



**The Professional Trade Union for Prison
Correctional, Public and Private Mental Health
Trust Services Providers and Immigration Services**

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POA Circular 025/2026

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

24th March 2026

Dear Colleagues

SECTION 127 CRIMINAL JUSTICE PUBLIC ORDER ACT 1994

Please find attached letter regarding the above which has been sent to the Deputy Prime Minister and Secretary of State for Justice.

Yours sincerely

STEVE GILLAN
General Secretary

ENCLOSURE



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Our Ref: IR/769/26/SG

24th March 2026

Dear Deputy Prime Minister and Secretary of State for Justice

SECTION 127 CRIMINAL JUSTICE PUBLIC ORDER ACT 1994

I met with you in my capacity as TUC President along with Paul Nowak TUC General Secretary in what was a political meeting on the above-named subject matter on 23rd February 2026. Prior to that Mark Fairhurst National Chair and I met with you in our POA capacity on a range of subject matters of which this was included and we touched on both meetings about resolving issues amicably rather than relying on the European Court of Human Rights where we currently have an application lodged which I suspect is probably a little embarrassing for a Labour Government where you are defending anti trade union legislation enacted by a Conservative Government.

I wish to bring to your attention which was not available to me during our meetings which are the conclusions of the European Committee of Social Rights, which found the United Kingdom to be in breach of its obligations under the European Social Charter in relation to the rights of Prison Officers (excluding Scotland) where the Scottish Government have restored the rights to strike for the POA. This document was published at the end of January 2026 along with its findings.

At the heart of the Committee's findings is a simple but serious concern in that Prison Officers in the UK except for Scotland are subject to a blanket ban on the right to strike, without meaningful alternative protections. This places them in a uniquely disadvantaged position compared to other workers, despite operating in one of the most demanding, high risk, and publicly vital roles in our society.

This is not an abstract legal issue, it is about fairness, safety, and respect. Prison Officers face daily risks to the physical and mental well-being yet are denied a fundamental lever available to most workers when negotiations breakdown. The European Committee's Report makes clear that such a sweeping prohibition is neither proportionate nor justified unless accompanied by robust, effective safeguards. At present, those safeguards fall short.

Maintaining the status quo carries real consequences. It risks further deterioration in morale, challenges in recruitment and retention, and ultimately impacts the stability and safety of our Prison System. A workforce that feels unheard and undervalued is not one that can sustainably deliver the high standards the public rightly expects.

There is also a broader question of principle. The UK has long positioned itself as a champion of rights, fairness and the rule of law. Persisting with arrangements that fall

below internationally accepted standards undermines that position and invites avoidable criticism at a time when global scrutiny of labour rights is increasing.

Reform does not require abandoning public safety. Other countries successfully balance operational continuity with workers' rights through carefully designed proportionate systems, whether by permitting limited, regulated industrial action or ensuring genuinely independent and effective arbitration mechanisms. The current UK framework does neither sufficiently as I explained to you at our meetings.

I therefore urge the Government once again to avoid Court action and take the opportunity to;

- Reviewing the blanket prohibition on strike action for Prison Officers.
- Introducing fair and credible dispute resolution mechanisms which commands the confidence of the POA.
- Engaging constructively with the Officers of the Union as the leaders of the POA to rebuild trust and demonstrate respect for the workforce.
- To revisit the offer that I made along with the General Secretary of the TUC to put a third-party mediator who commands the respect of Government and POA on a without prejudice basis to ascertain whether agreement can be reached.

This is an opportunity to show leadership, to support those who work on the frontline in our Justice System for bringing the UK back into alignment with its international commitments.

I would welcome clarity on how the Government intends to respond to the Committee's findings and whether it will commit to meaningful reform in this area where the POA have been treated disgracefully since 1994. I look forward to engaging with you along with our National Chair Mark Fairhurst in the near future. For ease of reference I attach the link to the findings of the ECSR <https://rm.coe.int/conclusions-xxiii-1-2025-united-kingdom-en/48802a4af8>

I will be making this letter available to the TUC and our wider membership as we will be raising our campaign profile in the coming weeks and months on this issue as I indicated at our meeting. I look forward to your urgent response as I am sure reaching a negotiated solution is far better than the Government defending a previous Governments decision on a strike ban.

Yours Sincerely



STEVE GILLAN
General Secretary

Sent via email to:

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PS.DeputyPrimeMinister@justice.gov.uk

The Lord Chancellor & Secretary of State for Justice
The Rt David Lammy MP