STOKE HEATH:** Chairman, Conference, speaking in support of this motion. We've spent a week saying how the assault figures are going up. Assault prisoner-on-prisoner, assaults on staff, serious assaults on staff. These are happening now. These effects our membership will be taking with them for years to come. We can do nothing but support this because when we walk away from here, we walk away from the job and if you're lucky enough that this hasn't happened to you, somewhere there will be somebody on their knees struggling. Please support.

Applause

**STEVE WRIGHTON – BRANCH CHAIR, BULLINGDON:** Chair, NEC, Conference. Sadly, this is going to be a growing problem for our Union. The amount of incidents we have in our establishments now, the ongoing violence on a daily basis and what our members see and are involved in, there will be increased levels of mental health issues and workplace stress. It's going to go up and up and we have to understand how we deal with those, represent them properly as individuals and have a decent referral procedure.

I will have a say that we do have one in place already; the Fire Fighters Charity do do psychological referrals. I spoke to Kevin Biles yesterday. That is in place and is up and running and if you get in contact with them, they're really good. We've had members go through those procedures there and it's really helped them and if you get a decent agreement with your governor as well, as we have, that anybody who's successfully referred to the Fire Fighters' Charity, they will give them the time off to attend that as they see it as good occupational health for their members. But please support the motion.

Applause

**JOHN MCILWAINIE – BRANCH CHAIR, NORTHERN IRELAND PRISON SERVICE COLLEGE:** Chair, NEC, Conference, I'd like to give you just some of my experiences. On 24<sup>th</sup> November 1991 I was on duty on C1 landing in Crumlin Road. I was covering three posts that night due to staff shortages, so not much has changed over the years. A bomb exploded when Loyalist prisoners were in the dining hall. It was a scene of carnage. It was a bloodbath. One prisoner died at the scene and another one a couple of days later. Some years later, the Crumlin closed and has become a tourist attraction and my wife at the time wanted to visit and do the tour. So I went up and as soon as I parked the car, the feelings of dread and nausea started. When the tour reached C Wing, I was shaking so badly and felt so nauseous and faint that I had to leave. I didn't realise at the time but I've since been told that it's PTSD. I was involved in countless other instances over the years, trapped in H-block where rioting prisoners had set the place on fire and a couple of those prisoners were subsequently murdered and we had to deal with the aftermath of that.

These are only some of my stories. The colleagues I've worked with, my members and the guys in the back row there, they all have their own stories to tell of those times. The PTSD doesn't really bother

me. It hasn't ruined my life. It's still there under the surface but I've seen it break dozens of good prison staff and I've seen them left shadows of their former selves. The Good Friday Agreement brought some hope to Northern Ireland but, unfortunately, not much has changed for men and women of the Northern Ireland Prison Service. The sad and tragic murder of David Black some years ago brought that home.

Adrian Ismay wasn't just a colleague, he was my personal friend. He was a war hero; a Falklands veteran for the Royal Navy. He gave his life to his country and his community and his family. After the Navy, he was a Scout Leader. He was a member of the St John's Ambulance and community search and rescue service. He was also a prison officer for 28 years, held the line in the dark days of the Maze and when things changed, he was in Hydebank Wood Young Offenders' Centre, became a Sense manager, a programme facilitator and helped turn many young lives around. Adrian would be the first to help anybody; it doesn't matter what religion, colour or creed you were. He was a great guy. He was ridiculously generous on a night out. We sat down to our Christmas dinner and a dozen bottles of wine appear on the table. Izzy had got the credit card out and towards the end of the night, he was buying bottles of port and his favourite, jugs of Fat Frogs. A night out with Izzy was a night out to remember but, unfortunately, most of us couldn't remember much of it the next day.

If you'll indulge me, Mr Chairman, I would like to thank you personally on behalf of my Northern Ireland prison colleagues and the rest of the NEC, and all the delegates and branch members out there who contacted the colleagues at the time to offer their support and for the contributions that have gone towards Sharon, Izzy's widow. They are very, very much appreciated, so thank you. I can't begin to explain the feeling when your Governor calls you in to tell you your mate has been blown up by a booby trap device, or the feeling ten days later when you're called in again to be told he's died from his injuries.

Northern Ireland Prison Service staff face the same problems as everybody else in this room; self-harming, suicide, assaults, staff cuts but they're under threat off duty too. We get emails every week telling us that we're actively being targeted by dissident Republicans. How do you explain to your 13-year-old daughter why daddy has to check under his car every time he gets in it? I want to pay tribute to those staff working in the separated landings of Maghaberry Prison, facing those threats and intimidation every day. But that's daily life. That's how we get ready for work in the morning and our checklist is keys, phone, money, check under your car for bombs. It's ridiculous. It's obscene but that's the reality of life in the Northern Ireland Prison Service.

PTSD and mental health are very real issues for us. So, Conference, I ask you to support this motion and I would also ask that Northern Ireland staff are offered whatever facility comes out of it. Thank you very much.

Applause

**DAVE COOK – BRANCH CHAIR, SWALESIDE:** Colleagues, fully supporting this motion. However, I think we've also partly achieved it because I went to the Fringe meeting this morning about stress. There is a charitable organisation there, they have a stand outside; it's called Stress at Work. So maybe this is what we're talking about. There's also The Charity for Civil Servants; they also were keen to tell me this morning that they also deal with stress and workplace stress.

The motion mentions PTSD, post-traumatic stress disorder. However, it was also made clear this morning that stress is an ever present disease in our service today, and the Northern Ireland delegate there just brought back some memories that I'd put away for many years. I served in Northern Ireland. A colleague of mine was blown up and three or four of us were also injured in that explosion. The stress counselling, we got, we were locked into the squadron bar, given a free bar, walked out 24 hours later and then we went back to work, and I question today, have we really advanced from that point? And after seeing and hearing everything, the 20-odd years of being in

this service, I have to come to the conclusion that the answer is possibly no.

We're trade unionists, we're here to fight and defend the health and safety of our members. Year after year, coming to Conference, we've had motions on the Order Book about stress and the effect it's having upon us. I listened this morning to Thompsons telling me how difficult it is to prosecute our employer for stress and I just keep asking myself, how are we going to do this? We have to get better at it. We have to get better at it if we're going to support our members. Just before I walked up here, my Branch Secretary was advising me of a colleague at work who has, unfortunately, been suffering with stress at work and has done something drastic. We have to be better. We have to find a better way of keeping our colleagues safe. Please support this motion.

Applause

**PJ MCPARLIN – NATIONAL CHAIRMAN:** Duncan Keys for the Executive.

**DUNCAN KEYS – ASSISTANT SECRETARY, NEC:** Good morning, Chair, NEC, Conference, responding on behalf of the National Executive. I've been coming to Conference for in excess of 30 years and I learned very early on that when Northern Ireland come to the rostrum, you listen. They very rarely come to the rostrum because they deal with their issues in Northern Ireland with the Area Committee but when they do come to the rostrum, it's because it's something important, and that's my belief and that's my understanding for over 30 years of coming to these Conferences. And I hope that you would agree, Conference, that that was just such an example of when Northern Ireland come to the rostrum, we listen.

My experience, along with Brian Goodman, who you heard from earlier on, Honorary Life Member, the world that we inhabited inside prisons has changed. The staffing levels are reduced. The prisoners are increased and all of the things that we heard expounded when Wormwood Scrubs were once again stood outside their gate, all of those now come into play. We hear wonderful words, as we did from the Shadow Prisons Minister yesterday, about the fantastic work that you and your membership do, and we heard wonderful words from the Prisons Minister in the debate in the House of Commons on the wonderful work that you all do and the extreme pressure that you're under. And yes, there is the Fire Fighters' Charity,

I'm not going to denigrate the work that that does. It does fantastic work and that is a facility that is open to POA members and we would strongly urge you, that if you believe that you have membership that could benefit from using that facility, please put them forward for it.

NOMS itself has an employee assistance programme that they tell us they spend £6 million a year on and that it is under-utilised and that can also assist in these situations. However, we think, and certainly the Executive believe, that with the support that we now currently enjoy from both the Government and the Opposition in the work that you do and the pressures that you work under, now is the time for them to actually put their money where their mouth is.

This Association is not able to provide primary healthcare for its members; that's the responsibility of the NHS. But what we can do, and what we will do, is apply pressure wherever we can to those who have got the ability to make decisions on funding. We will make the case as loudly as we can, that the prison officers should be gaining that support.

We're aware that the Mind charity has currently got funding for what it calls its Blue Light Service, where a whole range of emergency services can tap into a wide range of support for those suffering from just the kind of conditions that we've heard speakers come and speak very eloquently from the rostrum. I've got no doubt that the incoming National Chairman and General Secretary will be attending meetings as soon as possible with that charity. Now, we're not going to deny that potentially that may have a financial impact on this Union, and if that is so, then clearly that will be a matter for Conference at some point to determine the way forward. But clearly, the

need for the Executive to take this motion and do as much as it possibly can to achieve the terms of it is not lost on us and that we would, therefore, urge Conference to support this motion. Thank you, Chair.

Applause

**PJ MCPARLIN - NATIONAL CHAIRMAN:** We'll go to the vote on Motion 65, Conference. All those in favour, please show? Those against? That motion is carried. 66 Barlinnie. Is there a seconder for the Barlinnie motion? Send, thank you.

## MOTION 66

*Conference instructs the NEC to challenge the "Enterprise Bill" in particular the "Restrictions of Exit Payments made to Public Servants" this is yet more evidence of the Westminster Governments attacks on public sector employees.*

## BARLINNIE

**JIM McCABE – BRANCH SECRETARY, BARLINNIE:** Chair, Conference, Motion 66 reads: 'Conference instruct the NEC to challenge the Enterprise Bill; in particular, the restrictions of exit payments made to public servants as this is yet more evidence of the Westminster Government's attack on the public sector.'

Conference, at first glance, this Enterprise Bill has actually got some positive points. It talks about apprenticeships in public sector work. It talks about helping small businesses develop. However, in anything Tory, you've got to keep reading and if eventually you just get to the bottom of the page, you'll find right at the very bottom, cap exit payments for public sectors workers. The Chief Secretary to the Treasury, Gregory Hands, an American who holds dual nationality and a Tory – does it really get much worse, unless we get Donald Trump over here? He states, 'It's not right that the highly paid public sector workers,' and that's obviously not us, 'should receive huge taxpayer funded pay-outs.' He goes on to say, 'The cap we are bringing into law,' despite it just being a Bill but they're already confident enough to get it through, 'will mean no more six figure pay-outs to Civil Servants.'

On the face of it, you may think that a £95,000 cap is not so bad. However, the cap covers any payments made in relation to you leaving your employment. It covers any voluntary or compulsory exits. It covers any ex-gratia or any leave that you've to have when you're leaving your job. Basically, it's an attack on all forms of exit payments available to employees leaving employment, and they emphasise this includes your lump sum.

So this £95,000, I believe that we need to do all we can to stop any types of figures being put on Bills going through Parliament and, in this case, the £95,000 and there's good reasons for this. Once you get a figure, £95,000, in an Act, it's near impossible to get that removed. So while we might think that £95,000 is not a bad figure now but we've got SOs and POs who would get that type of money if there was a redundancy happening. This could be the same figure in 10, 15 or 20 years. If you remember that the first £30,000 that we have tax free through redundancies, etc., remember this came in in the Income Tax, Earnings and Pensions Act of 2003. So for 13 years, that's been in there. I would suggest that £30,000 tax free in 2003 would be worth far more to you than £30,000 in 2016. So if we take that all the way, then the £95,000 in the future would be worth a lot less to our members.

However, let's get to the nitty gritty. This goes on to say, 'The Government is, therefore, considering further reforms to the calculation of compensation in circumstances of redundancy.' I take this 'further reforms' to mean a further reduction to the total monies that public sector and civil servants all get. The Tory soundbite is we're all in this together, you would think. Keep scanning and you'll get

to the bottom. Exemptions – who can be exempt? The Bill is to stop six figure sums getting paid to public sector and civil servants, so here's the exemptions. You'll be surprised to see MPs, Civil Servants. They're not going to be covered under this because they have the IPSA, the Independent Parliamentary Standards Authority, to have a look at them. I'm almost positive they're the guys that gave them the 10% pay rise so the chances of them being covered and having a cap on any exit payments are low. Also exempt or also considered for exemption is employees of the Bank of England, the Royal Bank of Scotland, Northern Rock, which is now Virgin, Bradford & Bingley. I'm of the opinion that these are the people that put the country into austerity and I'm of the opinion that these are the people the cap should apply to. Who am I?

