

HMI Prisons Annual Report 1996-1997
April 1996 - November 1997

Home Office
50 Queen Anne's Gate
London SW1H 9AT
10 March 1998

To the Right Honourable Jack Straw, MP
Her Majesty's Principal Secretary of State for the Home Office

Sir

I have the honour to submit the sixteenth Annual Report of HM Chief Inspector of Prisons for England and Wales, as required by section 5A of the Prison Act 1952, as amended.

I have the honour to be, Sir,

Your Obedient Servant

DAVID RAMSBOTHAM
Her Majesty's Chief Inspector

STATEMENT OF PURPOSE

To contribute to the reduction in crime, by inspecting the treatment and conditions of those in Prison Service custody, and Immigration Service detention, in a manner that informs Ministers, Parliament and others and influences advances in planning and operational delivery.

CONTENTS
INTRODUCTION

IMPRISONMENT

THE PRISON SERVICE

CONDITIONS AND TREATMENT

HM INSPECTORATE 1996-97

CONCLUSION

ANNEXES

INTRODUCTION

'The establishment of an Inspectorate of Prisons, independent of the Prison Department, and the publication of its reports, are a vital part of the process of increasing public understanding of the prison system'

'HM Chief Inspector also, however, draws attention - quite rightly - to the serious implications of some of the major problems facing the Prison Service such as overcrowding, the poor quality of the regime in local prisons in particular and the maintenance of the prison estate. All are direct consequences of the mismatch between the demands made upon the Prison Service and the resources available to it; a mismatch which the Government has acknowledged and which it is the aim of Government policy to correct' .

The Rt Hon William Whitelaw CH MC MP, Secretary of State for the Home Department, in a foreword to the first report of Her Majesty's Chief Inspector of Prisons, March 1962, Cmnd 8532.

I begin this, the sixteenth annual report of Her Majesty's Chief Inspector of Prisons, with the same quotation with which I began my last. I concluded that report, written as at 31 March 1996 but published in November 1996, by saying that overcrowding and the shortage of resources, coupled with the associated evil of inactivity? were threatening many of the developments in the Prison Service that had followed the Woolf report¹, and were programmed in the 1991 White Paper 'Custody, Care and Justice'². This statement implied that, fifteen years later, the then Government had not yet succeeded in its aim, and could be said to be further away from doing so than had seemed likely in the early 1990s.

I should have reported again as at 31 March 1997, but, in view of the change of Government, and two important thematic studies that the Inspectorate was producing in July and November 1997, I asked the Home Secretary for permission to delay it until as at 30 November 1997, to allow me to mention these and to comment on the Prison Service after the first few months under the new administration rather than under the old. I hope that this new date will determine future practice, because it also coincides with the date of my appointment, and therefore each November report will be a report on a Chief Inspector's year.

To expand on what I mean by overcrowding, the prison population stood at 54,200 on 1 May 1996, whereas, one year later it had increased by 7,232 - or equivalent to the size of a large prison - each month, to 60,888 on 1 May 1997. Since then it has continued to rise, and on 30 November 1997 stood at 63,738. That represents a rise of almost 20% in the last 18 months, the population being consistently 1,500+ above published population projection. This figure is some 5,400 above Certified Normal Accommodation (CNA), which is the number of spaces certified by Prison Service Operational Directors as being available and suitable for occupation. But it is 1,400 below absolute operational capacity, which includes an emergency allowance for temporary measures. The Prison Service advise that there is a strong likelihood of having to resort to using police cells, at a cost of £300 per night, when the prison population is within 1,000 of operational capacity, so the reasonable limit has almost been reached. However, while this is a snapshot on a particular day, the situation changes daily. The Prison Service is commissioning new accommodation, in the form of houseblocks of various kinds in existing prisons up and down the country, in an attempt to keep pace with the rise in population. Despite the difficulties it is to be commended for the way that it has tried to avoid sending people too far from their home areas, something that it is impossible to achieve completely, given the sheer size of the problem.

Sentencing policy is outside my remit, but I should quote some explanatory comments made by the Home Office Research and Statistics Department which is responsible for producing a monthly analysis of population figures. The percentage of those awarded custodial sentences by the Crown Court, after committal for trial, is constantly rising, being 60.5% in the three month period ending September 1997 as opposed to 52.4 % in the third quarter of 1994. Compared with the 1996 figures, those sentenced to less than a year are up by 8%, those sentenced to between one and four years by 12% and those sentenced to more than four years, including life, by 13%. Custodial sentences awarded by Magistrates courts also show a slight increase. But the cumulative and relentless effect of these increases, particularly in the number of longer sentences, is mirrored in the equally relentless rise in the numbers being committed to prison, and it is the combination of these realities that is causing the problem.

But, of course, that is only the numerical ingredient of overcrowding. What matters, as much as having a bed in a cell for a prisoner, is what happens to him, or her, during the day. If there is not enough constructive activity with which to occupy them, prisoners will spend all but one or two hours each day locked up and doing nothing. It is important, therefore, that emergency arrangements, made to house the increased numbers, should include the provision of work and education places, plus the staff needed to supervise prisoners throughout a working day. We have found examples of establishments, such as HMP Acklington and HMYOI Hindley, which had not, at the time of our inspection or visit, been given extra resources to provide this activity, the result being an unacceptable diminution in their ability to maintain reasonable treatment and conditions for prisoners.

To explain, in more detail, what I mean by the reduction in resources to deal with these numbers, the Government accepted the 1996-97 Public Expenditure Survey (PES) formulated by their predecessors, announcing that it was carrying out a comprehensive Spending Review (CSR) to inform its 1998-99 PES work. This means that they confirmed the reduction in the percentage cuts required to be made from 13.3% over three years in PES 1995 to 5.3% in PES 1996, plus some additional funding for building extra accommodation, and ensuring some regime delivery. In cash terms this meant that the Prison Service allowance for current expenditure in 1997-98 was £1,485 million, of which £169 million was planned for Headquarters costs, £1,187 million planned for prisons and £129 million for contracts, plus £272 million for capital expenditure. To this the new government made available £10.7 million for current and £7 million for capital expenditure, out of £43.7 million which was made available over the two years 1997-98 and 1998-99. In the event the extra in 1997-98 was not taken because the service managed with existing provision. Money for prisons is allocated to Governors, by senior management, leaving them to make cuts as they think appropriate, a procedure on which I commented last year. It is not conducive to consistency in the treatment and conditions of prisoners around the country.

When the new Government took office in May, I suggested to the Home Secretary that no-one had actually costed imprisonment, or costed the priorities set out in the White Paper 'Custody, Care and Justice', to which I return later. The amount of money made available to the Prison Service was known, as was how much was distributed to

each prison, but no one knew how much it would cost to do all that could and should be done to tackle offending behaviour, to attempt to encourage prisoners to lead a social, rather than an anti-social, life on release, thus ceasing to be predators on the community.

However, to be fair to the Prison Service, other than the 1991 White Paper priorities, and some agreed Key Performance Indicators (KPIs), the chosen method of measuring outcomes, no clear guidance as to what is expected in each type of Prison Service establishment has been laid down. True the Prison Service has a statement of purpose, but this is general rather than particular regarding both security and rehabilitation responsibilities, stating that:

Her Majesty's Prison Service serves the public by keeping in custody those committed by the courts.

Our duty is to look after them with humanity and help them lead law-abiding and useful lives in custody and after release.

Without clear direction the Prison Service can only do what it can with the money that it is given, as can individual Governors of prisons. It knows, and the Inspectorate confirms in inspection after inspection, that current funding is insufficient, otherwise too many prisoners would not be left locked in their cells for 23 hours out of 24 because there is nothing with which to occupy them. But, without knowing precisely what is expected, it is difficult for it to come to precise operational, let alone financial, decisions. That direction, for much of the period of this report, seemed to amount to doing all they could to prevent anyone escaping, or having to lodge prisoners in police cells. Cuts in regimes were of lesser importance than escapes. But the old adage 'the devil finds work for idle hands' remains all too true. There is an ever present danger that even those who want to conform to regimes and take up any opportunities for employment that are offered, will, if left idle, become victims of corruption by those who do not, thus making it more likely that they too, embittered, will re-offend on release. This is to be avoided, and is another reason for busy regimes.

This lack of clarity of direction as to what is expected of a prison underpins all that the Inspectorate finds on its inspections and visits, and colours all that we say in our reports. I am pleased that the Prison Service has recognised this by appointing a Director of Regimes, from 1 January 1998, with Assistant Directors responsible for regimes in adult training prisons, young offender institutions (YOIs) and women's prisons. Too often we have found treatment and conditions for prisoners to be something of a lottery depending on the part of the country and the particular prison in which they are confined. The difference between the cost per prisoner place per year - the Prison Service's chosen method of showing how much imprisonment costs - is remarkable in prisons containing the same type of prisoner, varying by as much as 1/4, or £5,000 per head. Of course, there will always be some local peculiarities that must be taken into account, but, in theory and in practice, there can be no good reason for not providing similar conditions and treatment for each type of prisoner, wherever they may be confined. Consistency of treatment is essential as the Prison Service has now recognised, and I hope that the new Director of Regimes will be able to introduce it. Personally, while I welcome the appointment, I remain concerned that, because he

does not have any control over the way that money is allocated to prisons, which remains the prerogative of geographical line management, at least for the present, he could be more of an advisor than a responsible, and therefore accountable, deliverer. Time will tell; I hope that I am proved wrong.

