



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

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POA Circular 010/2022

**For information: England & Wales, Northern Ireland, Scotland, Special Hospitals,
Private Sector, IRCs**

2nd February 2022

Dear Colleagues

POA RESPONSE TO PRISONS WHITE PAPER

Further to POA Circular 116/2021 which outlined the NEC initial view to the Prison White Paper as set out by Government on 7th December 2021, the National Chairman and I have now sent in a response to the formal consultation, which ends on the 4th February 2022 (Please find attached).

These further responses to specific areas are consistent with our Circular 116/2021. The POA NEC will continue to have an input into the White paper and its aspirations so that we can play a leading role as the recognised Trade Union for unified grades in shaping the Prison service in England/Wales to make sure that not only is the Prison Service fit for the future, but we continue to provide evidence factually to Government to ensure our members receive improved pay and terms and conditions including a retirement age consistent with POA policy which will assist in recruitment and retention. Only once that foundation is achieved will we improve rehabilitation in the Prison Service with a stable workforce that can drive forward these initiatives and achieve the aspirations set out in the Prison White Paper. Without having the correct staff in place it will fail and the only way of having the correct amount of staff in place is to increase pay for all unified grades. At our meeting with Secretary of State Dominic Raab and the Prisons Minister Victoria Atkins both the National Chairman and I informed them of our views so this will come as no surprise to them. I will continue to keep you updated on any developments in this area.

Yours sincerely

STEVE GILLAN
General Secretary

ENCLOSURE



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

POA

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Correctional and Secure Psychiatric Workers)**

Response to the Prisons Strategy White Paper

**Please see below for the POA answers to selected
relevant questions in the White Paper**

1. Do you agree that these are the right long-term ambitions for the prison estate?

The POA agree with many of the ambitions in the White Paper, especially the need for “safety and security as foundational principles” (29), but unfortunately very little space is given to how these ambitions can or will be achieved or the reasons why conditions in prisons have got so bad in the first place. For example, there is no recognition that Government policies over the past decade – such as huge austerity cuts to staffing and other resources – have led to the degradation of pay, terms and conditions, a hemorrhaging of experience, and the resulting surge in violence, especially against staff. It’s well understood that the ongoing crisis of violence in our prisons makes rehabilitation impossible, which means offenders often leave more damaged and dangerous than when they arrive. Instead of spending “£3.5 billion over the next three years to create 18,000 additional, modern prison places, with a further £250 million to fund up to 2,000 new temporary places” (26), we should be investing in the prisons we already have to support rehabilitation and reduce reoffending.

The POA call for a properly funded Prison Service that deals successfully with recruitment and retention of staff. We call for policies that address offending behaviour and rehabilitation of prisoners rather than just window-dressing and regurgitating policies that have failed in the past but have been dusted down once again and drafted with different words to make it look different. It is the policy of the POA to have a Royal Commission to look into how the Prison Service is run in England and Wales. A Royal Commission, if a proper term of reference was agreed, would allow a full public inquiry into the running of our service, with the POA giving evidence as an interested party. Only by having a full inquiry with no stone left unturned will we get proper funding and a Prison Service that is fit for the future, with a professional staff properly remunerated and producing clear outcomes on rehabilitation, which could ultimately see a reduction in the prisoner population and a Prison Service run safely and securely in protecting the general public. Please read POA Circular #116 for the full NEC response to the White Paper: <https://www.poauk.org.uk/news-events/news-room/posts/2021/december/circ-116-national-executive-committee-response-to-prison-strategy-white-paper/>

2. Do you agree these are the guiding principles around which the future regime should be designed?

The POA welcome the White Paper’s stated aim to “ensure that prisons are as safe and decent for prisoners and staff as possible” and its pledge that “we will not tolerate any violence against prison officers – staff must be able to expect a safe and decent work environment” (46). However it’s hard to see how ministers will stay true to this principle without a credible plan to retain prison officers and build levels of experience, which this White Paper sadly lacks. We are glad to see understanding from ministers that “mass unstructured social time can make some prisoners feel unsafe and can inhibit the ability of staff to manage risks of violence and bullying” (74), a key lesson from the pandemic that the POA has consistently highlighted. But we disagree that running smaller-scale regimes with higher staff-to-prisoner ratios should be at the discretion of Governors rather than required by national policy, and

the strategy shows no understanding that such initiatives need significant staff investment and so will be simply unsustainable with current staffing capacity.