I'll just finish, Colleagues. This isn't just about our members, this is about all public servants, all public sector workers. We should all support each other. We should all support our sister unions, and I'll ask you to support the motion.

Applause

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Thank you, Barlinnie. Andy Hogg for the Executive.

**ANDY HOGG – ASSISTANT SECRETARY, NEC:** Morning Conference, speaking on behalf of the NEC. Conference, the NEC ask you to support this motion. Barlinnie have identified all the salient points in respect to the exit payments cap and I haven't got time to go over each one of them. Although the reference point in this motion is the Enterprise Bill, the same features included in the cap on exit payments are included in the changes to the Civil Service Compensation Scheme, and that directly impacts on our membership. The NEC are currently challenging the provisions of the Civil Service Compensation Scheme, which, as I say, is reflected in the Enterprise Bill and the caps, and that's currently underway at the moment.

The only cautionary note I'd like to point out is that, unfortunately, the Enterprise Bill received Royal Assent around 4<sup>th</sup> May and it's now an Act of Parliament, so getting the appropriate changes that we seek might be a bit of an uphill struggle. But as Barlinnie quite clearly point out, although this maybe doesn't directly impact our membership, only the Civil Service Compensation Scheme, this is an attack once again on public sector workers and we should take every single opportunity that we have to try and resist that. Please support.

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Thank you, Andy. Barlinnie are sitting down so we'll go to the vote. All those in favour of 66, please show? Those against? That motion is carried. We go to 67 which is Elmley. Do we have a seconder? Long Lartin, thank you.

## MOTION 67

*Conference instructs the NEC to ballot the membership to take action up to and including strike action if the Prison Service Pay Review Body report 2015-16 again ignores the efforts and contribution of the closed grades by recommending a zero percent pay offer.*

## ELMLEY

**ANDY HAMLIN – BRANCH SECRETARY, ELMLEY:** Chair, NEC, Conference, Motion 67 reads: 'Conference instruct the NEC to ballot the membership to take action up to, and including, strike action if the Prison Service Pay Review Body 2016 again ignores the efforts and contributions of the closed grades by recommending a zero percent pay offer.' So here we are again. Another year, another non-consolidated, non-pensionable payment to the closed grades staff, of which most is swallowed up by tax and National Insurance.

I don't think it's any better for the F&S staff; a 1% pay rise which is entirely lost to the 1.4% National Insurance contribution rise each month. I stood here last year and brought and passed an

emergency motion to give clear condemnation at the disrespectful and condescending report from 2015. HMP Durham did the same, with their motion to ask the NEC and members not to participate in this year's report, but what's changed when the Prison Service Pay Review Body released their recommendations this year? Nothing. When do we stand together and when do we say enough is enough? Well the only branch...that time is now.

If the ballot is successful, the motion leaves it open for the NEC to decide the type of action that would take, but gives them the autonomy to say when it happens and for how long and with the option to move to the next level of action if NOMS and this Government still refuse to negotiate on pay. Over the last 12 months, we've seen the RMT succeed in securing changes for their membership over the proposed night service on the London Underground, and only last week the BMA agreed to re-enter negotiations over junior doctors' contracts after their action. If they can do it, standing together as one, why can't we? Please support the motion.

Applause

**SIMON JOSLIN – BRANCH SECRETARY, IRC, THE VERNE:** Good morning, Chair, NEC, Conference, we completely agree and concur with this motion. Regardless of whether we are threatened with injunctions etc., greater pressure needs to be applied to get a result to avoid being in this situation next year. When advised to vote in unfair and unsustainable, we were not informed that pre-F&S staff were being, in effect, on mark time pay for the rest of their careers. Greater action needs to be taken and specific guidelines given to branch officials on taking their members out on health and safety grounds. Please support.

Applause

**DUNCAN WILLIAMS – BRANCH CHAIR, LITTLEHEY:** Chairman, NEC, Conference, I'd like to thank Elmley for bringing this motion. I think we all agree zero percent pay awards are absolutely disgusting and we need to do something about it, but I want to give a word of caution. At a recent SDC, numerous branches came to the microphone telling us that their branch wouldn't go out on strike. If we are going to vote for this, we need to make sure what we're voting for is achievable. If we've got branches out there, the membership is telling them they will not go on strike, then we should not be passing this motion. The PP ban seems to be very popular; maybe that's the way to go? I fully agree with what Elmley are saying but if your branch won't go out, we cannot vote for this because we're giving these guys no weapons to go into negotiations with. So please support the motion if your branch will go out. If they won't, don't.

**TONY WALKER – BRANCH CHAIR, PORTLAND:** Chair, NEC, Conference, asking you to reject this motion. Just in case you're a bit confused, I did get these warming looks from learning to duck out of a fight. So the people that were at the SDC, the NEC explained then how difficult it would be for us to ballot our members to go up to, and including, strike action. It is not the way forward. It's an illegal action to go on strike. We would have to then give the employer 28 days, I think it was 28 days, I'm sure the NEC will clarify all that in a minute. Are we going to ask burglars to give us 28 days' notice to go and rob our house in future? No, we're not. It's illegal. There's other ways to do it and I'm sure that day is coming, but it won't be giving the employer 28 days' notice that we're going to be doing it. So please reject this motion.

Applause

**CRAIG ROBSON – BRANCH SECRETARY, DURHAM:** I use the same speech as the special delegates. If you can get them out, great. If you can't, vote against. What I will say is some of you might be in touch with your branches. We've had phone calls this morning. Durham's got problems. They can't man the wings. They can't man bed watches. They're relying on a bed watch going in so they can man a wing this afternoon. We've be in touch with the Duty Governor. Curtail the regime. This weekend Durham is decimated. They're down by 14 staff. All the Band 4s are going to be acting

down. My wing's going to be locked up. I don't know how we're going to do that because it's the methadone wing, but let them get on with it. I'm led to believe that NOMS are trying to get in touch with the top table. The top table's not on facility time, they're on annual leave so they cannot get in touch with them. Please reject the motion.

Applause

**DAVE COOK – BRANCH CHAIR, SWALESIDE:** My apologies, Conference, the motion's about balloting the membership and we have the same problems as everywhere else; whether the membership will go out or not. We have to be aware the fact is that this motion can also be divisive because some of our members actually do get pay awards this year and last year and everything else; it's only the closed grades that seem to be on the stand-fast. So I imagine some staff are going to be saying to us, why should I take strike action because I got a pay award? Why am I going to give up a day's pay because I got it? If they're true trade unionists, they won't be asking that question but we all know that the majority of our members are not naturally trade unionists. So they will be asking you that question and maybe the answer is, and it should be, if you attack one of us, you attack all of us. If you slight one of us, you slight all of us. This is how we remain strong and everything else.

But it is about balloting the membership and that's what we need to be doing. Maybe we need to be a little bit clever because it says, 'take action up to, and including, strike action.' Maybe if we are going to carry this motion, then we should be a little bit clever and we should have two boxes – one saying are you prepared to take action to protect your pay and increase your pay and everything, and the other one is are you prepared to take strike action or not to achieve this? But the reality is, look back in history – no employer ever gave a working man or woman anything that they did not stand up and fight for. Please support this motion.

Applause

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Steve Gillan for the NEC.

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Thank you, Chairman. Thank you, Conference. I take on board everything that the moving branch said, Elmley. It is disgraceful what's happening, not just to the closed grades actually but to all our members under this so-called independent Pay Review Body; there's nothing independent about it. But the Executive are opposed to the motion, and the reason that we're opposed to the motion isn't because we don't want to take any action, it's because we don't want to give them a goal start. Because if we start balloting the membership and let's put it into perspective, they chose to put us outside the law so why should we comply with the law when it comes to ballots and so forth? If they put us back inside the law in relation to trade disputes and so forth, then we will legitimately ballot our membership under TULCRA and so forth. But they've chosen since 1994 to put us outside the law and I'm afraid that comes with a risk to Government as well, because we have continually told them, and I've said it in most forums where I speak, you choose to put us outside the law, we will act outside the law and give you no notice whatsoever when we're going to take action.

That's what we did in August 2007. We didn't give them notice. We did it and we united the whole country; and that's when we get strength in numbers because you know when Conference isn't sitting, the Executive are the ruling body and the Executive may or may not make those decisions in the coming months but we're going to keep them guessing. We're going to keep them guessing because we did have a motion that went to the TUC last September which was then composited with other public sector unions about taking coordinated action on pay.

That motion in the TUC is still live and I'll be pushing the TUC and other unions, I've just noticed the FBU in their Conference have voted for strike action or to ballot the members for strike action over pay. That's the difference. Other unions such as the BMA, the RMT, the rail unions and all other unions can legitimately ballot their members and as soon as all the other public sector unions get

their outcome, we as an Executive will then decide what we're doing. So when the employer reads this verbatim report, we'll keep them guessing.

Please reject the motion but the spirit of the motion is right. We cannot continue to accept poor pay awards from this Government who doesn't care anything about our membership. So if they don't care about our membership, we will make them sit up, along with the rest of the trade union movement, in caring about our membership. Thank you, Conference. Please reject the motion.

Applause

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Elmley are not coming back so we go to the vote on 67. All those in favour of 67, please show? Those against? That motion is lost. We go to 68, Garth. Is there a seconder for the Garth motion? Wymott, thank you.

### MOTION 68

*That there be improved official communication between the NEC and branch officials. This would take the form of a monthly email update that would include work being carried out by the NEC, what has been achieved and updates of ongoing work done on previous "carried" conference motions (from the most recent annual conference). This would not include any information deemed to compromise any current NEC work or strategy.*

### GARTH

**NEIL ROSS – BRANCH CHAIR, GARTH:** Chairman, NEC, Conference, Motion 68 reads that: 'There be improved communication between the NEC and branch officials. This would take the form of a monthly email update that would include work being carried out by the NEC, what has been achieved and updates of ongoing work done on previous carried Conference motions from the most recent annual conference. This would not include information deemed to compromise any current NEC work or strategy.'

Colleagues, I've raised this issue for the past couple of years in various forums and I haven't got anywhere, so that's why I've brought it to Conference. I suspect, like me, most Branch Chairs and Branch Secretaries sit in their POA offices back in their establishments and have no real clue of what the NEC are doing week in week out. Now let me make this clear; this motion is not a criticism of anybody behind me. This is about us making our Union a better functioning machine from the shop floor to the top table. Apathy is at all-time high in the trade union movement and we're seeing that in the POA as well, especially with a lot of young POs coming to the job that don't know what trade unions are. This is only going to get worse if we don't improve the way we communicate with each other.

In a branch meeting this year, I was asked about what the NEC are doing regarding various subjects and it was embarrassing to answer honestly, and that was I don't know because they don't tell me; and that can't be good practice. At last year's Conference, I brought up communication while speaking on Motion 80 from Littlehey and I'm going to quote Ralph Valerio who said, while speaking on that particular motion on behalf of the NEC, 'I accept Garth's point. Communications could get better. I get that, you're right and we have to work harder at it. We need to sharpen ourselves up and that's a point taken.' But a year on, nothing has changed. Now I'm guessing in a minute, the NEC speaker will tell you that they don't want to give us official information by email because it could be scrutinised legally or looked at by NOMS, but how else are we realistically going to communicate with each other?

The NEC meeting minutes are so vague that, unless you're actually at the meeting, it's pointless reading them and many of the POA Circulars, pertaining to give us advice, contain more grey areas than the prison PSOs and PSIs that we're actually challenging. At branch level we're crying out for

more information and guidance but every single time we ask, we get told the same – we can't put that out because of legalities or we can't put that out because there's legal implications. I don't think you can keep hiding behind that word and using that as an excuse every time.

Any information put out in an email, I'd expect to have been checked to make sure it would stand up to legal scrutiny, especially if you want us to use it. If you want us to take action, if you want us to stand up against our employer, you need to give us the tools to do it. Give the membership the confidence to say no by providing proper, clear guidance and information. I hope this motion, if accepted, would lead to improved communication and guidance from the NEC, enable us branch officials to be in a better position to inform their members about what the POA are doing nationally on their behalf. Please support this motion because this will help strengthen and unite our Union.

