

Prison Governors Association

Representing: The Prison Governors of the United Kingdom since 1987



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President's Opening Address to Conference 2024

As all of you know this is my first opening address to conference. I want to thank you for the privilege of being your President and I would like the opportunity to reflect on the first few months of my tenure and offer some perspective on the changes that have taken place over the course of my career.

What it was like

I was promoted into the Governor Grades, albeit temporarily at first, as a Governor 5 in 2000 and six years later became a Governor in charge for the first time at HMP Nottingham. In 2006, as the Governor of what was then a small inner city Victorian local prison, many things were very different. My team at Nottingham were mine to deploy into whatever role I chose for them. The SMT could be as large or small as I liked, provided changes were properly consulted upon and I could afford the structure I chose. There were no considerations of job evaluation schemes, and I didn't have to choose from a restrictive list of job descriptions. Governor grades managed each other, with deputies in many functions which meant that teams were resilient and that the SMT was small and could be decisive and executive within the prison. The staff group was well established, experienced, confident

and capable. They were also occasionally grumpy and intransigent where change was required. The prison was reasonably safe for both staff and prisoners. Where violence did occur, it was often low level and rarely resulted in serious injury.

Many of the functions of the prison were directly line managed by me as the Governor and those that were not, were commissioned and monitored by me. I had far greater control than Governors do today of Estates, Healthcare, Education, Psychology, Finance, HR etc. I was even responsible for recruitment and selection of my own Prison Officers! Every year I went through a face-to-face process where I met with my boss, the Area Manager, and had a 'Budget Challenge Meeting'. This was where we agreed (argued) about how much money I was going to get to run the prison and what performance they expected for the public money that was devolved to my control. In short, I was made accountable to my boss and to the Prison Service for what I was responsible for achieving in the Prison. If I failed to achieve something, unless I was able to provide a detailed and evidenced explanation of the circumstances, and it was agreed that I couldn't reasonably predict and or control the position, then I was going to be in trouble. Mostly the feeling of having let people down, my boss, my team, partners and prisoners would be a real incentive to work hard and to get it right. We had a set of published standards, against which the prison was regularly audited by Standards Audit Unit, so I knew what I had to achieve and whether or not I managed to do so was checked by somebody outside of my control, but within the Prison Service.

What it's like now

Contrast that with now. Using HMP Nottingham as an example, I'm sure Paul as the current Governor would allow me to. The prison has doubled in size. That's true for many of our prisons over the same period. As the prison population has increased in the never-ending

drive to lock up more people, for longer and make it more difficult to release them, prisons have become larger and more complex. We have added more capacity within existing prisons, as well as building new ones. This means that the volume of work for our members has also increased. As for the size and shape of Senior Management Teams, increased restrictions introduced over the years with 'Fair and Sustainable' and the current JES scheme, as well as various central projects and the imposed management arrangements that have come with them, means that Governors have to arrange their teams in a prescribed way that isn't as responsive to local circumstances. As Governor of HMP Wakefield last year, following the changes that were made to the SMT as a result of central programmes within HMPPS, I ended up with additional Senior Managers with responsibility for Offender Management and Education Skills and Work. There were three Senior Managers responsible for Offender Management, two for Residential and two for Operations. I didn't have a meeting room large enough to hold SMT meetings if everyone I was told was a member of "my" SMT actually turned up. That was usually ok because they didn't. Senior Manager roles with responsibility for HR, Finance, Estates (all part of the MoJ not HMPPS) Health and Safety to name a few were responsible for multiple sites and weren't able to participate in meetings in all of them. They also probably didn't feel as responsible for the individual sites as they would have when they actually worked there full time. This is not an ideal situation from my point of view.