But imprisonment makes expensive demands on the public purse, and I believe that it is reasonable for the public to seek to satisfy itself about what is being done with this money. Prison works to the extent that those confined cannot prey on the public while they are confined. But, with the exception of a tiny handful (26 on 30 November 1997), all 63,738 will be released, and the question that has to be asked is 'In what frame of mind are they going to be when they are released?' If nothing is done to tackle their offending behaviour, and they come out embittered as a result of the treatment they have received, then it is more than likely that they will resume their lives of crime. Of course, it is foolish to imagine that all will be persuaded away from a life of crime by offending behaviour programmes, and, to that extent, the phrase 'prison does not work' is as simplistic as 'prison works'. But, in return for the money made available, the public has a right to expect that prison will be made to work as well as possible, both in preventing those confined from escaping, and in making the best use of the time available to try to prevent them from resuming their predatory habits when they come out. Recidivism - or reoffending - statistics are notoriously unreliable because they are not maintained consistently over time in all cases. But in the case of some of the most punitive prisons in the Western world - American 'boot camps' - they show that recidivism is only reduced when some form of offending behaviour treatment, education or preparation for release, is included in the programme. Therefore the public has a right to expect that the Prison Service will be sufficiently resourced to enable it to carry out offending behaviour work with offenders, and to know what such work includes.

As sufficient resources are patently not currently available, and in the hope that steps will be taken to establish what they are, it seems sensible that, in reporting to Parliament on what I see to be the state of our prisons, I take the opportunity not just to look back but to look forward and outward, to suggest some ways in which improvements might be made. By that I mean that it is important not only to look at prisons but to see them in the context of their role within the Criminal Justice System (CJS). I do this despite clear signs that the Government understands and intends to do something about a problem that seems to be almost spiralling out of control. The Prison Service is on course to meet all but one of its Key Performance Indicator (KPI) targets for 1997/98, and I voiced my concern about undue attention being paid to their satisfaction last year, which concern still obtains. But, in general terms, while the competing pressures of increasing numbers of prisoners versus decreasing resources continue to apply, the Prison Service will remain locked into that spiral, not of its own making, the direction of which seems ever downward.

That is a stark statement, and deliberately so, because, in inspection report after inspection report throughout the period covered, each written with the aim of helping establishments improve their operational efficiency, I have been detailing hard evidence manifested in different ways in different prisons to support my contention. Therefore it would be unreasonable to expect a summary of these reports to suggest anything different. The quote above, from the then Home Secretary, about the first annual report of the newly reformed Inspectorate in 1981, confirms the responsibility

that I have of informing Parliament, Ministers and the public, on the state of their prisons. In honouring that responsibility I must be honest and give an objective view that will, it is hoped, lead to remedial action; reporting what I find, and not what people would like me to find. I propose to discuss first imprisonment in general, and outline some ways in which I think that it should be examined so that the resources required can be more accurately assessed. I will then report on the state of the Prison Service, as manifested in our reports, and finally detail the activities of the Inspectorate.

IMPRISONMENT

I interpret the role of the Chief Inspector of Prisons as being to monitor, and hopefully influence, treatment and conditions of prisoners. I couple this with monitoring and influencing treatment and conditions of staff, because I do not believe that conditions will be right for prisoners unless conditions are right for staff. Therefore I must be clear on what I understand to be the purpose of our prisons, based on Parliamentary statements and the Prison Service's own pronouncements on the treatment of prisoners.

But we live in an international world, and it seems sensible to set United Kingdom doctrine against that of the United Nations Basic Principles and Standard Minimum Rules for the Treatment of Prisoners (UNSMR), and the European Prison Rules (EPR) 19873, because of our membership of the UN and the European Union: As more human rights legislation is introduced, it is important to remind ourselves of what that means in terms of the treatment of our prisoners. The United Kingdom is subject to inspection by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, who issued a report in 1996, on their visit in 1994, which was critical of regimes in some prisons, at that time. Therefore, in examining the purpose of prisons, so that I can judge how successful they are in achieving their mission, I must be aware of all that has been laid down by Parliament, in whose name it is carried out, or is likely to be laid down because of European legislation.

In any examination of imprisonment it is, I believe, of fundamental importance that prisons should be seen in context and not considered in isolation. They have a role to play on behalf of the public, but it is a role within the CJS as a whole, and I make no apology for repeating an analogy that I made in my last report, that seems even more apposite after a further year's experience. Within the CJS, prisons are the acute part, where major treatment takes place, similar to the role of hospitals in the NHS. Neither has any control over who comes in. Both have to try to make those who come in better, which process is a multi-disciplinary operation, involving all those with the appropriate expertise to meet the needs of the prisoner or patient. The cure will not be completed in either hospital or prison, and further treatment, in the form of aftercare in the community, will be required. Running through this process therefore is the need for all involved to share all available information about the person concerned, so that a needs assessment can be made and treatment carried on consistently with what has been conducted previously. Further embellishments can be added to the analogy. Some will prove to be incurable. Some will have to come back for further or different treatment. As I was reminded recently, if you stay too long in hospital you are prone

to pick up some other disease that is endemic in the structure: if you stay too long in criminal company you will pick up criminal habits.

But the reason for making the analogy is to illustrate that many of the solutions to the problems of the Prison Service lie outside its competence, or the competence of the Minister of Prisons, to deliver. For example, as we outline in our thematic review 'Young Prisoners'⁴, Social Services and other authorities hold much information about the behaviour and treatment of young offenders before they are received into prison. It is vital that this is passed on to the Prison Service to enable staffs to take it into account and ensure the continuation of appropriate and consistent treatment. In other words there is not a purely Prison Service solution, because no prisoner presents a purely Prison Service problem. Holistic, or CJS solutions, require acceptance of the reality that, as in any system, action, or inaction, by one part can impact on any of the others, such as the relationship between sentencing and overcrowding mentioned above. This process needs to be acknowledged, understood and not ignored, if limited financial resources are to be applied to the good of the whole, and not wasted by any one part. Having said that, it is worth reminding ourselves of the content of UN regulations, and also what Parliament endorsed in the White Paper 'Custody, Care and Justice', to expand the context in which imprisonment should be examined.

UN Regulations

United Nations legislation on the Basic Principles for the Treatment of Prisoners, adopted and proclaimed by General Assembly resolution 45/111 of 14 December 1990 is as follows:

1. All prisoners shall be treated with the respect due to their inherent dignity and value as human beings.
2. There shall be no discrimination on the grounds of race, colour, sex, language, religion, political or any other opinion, national or social origin, property, birth or other status.
3. It is, however, desirable to respect the religious beliefs and cultural precepts of the group to which prisoners belong, whenever local conditions so require.
4. The responsibility of prisons for the custody of prisoners and for the protection of society against crime shall be discharged in keeping with a State's other social objectives and its fundamental responsibilities for promoting the well-being and development of all members of society.
5. Except for those limitations that are demonstrably necessitated by the fact of incarceration, all prisoners shall retain the human rights and fundamental freedoms set out in the Universal Declaration of Human Rights, and, where the State concerned is a party, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and the Optional Protocol thereto, as well as other rights as are set out in other United Nations covenants.
6. All prisoners shall have the right to take part in cultural activities and education aimed at the full development of the human personality.

7. Efforts addressed to the abolition of solitary confinement as a punishment, or to the restriction of its use, should be undertaken and encouraged.

8. Conditions shall be created enabling prisoners to undertake meaningful remunerated employment which will facilitate their reintegration into the country's labour market and permit them to contribute to their own financial support and to that of their families.

9. Prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal situation.

10. With the participation and help of the community and social institutions, and with due regard to the interests of victims, favourable conditions shall be created for the reintegration of the ex-prisoner into society under the best possible conditions.

11. The above Principles shall be applied impartially.

During the report I shall refer to Principles 8, 9 and 10 as UN8, UN9 and UN10.

White Paper 'Custody, Care and Justice', September 1991

The White Paper, under a preamble by the then Home Secretary:

'This White Paper charts a course for the Prison Service for the rest of this century and beyond.

The aim is to provide a better prison system. This will require more effective measures of security and control; a better and more constructive relationship between prisoners and staff; and more active, challenging and useful programmes for prisoners'

listed the following twelve priorities:

1. To improve necessary security measures;
2. To improve co-operation with other services and institutions, by working closely with the Probation Service and by membership of a national forum and area committees;
3. To increase delegation of responsibility and accountability to all levels; with clear leadership and an annual statement of objectives;
4. To improve the quality of jobs for staff;
5. To recognise the status and particular requirements of unconvicted prisoners;
6. To provide active and relevant programmes for all prisoners, including unconvicted prisoners;

7. To provide a code of standards for conditions and activities in prisons, which will be used to set improvement targets in the annual contracts made between prison Governors and Area Managers;
8. To improve relationships with prisoners, including a statement of facilities for each prisoner, sentence plans, consultations, reasons for decisions and access to an independent appeal body for grievances and disciplinary decisions;
9. To provide access to sanitation at all times for all prisoners;
10. To end overcrowding;
11. To divide the larger wings in prisons into smaller, more manageable units wherever possible;
12. To develop community prisons which will involve the gradual realignment of the prison estate into geographically coherent groups serving most prisoners within that area.