Applause

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Mike Rolfe for the Executive.

**MIKE ROLFE – NEC:** Thank you, Chair. Chair, NEC, Conference, speaking on behalf of the Executive and, as Neil rightly pointed out, we are asking you to reject this motion. The points Neil has made resonate with us. We do understand that communication is sometimes a difficult pattern and sometimes we have to hold things because we can't give that information straight away, and other times we try and convey that information and it doesn't always get to you in the best way.

So the point's taken that we need to improve communication and that's why the NEC have, in the last 12 months, been looking at ways we can improve communication. We've asked for a return to forum, as you'll notice in your newsletters. We've developed a POA app which will soon be launched following Conference and that will allow for a forum to be re-opened and people to be able to discuss issues on that forum. Phone lines are always open to you. Most of you should have your NEC mobile phone, you can always give us a call and speak to us about what's going on currently in the Union. Neil's right – email is sometimes the only way we can communicate but we are concerned about the employer finding out our business via email, and our members have been reported and investigated for information that's been shared on our email system, on the employer's email system.

So we ask you to reject this motion, not for the reasons that we don't want to communicate better but because we don't want to be hamstrung. This motion is very prescriptive. It asks us for email. It asks us to update on a regular basis. Your NEC work hard for you. They do. They work really hard for you and they want to continue working hard for you, and they want to continue to keep those lines of communication open but please don't hamstring us to do prescriptive stuff. The phone lines are always open and you can always come and speak to us; that will always be on offer. There is previous Conference policy, as Neil rightly suggested too, for us to improve communications and over the next 12 months, we will work very hard to improve that with you, via re-opening the forum and by other ways. Please reject this motion. Thank you very much.

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Garth to come back.

**NEIL ROSS – BRANCH CHAIR, GARTH:** Yes, the NEC have our support but sometimes it doesn't feel like that at branch level. It feels like we're one local union in the prison and it shouldn't be like that. So please support this motion.

Applause

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Thank you, Garth. We go to the vote on 68. All those in favour of 68, please show? Those against? That motion is lost. 69 Hindley, do we have a seconder for the Hindley motion? Come on Rochester, help me. Rochester, thank you.

**MOTION 69**

*For the NEC to ballot the members to take action up to and including strike action in order to regain our full trade union rights.*

**HINDLEY**

**STEVE DOUGLAS – BRANCH CHAIR, HMP HINDLEY:** NEC, Conference, our motion reads that: 'NEC needs to ballot the members to take action up to, and including, strike action in order to regain our full trade union rights.' When my member first proposed this motion, I thought how do I sell this to Conference when year on year, we listen to branch officials who stand here telling Conference that their members will not even take action over pay or Payment Plus? I'm sorry to say this but shame on those members, who want the cake but are not prepared to get involved in the mix. Shame on those who are doing Payment Plus today against the policy of this Union.

Applause

But also shame on them, forgetting the principles of a union, what we stand for. It appears that some members are just using this Union as an insurance policy for when they are deep in the mire. If so, what the hell are we doing here? Because I see no Union, just an Association, just an insurance company, just a body of people laying down rules only to be told you can't do that by the Government of the day and we just go away with our tails between our legs because the membership doesn't have it in them to fight for what is right, and that is to be a union. But we need to change things. We need to make the members understand we are not an insurance policy for when they are in trouble. We are a union and a union that fights as one together.

Conference, we in this room are shackled by so much legislation, that even our own HR threatens this Union with courts because we dare to mention strike action in our motions. But I don't care what they think because I'm a true unionist. I will say what I believe is right. It's called freedom of speech; a fundamental right in a democracy; something they obviously haven't grasped.

So, Conference, how do we continue to be a union without our union rights? A question that has been plaguing me for years. It's a fundamental right for union members to take industrial action but we are prevented from doing so by law. With this, comes unscrupulous governments who know we can't do anything so they take advantage of us by treating us in here and our 30,000 members with contempt. We've nil pay rises. We're having to work in areas teeming with violence and drugs and allowing us to die – yes, die – through exposure to second-hand smoke. But by promoting trade unions, it protects people in the workplace, leading to better pay, better conditions and better salaries, and better promotional opportunities as a whole. But it also means it is often better management. Where unions are weak, job security is weak, conditions and pay get worse and management become disengaged with the workforce and take advantage.

So why shouldn't our workers organise together to express our views? Why should our Union funds be under threat if we take action? Why shouldn't we, as a Union, be able to withdraw our labour like other unions do in our country? It's astounding that doctors, nurses, teachers, firemen and other public servants can down tools, put the public at risk and take action but we, the POA, are tied down by the bureaucratic nonsense of Section 127 of the Criminal Justice Act. It's a disgrace that we, the POA, allow this to happen. It's a disgrace that the TUC didn't act on our behalf in 1994 and again in 2007, and it's a bigger disgrace that the once beacon for the working classes – yes, the Labour Party – did absolutely nothing to remove this draconian measure when they spent 13 years in power.

Don't get me wrong. I'm not here trying to be some kind of Trotskyist, Marxist ruler or saying we should suddenly start planning a bank robbery, but we have to ask ourselves the question; can we make the commitment to the circumstances of Section 127 and stick within the law as it stands? The

answer should always be no. Unfortunately, this Union is staggering in the ring like a bloodied boxer taking punch after punch, staying just about upright, not because of a belief in victory but because it's fighting with both hands tied behind its back. And we, as a Union, need to act to remove those shackles and that should start with a ballot of the membership to take action if our Union laws are not reintroduced.

Yes, Conference, in 2007 we took to the streets and defied the law. It was a breath-taking response to the then Labour Government treating this Union and its members with a derogatory pay rise, but we failed. We failed because we went back. Yes, we went back to work without achieving one penny in our pay. That day we made every front page of the newspapers and that day the public were fully supportive of this Union, and today we walk around with a badge that defied the law but for what? Absolutely nothing because we are still shackled by the same 127 that prevents us having our full trade union rights.

But it's not just the POA that need to change in law. Society as a whole needs a change in trade union laws or little else or nothing can change for the better. Conference, a union's job is to fight for working people's rights. Last year, we marked the anniversary of the Magna Carta where this Government wants to challenge the fundamental rights of the citizens of this country. I believe that we're facing not just a trade union movement but a huge section of our civil society too, and we, the POA, should be at the forefront of this campaign as we have suffered year on year with the Victorian principles of 127, a disgraceful document that takes away the rights of this Union.

Many people over the years, Conference, have believed in their values and defied the law to get what was right. The Tolpuddle Martyrs, the Suffragette Movement, the Shrewsbury 24; they all stood together and defied the law. Some of whom paid the ultimate price and spent time in our institutions. We, the POA, should be up there with them, fighting for the right to be a trade union, fighting to regain what is right for this trade union.

So, Colleagues, we need to ask ourselves one question. Do you want to be a union or an association? If it's a union, it's time this Union, the POA, stood together and defied the law. It's time we got off our backsides and started to break away from the shackles of 22 years of hurt and it is time for Union officials in this room to stop standing here telling Conference year after year that their members are not up for it, but instead they should be explaining the fundamental rights of what a union is.

So, Conference, it's time to support this motion today. It's time, Conference, to ballot the members and it's time, Conference, to fight to regain what is rightly ours and that is our trade union rights. Please support this motion. Thank you.

Applause

**COLIN CROOK – BRANCH CHAIR, HMP EDINBURGH:** Chair, NEC, Conference, Colleagues, I first came to Conference about ten years ago. At that time, it was led by Colin Moses and Brian Caton. The main campaign for this trade union at that time was the restoration of our trade union rights. All the banners, 'restore trade union rights.' Motions such as the one that the gentleman's very eloquently spoken of were repeated year after year. Since then, we've suffered seven years of Tory Government and the attack on the Union's come on a number of fronts, and I have to say our trade union rights have slipped down the pecking order somewhat, in the face of pensions, pay, staff assaults, health and safety. It's been endless the stuff that these guys are dealing with.

Where are we now? A Tory Government. Jeremy Corbyn is leading the Labour Party; a man that has dedicated his life to workers' rights, who was supported by the trade union movement and he is now leading the Labour Party. Yesterday we had Jo Stevens here, the Shadow Justice Minister, who spoke very eloquently for 20-odd minutes about how hard done by the prison officers are and what a fantastic job we do. At no point did she ever say what she was going to do for us and at no point

did she ever say a word about the restoration of our fundamental rights as workers. That woman worked as an employment lawyer for 15 years. She headed up Thompsons, the biggest employment law firm in the UK. Didn't mention it.

Jeremy Corbyn sent fraternal greetings. Absolutely fantastic. Not a mention of it. John Macdonald is an Honorary Life Member of this Union and I've heard John Macdonald at this Conference on many occasions speak very, very well about how we are oppressed as workers. What a fantastic job we do and how it'll all be put right; we will get our rights back once they control things. They don't control things now, I appreciate that. I'm astonished there's been not one mention of the most fundamental thing a worker should expect – trade union rights, the right to go on strike. Three people there, Jo Stevens, Jeremy Corbyn, John Macdonald – nothing. Very disappointed, Conference. I highly commend the motion.

Applause

**DAVE COOK – BRANCH CHAIR, SWALESIDE:** Conference, I'm mandated by my branch to speak against the motion, and that really, really hurts. However, the reason why they say that is because of August 29<sup>th</sup> 2007. We did it and as the previous speaker said, we didn't achieve anything. We didn't get an extra penny in our pay packets and everything else. They gave a day's wage. To be honest, it was cheap. What we did was right but even now, eight years further on, we still seem to be no closer to achieving this aim. The one thing about it is we are a small Union, we have to recognise that and the Tory Government and everybody else and the Labour Government will smash us to pieces given the opportunity.

However, we are affiliated to the Trade Union Congress. Now this Union took a motion to Congress about a national day of strike and that was two / three years ago, something like that, and it was passed overwhelmingly. We heard somebody speak about it yesterday. That hasn't happened. Now we're talking about unity in strength and everything else but believe it or not, that is a TUC strapline, 'unity in strength.' We are affiliated to them. We shouldn't be standing on our own as a trade union and putting our necks on the chopping block, because they will come for us and they will smash us. We have to achieve this through going through the wider audience and everybody else. On our own we are vulnerable.

I expect this is going to fall, especially after listening to Steve's speech to Conference about the other ballot. And on that point, Steve, I'm sure – I'm not absolutely positive, but I thought we were sort of mandated to ballot our membership if we were going to take industrial action? If we don't actually have a mandate, I'm certainly aware that in previous Conferences, and the verbatim reports it will say up there where the NEC have addressed us and said they will ballot our staff on industrial action, because they want to get the feeling from the staff. There's no point pointing the gun if you're not sure if the bullet that's inside the barrel is actually going to fire or not. So I think we are committed to balloting our membership. Thank you.

Applause

**TOM DOIG – BRANCH CHAIR, GREENOCK:** Again, I'm not sure why we're here. We're supposed to be a trade union. That means when a push comes to a shove, we withdraw our labour. The end. There's nothing else. We can negotiate till the cows come home, it's not going to change. I have been sitting here for days now listening to this Conference, listening to what it says and I have to say right now this is only my personal opinion, the branch would probably kill me if they heard it. The two things – one, don't vote Tory. Secondly, get off your knees and find another use for your car park because we can all stand there. Our ultimate power is the withdrawal of labour. If we are scared to do that, there is absolutely no point to our existence. Please support this motion, thank you, Conference.

Applause

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Mark Fairhurst for the Executive.

**MARK FAIRHURST – NEC:** Thank you, Chair, NEC, Conference Colleagues. Thank you to Hindley for bringing this motion to Conference and thank you to all the speakers as well. I'm all over this but I have to be honest with you, I'm asking you to reject this motion.

Colleagues, just a brief history for those who aren't aware. We had our rights to strike removed by a Tory Government in 1993 because, in their opinion, because we had the powers of a constable, we couldn't be recognised as a trade union and we didn't have the right to strike. The Certification Officer duly obliged but the POA, being the type of union that we really are, we didn't accept that and we fought them all away and we got our rights back as a trade union in 1994 and under the 1994 Criminal Justice and Public Order Act, although we were restricted on Section 127, which stated that it was illegal for us to strike, Section 128 apparently gave us some concessions in that the Secretary of State could set our terms and conditions and rates of pay in consultation with this Union. And, as you know, one of the concessions was the alleged independent Pay Review Body. Let me get this on record now. You're not independent. You're an absolute disgrace and you should hang your heads in shame for the way you treat this membership.