3. How should we develop outcomes frameworks to ensure our Future Regime Design ambition is realised?

Central to any framework for outcomes must be a relentless focus on reducing violence against prisoners and staff, as described by Grahame Morris MP presenting his Prisons (Violence) Bill to the House of Commons on Wednesday 19 January. Calling the White Paper a “golden opportunity for urgently needed change”, Mr Morris explained: “My Bill aligns with the White Paper’s stated aim of reducing prison violence and uses the paper’s framework of key performance indicators ... to achieve this.” He added: “It is obvious that the new KPIs need to include safety for both prisoners and staff but, curiously, this commitment is entirely missing from the White Paper. My Bill seeks to correct that omission. It would enshrine a statutory duty on prison management – whether in the public or private sector – to minimise violence. If KPIs are the Minister’s preferred method of choice, that is the method we will use here too. Currently, the only prison safety targets involve serious assaults, and such assaults must involve hospital treatment. This needs to be extended to all kinds of violence, if ministers are serious about a zero-tolerance approach to bad behaviour. Penalties could include fines for both public and private sector operators, with the money raised going towards making injury compensation schemes fit for purpose by widening the scope for claims, removing the unfair barriers throughout the process, and lifting awards to reflect the bravery and commitment shown by prison officers and other staff working in our prisons system.” The POA agree with Mr Morris on all of these points and fully supports his Prisons (Violence) Bill, aka the “Safe Inside Law”.

4. Do you agree with our long-term priorities for making prisons safer?

The White Paper’s understanding that “prisons cannot support rehabilitation unless they are safe, stable and secure” is to be welcomed, as is the pledge to “provide safer working conditions for staff” (10), but the proposed “new ministerial prison performance board that will hold the system and Governors to account for ensuring prisoners and staff are safe” (18) sounds like just another gimmick that will change nothing. The POA obviously very much agree with the priority to make prisons safer, but unfortunately the White Paper offers no credible solutions for how to achieve this – and certainly nothing about retaining prison officers and building levels of experience, which is widely recognised as the key to cracking the crisis of violence.

Although the strategy concedes that “we cannot expect prison staff to carry out their roles to the best of their abilities or remain in the prison service if they do not feel safe at work” and claims that “prisoners who are violent towards staff will face the full consequences of their actions” (46), these are hollow words for any officer who has seen the CPS refuse to prosecute an assault because it wasn’t “in the public interest”. And although it’s encouraging to hear the Government recognise that “more can be done to improve the effective prosecution of crimes in prison”, will prosecutors really “prioritise serious crimes so that there are clear criminal consequences when

these occur” (84)? One simple way for ministers to send a clear message to staff that they’re on their side would be ensure that any and all attempts at “potting” – the vile practice of throwing urine, excrement, ejaculate, vomit or blood at prison workers – will be prosecuted to the full extent of the law, and to support Earl Attlee’s amendment to the Police, Crime, Sentencing and Courts Bill outlawing the connected offence of “facilitation of potting”, ie allowing one’s own bodily substances to be used in this kind of attack.

5. Where can we go further?

Central to any strategy to making prisons safer must be retaining prison officers and building levels of experience. Official figures show that over 86,000 years of cumulative prison officer experience have been lost over the past decade, and even the White Paper admits that the number of officers leaving the Prison Service each year is increasing. As the POA have pointed out many times, the key drivers of attrition are low pay, high levels of violence and an unrealistic retirement age of 68 – but the White Paper barely touches on these issues. In these circumstances, commitments to train and retain an extra 5,000 officers without paying them properly is not a strategy, it’s wishful thinking. It’s completely unreasonable to expect officers to work in such a hostile and dangerous environment for low wages until they are 68 years of age, and it’s no wonder that many believe that an annual fitness test that takes no account of age or gender is in reality designed to stop them from ever claiming their full pension. Of course morale is low when officers are made to work the landings late into their sixties and then are penalised for failing an unfair and arbitrary fitness test. Until all these concerns are addressed, the Prison Service will be simply unable to hold on to staff. Ministers should start by agreeing to the pay review body’s advice for the last two years to boost entry-level prison officer pay by £3,000, and to committing to following the body’s recommendations in the future.