The Home Secretary has made it abundantly clear that the aim of all parts of the CJS is the protection of the public by the prevention of crime. In the case of prisons this can be translated into the prevention of 're-crime', or seeking to do all they can to tackle re-offending, since all those committed to prison have either committed a crime, or are alleged to have committed a crime, or they would not be there.

As far as 'Custody, Care and Justice' is concerned, in addition to priority 9 regarding access to sanitation, there is no doubt that the first priority has been acknowledged, witness the huge sums of money spent following the Woodcock⁶ and Learmont⁷ reports, to strengthen physical security in every prison, and to tighten procedures. This has resulted in a dramatic reduction in the numbers of escapes, and so the Prison Service can claim, justifiably, to be serving the public by keeping those committed by the courts in custody. The Prison Service is to be congratulated on, and can take much satisfaction from the recent figures which demonstrated such a dramatic reduction in escapes. This is not due to equipment alone, but to the degree of vigilance and control exercised by staff.

But, while money has been made available to implement recommendations made in the Woodcock and Learmont reports, it has been cut, and continues to be cut, despite the provision of some extra financial resources, from activities designed to help prisoners to lead law abiding and useful lives in custody and after release. Probation services have been cut, both in the numbers of seconded staff working in prisons, and staff to supervise prisoners on release. Education has been cut in virtually every prison, for financial reasons. There is no laid down minimum of education provision, except for those of under school leaving age, and even their statutory needs are not being met in all cases. There is not enough work in too many prisons, because instructor posts have been cut and workshops closed. Psychologists, who design and help to run offending behaviour treatment programmes, have been cut. Prison staff, trained in resettlement work, are all too often required on other duties since numbers have been cut, and so too many prisoners leave prison without proper preparation for release. There are not nearly enough drug treatment courses available because there is

not enough money to fund them. In sum, while money and attention have been directed at the security part of the mission, the reverse has been true of the rehabilitation. It would seem logical that, in the spirit of the direction given by the Home Secretary, at least the same degree of attention should now be given to the treatment part. This is where the problem that no-one has laid down exactly what is expected of prisons, which can then be costed, in the same way that they have laid down security criteria, asserts itself.

Since the White Paper's priorities are the last instructions given to the Prison Service by all parties in Parliament, in the absence of any update I assume that they, and indeed the White Paper itself, remain the only extant indication of what I should be inspecting in your name. Some of this direction has been subject to different interpretation and emphasis over recent years, but I detect that Ministers now are in broad agreement with these priorities, and that they could be said to have been restored to prominence in terms of an agenda.

I propose, therefore, to report on what we have found during our inspections in relation to these priorities, following a general overview of the Prison Service as a whole and the problems with which it is faced, and to conclude with some suggestions for the future based on our recent work, current circumstances and future intentions.

The Prison Service 'Prevent the next victim'

The excellent Statement of purpose for HMYOI Lancaster Farms, which I have not seen improved upon anywhere, and which could be adopted, with advantage, by all establishments

I intend to report on the three separate aspects of the Service - Management, Prisons and Treatment and Conditions. All my comments arise from inspection reports, and I only mention specific prisons if there is a particular illustration to be drawn, because so much of what I say refers to more if not all.

Management

In my last report I drew attention to the almost ridiculous demands being made on the Director General, who had four separate responsibilities and wholly inadequate support. I am pleased to note that during the period he has established a Secretariat, and that in the recently published Prison Service review he has appointed a proper Deputy to relieve him of some of his day-to-day responsibilities. He has been encouraged by the Home Secretary's instant and obvious assumption of responsibility for the Service on taking up office, manifested by the later declaration that the Minister of Prisons will chair meetings of the Prisons Board at least quarterly, and by the abolition of the Prison Service Monitoring Unit in the Home Office. This means that the Director General, as professional head of the Prison Service, has been restored to the position of being principal adviser to Ministers, which must be the bedrock of mutual trust and understanding, so critical to the smooth running of an operational service.

I have mentioned the appointment of a Director of Regimes already, and I hope that this will mark the start of changing the focus of line management to a more functional approach in terms of directing what work to tackle re-offending should be done in which type of prison and resourcing it. I do not dispute that there is a need for geographical co-ordination of support to prisons in different areas of the country, and remain wedded, as I know is the Director General, to the ultimate development of community clusters of prisons, advocated by Lord Woolf. This implies that in each designated part of the country there will be sufficient prison places to accommodate all types of prisoner coming from that area, thus reducing a great deal of unnecessary transfer to distant prisons, and ensuring that work done with prisoners, certainly immediately before release, can be related to local conditions that apply in the community that he or she is to rejoin. Not least this will help to maintain family ties, one of the key factors in preventing recidivism.

However, the long term future management structure will remain imprecise until the completion of the Prison/Probation Service review, which is examining the closer working together and possible merger of the two services. If this includes adjustments to CJS boundaries this will require adjustments to Prison Service areas as well, and I accept the logic of waiting. I have been very encouraged at the increasing evidence of closer co-operation between the two Services in the vital activities of Sentence Management and Throughcare - the planning and execution of tackling a prisoner's offending behaviour. This started with the sensible establishment of a joint working party of Prison and Probation staffs, and has been supported by a thematic study by HM Chief Inspector of Probation into the contracts between prisons and probation. He and I intend to follow-up this work, and conduct a joint study of Throughcare, but are waiting until after the Prison / Probation review is published. Ideally, Sentence Planning should cover both the custodial and the non-custodial parts of a sentence, and so be binding on both services. This imperative should enable a seamless transfer between prison and release into the community, which again argues for keeping prisoners as close to home as possible. In this connection we have been particularly struck by the relationship developed between HMP Wealstun and the West Yorkshire Probation Service, which is a model of how this joint working should be conducted.

I am aware, too, that Prison Service Headquarters is itself under scrutiny as part of the Comprehensive Spending Review, and so it would be inappropriate for me to comment on it further in this report. The recent House of Commons Home Affairs Select Committee report⁸ rightly gave much praise to the way that the Prison Service had coped and was coping with its problems, saying that now was not the time to initiate yet more change. I disagree, as far as the management of the Prison Service is concerned, but that is because I am looking long. Therefore, any longer term recommendations from me to the contrary are based on concerns about the treatment and conditions of prisoners, and any suggestions for change are related to improvements identified as being required during inspections. It remains my responsibility to make recommendations about these, and this I will continue to do. I have been interested to note, and take part in, expressions of the need for functional management and co-ordination of and between prisons of the same type, an advantage currently enjoyed only by the Dispersal estate. Governors and Boards of Visitors of women's prisons and YOIs have met together, and Prison Service senior management has held conferences for them to consider how their particular needs can be catered

for. I suggest that this cry for help from the field needs to be acknowledged and accommodated far more effectively in future management arrangements.

Prisons

To continue the functional approach I will mention, briefly, each type of prison that we have inspected, and highlight some concerns that have arisen from inspections.

Dispersal Prisons

During the period we have inspected three dispersal prisons - HMP Full Sutton, programmed, and HMP Belmarsh and HMP Whitemoor, unannounced - and visited the remainder. It is quite clear that the dispersal estate enjoys unique and distinct advantages over all the other prisons in the system, because it has its own Director, who, in addition to being a member of the Prisons Board, allocates money, co-ordinates many operational practices and holds regular meetings with Governors, a model that, except for membership of the Prisons Board, I have advocated for all other categories of prison. There is still much more that could be done in such areas as co-ordination of property holding rules, and co-ordination of privileges, but the model is the right one. Dispersal prisons have received many of the security improvements recommended in the Woodcock and Learmont reports, which, bearing in mind the type of prisoners they hold, is quite right. They also require more staff, and the difference between manning levels in them and other prisons is very marked.

However, in common with the remainder of the estate, there is not enough money in dispersal prisons to conduct a full programme of work, training and offending behaviour courses. In view of the nature of those who begin their sentences in the high security prisons this is unfortunate, as it is essential that needs identified during sentence planning are tackled quickly, and that such men are not left idle. It is also important that work started in a dispersal prison should be followed on in Category B Training Prisons, a process which I discuss below under the heading of offending behaviour treatment.

Another category, often associated with the dispersal estate, is life sentence prisoners, although they are held in 61 of the 137 prisons in the system. In ideal circumstances they should be sent to a lifer induction, or first stage (lifer), unit, as soon after sentencing as possible, so that needs assessment and sentence planning can begin. In fact, because of overcrowding, and the shortage of places in these units, those sentenced to life imprisonment are often kept waiting in a local prison for up to a year before being moved on. This, and a number of other factors such as the numbers of prisoners who pass their parole or tariff dates without being released, have prompted me, with the Home Secretary and the Director General's approval, to begin work on a review of lifers. This is being conducted jointly with the Inspectorate of Probation, because of the need to ensure that periods in custody and on licence are equally considered, as is what happens when a prisoner has to be recalled from licence. This review, which will be completed in September 1998, is being conducted in parallel with the National Audit Office report on the Parole Board, and HM Chief Inspector of Constabulary's study of child protection procedures. It is also supported by the Lord Chief Justice and the Chairman of the Criminal Justice Co-ordinating Council, and so can truthfully be said to be of far wider scope and, hopefully, ultimately of influence in the CJS, than a mere study by me and my Inspectorate.