Applause

A Labour Government, despite the promises they gave us, didn't restore our trade union rights. So, Colleagues, let's look at the realities of this motion - ballot the membership. If you carry this motion, I can guarantee you by 12.30, we will have an injunction served upon us because NOMS are on those straight away. Funds will be seized; we'll probably end up in court. It doesn't really bother me because I'd make a cracking gym orderly and I make a great cup of tea, but when we're talking about a ballot, what type of ballot? Workplace ballot? So, picture the scene – 'Governor, can I have a few hours' facility time?' 'Yes, what for?' 'I want to ballot the membership.' 'Yes, no problem. What about?' 'Strike action.' He isn't going to allow you to do that on his premises. He isn't going to allow you to do that anywhere near the prison, not even in the car park.

Okay, let's look at a postal ballot then. It's going to cost you tens of thousands of pounds and you're relying on the membership to open an envelope, read what's in it, cross a box, put that in another envelope, seal that in a bigger envelope, walk to a post-box and post it. At the last NEC ballot a few months ago, there was a postal ballot. 7.9% of this membership bothered to respond. If you look at the Trade Union Act, I would suggest if we were going to ballot the membership, we'd want to send a strong message out to this Government and to our employer that we can obliterate the thresholds that are in that Act, and the thresholds are that 50% of the membership must vote and 40% must be in favour of strike action. So in our perspective, that means we're relying on 13,000 members to vote and 10,400 to vote in favour of strike action.

And say we take that strike action. Are members prepared to back us? Lose a day's pay, a few days' pay, a week's pay, a month's pay, a year's pay? Because I'm telling you now if we're going to do it, we're staying out till we get what we require and get what we demand. We're staying out. It's not going to be a day. It's as long as it takes. That's if we balloted. Colleagues, we will get our trade union rights back. I'm asking you to trust me and I'm asking you to trust your NEC. Allow us to lobby Parliament. Allow us to get politicians on our side. Allow us to get the TUC behind us. Allow us to keep on chipping away and eventually get our trade union rights back. I know it's a big ask but I'm asking you to reject this motion.

While I have the floor, I think it's appropriate, considering the area that we are in, to highlight what it takes when things are against you. I'd like to pay tribute to 96 families who fought for 27 long years against the establishment, against the lies and the smears and the cover-up. 27 years and finally a few weeks ago, the 96 got justice and truth at last. The POA salute the Hillsborough 96. Thank you, Conference.

Applause

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Hindley to come back.

**STEVE DOUGLAS – BRANCH CHAIR, HMP HINDLEY:** Conference, I don't care about injunctions. I don't care about being thrown in jail. I care about having the right to withdraw my labour, which is my fundamental right, as is yours. Conference, it's time for this Union to stand up for our right to have the same justice as every other union. It's time to fight to regain what is rightly ours and that is our full trade union rights. It's a simple question, Conference. Do we want to be a union or do we want to be an association? Please support this motion and let's take on those who want to ruin the rights of our Union members. Please support. Thank you.

Applause

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Thank you, Hindley. We go to the vote on 69. All those in favour, please show? Those against? That motion is lost. Before we go to the comfort break, we'll do Motion 70. Lancaster Farms. Do we have a seconder for Lancaster Farms? Deerbolt, thank you.

## MOTION 70

*Conference mandate the NEC to negotiate with NOMS a fixed amount of 19.5 hours per week facility time for each branch committee.*

## LANCASTER FARMS

**JULIAN NEWBOLD – BRANCH SECRETARY, LANCASTER FARMS:** Chair, NEC, Conference, the motion reads: 'Conference mandates the NEC to negotiate with NOMS a fixed amount of 19.5 hours per week facility time for each Branch Committee.' Colleagues, I would have to assume that most of you, whilst being a branch official, has had difficulty in obtaining facility time to carry out your duties on behalf of your branch. I also assume that most of you have taken work home because of little or not sufficient facility time during the core day.

This motion, if supported by you and then successfully negotiated by the NEC with NOMS, will stop the successive reduction in the precious time we have to support our branches at a local level. I expect there will be some opposition to this motion, due to some branches successfully negotiating at a local level more hours than requested in this motion, and I respectfully say to those branches, if you have managed to achieve more hours through local agreement, then there is no reason to expect that your hours will be reduced if this motion is accepted. So we ask for your support. What this motion will do is secure a non-flexible, fixed amount of facility time for branch officials and stop NOMS and the Government in their tracks, following a continued reduction in facility time allowed to branch officials. Please support the motion.

**DUNCAN WILLIAMS – BRANCH CHAIR, LITTLEHEY:** Chairman, NEC, Conference, I'm asking you to reject the motion, and it's purely on the wording of the motion. It's asking for a fixed amount of 19.5 hours a week. I think we should be looking for as much facility time as possible and not capping it at 19.5 hours. So regretfully, please reject the motion. Thank you.

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Terry Fullerton for the Executive.

**TERRY FULLERTON – NEC:** Thank you, Chair. Chair, Conference, speaking to Motion 70 on behalf of the NEC, asking Conference to reject the motion. Conference, the NEC fully understand the difficulties that the restrictions on facility time have placed on POA trade union officials, both locally and nationally. But, unfortunately, the fight to have these restrictions relaxed is one that needs to be fought with Ministers through pressure from the TUC because the restrictions apply to all public sector

unions and not just the POA.

Colleagues, it wasn't NOMS who implemented the facility time guidelines. They were introduced by the Cabinet Office, to further hamper the efficiency of public sector unions. Locally, governors should realise the benefit of providing facility time to branch officials in order to help the smooth running of their establishments. The need for facility time now to carry out the trade union duties now has to be evidenced before being granted. This is now, unfortunately, the world we live in as national and local officials.

Colleagues, as I said before, we want you to have as much facility time as you need to carry out your duties and, as mentioned before by the delegate just there, this is restricted to 19.5 hours. You might have a very complex code of discipline that might take you all week and you might need all week to do that preparation work for that disciplinary hearing, if it's restricting you to 19.5 hours.

But the main point of this is that this was done by Cabinet Office and NOMS have to work within those Cabinet Office guidelines and the guidelines are laid down and we, as a trade union, have to operate within those facility time guidelines. It's unfortunate but we need to press the TUC to try and get those facility time restrictions relaxed and until we do that, the NEC are asking you to reject this motion.

**PJ MCPARLIN - NATIONAL CHAIRMAN:** Thank you, Terry. Lancaster Farms to come back? No. We'll go to the vote on Motion 70. All those in favour, please show? Those against? That motion is lost. Conference, can I ask you to be back in your seats for 11.30 please. Thank you.

#### **A short break**

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** The next motion, the Holloway motion. Can we have a seconder for the Holloway motion? Pentonville, thank you.

#### **MOTION 71**

*Following the announcement on 25/11/15 (by the Secretary of State for Justice Michael Gove) that HMP Holloway is to be closed conference condemns this decision.*

#### **HOLLOWAY**

**SIMON PETERS – CURRENT BRANCH CHAIR, AND FINAL AND LAST BRANCH CHAIR, HMP HOLLOWAY:** Mr Chairman, Conference, NEC, speaking on Motion 71 that the branch brought which reads: 'Following the announcement of 25/11/15 by the Secretary of State for Justice, Michael Gove, that HMP Holloway would be closing or is to be closed, let Conference condemn this decision.' I've been a Branch Chairman for nine years, approximately. I came to the post through tragedy when the Chairman Elect, if you will, was coming to work on his early shift, which wasn't his shift, he was covering for someone, and he was tragically killed by someone who overtook a bus on the wrong side, hit his moped and, unfortunately, he lost his life. He was called Roy Tillson.

That's how I came to the POA. Mostly, I've been a one-man band. I was lucky enough to be for five years on full time facility time and in that time, I've seen a lot of changes. I've been at Conference, seen a lot of faces. Not really stood up here that much because we've been a branch and we were a jail that, fortunately, we didn't seem to experience and encounter some of the things that you guys face on a daily basis. Yes, high levels of self-harm but in terms of assaults on staff and things like that; as an example, we're only just experiencing MPS at the moment and Spice. We haven't really had any problem and you guys have had lots of problems with Spice. We don't find any mobile phones and, for the most part, we do a very, very good job, a proactive job looking after the very difficult female estate population.

When the announcement was made, we were called, I was called, to sit in with the SMT and the

door opened and lots of dark-suited people filed into the boardroom and the DDC for London, Nick Pascoe, stood in front of everyone and said, 'I have something to tell you and that is, Holloway is to close in the summer.' Obviously that, for us, for the SMT, for the staff, some staff have been at Holloway for 42 years. A lady called Maggie Newton who's been there since it opened; she's been there for 42 years. A lot of staff who have been there and who have stayed there because it is one big family. It's unlike any other jail that I've been in or worked in. Obviously, the devastation that the staff felt. The Governor, who was Julia Killick at the time, couldn't necessarily process the information that Holloway is to close and she went off sick. So that meant we had a brand new Governor, a brand new dep, and this collection of dark-suited people from wherever it was that they came from.

NOMS brought in a closure team and within a week of the announcement, I was sitting with staff doing redeployment interviews and for staff who have been only at Holloway, they have no idea of outside of the service some of the perils and the dangers that other people face because Holloway, in part, was a very safe jail. The levels of anxiety, of stress, of people feeling like their working lives had finished, had come to an end. The routines of getting up every day, putting on your uniform, travelling to work in the way and in the areas that staff used to travel from, because Holloway staff are not predominantly from London. Because of the pull of the jail, staff come from absolutely every area that you can imagine, and some travel one to two hours per day for the privilege and the pleasure of working in Holloway.

So about 180 redeployment interviews, staff of all grades, with this closure team that they put in. Once we'd got over the initial shock and the anguish and the anger that we felt, it was about taking care of the staff and it was about making sure that, throughout this horrible process, that people got, in essence, what they wanted. I have to commend the new Governor, who's Emily Thomas, who's going to Isis. Wherever Isis are, you've got a good Governor on the way. They've dealt with us with compassion and they have dealt with us professionally and we have been professional to the end.

One thing, I stood in front of the staff at a branch meeting and I said to the staff, it doesn't matter how this has come about. It doesn't matter that they want to sell the land for X million pounds, £100 million, whatever it might be. It doesn't matter that it's in the heart of Jeremy Corbyn's constituency and they want to put luxury homes on. We are hard-working men and women of the service. We're proud of what we do and we will go out with our heads held high and we will go out professionally.

Applause

The process has been very slow. We're now six months into a closure. The reason for that, I know, is because we haven't just scatter-gunned our women across to other places. We hold very complex, difficult women. There have been case conferences and other jails have been involved. I'm just going to read you a little list of where our staff are going. So we're sending staff with our love to Pentonville, Wandsworth, Feltham, Isis, Belmarsh, Berwyn, some to the Isle of Wight, one to Winchester, one to Styal, Chelmsford, Scrubs, Downview and Littlehey; to name just the ones off the top of my head. You're getting some really, really excellent staff, and I hope that the legacy of Holloway will be some of the decency and some of the care that Holloway staff have always shown to our prisoners. Treat our staff as nicely as you can; some of them are special in their own way, but they are talented people and they're committed to the prisoners that we hold in our care, and as professional men and women of the service, that's what we all aspire to.

What else can I tell you? We've got a spare ballot box going and it's a lockable ballot box. I've given it to the NEC. The National Chairman said I should take it upstairs, which I have done. It comes with a picture of myself and Colin Moses and a younger PJ stood outside the visitor centre when we were stood outside on, I think it was the WFM ballot and we kicked it off. It's always been a very nice ballot box. So what we've asked the NEC to do, because of the previous motions about the private members and private committees, that if we're able to get recognition in the private sector and we

get a new committee from the private sector, then maybe they can make best use of it, or the National Chairman did decide or suggest that we bring it back next year and auction it off. But who knows? But there is one ballot box there if anyone's interested; it's very nice.