Look at the state of our prison buildings and infrastructure. We have derelict buildings that used to operate as workshops, but due to leaky roofs or other issues relating to a lack of investment, they stand empty. We have accommodation that fails to reach the most basic standards of decency with heating that doesn't work and windows that don't close. How can this be the case in 2024? In a year when we have had a high-profile escape from one of our prisons, we have electronic perimeter security systems that are not fully operational in some of

our prisons holding the most dangerous prisoners. How is this acceptable and, when public money is so hard to come by, what are you supposed to do about it when maintenance is contracted out and those contracts aren't even with HMPPS, but the MoJ under "Functional Leadership"? My plea would be that you make sure that senior officials are aware and that they report this to ministers so they can get money from the Treasury to fix it. It can't continue un-checked and unmentioned.

The Budget Challenge process is a thing of the past, Governors largely get what they are given and the connection between resources and performance is lost. When prisons are deemed not to be performing well, there is little discussion about the comparative resource position with those that are. Governors and their teams are however, still held to account. In some cases, they are blamed publicly for failing to deliver what may well have been impossible to achieve in the first place. That seems to me to be wholly unfair.

It has always been the case that some of our prisons have performed well and some of them haven't. We have had various ways of measuring prison performance over the years, and we have always managed to turn them into some sort of league table. When you have a league table something is going to be at the top and something at the bottom. Whist the leadership that you all provide every day is an important factor in where the prison you work in sits in that table, it isn't the only factor. Some of you are working in an almost superhuman fashion, not to achieve great success but to simply slow, or halt impending disaster. You do not get the credit that you deserve for that because, quite simply, those people who haven't had to work in our prisons during such difficult times don't know what it feels like.

Some, including some of our most senior leaders, understand it intellectually, conceptually and have experienced the same circumstances from a different and undoubtedly very challenging perspective, but they haven't lived it. Some observers, whose opinion

and judgement the press and public value, have watched with great interest from the sidelines. A bit like a pundit offering their view on a match, but they weren't running round on the pitch for 80 minutes getting tacked by an 18 stone player. Some of those that comment on social and other media last played the game 20 years ago, when the rules were different, and players weren't as big or as fit. They didn't even watch the match they just read about it afterwards but can't resist trying to relive their glory days and tell anyone who will listen how much better the game would have gone if they were still playing.

Prisons have become increasingly violent and staff and prisoners are more likely to be the victims of violence than they were in 2006. The official data paints a sad and sorry picture. There were 3,530 assaults on staff in prisons in 2006. That figure had risen to 9,204 last year the total number of assaults in prison had increased from 15,057 to 26,912 over the same time period. The type of violence has also changed, in 2006 12.3% of assaults were with a weapon, that figure was 25.1% last year. The chances of being hurt in prison, and hurt badly, have pretty much doubled.

One of the things that hasn't changed is that there is a prison population crisis where demand for prison places is on the very edge of outstripping supply. The End of Custody Licence (ECL) was introduced in June 2007 to help deal with prison overcrowding. Eligible prisoners were released up to 18 days before their release date. Does that sound at all familiar? Seventeen years later and successive Governments have failed to learn lessons and consider the impact of their policies on the prison population. They have wanted to make the vote winning, popular announcement without ever properly planning and accounting for the inevitable increase in the need for prison places. They have promised the world over and over, yet the current population pressures would indicate, fundamentally failed in their duty to the public to actually deliver. Will the current Government behave any differently? We have to hope so.

Carl, Mark and I as your President and Vice-Presidents, have tried to get prisons on the political agenda and have been working hard to ensure that they remain in the public consciousness. Our letter to the leaders of the main political parties prior to the general election, ably drafted by Carl, put prisons right at the top of the list of issues that the new Government would have to face. Having a credible public voice is, in my opinion, very important for the PGA. I hope that you will have noticed it is something that we have been working hard on and that we have had some success. We have increased our capacity to respond to requests from the media by sharing the responsibility more widely but ensuring consistency of message, by agreeing it in advance. Our strategy has been about two things, the first, which I have already spoken about, is by providing comment on system wide issues in prisons so that the public understand the truly heroic efforts that are being made by PGA members all across the United Kingdom. Secondly, we are responding to media criticism of individual prisons, and by extension, sometimes individual PGA Members, by providing context and factual information. Criticism of HMP Wandsworth following the most recent HMIP report would be an example of this. This was in the absence of any response to such criticism in person by either the Minister responsible or any of the Senior Officials in HMPPS. I am fairly sure that the officials concerned could have ably defended, or at least contextualised, the criticism, but were not afforded the opportunity to do so for fear of criticising government policy. We will have to wait and see if this position changes. In the meantime, we will continue to speak out publicly for you.