Adult Male Training Prisons

Our chief concerns with the adult male training estate are inconsistency in conditions, treatment and categorisation of prisoners and the mismatch between what is planned for prisoners and what can be delivered. I have mentioned already the effects on consistency of the lack of overall direction on what work should be done each day with each type of prisoner, and the effect of allocating both resources, and cuts in those resources, to Governors for them to implement as they think fit. I am not against delegation of responsibility, with Governors being told what is the role of their prison. At present only offending behaviour courses that have been accredited by Prison Service Headquarters count towards Key Performance Indicators. This is laudable in terms of ensuring consistency of such important programmes, but is very much process orientated. Ideally, I believe that direction to Governors should be expressed in terms of what work should be done with prisoners each day, including what accredited offending behaviour courses are to be available. I hope that this is the underlying aim of KPIs.

We have found too many training prisons in which there are too many unemployed prisoners, either because there were not enough work places in the first place, or because instructors have been paid off, or are on long term sick leave - of which more below - or because the numbers in the prison have been increased but without additional work places being provided. Unemployment in a training prison is a contradiction in terms, not least because, as I have mentioned already, idleness breeds corruption, and is therefore contrary to the objective of preventing re-offending.

But there are shining examples, such as HMP Garth, where the Governor and his staff, assisted by his Area Manager, has produced a challenging environment for prisoners by monitoring their behaviour within all aspects of the regime including education, physical education and workshops supported by a sentence management system which involves all staff in assessing progress made by individual prisoners. This confirms the need for an overall look at regimes in adult male training prisons and how all activities should support the work of reducing anti-social conduct which has been acknowledged by the appointment of an Assistant Director of Regimes for life sentence and adult male training prisons, and I look forward to reporting progress next year.

The Prison Service has, for some time, been conducting a categorisation review, and its results are eagerly awaited. Current categorisation stems from the Mountbatten report⁹ in the 1960s and relates to security risk both in prison and to the public. Recent security measures have brought those definitions into question, as there are fewer and fewer prisoners who qualify for true Category D, or open prison, status as currently defined. The Open Prison Review, completed in 1996 but itself subject to review, is also eagerly awaited.

The Category C estate has virtually bulked out because of pressures from above and below, being on average at 102% of capacity. Prisoners frequently work through the system, starting at a high security category at the beginning of a sentence, and being moved lower as the risk of their escape diminishes. Many are given Category C status from the start. The overcrowded numbers in Category C prisons mean that, at the higher end of the scale, too many prisoners are prevented from moving from B to C when they should, which situation is exacerbated by the fact that, at the lower end, too

many people are not moving on to Category D (open prison) status, because they do not satisfy current, but out of date, definitions. As a result open prisons are less than 100% full, which must be questionable given current overcrowding. True, many Category C places are being added in the form of extra houseblocks in existing prisons, but there is a factor in this that needs to be watched. Many prisoners are released from Category C prisons, which, ideally, should be as near to their homes as possible. But the overcrowding situation makes this impossible in too many cases, which, together with the frequent absence of trained resettlement staffs, who are required for other duties, means that preparation for release is bound to suffer. I must commend the efforts made in HMP Littlehey, with help from the Cambridgeshire authorities, to mitigate this by the introduction of a computerised Job Centre. The training estate is the heart of the prison system, and it should be resourced to do all that is expected of it.

In addition to the inability of the overcrowded system to ensure that prisoners are sent to where it is in their best interests to be, too many of their movements result not from careful allocation but from 'horse-trading' between individual prisons, and individual staff in these prisons. 'You can move someone on if you take someone else in return'. I can see why staff are keen to gain respite from dealing with particularly difficult prisoners, but such processes are inconsistent with the aim and object of sentence planning and management. I realise that overcrowding means that moves often have to be made at short notice, but am unhappy at the number of occasions when this happens on the eve of an important part of a prisoner's programme such as completing an NVQ. This suggests the need for a careful look at population management, with a view to ensuring that it is able to exert full and consistent influence on the future location of prisoners, possibly influencing the long-term provision and location of different types of prisons as well. Categorisation remains a key determinant, to which I return below, and I await the Prison Service examination of the subject with considerable interest.

Local Prisons

We have inspected a number of local prisons during the period, all of which share a number of characteristics. Local prisons remain one of the poor relations of the prison estate because they are required to exercise so many functions in addition to their key role of holding and sending untried and unsentenced prisoners to court. However, that is complicated by three factors.

First, the length of time taken to bring cases to trial means that almost 5,000, of the over 12,000 currently held on remand, would not be in prison if the 110 day rule applied as it does in Scotland - i.e. the trial is cancelled unless it is held within 110 days. I found one man who had been on remand for three years, no doubt because he was not exactly helping to speed up the legal process, but prisons are not helped by having to hold untried and unsentenced prisoners for so long.

Second is overcrowding. Obviously figures can change, but, consistently, local prisons show the highest level of over-occupancy - 126% of capacity on 30 November 1997. This problem is increased by the problem discussed above, namely the time that prisoners have to remain in local prisons after sentence, because of the shortage of suitable places in the training estate. This is particularly acute in the case of life sentence prisoners, as I have mentioned already, some of whom remain for up to a

year. This cannot be right, which is one of the reasons why I have undertaken the study into their conditions and treatment.

Third is that fact that local prisons are under-resourced for the many different tasks that they have to perform - indeed they are wrongly named 'local' prisons, being in fact multi-functional community prisons, serving the courts being but one requirement. I have mentioned holding lifers and other long sentenced prisoners until places can be found in the training estate. However, short sentence prisoners are unlikely to move on into the training estate, and local prisons must attempt to provide similar activities for them. They are frequently not resourced either in terms of money, staff or facilities to do this, and so too many prisoners leave, at the end of a sentence, with their offending behaviour unchallenged. A notable exception to this is at HMP Canterbury, where a determined and imaginative attempt has been made to tackle one of the most intransigent problems facing the Prison Service, namely the persistent offender who comes into prison time and time again on short sentences. Such prisoners know how to work the system, and so are frequently treated as model prisoners. HMP Canterbury is challenging this by requiring them to face their offending behaviour. I wish that all other local prisons would attempt the same, or something similar.

In addition, a number of local prisons are having to hold juveniles and young offenders on remand and, all too often, when sentenced. A typical case of this is HMP Cardiff, where some young sex offenders were held for the whole period of their sentence, because there were no places on courses in the nearest YOI providing them, HMP and YOI Guys Marsh in Dorset. Local prisons are not properly resourced to look after young prisoners, though, having said that, I must commend the efforts that all of them make to try to overcome that deficiency. But, for example, they do not have the resources to provide statutory education for those under school leaving age. I hope that the Assistant Director of Regimes for Young Offenders will include local prisons, and their requirements, when designing suitable YO programmes.

Further problems facing local prisons include large numbers of mentally disordered prisoners for whom no facilities exist, foreign nationals, and lifers who have breached their licence, for whom places have to be found. I note that no Assistant Director of Regimes for local prisons has been appointed, which concerns me, because it means that no-one has the responsibility of looking at regimes for remand prisoners. In theory they can only be invited to volunteer for activities, which, particularly in the case of young prisoners who wait on average 123 days before trial, meaning that many will wait for considerably longer, many being locked in their cells, or allowed out of their cells, but with nothing constructive to do, for most of the day. I commend the efforts made by HMP Gloucester to devise a more meaningful day for young remand prisoners, and the efforts that HMP Lincoln has made to rectify a situation that showed up, starkly, the difference between inspection and audit. The Prison Service Operating Standards audit was content with the hours each remand prisoner spent out of cell in the remand wing. We found that, as the staff were reporting, the quality of that time was appalling. There was no control or supervision; bullying, intimidation and drug dealing was rife, and so on. A controlled and supervised day, with encouraged activities, has now been introduced, and the treatment and conditions of remand prisoners transformed.

Women's Prisons

The absolute maximum availability of places in women's prisons was exceeded in August 1996, requiring an emergency programme of converting existing men's accommodation, firstly at HMP Brockhill and subsequently at HMP Highpoint, to take women, with an inevitable knock-on effect on the already overcrowded adult male training estate. Further capacity has been provided by re-commissioning the closed HMP Foston Hall to take women. As at 30 November 1997, the women's population was at an all-time high of 2,888, representing an increase of 17% over the previous year. Women now make up 4.5% as opposed to 4.3% of the prison population.

In my last report I drew attention to the needs of women in prison, following my initial inspection of HMP Holloway. Arising from that I began work on a thematic study of their needs, treatment and conditions, and published my report, 'Women in Prison¹⁰, in July 1997. I quote from two paragraphs of that report, because they outline the heart of the current problem:

'Our recommendations are, I hope, clear and unambiguous, and are put forward for examination by the Prison Service in the context of their own strategic review of the estate. But they also have an underlying purpose, which is to encourage the Prison Service to make better arrangements for the separate management of the fast-rising numbers of women in prison, and to provide regimes appropriate to their needs, not merely to adapt those designed for men'. (Preface)

'While the procedures for planning the future estate for women prisoners are commendable there is an almost total absence of co-ordinated operational planning and day-to-day management. A simple example is that the recent conversions of Brockhill and Highpoint prisons to the custody of women prisoners have been carried out without clear objectives or structured guidance from Prison Service Headquarters. It has been left to the managers and staff in these establishments, the vast majority of whom have little or no experience or training in working with women prisoners. They have certainly done their best but there is a clear implication that the Prison Service sees no substantial difference between running prison regimes for men and women'.(para 3.45)

These may seem strong words, and they are intended to be. It is noticeable that of the 16 prisons holding women, five - HMP Brockhill, HMP Bullwood Hall, HMP Holloway, HMRC Low Newton and HMP Risley - have been declared to be in need of special managerial attention, and we have carried out unannounced inspections at short notice, on each occasion being prompted by concerns expressed by the Board of Visitors, at HMP Eastwood Park as well as Holloway, Low Newton and Risley. In the case of Risley we carried out a further inspection a year later, which confirmed that considerable improvements had been made. When we carried out an unannounced inspection of HMP Brockhill we discovered that, a year after the conversion of the prison to hold women, 80% of the staff were male, for which there can be no excuse. This has now been reduced.