That's about it. Obviously, in terms of our performance at Holloway, we've always been good performing, well performing. Our levels of sickness were always very good; at one point, the best in London. We've always strived, not only from a Union point of view but a service point of view, for that professionalism and strived to achieve the best outcomes, for not only our staff but also our prisoners. So that's kind of it.

Thank you for being here. Thank you for what you do. Carry on supporting the people who mean the most to us, which is our members. Carry on supporting the NEC. I'm kind of done now. I'm supposed to be going to Scrubs; that's a challenge in itself and I'm not quite sure where I am in terms of my own head after nine years in Holloway. So it'll be nice to see a lot of you. Please support the motion. Condemn Michael Gove. There is no reason to close Holloway. Thank you.

**EDDIE JARVIS – STOKE HEATH:** Chair, NEC, Conference, I might go on a bit now but this is a very emotive subject to me, for a good reason. For 20 years, I was at a branch called HMP Shrewsbury. That branch is no longer here now. That family that was built up through blood, sweat, tears and laughter is now gone. So you have my deepest sympathies. We've all gone to different establishments. Some people have left the job.

During that process, which is a very hard process, we were supported by Jackie Marshall, who was then the Chair just up the road at Stoke Heath. She came down, she put an arm round us. She gave us all the assistance she could. Went back to her Governor and fought for extra spaces so people from Shrewsbury didn't have to leave the area. It was a good friend of mine that's in the audience here, Dave Todd, as soon as he heard the news, he contacted me and he said, 'If you need anything, here we are.' And all I can say is I've been through it, if you need my experience, you need my help, don't hesitate to contact.

But let's not hide away from facts here. These are not because these prisons are under-performing. They're not because they're dilapidated. Shrewsbury had £32 million spent on it within four years before it closed. We were a Level 4 high-performing prison. We were a family. As I alluded to earlier, we fought together, we cried together, we laughed together, we came to work together and we buried members together. This is a political thing. There is no reason to close the Victorian prisons; not all of them anyway. It is a political aim. If it was because they're under-performing prisons, why did Shrewsbury close? Why did Holloway close? Why did several other branches at the time close? We are victims to a political decision.

And we've all done it and we all do it still. We go to work and we build up relationships on a day-to-day basis, and that's what makes this Union strong. That's what makes prison officers strong and then for a political decision, you have your whole life ripped apart. You're not knowing where you're going. You're not knowing if you're going. You're not knowing how much you're going to get. You can't answer the questions of your membership about pensions because you don't know and very quickly you become an expert in all of these things. You have my deepest sympathy and if I can help in any way, shape or form, please don't hesitate to contact me. Please support this motion.

Applause

**MATT CLARKE – WORMWOOD SCRUBS:** Chair, Conference, NEC, speaking in support of this motion. I think it's utterly disgraceful that one of the highest performing jails in London is being closed. It's just further evidence that the Treasury see public services as their own personal piggybank. I just want to say to those Holloway members that we're receiving at Wormwood Scrubs, please don't lose heart. Please remain active within the POA, and that the Wormwood Scrubs Committee will do all it can to make your transition as comfortable as possible. Thank you. Please support.

Applause

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Mike Rolfe for the NEC.

**MIKE ROLFE – NEC MEMBER:** Thank you, Chair. Chair, NEC, Conference, I've had the pleasure of being the Area Rep for Holloway for the last 2.5 years and in that time, Holloway rarely needed to contact me. They rarely needed to ever ask me for anything and their members have always been a very proactive group. They look after their own things internally and they've very much shown dignity and pride all the way through this process. So I think they absolutely deserve a round of applause for their stalwart behaviour through this entire process. It's a difficult and challenging process and they have shown absolute dignity. So please give them a round of applause.

Applause

As the mover of the motion said, he's given a great explanation of what a wonderful jail Holloway has been over the years, how hard-working they are and how much they pride themselves on the work they do. The second speaker there from Shrewsbury has been through the experience, obviously understands how painful an experience it is and he was quite right. He made some really valid points there. This was not about a jail that's not fit for purpose. This was a political statement, to tell us we can close jails wherever we like and when we want to.

The Secretary of State, this is the start of it. We know there's nine new prisons coming. We knew many of you sitting here in future years may not be at that branch anymore, you may be somewhere else. So share in that pain because there's going to be some more of it coming our way, and we've got to deal with that as best we can as time moves on. I'm not going to say much more because I think it's all been said but, of course, this Executive fully support the condemnation of this Government and the lack of respect they're showing our members. Please support the motion.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Holloway, do you want to come back?

**SIMON PETERS – HMP HOLLOWAY:** Just to say that there are about 100 prisoners left in Holloway. I don't have a Committee. That's how I started so I'm quite comfortable to end that way. I'd just like to thank everyone. Thank you for your support. Thank you to the NEC for their support. I hope the POA will go from strength to strength but make no mistake; it can happen to any one of you and I sincerely hope that it never does. Thank you for your support.

Applause

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Holloway. All those in favour on 71 of condemning the Secretary of State for Justice, please show? Those against? He is condemned.

Applause

That doesn't just stop here now. That will be formally communicated to him and we would like to think that our politicians would raise that question and raise that condemnation in the Houses of Parliament as well. 72 is Parkhurst. Do we have a seconder for the Parkhurst motion? Albany, thank you.

## MOTION 72

*Conference instructs the NEC to conduct a review of the powers of the conduct committee and reports the findings back to the membership.*

## PARKHURST

**RICHARD KNOX – BRANCH SECRETARY, PARKHURST:** Chair, NEC, Conference. Colleagues, we're

asking that a review of the powers of the Conduct Committee are carried out, in particular regarding the powers they are able to exercise when dealing with the NEC. I do see a lot of faces here, so for those of you who are relatively new, the Conduct Committee are made up from Honorary Life Members and Cronin Clasp Holders. They conduct investigations and disciplinary hearings and recommend awards. They have the power to suspend, which is what causes me great concern. They have the power to suspend the whole of the NEC, and that power should be removed. No one body should have that power to bring this Union to its knees. There needs to be another way in which we process investigations into the NEC. Please support the motion.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Andy Darken for the NEC.

**ANDY DARKEN – DEPUTY GENERAL SECRETARY, NEC:** Conference, responding for the NEC. We fully support this motion. Whatever Committees we have, every now and then, we should review the objectives and powers of the Committee and we're quite happy to take on this task and review the powers of the Conduct Committee, as you've asked, Parkhurst, and we will do that. Please support the motion.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Andy. Parkhurst to come back? No. Motion 72 to the vote. All those in favour, please show? Those against? 72 is carried. 73 Parkhurst, is there a secondary for the Parkhurst motion? Albany, thank you.

### MOTION 73

*Prior to the final results of a workplace ballot, the NEC promulgate a list of all branches to indicate:*

*1 Where a branch has a nil return*

*2 Where a branch has made a return but the numbers have not been included and the reason.*

*This will enable those branches to appeal the decision, if required, prior to the final ballot result being circulated to the membership.*

### PARKHURST

**GLEN HOLMES – CHAIR, PARKHURST:** Chair, NEC, Conference, we're pretty sure that once again the NEC won't support this motion but we've been asked to bring it by our branch so that's what we're going to do. Over the last few years, the workplace ballot results have gone down and down, sometimes 3,000, 4,000, 5,000 returns and that's it. How can that happen? Either branches aren't holding workplace ballots or something's going seriously wrong. I don't know how many people know if their results are ever counted or if they've ever been received. So please support this motion and let's hear the voices from the floor getting back to that top table.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Parkhurst. Andy Darken for the NEC.

**ANDY DARKEN – DEPUTY GENERAL SECRETARY, NEC:** Thank you, Chair, speaking on behalf of the NEC, we urge you to reject this motion. Although we understand the concerns being raised within the motion, there are difficulties with this. There's no particular Rule that covers this but nonetheless, when we put things out for ballot, we do expect a return. But, Conference, you as branch officials should be answerable to your branch for those returns.

But then I look at the motion itself and it says, 'Prior to the final results of a workplace ballot, the NEC should promulgate a list of all branches to indicate.' Well, how can I indicate whether a branch has a nil return prior to the final result? I need to wait for the closing date and the final result to come in, so I can then look at what branch have had nil returns. But it says on there as well, 'where the numbers have not been included and the reason.' Well, if the branches don't furnish us with that

reason, then how on earth would we put that out?

Conference, this is a well-meaning motion. What I would urge all branches to do is when we put matters out for ballot, be they for industrial action, be they on pay or whatever, that you use your best endeavours and make sure that you conduct the ballot, get all your members as best you can to respond and if you haven't been able to conduct the ballot, then please let us know so we have that record.

But to tie our hands administratively to meet the contents of this motion is almost impossible for us to achieve. Conference, ballots are in your hands. You're the branch delegates, you're the leaders of your committee and your branches. Please make sure when we ask you to ballot, you do that. But please reject this motion. Thank you, Conference.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Parkhurst to come back.

**GLEN HOLMES – CHAIR, PARKHURST:** That's the bit of confusion, Andy. If branches have sent their paperwork in, how do they know that you've actually counted it or received before you've looked at it? I can't get it. Those branches won't know until you put the result out, they still don't know if they've actually had their paperwork received by you. So if it hasn't been received, then you can tell them. It's only a matter of looking at paperwork. I'm not saying you've got to count the ballots and everything else. You know the actual people that have sent the paperwork in, the actual branches. Have it checked then and then inform branches that they haven't had a return from them. Simple. Please support the motion.

Applause

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Parkhurst. We go to the vote on 73. All those in favour of 73, please show? Those against? That motion is lost. 74 calls for an explanation so no seconder required. The General Secretary will provide that explanation. Dave, Steve is going to give you an explanation.

**DAVE COOK – BRANCH CHAIR, SWALESIDE:** I'd still like to speak on the motion. I'll explain that to you, Chairman. Conference, I want to speak on this for the simple reason that if you read the wording, the explanation to include but not restricted to the authority that was used by the NEC to employ this person why this was not done through Conference. The business case that was submitted to support this employment, where this employment was achieved through fair and open competition, where the need for a directly employed solicitor was first mooted and when was the solicitor engaged by this Union. What savings via restructuring have been realised to allow this employment? What savings on the Thompsons contract have been realised?

But the fact is it's not restricted to because there are further questions that Swaleside would like responding to. Conference, when we first became really aware of this, the fact that we have a directly employed Legal Advisor, which I believe now is how this role is referred to, at the Special Delegates Conference on 14<sup>th</sup> January this year. PJ mentioned it in his speech, and I was a little bit surprised at this because I hadn't seen anything circulated that announced that we have a directly employed solicitor. So I went back through all the records, the circulars that we'd been sent, the Branch Secretary Circulars, and I couldn't find anything.

So then I went into the NEC Minutes and as a previous speaker spoke, the fact is they are vague, pointless and it's pointless reading them. Most people don't read the NEC Minutes because they are so vague. However, I did and I found two references to the fact that we have a directly employed solicitor; one dated 14<sup>th</sup> July 2015, where it was first proposed that we needed one and then it was kind of delayed because it was brought back on 24<sup>th</sup> July of that year, where it was then ratified by the NEC. This is only six to eight weeks after we held our Conference. Now we're talking about thousands of pounds of members' money and I was a bit surprised and a bit shocked.

When I actually fed back from the Special Delegates and I also mentioned the fact that we have a directly employed solicitor, I got loads of questions from some members about this and they wanted to know, why don't we know about this? Why don't we know? One of the questions is why is there no circular that actually announced we have a directly employed solicitor? Is this Legal Advisor for the NEC, is it for us as branch officials or is it for the wider membership? And if it is for the wider membership and us, why don't we know about it?

Rule 9.6 of our Rules and Constitution: 'In addition, the National Executive Committee may appoint part time advisors,' but 9.6A 'the General Secretary must notify branches of any such appointment.' Where was it because I never received it. Maybe I'm wrong? If I'm out of turn, please tell me when you respond, Steve, because I haven't found it.

9.6b – 'Details must be included in the National Executive Committee's Finance Report to Annual Conference.' I'm not sure it was there. One of the other questions I've been asked, if we already have Union solicitors, why do we need our own? What happens if there's a conflict between the legal advice from one party against the other party? How does this role fit within the Legal Aid and Assistance Committee?