Some of the early indications are good. The Prime Minister's promises of 'Fixing the Foundations' in his speech on 27th August bodes well at least. He knows the debt that is owed to you all for the amazing work that you have done. He said.

"During those recent riots, I made huge asks of the police and of the criminal justice system – People already stretched to the limit. They

knew I was making big asks of them. And I'm not going to apologise for it. But let me tell you this – they delivered. They deserve our gratitude.... They deserve a government that trusts them. Supports them. And works with them. That is the sort of government we will be”.

All members of the PGA are Leaders, we are all decision makers, and as such, our decisions are often subject to review or appeal. Sometimes they are upheld, sometimes not, but in order to lead we have to be free to use our judgement, professional expertise and the policy and guidance available to make them. Just because somebody else would have come to a different decision does not make one right and the other wrong. During the first few months as your President, I have seen a growing inability to accept this as a position. If I look out of the window in the morning and it looks like it might rain, and the weather forecast says there is a 50 percent chance of rain I might chose to take an umbrella to work. You might choose not to. If it doesn't rain does that make my decision wrong? Was it an unreasonable decision to make? Should I be removed from the position of making such decisions in the future? Or should we simply accept that it was a reasonable judgement based on the available information and that I was the right person to make the decision? This is what seems to be in some cases at the heart of some of the upward bullying cases that we continue to see of our members. They have made a reasonable decision within their authority, which others are simply unwilling or unable to accept. This leads to a perceived sense of grievance which is pursued through channels designed to support, in order to seek revenge or cause harm. We continue to see this and although HMPPS do not yet appear to have any clear guidance on how to manage it, they at least recognise what it is that we are describing. Indeed, I'm fairly sure they might have done something about it if they still controlled their own HR, rather than simply getting what they are given under “Functional Leadership” from MoJ HR Policy Teams. Your

jobs are difficult enough as Prison Service leaders without having to second guess what 'hindsight test' may be applied to your reasonable decision making. We will continue to raise this issue on your behalf until the employer finds a way to deal with it.

The scale and scope of the issues that you all have to deal with as leaders in our prisons has also changed, but some of the expectation of you hasn't. Some of our staff and prisoners still think that you have more autonomy than you have, and they sometimes expect more of you than you are reasonably able to give. However, in many cases that doesn't prevent you from trying. Trying to support staff who are struggling to cope with the exceptional demands of their jobs, in some cases because they were unsuited for them in the first place. Trying to instil a sense of hope in circumstances that are evidently hopeless. Dealing with the death, sometimes self-inflicted of prisoners and colleagues, seeing the result of violent assault on staff and prisoners, helping colleagues through the huge variety of personal disasters that have befallen them, illness, death, breakdown of relationships and so on. This is taking a personal and emotional toll on you and yet you carry on.

What Government needs to do

I don't think that the next year is going to offer much in the way of respite for us all. Government talks of accepting short term pain for long term good when you are working in an unprotected department that has been under so much pressure for so long fills me with a sense of dread. Let us hope that your delivery is not forgotten by the Government and that the "fixing of the foundations" involves proper investment in our Prison Services to enable us to cope with the prison population arising from changes to government policy. We need to have a proper debate about the purpose of Prison.