I am pleased that there is to be an Assistant Director of Regimes for Women, and, again, I hope to be able to report positive progress in my next report. The Director General has appointed a number of specialised groups within Prison Service

Headquarters to examine the issues raised in 'Women in Prison', and-, in particular, I look forward to positive direction concerning the selection and training of management and staff suitable for working with women in prison. One of the positive achievements noted during the year has been the enormous improvement made by the Governor and staff of HMP Holloway, assisted by Prison Service Headquarters. While I have to ask how it was allowed to get into the state that we found it in December 1995, I am pleased that the positive action taken following that event has resulted in the restoration of more acceptable standards, although there is still much work to be done.

Young Offender Institutions

The numbers of young offenders also went up during the period, by 8%, although the numbers of those sentenced went up by 13%. Again, my concerns at their treatment and conditions discovered during inspections, led me to initiate a thematic review, 'Young Prisoners', published in November 1997. In this I was helped by Inspectors provided by HM Chief Inspector of Probation, HM Chief Inspector of Social Services and HM Chief Inspector of Education. Their contribution was invaluable and I am grateful to them for it.

The new Government has placed considerable emphasis on Youth Justice, and our report is being considered alongside much other work that the Home Secretary had put in hand. We deliberately related it to the admirable Audit Commission report 'Misspent Youth'11, which stopped at the prison gates, and did not cover work done behind them. I hope that the agenda it contains will be actioned by the Assistant Director of Regimes for Young Offenders, who takes up her post on 1 January 1998.

Again I will quote from two paragraphs of the preface to the report to give a flavour of our approach:

'Our concerns have concentrated on the treatment and conditions of the increasing numbers of young people who end up in prison... Overcrowding has led to too many Governors having to breach Prison Service Operating Standards, by doubling up young people in cells which are below the minimum certified size for new establishments or refurbished parts of them. But, even worse, are the effects of resource cuts to regime activities, which mean that far too many are left locked up in their cells for far too long, because, in common with too many parts of the adult estate, there are not enough staff or instructors or facilities to occupy them fully'.

'I believe, very strongly, that not only is the current 'demeaning' attitude and approach to young offenders, such as appears frequently in certain sections of the popular media, very dangerous, because of the effect that it is bound to have on them as they grow up, but also that there is no justification for any cynicism about the treatment of young people in custody. The only raw material that every nation on earth has is its people, and woe betide any that does not do everything it can to identify, nurture and develop their talents. YOs may have lost their way in society, but that does not mean that they are without talents which can be turned to advantage - their's and the nation's - given proper encouragement. Young prisoners will return to the community, and therefore it really does matter how they are treated in prison. The choice is ours. Either we can give them education, to make good the ravages of what they have denied themselves by truancy or been denied by exclusion, and

opportunities for personal development within a structured, caring environment - which many have been denied in the chaotic circumstances of their home lives - which we implicitly hold to be the way that can best lead to the development of responsible citizens, or we can continue on our present course, with all the damage that that is doing not only to the young people themselves but to the society to which they will return'.

As with the women's estate, I have been concerned at how many establishments holding young prisoners have been declared as being in need of special managerial attention - HMP Chelmsford - in which we found small numbers of young prisoners deliberately held on adult wings because that was felt by staff to be the appropriate way to control them - HMYOI Glen Parva - where the attitude of too many staff to young offenders was so unacceptable that I felt unable to complete a report until it had been tackled - HMYOI Hindley - whose resources had been allowed to be run down to the extent that there was almost no activity for young prisoners - and HMYOI Onley, now off the list - whose resource needs had been seriously neglected by Prison Service Headquarters but which, when these were provided following our inspection, has demonstrated what a committed and well led staff can do. In addition, we have voiced our concerns at the gigantic warehouse that HMYOI Feltham has been allowed to become because of the lack of sufficient YO facilities to satisfy the needs of London, and the appalling level of bullying at HMYOI Dover.

Set against that is the excellence of HMYOI Lancaster Farms, whose statement of purpose is at the head of this section, and whose former Governor, Mr David Waplington, introduced so much that is good in the treatment of young prisoners. In my last report I drew attention to the training programme for staff, pioneered there with the Trust for the Study of Adolescence (TSA), that I believe should be made compulsory for all, including managers, selected to work with young prisoners, whether in YOIs or local prisons. It enables staff to understand young prisoners as adolescents, and treat them appropriately and accordingly. Of course, there are exceptions, and some are more mature, in worldly terms, than some so-called adults. But understanding them is a key ingredient in being able to respond to their needs. Those who do not want to work with young people should not be allowed to do so because of the damage that they can do to them, the repercussions of which will be felt by the community into which they are to be released. This implies the need for a carefully designed selection process to be put in place, as for those working with women.

The excellent pilot schemes at HMYOI Thorn Cross, and the short-lived HMYOI Colchester, based on the provision of a full, purposeful and active day, also deserve mention. Their programmes have confirmed many lessons that have been learned and applied in the past, but have been dropped, for various reasons, over the years. They have shown, for example, that young people respond to challenges, such as adventure training, and also to examples set by responsible adults setting responsible role models. The staff at HMYOI Thorn Cross have also pioneered an admirable staff selection and training package, which will, I hope, be adopted universally. The resource implications of these programmes are tiny compared with the damage done to and by young prisoners if they are not engaged in this way. The Army's contribution to the pilot, during the short time that YOs were at Colchester, must be applauded. Military Correction Training Centre staff worked very well with their

Prison Service colleagues, validated the value of the TSA training, and demonstrated that a firm, fair and friendly approach was as successful with impressionable young offenders as in operational situations elsewhere in the world.

Lest anyone doubt the results of our research, let me list some characteristics found in a recent study of 100 juveniles (i.e. those aged 15-17) held in HMYOI Portland:

- * 73% left school before the statutory age
- * 55% had been expelled of whom
 - o -35% for fighting
 - o -15% for being disruptive or not working
 - o -11% for drugs offences or glue sniffing
 - o -11% for assaulting a teacher

- * 42% truanted regularly
- * 8 out of 10 failed to attain formal educational qualifications of any kind
- * 8.5 out of 10 had no experience of trade training
- * Almost 6 out of 10 had never been employed in any capacity.

- * 55% reported significant experience (2 years or more) or being in care
- * 49% had experienced the divorce or separation of their parents before they were 15
- * 19% had been disowned by their parents before the age of 15
- * 18% only were living with both natural parents
- * 34% reported living on their own or with friends
- * 24% living with a single parent - mother
- * 11% with 2 parents - one step

- * 14% are, or soon will be a parent themselves
- * 34% of all girls under the age of 18 admitted to prison are already, or about to become, mothers.

- * 36% gave the effects of drugs as the reason for committing their offence
- * 25% gave the effect of alcohol as the reason for committing their offence
- * 25% gave peer group influence
- * 25% that they needed money
- * 11% that they were seeking excitement or relief from boredom.

- * 46% had been referred for psychiatric examination
- * 17% reported a history of self harm.

I question whether any society can feel proud or easy about these statistics. With only half an eye on the future, that the onus on YOIs must be to try to do something about what they disclose, during the sentence of a young prisoner, is as self evident as is the need to provide them with the necessary resources to do it. The statistics also emphasise, yet again, that the role of imprisonment in society has to be seen in context. Prisons did not create the conditions from which the young people came, and to which they will return, and which, if not tackled, will see YOs become older prisoners, their habits costing their victims and society billions of pounds each year. Prisons can help society in that process, but only if they are enabled to do so.

Contract (Private) Prisons

During the period of this report we inspected only one contract prison, HMP Buckley Hall, but published our report on HMP Doncaster. The House of Commons Home Affairs Select Committee, in its recent report (HC57) into the management of the Prison Service (Public and Private) said:

'... after some early teething troubles, privately managed prisons are now operating well in terms of the quality of performance and the regimes they run; and that their performance overall has been at least as good as that of publicly run prisons and in some areas better'. (Para 174)

In its reply, the Government has accepted the Committee's conclusions, which are similar to the conclusions we reached in our inspections. A recent Home Office study has shown that contract prisons are between 8% and 15% cheaper to run than their public sector counterparts, considerably less than at one time claimed. There are a variety of reasons for this, which can never be reconciled because of differing personnel arrangements - private sector senior managers are paid more, and custodial officers less than their Prison Service opposite numbers, and, private sector prisons can afford to have a slimmer management structure. It would be impossible to change this because of such factors as the public sector pay structure, but the Prison Service must monitor manning arrangements in contract prisons such as the newly commissioned HMP Parc where manpower costs are estimated to be 55% of the total, as opposed to 80% in public sector prisons. These figures may change once the prison is fully operational, but the imaginative and innovative use of new technology to achieve such a dramatic reduction must be examined and lessons learned, particularly if there is seen to be no diminution in the standards of treatment and conditions of prisoners.