The new “innovation taskforce with experts from the front line, health, psychology, in academia and third sector organisations” that will “bring together innovative thinking and best practice to address the drivers of violence” (53) unfortunately doesn’t inspire confidence either. And while the White Paper recognises that “traditional wet-shave razors can be used by prisoners both as a weapon for assaults and to self-harm”, the Government’s proposed solution is to “trial the use of alternative options over the next two years” and, “where the evidence suggests that this is successful in reducing harm and violence, we are committed to rolling out alternatives across the estate” (59). But clearly we don’t need any more trials to conclude that wet-shave razors are far more dangerous than electric ones – just ask the brave officer at HMP Swansea who was nearly killed recently after an unprovoked razor attack that split open his neck.

16. Are there specific areas of training you think we should be offering prison officers which we do not already?

The POA welcomes the White Paper’s warm words about “transforming the prison officer role” (186) while “listening to our staff to understand how we can improve their wellbeing and provide safer and more fulfilling workplaces where they feel valued and

supported”, and we will hold ministers and HMPPS to this pledge. Due to the need to “continue to learn, develop and stretch themselves”, experienced officers, who are described as the “backbone of the prison service“, will have “monthly 1-1 conversations with more junior members of staff to share jailcraft” (171). We welcome this but wonder how it can be achieved in violent, understaffed prisons. There will also be a new “suite of learning modules” for officers, including training on “education and skills requirements to improve prisoners’ literacy and numeracy levels and prepare them for the workplace” and “adapting the prison regime to enable employers to establish a presence inside prison to employ prisoners” (172), which begs the question, will prison officers be expected to be teachers and sweat-shop supervisors as well as mentors, managers, constables, guards, mediators, turn-keys, therapists, nurses and more? Mandatory training for prison officers has been cut over the years, while new online learning – which can only be accessed in the workplace – has to be completed during staff “downtime”. Basic problems like this need to be fixed before staff can benefit from any new courses, but like many other problems within the Prison Service, the White Paper ignores them.

While praising officers as “hidden heroes” and committing to making “the prison officer role one which is understood and valued in society in the same way that police and other core frontline roles are” (191), the White Paper concedes that attrition rates are simply “too high”, which is “causing an unsustainable level of turnover in the system” leaving “new staff feeling unsupported, contributing to a vicious cycle of staff dissatisfaction and lack of retention” (169). And even the Prison Service’s new “retention framework”, referenced admiringly in the White Paper, admits that poor pay is a key driver of attrition and accepts that “there are limits locally in what [Governors] can do to improve pay and reward”. In other words, the solutions are well understood – it’s just the political will that’s lacking. When will the Government learn that they can’t run prisons on the cheap?

18. Are there any areas where we should extend autonomy for all Governors to support the delivery of improved outcomes?

The White Paper looks at rolling out “an ambitious two-year programme of Future Regime Design” to let Governors “design their own regimes” (72), with the “highest performing Governors” receiving “earned autonomy” and “greater flexibility to deviate from nationally set policies” (202). Worryingly, this includes “greater freedoms to deviate from Prison Service Instructions and policy frameworks” as long as KPIs are met – which begs the question, why bother having PSIs in the first place if some Governors will be free to ignore them under a “light touch process with an assumption of approval”? Why will Governors be rewarded for hitting targets by being given the opportunity to break the rules? And why should it be left to Governors to come up with new, improved ways of running prisons that ministers haven’t thought of themselves? Not even a commitment to “continuing to drive empowerment across the system” (207) should allow ministers to shift responsibility and accountability like this, no matter how innovative local managers appear to be. More worrying is the possibility that this “earned autonomy” of Governors to ignore PSIs, coupled with the state of industrial relations in some of our prisons, could lead to a huge discrepancy across establishments in staff terms and conditions and to a total breakdown of national disputes procedures.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Gillan', with a long horizontal flourish extending to the right.

STEVE GILLAN
General Secretary

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Fairhurst', with a long horizontal flourish extending to the right.

MARK FAIRHURST
National Chair