Unless Government are clear about the role and tasks of prisons, there is a risk that society will expect too much and be disappointed. In the

process, we are likely to over-use the most intrusive and expensive punishment available to us - the medical equivalent of prescribing surgery for the common cold. We need to be clearer about what prison can actually do, for who, at what cost and with what risks.

The idea that punishment is simply the deprivation of liberty, and that the prison's purpose was not to punish further, suggests that putting a fence round a 5-star hotel and confining people to its luxurious facilities for the period of their sentence would be acceptable as a punishment. Prisoners are sent to prison as a punishment and their conditions have to be seen by society as amounting to a punishment - confinement within the perimeter, restricted contact with loved ones and family, adherence to a regular, but limited, regime, with no opportunity to use economic wealth to mitigate those austerities are obviously punishment. Too austere a regime with too much emphasis on deprivation and punishment carries risk. The first Victorian prison in the new style, "the model prison" of Pentonville, which had a regime based on separation and religious contemplation with very little freedom of movement or social contact produced, even for the Victorians, an unacceptable rate of mental breakdown.

There has been expectation from the earliest days of the use of imprisonment as a punishment that by interventions that take place in prison, prisoners will be "reformed" or "rehabilitated". The methods that have been used have varied over the years and depend very much on the prevailing views in society. We need to remember that for a prison to be successful it has to be survivable. This is a real issue - the number of suicides each year still indicates that surviving imprisonment is a real matter of life and death. Doing time, particularly very long sentences, is exceedingly difficult. To make imprisonment bearable we need to ensure there is sufficient variety and activity and sufficient social contact, both between prisoners and between prisoners and their friends and relatives outside to enable the process of imprisonment to seem endurable. Long periods of

being locked up separately, no opportunities for recreation, lack of stimulation and lack of choice, all work against the smooth passage of time. Time is also always more bearable if there is a feeling of progress of things to be achieved and improvements secured. Education, the Arts, sport, ordinary social interaction are all necessary in some form to give this sense of progress and variety. All also need to take place in a built environment that isn't squalid or falling down around us.

We know that good quality staff/ prisoner relationships improve rehabilitation prospects and are essential to our work. A prison which is a battle ground between prisoners and staff where prisoners feel rejected and mistreated is unlikely to provide the sort of fertile ground in which real changes can occur. It is instead much more likely to produce prisoners whose hatred of the authorities and resentment of what has happened to them makes them likely to come out feeling resentful, a resentment which may well be taken out on society and, as a result, create more victims. Prison regimes can only work if systems are seen to be fair and staff are seen to be reasonable and to be genuinely concerned about the individuals they lock up. Achieving this level of fairness, understanding and real concern for individuals without losing the necessary authority to control and maintain order is a difficult task for staff, it requires time to develop and staff that do it need to be properly rewarded if we are to retain them. Staff and prisoners need to be in a position where they feel safe if prisoners are to change for the better and staff are to help them.

Prisons do a complex job on behalf of society. Prison remains a very real punishment - doing time is difficult. Achieving success requires us to be realistic and to balance the competing pressures of punishment, order, security, humanity, in a way that is morally, publicly and politically defensible. Society also need to be prepared to pay for it.

Let us hope that a proper, independent review of sentencing policy takes place.

Let us hope that we get investment so that our buildings are properly maintained to allow you to deliver secure, decent prisons that protect the public and are environments where prisoners can change for the better.

Let us hope that “functional leadership” and the control of so many of the things that impact directly on operational delivery in our prisons can either be made to work or be scrapped so that you and HMPPS more widely can take real responsibility for delivering effective prison services.

Let us hope that, through investment, we can improve safety for staff and prisoners and reduce the level of violence in our prisons.

But rest assured that whatever happens we will continue to do our best for you, our members and for those we manage and those in our custody.

Winston Churchill, offered some common-sense advice that I think applies well in our current position,

“If you’re going through hell, keep going”.

Thank you and enjoy conference.