During the period we inspected HMP Manchester, in many ways the most significant prison in the system as far as the future is concerned, and my report was published early in 1998. The staff at Manchester won a market test with a most imaginative bid for a community prison. After an initial hold-up, when this achievement was not fully acknowledged, it was accepted by the Prison Service, and, since January 1994, the prison has been run on a Service Level Agreement (SLA), similar to a contract between it and the Prison Service, the first major revision being effective from September 1996. At the request of the Governor, I inspected the SLA both in the prison and in Headquarters, and I must record the success of the experiment, and the important lessons it has for the future. In this I sought help from the National Audit

Office, whose report is incorporated in mine but will be a most useful guide to Prison Service Headquarters in the future. The cost of every regime activity is being estimated which, because it has to be paid for by the Prison Service, will provide useful evidence of the actual cost of activities, the frugality of which knowledge has already been mentioned. This requires the Prison Service to specify precisely what the establishment is expected to deliver and, in return, through the estimates put forward by the establishment, which will become increasingly sophisticated over time, it will know the cost of every activity of that delivery. Extrapolate that to the whole of the Prison Service, with every establishment through the SLA process knowing what it had to do and the cost of delivery, and both Ministers and Headquarters would have the means not only of disseminating directions concerning work to be done in prisons, but, as importantly, of knowing how much imprisonment costs. In turn this would help them in the annual PES process, as well as informing the public. I know how keen the Director General is on this process, and have recommended that HMYOI Glen Parva be instructed to pilot an SLA in a YOI, to expand the experiment. The Governor and staff of HMP Manchester are to be congratulated on the enthusiasm and thoroughness with which they have responded to the challenge. Feeling that they own the outcome has proved to be a powerful motivating factor.

CONDITIONS AND TREATMENT

I have touched on many of the issues surrounding treatment and conditions of prisoners already, but there are a number of others to which I wish to draw to your attention. I do not intend to repeat all that I said in my last report, about Decency, Home Leave and Temporary Licence, which is, I know, being reviewed at present, the Personal Officer Scheme, Resettlement, Health and Safety, Families, Food and Mail, and Victim Support, because all that I reported then still applies.

To be fair to the Prison Service they are required to hold three groups of people, who should not be in prison. Firstly, there are the increasing numbers of Mentally Disordered Offenders (MDOs), for whom the National Health Service (NHS) cannot provide sufficient places. Secondly, the increasing number of 15 and 16 year old remand prisoners, whose removal into special Social Service accommodation was promised by September 1996. Thirdly, the growing number of Asylum Seekers and Immigration Detainees, for only some of whom close custody is appropriate, who are held in prisons because the Immigration Service does not have enough accommodation available and is also anxious to avoid the cost of having them in police cells at £300 per night. I do not propose to say more about juvenile remands and Immigration Service detainees, because I am aware that work is in hand to examine their situation.

But, as in my last report, I will comment on Offending Behaviour Programmes, Drugs in prison, Work and Education, Induction, Sentence Planning, Resettlement, Healthcare, Suicide awareness, and Bullying. I will also comment on Industrial Relations, Race Relations, Boards of Visitors, Chaplains and the Voluntary Sector in prisons.

Offending Behaviour Programmes

The Prison Service has introduced accreditation of offending behaviour courses, which is to be applauded. Offending behaviour courses have been developed with

adult males in mind, and I hope that the respective Assistant Directors of Regimes will now develop appropriate programmes for women and YO's as well. Their needs are different, and simply adapting courses designed for males is not enough. A number of good initiatives such as the courses developed at HMP Long Lartin, for armed robbery and drug dealing, HMYOI Glen Parva for young offenders and HMP Holloway for women prisoners, are to be commended, as are the efforts in a number of women's prisons such as HMP and YOI Drake Hall, HMP Askham Grange and HMP East Sutton Park. In our inspection of Grendon we were able to endorse their therapeutic community approach and supported their policy of seeking accreditation for the work of the whole establishment. I also commend the efforts at HMP Brixton to develop short modular adaptations of cognitive skills courses, enabling work to be done with some short term prisoners. But these initiatives must be disseminated by Prison Service Headquarters so that others do not waste time by reinventing wheels, if there is, already, a similar programme in existence.

But I hope too that the Prison Service will turn its attention to extending the scope of offending behaviour programmes in another direction as well. At present all that it conducts are offending behaviour programmes, which are introduced in prisons, by Governors, in line with KPI 7, whose target for 1997-98 is to ensure at least 2,200 completions, by prisoners, of programmes accredited as being effective in reducing re-offending, of which 670 should be the Sex Offender Treatment Programme. This blanket KPI is then broken down by Operational Director and so to prisons, but, to me, it remains a measure of quantity - accreditation is the quality control - not related to assessed needs of those in prison, or which courses should be carried out in which prison. There is no formal programme of accredited relapse prevention/booster programmes or pre-release checks, or prisons nominated to conduct these, without which programmes cannot be properly built into long term sentence plans. In particular, it is essential that sex offenders are challenged not just once but at regular intervals and that this is followed up by the Probation Service in the community.

I hope that Assistant Directors of Regimes will also turn their attention to the interaction between what is done in one prison to what is done in the next, so that there is progression. This applies particularly to life sentence prisoners, who are supposed to be advancing through the system towards parole or tariff release by virtue of their achievements along the way. Without the opportunity to achieve, this cannot happen, which is one of the reasons why so many pass their due date, waiting for the opportunity to go on a required course. But such a process requires direction of what should be done in each prison, in a way that does not happen now.

Drugs in Prison

This is another huge subject, and one on which the Prison Service is, at present, engaged in writing a new strategy. It would therefore be invidious for me to make comments until I see this, because I would merely be repeating what is already known. But the appointment of the new Drugs 'czar' is to be welcomed, because, presumably, he will be co-ordinating the strategies of all parts of the national not just the Criminal Justice scene, emphasising, yet again, the need for prisons not to be seen in isolation.

Last year I commented that, while I commended the purpose behind the introduction of Mandatory Drug Testing, I was not happy with a number of details in the whole

drugs treatment programme. I remain unhappy for three reasons, each of which I will mention briefly, because I hope that my concerns will be accommodated in the new strategy.

Firstly, tackling the drugs problem in prison is not just a Healthcare issue but mainly belongs to line management, by which I mean that I find it strange that Prison Service Healthcare should be responsible for funding drug treatment programmes in prisons. Of course Healthcare has a part to play in the process, but no more than that. 'Tackling Drugs Together'12, the Government document on which all current strategies are based, emphasises the need for all to work to a common purpose, which is best led, from the top, by the person responsible for the outcome. I think that it is a pity that the only KPI regarding the use of drugs refers to the numbers testing positive in the 10% random tests that prisons are required to conduct, a percentage that has been allowed to be reduced if staff or resource shortages impede. I believe that if KPIs are to be used they should refer to treatment not testing, thus measuring measures taken to combat substance misuse.

Secondly, I hope that there will be stronger direction, and more effective resource allocation, for both the treatment of abusers and the introduction of voluntary testing wings on which those who wish to remain, or go, drug free can live. The therapeutic wings introduced at HMP Channings Wood and HMP Lindholme, are working well, but the work of the Drug Agency staff is all too often hampered by the fact that nominated and trained Prison Service staff are required on other duties within the prison. The Prison Service has signed contracts with the providers of therapeutic services and, as with attempts to ignore this in HMP Manchester, this must be honoured, otherwise the provider has a valid case for breach.

But the employment of outside Agencies, and the introduction of drug free wings is very haphazard. Of course the selected Agency should be the one that is likely to provide services in the area into which a prisoner is to be released, so that there is some hope of continuity of treatment. But prisoners have different needs at different times, and I hope that this will be examined, enabling prisons to be told what part they are to play in an overall strategy, not left to their own devices to do what they think ought to be done with whatever money they have available. This is laudable, but it is not a strategy. It is time that guidance was given to governors about which treatment programmes are effective as the pilot stage should now be complete.

Finally, I hope that thought will be given to tackling in a more determined way the problem of illegal drugs, and how they get into prison. There are, for example, a number of devices on the market, used by HM Customs amongst others, which are capable of detecting substances. True, they will also pick up evidence of medication, but allowances can be made for that. They work rather like the metal detecting arch through which people have to walk at airports, if not in all prisons.

I would like to see their use investigated with a view to their introduction into every prison, and through which everyone - Governor, staff, prisoners, visitors, voluntary workers etc - would have to pass every time they enter or leave the prison. This would obviate some of the complaints made now about strip searching of visitors, which would only be undertaken in response to an indication from the machine. It would also help to tackle the problem of intimidation, which includes families who are

intimidated into bringing illegal drugs into prison on visits, and staff who may be intimidated into not noticing what is going on. Staff intimidation is a subject that deserves further examination, because of its implications. I would also like to see every prison issued with a passive drugs dog, which is on duty every time visitors are allowed into the prison, and also used to patrol the landings at night to indicate in which cells illegal drugs were being used.