Rule 19 – 'The Union will have a Legal Aid Committee comprising of Vice Chairman, who will act as the Chair, the General Secretary and National Executive Committee Member nominated by the National Chairman, the Finance Officer and any Assistant Secretary nominated by the General Secretary.' Well, this year there's no Rule change to allow us to have a Legal Advisor as part of that Committee. We're paying thousands of pounds for a Legal Advisor that can't sit on our Legal Aid Committee. How does this role fit within this? We have a legal cap with Thompsons. Now we've employed our own solicitor, how does that affect that legal cap?

Conference Paper 3 brought by the NEC and accepted by Conference and it states, and I quote, 'Since 2010, the POA have conducted internal reviews and the General Secretary has not asked the NEC to recruit any additional support staff.' We've recruited a Legal Advisor. I was wondering whether I might hear the words commercial and confidence and contract law and this sort of stuff about the actual details of any contract that's been agreed. Well, I would point you out to Rule 9.7 – 'Each employee of the Union will have an individual contract and pension scheme, the terms of which will be disclosed to any member on request.' This is Swaleside's request.

Applause

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Thank you very much, Swaleside, for asking these questions and I will do my best to answer them in full transparency because we don't hide anything at all in this trade union. I'll come back on some of the other issues that are not contained within the actual motion in relation to the Rules and Constitution. Neil had been our main legal advisor at Thompsons for approximately two years. I was approached by Glyn Travis as Secretary to the Legal Aid Committee when we were trying to reduce our legal bills. Glyn believed that it would be beneficial to have an in-house lawyer. One of the things I made clear to Glyn was that I didn't want our relationship damaged with Thompsons, but I tasked Glyn to go away and look at a business case and then come back to me as General Secretary with that business case.

That was duly done and I'll come to the issues pertaining to the Rules. There is actually no requirement under law or, indeed, in our Rules and Constitution for advertising or interview. The only requirement for that in our Rules is the appointment of Assistant Secretaries and Neil is not an Assistant Secretary. Dave, on behalf of Swaleside, mentions Rule 9.6 and he's absolutely correct to mention that because it alludes to part time staff. Neil is not part time. The reason that I never mentioned it in the Finance Report was quite simply because there was a motion on the Order Paper and I'm addressing it now in that context.

Dave also alluded to the fact that in the restructuring strategy document, saying he was never

asked to recruit any additional support staff, that's absolutely correct. Neil is not termed as support staff. He is a Legal Advisor, an employee. The support staff are on different terms and conditions and so forth. Now, all other staff are recruited actually by the General Secretary. For example, the support staff are not appointed by Conference or have their employment approved by Conference. The business case was made to the NEC and Neil was given a job offer, ultimately, by the Executive.

Conference, if every time we appointed someone and had to come to Conference, we'd never recruit anyone, quite frankly. It's right and proper that, in actual fact, we have to advertise for Assistant Secretaries because that's contained with the Rules but not one member of our support staff, from Angela Sinclair, to Paula, to Nicola, to Debbie, to Brian McMahon, to name a few, have ever come before Conference. The General Secretaries of those days actually recruited them in external advertisements and so forth or, indeed, they were approached by the then Finance Officer in hotels because they seemed to be good workers and they had the right credentials.

So Neil's contract is terminable on one week's notice; at present rising by one week per year of service in accordance with minimum legal requirements. There are no fixed hours of work. He's expected to work whatever hours are necessary to discharge his duties and let me tell you, he does because it was absolutely fantastic to have Neil Johnson on the end of a phone during the Wormwood Scrubs issue, where I could talk to him and give instructions to him over the phone. That was absolutely vital at that particular time. Of course, on other occasions, Neil has worked in the evenings, weekends and so forth when I've directed him to.

The salary is £55,000, including the London Allowance and pension is 5% contribution from the Union to a private pension. Neil commenced in September 2015 and in that time carried out work which, if it had been carried out by Thompsons, would have resulted in a charge of £84,408 as at April 2016. In addition, he has given advice which has meant work did not need to be referred to Thompsons.

In my Finance Report, I told you that we had made significant savings in our legal charges. That doesn't mean that we're discharging our duties with Thompsons. Thompsons and us have an excellent relationship and before any business case went to the National Executive Committee, I made sure with the Chief Executive, Steven Cavalier, and the Director, Doug Christie who spoke yesterday, that they were comfortable with us taking one of their employees. And let me tell you, most trade unions in the land, the RMT, Unison, Unite, the Fire Brigade's Union, all have in-house solicitors because it reduces the cost.

They won't be dealing with absolutely everything and we still refer work to Thompsons but I think, to be fair to our members in these times of austerity, that we take every action possible to ensure that we're getting value for money, and value for money we are, indeed, getting. But I did take the added precaution, Colleagues, before appointing Neil, that when Nicola Newing, our in-house accountant resigned, and she was being paid some £60,000 by this trade union, that I did not replace Nicola Newing. In fact, that work has been subsumed within the support staff, who have done an absolutely fantastic job in moving our accounts forward. So I think we have been absolutely diligent in relation to this.

What is actually happening now is that he and Glyn Travis have agreed a new system with Thompsons for providing employment representation involving a small team of selected solicitors. The system went live in March 2016 and is expected to improve the consistency and the quality of representation and reduce cost. Now, I'll give you the costs in relation to so far from September to the end of April, £84,408 which more than pays for his salary actually. So there is actually a surplus there for us at the end of this.

Neil's experience and ability are unquestioned. He has 30 years' experience working solely for trade unions and their members. He has been listed among the top union employment lawyers in the country on a number of occasions and been named Lawyer of the Week by The Times newspaper

in respect of his role advising Unite during the BA cabin dispute industrial action. He has been a partner at all three firms he worked for and head of an employment department of 60 solicitors widely considered to be the best in the country.

Now I just want to also add, because Dave mentioned about our contract with Thompsons, we don't have a contract with Thompsons because when I was Finance Officer, after what happened with the last lawyers, I told Thompsons there'd be no contract. So we would not be tied in to any group of solicitors ever again and Thompsons endorsed that position, and that was reported to this Conference because if we were unhappy with Thompsons, and we're not, then we would be free to look elsewhere.

I think this is a brilliant piece of work. In fact, when I go around the trade union movement now and in the last General Council meeting I went to, a couple of unions approached me and said, you kept that quiet because we would have approached him because he's an excellent lawyer. So I think that it's excellent business for this Union. And, by the way, under Rule 2.2c, the Executive have the power to employ full or part time staff and that is exactly what we have done. We did not need the permission of Conference because it wasn't an issue for Conference. If it had been an Assistant General Secretary, then you're absolutely right, it's in the Rules, we would have to do that.

But, Conference, that is the explanation. I think I've given you a full and detailed explanation on behalf of the National Executive Committee and I think probably next year, we'll be in a better position to tell you what further savings we have made because some of them we haven't been able to quantify as yet. We've been able to quantify some but in relation to the issues where Neil has dealt with and we haven't had to refer issues to Thompsons or, indeed, to barristers because Neil has dealt with them.

And, no, he's not here exclusively for the National Executive Committee. Neil is here to deal with branch work and he's done it. He's phoned many branch officials up, resolved issues and let me also tell you, during the Ashworth strike and before that strike, Neil was excellent value for money in relation to that issue as well. So, Conference, I hope you accept the explanation because there is no skulduggery here. It's in your best interests. It's in the interests of the members and I've given you a full explanation on behalf of this National Executive Committee. Thank you.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Swaleside.

**DAVE COOK – BRANCH CHAIR, SWALESIDE:** Mr Chairman, NEC, Steve, thank you for that explanation. At the end of the day, this motion was all about explanations and clarity and transparency and accountability. I want to make it quite clear this is never a personal attack against any individual. This is about process and what is right and what should happen. Whenever we, as a Conference, or as an NEC Executive acting when Conference isn't sat, is spending thousands of pounds of members' money, they have the right to know about it.

This motion was forced on the paperwork, as far as we're concerned, because we were not informed about this. There is no circular announcing it. I'm not questioning the qualifications or the ability of our Legal Advisor. Yes, by the sounds of it, it was a good thing. Maybe it was the right thing for the membership but at least tell the membership why we're doing things.

We had a motion earlier that was refused about communication and we didn't do this. Steve said this role's not a support staff and that that Rule only applies to support staff. Legal Advisor, that's supporting. It's a support thing and everything else. If every time we need to recruit, or the NEC need to recruit replacement staff and everything, they'd never be able to recruit. This a specific role. If the role is not specific to support staff, then fine but you can't use the Rules for support staff and then decide to change it because it's not and everything else.

This was an exception to the Rule and, to be honest, in the past Conferences, whenever we've

recruited staff or we've decided not to go ahead with replacements of Deputy General Secretaries and everything else, it came to Conference. It was given to us. Six to eight weeks after Conference, the first moves were made about the need to do this. Why couldn't that have been brought to Conference at that time and everything else? And the other thing is, if we are saving so much money employing one Legal Advisor, maybe we should employ a few more. Thank you.

Applause

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Conference. As an outgoing Chairman, I have to say I did think the General Secretary gave a full detailed explanation. If Swaleside or other branches are unhappy with the current procedures in place, I'm sure they'll be back at Conference before 31<sup>st</sup> January 2017 with a motion. Thank you, Conference.

75 is Whatton. I'm informed that Whatton are not in the room. I am going to formally move it because obviously they've had a branch meeting, that motion has been put up and I think it would be not right for the membership of Whatton not to have their motion heard. But I do need a seconder for it. Rochester, thank you. Steve Gillan for the NEC.

## MOTION 75

*That conference instructs the NEC to insert a reference page/pages in the POA diary outlining the most commonly used policies and or information for members and branch officials, identifying appropriate links to access the data.*

## WHATTON

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Thank you, Chairman. Thank you, Conference. Conference, the Executive is opposed to this motion because we already have policy on what is included in the POA diary as reference documents. For example, in the main diary, we reproduce a summary of Bulletin 8, the legal services and the OSG agreement. In the Northern Ireland diary, we have legal services, professional code of ethics and values, and professional code of conduct.

The POA website also has a list of documents which can be uploaded and refreshed on a daily or weekly basis to assist members and branch officials. For example, the following are on your website within the Resource section – Bulletin 8, a DDA booklet, PSO 1300, PSI 42 or 97, PSO 8404, PSO 6/2010, PSO 8550, abstracts from the Ian Boon letter. We also upload the annual pay submission and reports. If members want more documents within this section, please identify them to my office and I will ensure they are uploaded.

All employers have and must provide employees with access to relevant documents. The POA membership work for more and more employers nowadays and it will prove difficult, if not impossible, unless members supply copies of the documents, to upload these onto our website and, hopefully, in the future, our POA app. If we inserted pages in the diary, with links or reference points to access documents, they may be out of date by the time the diary is provided to members and that is why the Executive are against this particular motion.

The Executive believe the current arrangements and policies cover the spirit of the motion and we'd just urge members to identify documents and policies which they want on our website and the POA app going forward. If Conference want to replace the current content of diaries and have a list of documents / policies on the POA website address as a link, then you obviously support the motion but we would ask you to reject.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Conference, move to the vote on 75. All those in favour, please show? Those against? That motion is lost. You will recall, I am sure, that 76 was heard during the Special Hospitals AGM so we move to 77 which is Ashworth. Do we have a seconder for the

Ashworth motion? Littlehey, thank you.

## MOTION 76 IS ON PAGE 85

## MOTION 77

*That conference instructs the NEC to employ a full time officer to support the secure hospital and offender health staff on NHS contracts and seek improvements to terms and conditions.*

## ASHWORTH

**GARY LYON – ASHWORTH:** Chairman, NEC, Conference. The motion reads: 'Conference instructs the NEC to employ a Full Time Officer to support The secure hospital and offender health staff on NHS contracts and seek improvement in terms and conditions.' A few years ago, a predecessor of mine, Stuart Eales stood here, Colin Moses was the Chair and Brian Caton was the General Secretary, and he spoke about the need – and I do stress 'the need' – that healthcare, NHS workers are represented on that top table.

Stuart spoke about having someone sat on the NEC, having somebody elected and a lot of the difficulties that were raised there were, how will it be funded? There's no agreement with the NHS to fund a lay official and we won't get one. So we denied really that opportunity. We can stand but we can never take up that seat because we can't be funded. If we, in the NHS, offender health within the prisons and within the community outreach that that involves, if we in the special hospitals are to have that representation at the top table, if we're to have that credibility of having a national official with an NHS background, if we're to have that credibility with the other unions on the NHS staff side, we need an FTO up there. I know that the people sat behind me, with the restructuring, are broadly in support of that idea but when it's going to happen? If not now, when?