The people who cause the real misery in prisons are the drug dealers. Not only are they involved in criminal activities, but they run prisoners and their families into debt, with all that that involves, quite apart from the bullying and 'taxing' that accompanies their activities. Prisoners know who they are, and I would hope that staff do too. I hope that the Prison Service will declare war on the dealers, and that prisons will make suitable arrangements for them. But, again, this is not an activity that should be indulged in in isolation - others such as the police must be included, because the tentacles of the dealers run outside the prison, affecting families and staff as well. But if they are to be stopped it will only be by the combined efforts of all who disapprove of their activities and what they lead to, which includes the appalling amount of drug related crime from which the public must be protected.

Work and Education

If any aspect of the inspection process depresses my inspectors it is the number of times that they have to report the effects of cuts in work and education in prisons, meaning that prisoners are left locked in their cells because there is nothing for them to do. When I asked the previous Home Secretary what he expected conditions to be in the prisons that I was to inspect he replied 'Decent but austere, with a progressive regime for tackling re-offending, based on the opportunities for work and education' This is, in fact, a direct quote from the White Paper 'Custody, Care and Justice'. Cuts in work and education have not resulted from a deliberate policy imposed by Ministers or Prison Service Headquarters, who I know regret them as much as anyone. But they are the inevitable result of imposing cuts on Governors of prisons, who have to make the choice between staff or activities which rapidly need to be brought into effect and having no other options available. The result is the clearest possible indicator of the need for more precise definition of what is expected of a prison, costed so that decisions as to what may be left out or reduced are made not by the Governor but by the Minister authorising the cuts. This is the procedure that I grew up with in the Ministry of Defence, and I am surprised that it does not apply in the Prison Service.

Education contracts are about to be re-let, and I am not party to the details. But I hope that, in future, they will make provision for educational involvement in induction, covered below, and sentence management, as well as pre-release training. The figures quoted for the educational deprivation experienced, or self-induced, by juveniles, masks another alarming statistic. It is estimated that 60% of all those in prison are below basic standards of literacy and 70% below basic standards of numeracy. At the very least, provision of educational resources to enable this problem to be tackled, should be ring-fenced. Without even the basics small wonder that so many end up in prison. Additional funding must also be provided for the statutory 15 hours per week education for all those of under school leaving age, to eliminate what has to happen now, which is that it has to come out of education resources already made available for all others in that establishment, thus affecting them as well.

In line with UN 8, as far as work is concerned, I have commented above on the numbers of unemployed prisoners in the training estate, and the need for extra work places to be provided whenever new accommodation blocks are put up in existing prisons. I hope, too, that the anomalies presented by the Appropriations in Aid procedures will soon be eliminated because they are hindering Governors in their search for more work opportunities. Under this, all profits made have to be estimated and declared in advance. If made, they can be kept and ploughed back into the prison; if exceeded, all monies revert to the Treasury; and if not made, they have to be paid to the Treasury from already cut budgets. Human nature being what it is, few Governors are prepared to risk having to pay and so do not make large contracts. Nor are they allowed to buy materials against presumed profit, which inhibits them in the work that they can undertake. Fortunately, HMP Manchester has set the trend in changing this by negotiating a 25% dispensation, allowing it to buy materials in advance which has enabled it to provide work for a large number of prisoners.

But the real advantage of not being tied by these procedures is to be seen in the contract prisons run by the Private Sector, who are providing far more imaginative work, and paying more meaningful wages as a result. This is a thoroughly unfortunate situation because it means that, in this respect, treatment, conditions and opportunity for prisoners in the public sector will never be as good as those in the contracted establishments. HMP Parc, for example, has negotiated a contract with Mowlem to provide work from local firms, which can lead to jobs after sentence. Under current arrangements no public prison could afford to enter into such a contract.

Because a job is quoted by so many prisoners as being one of the key factors likely to prevent them from re-offending, work experience and job training really do matter in a prison programme. Idle workshops suggest that something is wrong, and if that wrong is shortage of resources needed to bring in work for prisoners, then they must be estimated and provided. Again, society will be the loser if prisoners are not taught the importance of work, not least to give them some skills with which to earn their own living, even if the opportunities of doing so are limited because of their imprisonment.

Induction

First impressions are very important, and never more so than on a prisoner's first introduction to prison. How they are received and processed will determine how they conduct themselves in prison, as has been demonstrated many, many times. It is, therefore, unfortunate that all too many prison reception areas are small, cramped and wholly inadequate for the task. I have been intrigued at the number of proposals for new reception areas which were included in the strategic building plans put forward in the optimistic days of the early 1990s, only to be frustrated by cuts in capital funding. Of all the parts of a prison the Gatehouse, the Visitors' Centre and Reception need to look the part, because they represent the prison to so many seeing it for the first time.

What matters more is what happens in induction, and what induction process is embodied in a prison's operating practice. I am amazed at how different this is, varying from a programme of a few hours to two or three weeks, and I believe that it is something that would benefit from some standardisation of requirement, if not of how it will be conducted, which must depend on local conditions. I liken the

programme to the sort of check list a pilot uses before take-off - there are a number of procedures that must be gone through in every case, and some that are conditional. Documentation, property checks, healthcare examination and prison orientation are the musts, and these must be conducted at a pace that the prisoner can understand. It is important that prison rules are explained, as it is not good enough to expect everyone to pick them up merely by being there.

But there is one crucial part of induction which must be developed further, although all the signs are that this is improving, namely making a full and detailed needs assessment for each individual. This is the basis on which all work with the prisoner will be done throughout the sentence, and, to return to the hospital analogy, requires the prison to be in possession of all available information about an individual so that the process can be as all-embracing as possible. This means, for example, that courts must ensure that pre-sentence reports are available, which does not happen in all cases and is a cause of intense irritation to prison staff - another matter for the Criminal Justice system and not prisons alone. Previous conviction reports are another requirement, as are details of a prisoner's past medical history, a matter involving the NHS, to which I draw attention below.

Of course it is important that a risk assessment is carried as well, but needs can be accommodated wherever a prisoner is sent, whereas not all risks can be accommodated in all possible locations. The two will always have to be kept in balance, but it is the addressing of identified needs that will determine the success or otherwise of the use of sentence time to tackle offending behaviour and so protect the public.

Sentence Planning

The needs assessment carried out in induction must be turned into an individual sentence plan. The admirable work of the joint Prison/Probation team, on which I reported last year, has resulted in new sentence planning documents and procedures being introduced for all prisoners serving sentences of more than one year. This is already bearing fruit, and I hope that no longer will I be reporting on prisoners arriving in a prison without any record of what has been done with or planned for them, in other establishments. We shall be looking into this aspect in particular during our study of lifers.

Ideally, the sentence plan made at the start of the custodial part of a sentence should be binding on both Prison and Probation services until the completion of the period of supervision in the community. This begs the requirement for the relevant Probation Officer to become involved with the prisoner in the last few months of sentence, and for the relevant Prison Officer to be available to help the prisoner, particularly in the vital first few months after release. This is particularly important in the case of long term prisoners.

In future, as sentence planning becomes more sophisticated, it will be possible to determine when a prisoner should undergo particular offending behaviour treatment, including attendance on initial, booster or pre-release courses. I hope, also, that modified programmes will be introduced for short-term prisoners, for whom it will be possible only to address one or two identified needs at the most. But, at last, there is a solid foundation on which consistent work with prisoners can be planned, and

recorded and passed on, and I have no doubt that more effective sentence planning, and management will impact, not only on the treatment and conditions of prisoners, but on their likelihood of leading law-abiding lives on release.

Resettlement

The previous Chairman of the Association of Chief Probation Officers, has suggested that Throughcare, the work that is done in prisons with prisoners and is subject to a framework agreement between the Prison and Probation Services, should be re-named Resettlement, because it more accurately describes what is the purpose of this work. I would not disagree in principle, because, if one is positive about the purpose of imprisonment, one must be thinking in terms of what can be done to return a prisoner to society, more likely to lead a law-abiding life, and better trained to support himself or herself in so doing. This is fully in line with UN 10.

However, it is a sad fact that resettlement, or pre-release training, is all too often a casualty of overcrowding and cuts in resources. For example, the National Association for the Care and Resettlement of Offenders (NACRO), whose staff do so much invaluable work in prisons up and down the country, have trained a number of staff in every prison to act as pre-release advisers, only to find that they are frequently required for other duties and so are not available when required. This means that too many people are released without any adequate preparation being made for their housing, let alone finding a job, with the inevitable result that they find themselves back in prison.

Resettlement prisons, more than almost any other part of the prison system except local prisons, would benefit from a community cluster approach. Of course, prisoners can be, and are, released from any prison, which is particularly disturbing if a dangerous individual is released straight from the segregation unit, at the end of a long sentence, without any form of preparation for release. But the success of prisons such as HMP Latchmere House demonstrate the value of having small establishments, or parts of larger establishments, that are dedicated to this purpose. Ideally, these should be sited in all major towns and cities, acknowledging that it is possible to know where a prisoner intends to be released and so make plans to accommodate his or her wishes, so that full advantage can be taken of using local facilities which will apply to the individual on release. By doing this families may be included in as much pre-release preparation as possible. In this connection I must applaud the initiative of the staff of HMP and YOI Guys Marsh, who have written and published an admirable booklet, pointing out to families and returning prisoners alike, how much they will need to understand each other's position, particularly in the early stages.