A quarter of a million pounds come just from the special hospitals every year with the membership at Rampton, Ashworth, Carstairs, Broadmoor. A quarter of a million pounds, and we get an awful lot. I stood here yesterday and I praised the support that we had from the people behind us, and I reiterate that. The support we've had when we were going through our strike was exemplary. One thing that did come out of it is, and the conversations that you have with National officials is, the differences in terminology and understanding and getting your head round the way our different systems work. PSI 1600, what's that? Haven't got a clue.

I'm an NHS worker. I've got 30 years' experience working in the NHS. There are some crossovers between our environments but do you know what, I don't understand your world as well as you know it and you don't understand ours. The people up there have got your background, not ours and good as they are, we need more.

If we're going to expand, we need more. Expansion – how many of you out there have got a shedload of members in offender health in your healthcare? I'd hazard a guess not many. I know HMP Liverpool haven't. If you went to your Governor for the odd member you have there and say I need to go out for this disciplinary at an NHS Trust, would he give you the time? It's your member, entitled to be represented but it's outside of your organisation, outside of NOMS and not NOMS' employees. There's a difficulty.

A lot of offender health areas in your healthcare run by NHS Trust PCTs do not recognise the POA. I know the one that's taken over HMP Liverpool don't because I have members in healthcare actually at HMP Liverpool because it used to be a Mersey Care site. How do we deal with that? Well, we need to get POA recognition but again, they need servicing.

Conference Paper 3 yesterday which was moved by Conference, Steve Gillan stood there. On page three of that, the fourth paragraph, 'Any additions of employees will be done on a needs

basis and with a clear business case.' I think we can demonstrate there's a need. When are we going to get the business case? When are we going to get that representation? I urge you to support this motion.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Steve Gillan for the Executive.

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Thank you very much, Chairman, Conference and I do have sympathy with what Gary has actually stated but on behalf of the Executive, I urge you to reject the motion because contained within our Rules and Constitution, Rule 21 is pretty clear. And it's already achieved because we have a Committee made up of actually two Assistant Secretaries already on that National Committee for secure hospitals, which is currently Duncan Keys and Andy Hogg in relation to his role in Scotland for Carstairs; and the functions under 21.2a, b and c cover all the aims and objectives and professional aspirations.

Is it perfect? Probably not. But does it justify us recruiting an Assistant Secretary solely for the purpose of those secure hospitals and healthcare departments for approximately 1,500 members? What would happen if the high security estate said we've got 3,000 members, we need an Assistant Secretary? And then you get the OSG group that say there's 4,000 Operational Support Grades, we need an Assistant General Secretary; and so on and so on. Conference, on behalf of the Executive, and I've said this many a time, I would love to have six and seven Assistant General Secretaries but I'm a realist. We cannot afford it because you, the delegates and the members that you represent, would not cough up the money in order to pay for that.

So what we've got to do is cut our cloth accordingly and you know what, the Assistant Secretaries that we have don't just do one role. They do a variety of roles and that's what I want for future Assistant Secretaries, and it doesn't matter to me where they come from, whether they come from a healthcare background, a prison service background, a private sector background. It matters not a jot to me but I want those Assistant Secretaries rounded so I can use them in any arena to represent yourselves. That's what I think is important here, not just for one section of the Union, quite frankly.

As I've said, I have got sympathy with what Gary is wanting and the terminology is different within the NHS setting and I recognise that. And genuinely when I don't understand something, I rely on those branch officials within that setting to explain it fully to me, and they do and it's the same as Duncan when Duncan goes in. I've already explained during the Annual General Meeting that Duncan did a magnificent job on the NHS Code of Discipline that won for Stuart Eales, who's now still got a job. So I'm proud of the FTOs that I've got because their rounded experience is great because they can do any job that I ask them to do.

When Jim Dawson retired, I didn't run to the Executive and ask for another Full Time Officer because I knew the difficulties with the finances. So we actually restructured from within and I asked the Assistant Secretaries to take on additional work, as I asked Andy Darken, the Deputy General Secretary, and as I did myself. We increased the hours that we worked in our contracts – it was negotiated with the Executive – to cover the hours that Jim Dawson had vacated. So we consumed that internally but there will come a time, when we moved that motion yesterday on the restructuring, we will have to revisit it, because it may mean that we don't call them Assistant General Secretaries. Anyone that we do recruit might be organisers on different terms and conditions. I don't know because the Executive haven't discussed it.

But, Conference, I urge you not to tie the hands of the Executive and myself as General Secretary on this particular motion, as much as it probably hurts the Ashworth branch and perhaps Rampton, Broadmoor and Carstairs, and so forth. But I would ask you to reject on the basis of the case that I've just outlined on behalf of the Executive. Thank you, Conference.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Ashworth to come back.

**GARY LYON – ASHWORTH:** Conference, NEC, Chair, please accept that I was not inferring any criticism of anybody up there, certainly not Duncan Keys and the support that we've had during that. That wasn't my point. My point was that we can do things better. We are restructuring. Restructuring will not stop. I was disappointed that we didn't hear Motion 55 yesterday because I think that would have opened new doors for us to walk through but we didn't, for whatever reason.

We think, as part of that restructuring, there's a need for us to have somebody with a background from our area. We know that that person's got to have rounded skills. We've got to be able to operate pretty much anywhere that the General Secretary asks them to do. We accept that but we still feel that we need somebody there and on that basis, I urge you to support this motion.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Ashworth. 77 to the vote. All those in favour, please show? Those against? That motion is lost. Conference, we move to the Report Back section. There is a Report Back booklet which the General Secretary will address; going to do it now.

## MOTION 78

*That the NEC report back on ACM 6/2014.*

## BULLINGDON

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Thank you, Conference, I'll do this very quickly. You've all seen the Report Back booklet. There is one error that's just been pointed out to me and that is in the back of the booklet, 78, the NEC Report Back on Annual Conference Motion 6 of 2014, which was Bullingdon, that NOMS provide complete access to RIVO for all the accredited POA health and safety representatives so that they can carry out the functions of a health and safety representative, as per the Safety Representative and the Safety Committee's Regulations 1997.

The Health and Safety Committee put in – 'at present there has been no reason to activate this policy. It remains live.' That is an error and it should have said, we have and still are working on this policy with a very reluctant NOMS employer. So with that, I ask that that is the Report Back, Chair.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Thank you for that Report Back. We do have specific ones here you'll notice on the report, that the branches have raised specifically. So we have speakers designated for them, so I don't need seconds on this. There's no vote. The branch that's asked for it can come up and have a word if they want once they've had the Report Back. Joe Simpson.

**JOE SIMPSON – ASSISTANT SECRETARY, NEC:** Thank you, Chair, NEC. I'm now going to try and find it. Can I ask Bullingdon which one it is?

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** My understanding is it's 6 of 2014, isn't it, Bullingdon? Yes. My understanding is, and I'm sure Bullingdon will... that NOMS provide complete access to RIVO, that one.

**JOE SIMPSON – ASSISTANT SECRETARY, NEC:** Yes, the General Secretary's given that Report Back.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Are you happy with that, Bullingdon? Yes, fine. Thank you. Thank you, Joe. 79, Jackie. This is the Report Back, Conference, on Annual Conference Motion 19 of 2014 and this is the dog handlers.

## MOTION 79

*That the NEC report back on ACM 19/2014.*

## BULLINGDON

**JACKIE MARSHALL – NEC MEMBER:** Chair, Conference, NEC, reporting back on Motion 19 of 2014, that dog handlers receive a percentage increase, to be negotiated, on the care and maintenance dog allowance for having a second dog. This matter has been concluded and the increase is set out in the Prison Service Pay Review Body Report recommendation 12 but a summary, the new allowance for multiple dogs is now £1,908 per annum. Thank you.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Thank you, Bullingdon. 80 is Send asking for feedback on Annual Conference Motion 78 of 2014, and my understanding is that is to set up YouTube account and upload all media. Glyn Travis.

## MOTION 80

*For the NEC to feedback on ACM 78/2014.*

### SEND

**GLYN TRAVIS – ASSISTANT SECRETARY, NEC:** Yes, Chair, Conference, the Report Back is that this work has not been concluded and remains in progress. The POA are relaunching the website and the POA app. However, like all data, the information can only be kept up to date and relevant if forwarded to the POA Head Office. Further information will be promulgated on this issue in due course and we need your assistance, Colleagues, in getting the information uploaded.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** I'm looking at Send. Send, are you wanting to get up? Yes.

**PHIL BIRCH – BRANCH CHAIR, HMP SEND:** Mr Chairman, NEC, Conference, just seeking a bit more clarification. Can you say what work actually has been done and also the third sentence, 'All data and information can only be kept up to date and relevant if forwarded to the POA Head Office.' Many of the interviews have been conducted by NEC members and should already be with POA Head Office. Please can you address that question? Thank you.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Glyn Travis for the NEC, see if he can enlighten us further.

**GLYN TRAVIS – ASSISTANT SECRETARY, NEC:** Yes, I can, Chair. As I said, because of the relaunch of the website, we haven't got the YouTube up there. That's going to be part of the ongoing process moving forward post-Conference, to try and get YouTube videos of staff and NEC Members who have actually uploaded them. One of the problems that we do face is that if you're actually having an interview with a member of press, you don't actually take it on YouTube and you need somebody to do that for you, or to download it for you from the access site, and that's what we're going to try and improve and move forward, with Neil Culank who does all of the website design and with the POA, to try and improve the service.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** That's where we are, Send, on that one. 81 Holme House, that's written up in your book there, the contents of that, Joe Simpson.

## MOTION 81

*That the NEC report back on ACM 5/2015*

*The NEC should engage with Crown Premises Fire Inspection group and produce a number of suggested safe systems of work for dealing with a cell fire containing either a single or multiple non-compliant prisoner or prisoners and that these safe systems of work should be presented to NOMS by 30th November 2015.*

## HOLME HOUSE

**JOE SIMPSON – ASSISTANT SECRETARY, NEC:** Thank you, Chair. The Report Back is as per the Report Back booklet. The Health and Safety Whitley contact with the Fire Group, to try and set up meetings to discuss the Conference Motion but due to their schedule and the reduced facility time, it wasn't possible. But we also got the inference from them that they weren't really interested, especially when they asked us what we wanted it for and we told them it was going to be a joint report condemning NOMS fire strategy, and they backed off very quickly. That's the Report Back, thank you, Chair.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** Fine, thank you Holme House. 82 is Risley, that was Working Time Directive, you might remember that motion. Joe?

### MOTION 82

*That the NEC report back on motion 10 (e) from the annual.*

### RISLEY

**JOE SIMPSON – ASSISTANT SECRETARY, NEC:** Yes, Chair. That's also in the Report Back booklet. The terms of this motion were fulfilled at Conference as delegates accepted the motion and would have reported the terms of the motion back to each branch. The NEC are not aware of how many branches have enacted the policy at the time of writing the report. Thank you, Chair.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** That's the Report Back, Risley. Content enough? Thank you very much, and 83 is the Holme House motion which is written down for you. Duncan Keys please?

### MOTION 83

*That the NEC report back on ACM 49/2015*

*In light of the unacceptable increase in assaults upon our members and the increased use of legal high narcotics and prisoners under the influence of alcohol that the NEC demand each prison has a central store of pepper spray that where appropriate can be deployed and used by trained officers to subdue prisoners prior to a C&R intervention.*

### HOLME HOUSE

**DUNCAN KEYS – ASSISTANT SECRETARY, NEC:** Chair, NEC, Conference, as hopefully Conference can see from the Report Back document, this matter was raised with NOMS. Quite clearly, PAVA Spray has been identified legally as the equivalent of a firearm and, as I'm sure you'll be aware, there are very strict controls and guidelines on the discharge of anything resembling a firearm. Hopefully, the explanation in the document is easily understood. We will clearly attempt to keep pursuing this motion that was passed by Conference. However, it's clear to see the difficulties that are inherent with it. Thank you, Chair.

**P.J. MCPARLIN – NATIONAL CHAIRMAN:** That's the Report Back, Holme House. That's the end of the Conference. You recall that the Barlinnie motions on pensions were brought forward on the agenda.

Conference, in a moment, you'll hear from your new National Chairman, Mike Rolfe. Conference, I'd like to thank the many individuals for making this, I believe, a successful Conference; the Conference staff and hotel staff for accommodating us; the POA providers and exhibitors who all contribute; our security teams; and, indeed, my National Executive Committee, the Scottish National Executive Committee and the Area Committee for Northern Ireland; and, of course, you the delegates who participate so well every year on behalf of your members and you allow whoever's sitting in that chair to move business successfully.

As a membership, whether you're in the public sector prisons, whether you're in the special hospitals, the private sector branches and those that look after immigration detainees, thank you to each and all of you. I'd also like to pay my own tribute to the support staff. They make my job extremely easy behind the scenes up here at Conference so it doesn't look so chaotic. It would be if I was left to my own devices. And they work, not just at Conference but each and every day of the year and throughout the year, and obviously I must mention the Full Time Officers or they will shoot me.

Mike, I'd like you to come here, please and I'd like you to give a traditional POA welcome to your new National Chairman who will lead this Conference and this Union successfully.

Applause

**MIKE ROLFE – NATIONAL CHAIR ELECT:** Thank you very much. I'm feeling a little bit emotional today so please bear with me a little bit. It's been a lengthy wait but I'm absolutely proud to be taking over as National Chairman at close of Conference and thank you. I have got a bit of a speech so please bear with me and hopefully, it'll come across in the right format and manner.

PJ's obviously disappeared very quickly there but I did want to obviously start off by thanking PJ. PJ has given five hard years of being the National Chairman of the POA. He's been dedicated to the POA and I'm sure he will attest to the fact that it's been difficult at times and sometimes an undesirable role. PJ has led by example. He's maintained dignity and served this Union well and I think we should show our appreciation with a round of applause for PJ's hard work.

Applause

Thank you, PJ. Thank you for the kind and supportive words. Thank you for the painless handover that you've given me over the last six months, and going on the last two Conferences where he's had to tell me off, thank you for not having to tell me off at this Conference. I'm sure Conference will join in me in wishing PJ a very long and prosperous retirement.

Conference, I must also thank you for your support, encouragement and contribution in electing me into the Chairman's post. Without your support, I would not be where I am today and, as such, I do not forget things easily. You are my counsel when needed, my friends, and sometimes that irritating scratch on my back. I look forward to the next five years, with trepidation and uncertainty facing us at every turn, but also safe in the knowledge that we have some truly outstanding individuals, both at NEC level and in the field running this organisation. I greatly look forward to working with this NEC, the Full Time Officers and, of course, the good work of the support staff. They are resilient, hard-working and committed to promoting the good work of our members.

Myself and the General Secretary, Steve Gillan, working closely together, we will steer the Union in the direction that you point us in, and my right hand man, Ralph Valerio, will ensure that, as Chair and Vice-Chair, a tight link will be forged in order to continue the continuity of managing day-to-day business of the Union. I've also got call 'Daddy' Darken in because the girls around Cronin always like to call him my dad and, of course, he has looked after me at times. A special mention must also go to my good friend and soon to be NEC Rep, Dave Todd. I look forward to you joining us at the end of Conference, Dave, congratulations.

Applause

I want to talk about going forward now and I want to talk about the state of things because let's face it, we're in a pretty bad way and that doesn't matter whether you're in the public sector, the private sector, the special hospitals, IRCs and wherever else POA members exist. We are under attack. From my time dealing with branches up and down the country and speaking to individuals, I'm going to make a bold statement now. Not every manager is bad. Not every working

environment is bad but let's face it, we are suffering from institutionalised bullying from management. There are bullies in every single workplace and they put our members down and create lots of work for us every single day.

We must stand up to the bullies, Colleagues. We cannot be content with taking second best for our members. We must always strive to better and my message to you today is let's not accept second best any more. We've been told that we haven't got finances. We've been driven into the ground and there's a lot of apathy out there. It's time to wake up now, Colleagues. It's time to expect better and it's time not to accept second best.

Applause

Colleagues will know there's currently a PP ban. I salute each and every member that supported this trade union in making that a success and throughout this week, all I've had is report back from colleagues around the field that their members are supporting this Union and understanding what we're trying to achieve. Well done those colleagues.

Applause

This Government and those employers have left us no opportunity to be able to negotiate on a fair, level playing field and that's why this Conference made the bold decision to step away from negotiating with the Pay Review Body last year, and do you know what? Direct negotiation, if that's the only way we can get business done, then that's the way we will do business.

Trust in this NEC, Colleagues. There will be transparency. There will be integrity and that will shine through with all of my colleagues to the right of me here. We will show you commitment. We will show you that this Union can be force, and it is a force and continues to be a force. We won't be beaten down by Government, by managers. We will come back and we will fight time and time again, and our colleagues are showing that each and every day. I salute the colleagues that have withdrawn labour due to their own personal health and safety environment at both Wormwood Scrubs, Wetherby, Holme House, Northumberland, all in recent weeks. And we get behind those colleagues because this Union will support its colleagues when there is a threat to their health and safety.

Applause

Now, we are a family and we're not always united but we are a family that has our disagreements. We fall out at times but we come together again and we're solid, and we must always support each other. The message of unity has never needed to be so strong. If we're apart, we're divided, then we're conquered. Let's all stand together. Let's make sure this Union holds itself together in the true words, unity in strength.

Applause

On Monday in the House of Commons, Andrew Selous was asked emergency questions by Andy Slaughter, the Shadow Justice Minister for Labour. He told the House of Commons that vacancies were now below 2% - i.e. we're nearly fully employed. He then said 30% more people are sentenced to prison for violent offences. Prison officers have reduced from 25,000 – this is Band 3 to 5 – in 2010 down to 18,000 as of March 2016. 28% reduction in prison staff.

Safety and custody statistics – in the figures to the end of December 2015, there was 20,518 total assaults, a rise of 30% on the 2010 figures. Assaults on staff were up 43% from the 2010 figures and the serious assaults on staff were up 52%. In 2010, as a member of staff, Band 3 to 5, you had 11% chance of being assaulted each year. That has risen to 28% chance of being assaulted each year and, Colleagues, that is simply unacceptable.

I don't intend to make this a long speech, Colleagues, because, as I say, I am feeling a bit emotional today. I am very, very proud to lead this Union and I want to take this Union forward, with the aid of all of you here, this Executive and all of you sitting there. I'm sure we can make the next five years a success for our members and turn the tide of destruction we face. Thank you very much, Colleagues.

Applause

**RALPH VALERIO -VICE CHAIR:** Ladies and gentlemen, Conference, on behalf of the Elmley branch, it's a proud day also to have number one and two leadership of this Union from one branch. It's great and to the other leader of this Union, our General Secretary, Steve Gillan to go to close Conference.

### **General Secretary closing speech**

**STEVE GILLAN – GENERAL SECRETARY, NEC:** Thank you very much, Chair. I'd like to thank the organisers in Southport who make our Conference run smoothly, the support staff at Cronin House and Linden House, Calder Road and, indeed, in Northern Ireland, to the NEC, SNC and the Area Committee of Northern Ireland, our Honorary Life Members, Cronin Clasp Holders, Mabel Hempton Bravery Awards; and all speakers and visitors that came.

The support staff, as Mike says, are our engine room. I have asked them, along with the Deputy General Secretary, to take on additional work and they have delivered. Angela Sinclair, our Senior Office Administrator, liaises with Andy to ensure the smooth running of the office. So I thank them. Special thanks to my Secretary, Nicola Hubert, for the hard work that she does arranging my diary and setting meetings and alerting me to deadlines for important business. The staff who this week are working at Cronin House, keeping the Union functioning whilst we are here. The Full Time Officers, Assistant Secretaries, the Deputy General Secretary who work extremely hard on your behalf and, of course, the National Executive Committee.

I want to thank you as delegates and the membership who we must never forget are the heartbeat of this trade union. The grass roots membership should be directing us and not the other way round. You as delegates, the majority of you, have had to take annual leave to attend here and I understand that dedication and we, as an Executive, do not take that for granted. There will be, as Mike says, very difficult decisions to make but I think we've taken significant steps forward at this Conference.

Conference Paper 1, for example, a significant step forward. I thank Birmingham, Oakwood and Northumberland for the continued input that they give to Andy Darken and our Full Time Officers. But when it was unfashionable, the private sector, we did have other stalwarts as well that set the scene and the foundation for representation within the private sector, and I pay tribute to the people who negotiated the first voluntary agreement with Wackenhut, Duncan Keys, Tom Robson, Mark Healy and others. So I don't think we should ever forget the issues that some of our people in the past... I'm not saying Duncan's in the past because he's still here, but the reality is there's been some tremendous work and we should never forget that. So I'm grateful to Tom Robson and others for doing that.

We, as Mike says, have got prison reform on the agenda. The Queen's Speech will probably set that out next week and we've got to be ready. As we've identified in this Conference, we've got our strategy paper that you fully endorsed, and each one of us will have to play a part in that. I heard earlier this morning people saying about our trade union rights and that we have taken a backward step from that. Let me tell you, as General Secretary, there is no backward step on regaining our trade union rights. That is a priority for this Union and always will be.

But let me tell you, the European Courts ruled against us in relation to the restoration of trade union

rights because they said, and it was reported to this Conference, the International Labour Organisation had already ruled on it in respect of adequate compensatory mechanisms, that there was nothing left for them to do. So we have instructed barristers again to make a further application to the ILO to determine that we have not adequate compensatory mechanisms and we will not rest until our rights are restored and in the interim, where's it's right, where it's necessary, this Union will still take action. Rest assured on that in relation to health and safety, pay, terms and conditions and other matters.

Like Mike, I want to pay tribute to those individuals up and down the country that have followed the policy of the Payment Plus ban for one month, one calendar month. And myself and Mike, who will be meeting, I would imagine, very shortly with Mulholland, we'll be raising that particular issue because the motion actually said that we will increase it if they don't start listening to us. So if they want the prison service paralysed, that's a matter for them. So I pay tribute to those individuals who are taking that ultimate sacrifice and following the policy of this Union; so thank you very much to them.

Industrial relations – well, we're back there again, aren't we? We are back there where they use Section 127 at the drop of a hat to try and bully, intimidate and harass us into submission. That will not happen because we will never repudiate any action that's set by this Union. So if Wormwood Scrubs are out, Holme House are out, Wetherby, Northumberland and others, rest assured you have our full support and we've not repudiated any action, whether it was Liverpool in the past, Scrubs in the past, Chelmsford, Elmley and other branches that have taken that definitive action. And you know what, there's an old saying – they will only stop chasing us when we stop running and, Conference, I think we need to stop running and confront them full on.

Social media – it has its uses and it has its faults. I don't want to see anybody get into trouble because they put things on social media that upsets their employers, no matter who their employers are. Nor do I want, within maybe a couple of months, people turning round inwardly on this Union, because sometimes we put people up only to shoot them down and let me tell you, I hope no one is putting our National Chairman up to be shot down because he's a decent man. He's got integrity, he's got vision and we should fully be supporting him as a trade union. 100% behind him, that is what should be happening. And yes, we'll all have our disagreements in Executive. It doesn't matter what disagreements we have. It's because we're people of passion that care about the policies and the way forward for this Union, and that's the way it should be.

Northern Ireland – our colleague in Northern Ireland came to the rostrum and we know how difficult it is in Northern Ireland. Myself and the National Chairman will be making arrangements to go to Northern Ireland and visit each jail because your problem is our problem. I think Duncan Keys was absolutely spot on. When Northern Ireland, who don't often come to the rostrum, we do need to listen to them and I think you listened intently this morning because some of the stuff that's gone on over there is just unbelievable and never reaches the media. The death threats, the bomb threats and all that goes with it; what an environment to work in. There's a peace agreement for some people but not for our members or the families. We will raise that at every opportunity, myself and the Chairman, to make sure that our members are safe and if they're not safe, then we will fully support them in any actions that they, as an Area Committee, determine that they take.

Conference, the theme of this Conference is 'shaping our future' and shaping the future we will. But the reality is, anything that we negotiate on a without prejudice basis that comes as a formal offer, we guarantee you will have the final say on it, as well as our members. Thank you, Conference, and have a safe journey home. Thank you.

Applause

**Conference ends**