To mention yet again the fact that prisons are not in isolation, I must draw attention to the valuable role that approved probation hostels can have in all this. They are run by the Probation Service, but take prisoners, working in the community, at the end of their sentence. Recently, they too have been subject to financial cuts, which is unfortunate because it means that a number of them have had to be closed. Because they are already sited in places to where prisoners will return, I suggest that their future is considered in the context of the Prison/Probation Service review, not least because both Services have to work so closely together on the subject of resettlement.

In addition to HMP Latchmere House, I must also mention HMP Buckley Hall, where a most imaginative scheme has been designed, with the help of the local community, to prepare prisoners for job interviews with firms who are prepared to offer jobs on release. This preparation includes education, healthcare, living skills and job training, and is an example of what could be copied with advantage, elsewhere. I must also commend the initiative of HMYOI Lancaster Farms, HMYOI Thorn Cross, HMYOI Hatfield, HMYOI Wetherby and HMP and YOI Moorland, who have worked closely with the YMCA, who provide accommodation and job-seeking opportunities for those on release, again around the country. This is an example of good Governors taking advantage of what there is in the country, rather than bemoaning the fact that what is needed cannot be provided by the Prison Service. But it is important that the Prison Service as a whole does the same.

Healthcare

UN 9 is quite specific on the subject of healthcare, and the rights of prisoners to have access to national standards, and the Prison Service itself states that it aims to produce standards equivalent to those provided in the NHS. That is the rhetoric the reality is, in all too many cases, different.

In report after report we have commented on deficiencies in some aspect of the provision of healthcare in prisons, and, in November 1996 I published a discussion document, 'Patient or Prisoner'13, from which, as with the other two thematic studies mentioned above, I make two quotes:

'Prisoners are entitled to the same level of health care as that provided in society at large. Those who are sick, addicted, mentally ill or disabled should be treated, counselled, and nursed to the same standards demanded within the National Health Service. Failure to do so could not only damage the patient but also put society at risk' (Chapter 1)

'It is no longer sensible to maintain a health care service for prisoners separate from the National Health Service. There is an immediate need for the Home Office and the Department of Health, together with the Prison Service and the National Health Service to agree a timetable for the NHS to assume responsibility for the commissioning and provision of health care and health promotion in prisons'. (Chapter 2).

I was, therefore, very pleased that the new Government at once picked up the debate that this discussion document had launched, and meetings between Ministers have resulted in the establishment of a working party including the NHS Executive, the Director of Prison Service Healthcare, and my own medical inspector. Progress is encouraging, but it would obviously be invidious of me to speculate on the outcome. Suffice it to say that I look forward to reporting in more detail in next year's report, when decisions have been made.

Of all the categories of those in medical need, listed above, greatest concern is caused by the approximately 20,000 who research shows have some form of identifiable mental health disorder. Of course, this includes those with learning disabilities and

those at risk of suicide or self-harm, but it is a useful indicator of the size and complexity of the problem.

Of greatest concern in this number are those suffering from so severe a personality disorder that they are deemed to be 'untreatable' by special hospitals, who return the individual to prison. Despite much research; the best way to help such people to change their behaviour, and so be less likely to offend, is not clear. If they cannot be treated in special hospitals, with the best facilities that the NHS can provide, what on earth are prisons meant to do with them, having no facilities worth the name at all? Many such offenders spend long periods in prison, often in segregation or on 'the roundabout' moving from one prison to another every few months aiming to share the burden they present around the service. But if prison health care was the responsibility of the NHS, arrangements for treating these people, who represent an extreme risk to society, would have to be made. If it was decided that such treatment is best given in prison, for security reasons, then facilities in prison would have to be built so that this could take place. By the same token, many of those whose condition deteriorates in prison because there are not sufficient psychiatrically trained staff or facilities to treat them properly, could benefit from the building of accommodation similar to that in medium secure units in the NHS inside prison grounds.

The fact is that the problem of mentally disordered offenders (MDOs), like so many other aspects of imprisonment, cannot be solved by the Prison Service going it alone. It must be presumed that all MDOs will return to society, and the question has to be asked, again, in what state they will return? Do nothing to tackle their mental health problems, and we have only ourselves to blame if they represent a risk on return. Do something appropriate, and we have some chance of protecting the public. There is no room for narrow views about this. The problem must be grasped in a holistic way, even if it means some surrendering of what is perceived to be organisational sovereignty.

There are a number of other issues that will, I hope, be tackled in the immediate future, including the analysis of health care needs in prisons, which the Prison Service is undertaking. At present health care, including the allocation of resources, is based on historical precedent. No-one has actually worked out what these resources actually are, a lack which is seen particularly in such aspects as dispensing and holding practices in pharmacies, which I am inspecting with the help of the Royal College of Pharmacists. The fact that 62% of adult male and 55% of young male offenders admit to consulting their GP in the six months prior to arrest suggests that many people rely on medication for a variety of reasons, many to do with substance abuse, which is something that needs to be tackled on behalf of society, and NHS resource provision. The provision of bedwatch staff, whenever a prisoner is admitted to hospital - 3 officers on each of 3 eight hour shifts every 24 hours - is a huge demand on prison staffs, particularly the smaller prisons, because their jobs have to be done by someone else while they are away. This can lead to prisoners being locked up because there are not enough staff to supervise them out of their cells. This suggests that the contracting out of bedwatches, similar to the contracted prisoner escort service, with groups of prisons using one ward of a nominated NHS hospital, will cut waste of staff time and money.

I am aware that such suggestions impact on the morale of Prison Healthcare staff who may regard their jobs as being at risk. I would suggest that the reverse is true. All Healthcare staff should be professionally trained and qualified, and, if inside the NHS, will have far greater career opportunities than if confined to a small organisation. True, these opportunities lie outside prisons, but they are opportunities within a wider profession, which, I am advised, lead to better job satisfaction. I have been interested to see the number of people working within Prison Service Healthcare who are frustrated by not being able to do as much for their patients as they would like, because of lack of facilities or resources or both, and are now in full agreement with ending the nonsense that has meant sentenced prisoners, alone in the United Kingdom, being denied full access to the NHS. Surely this anomaly should be ended.

Suicide Awareness

No subject affecting prisons attracts so much public attention as suicide, particularly of young prisoners. Tragically, the numbers of young prisoners who apparently committed suicide doubled in the past year, an equal number of sentenced and unsentenced. Statistics are not the best guide, however, because, when used for comparison, they cannot really compare like with like. The prison population does not truly mirror the population outside, but it is under closer supervision and so could be expected to be less at risk were all possible checks and balances in place. But the numbers are increasing, as are the numbers of those in prisons, and any such increase, for whatever reason, must be a cause for concern.

I know how strongly Ministers and the Director General feel about this, believing, like me and many others, that one suicide in prison is one too many. The Director General has, therefore, asked me to carry out a thematic review of suicide and self harm awareness in prisons, which I intend to do, reporting in August 1998. In this work I shall be drawing on advice from the many individuals and organisations who have conducted similar enquiries in the community, because, if there was ever a subject in which there were no monopolies of wisdom, this is it. This is not the first time that the Inspectorate has looked into suicide awareness, and my predecessor published a report on the subject in 1990. This resulted in improvements in Prison Service procedures, but it is clear that, while the procedures may be adequate, their practice leaves something to be desired in a number of cases.

Coupled with this is the need for prison staffs to recognise the needs of families trying to come to terms with bereavement. I have come across too many examples of less than sensitive understanding of this, which is not only bad practice, but which must, inevitably, lead families to suspect that prisons have something to hide. Whether they do or not, there can be no excuse for prison staffs not behaving to relatives in the same way in which they would expect to be treated were they in the same circumstances.

At the same time the Prison Service is examining its own procedures for the investigation of deaths in custody, which is also to be welcomed. Frequently, there are what appear to be inordinate delays in the time that it takes to complete enquiries or hold inquests, which compound the grief for the families. I shall be including comments on this in my report, because I suspect that this is an area where outside investigation is more satisfactory than self-regulation.

Bullying

Prisons are by no means unique in being places where individuals bully each other - it happens at home, it happens in schools, it happens in the work place and it happens wherever people gather. But it is more insidious inside a closed institution because the climate of fear it engenders can undermine good order, and so the authority of the staff, quicker than any other activity. There is a correlation between bullying and self-harm or suicide, emphasising the need to try to stamp it out. We have drawn attention to evidence of an unacceptable amount of bullying in a number of reports, regrettably too many of them being YOIs. The fact that bullying goes on elsewhere in society is not an excuse for not tackling the phenomenon in prisons.

The Prison Service is making very determined efforts to devise and conduct deliberate anti bullying strategies, impacting on whole establishments, because of the size and scope of the problem. In addition to physical bullying there is mental bullying, 'taxing' the word used to describe financial bullying connected with loans of money, drugs, tobacco etc, and pressure put on those with learning or other disabilities or sex offenders, many of whom seek isolation from their fellow prisoners for their own protection.

If I mention HMYOI Lancaster Farms and HMP Doncaster in particular, it is because the models they have developed have been widely visited by other prisons, so that lessons can be learned, and their strategies adopted elsewhere. At the heart of these strategies is a clear demonstration that bullying will not be tolerated by training staff to recognise signs of bullying should it occur, and taking immediate steps to deal with the bully, by moving him or her away for special treatment, before being put back into normal location. In the past it was too often the victim who was removed, which made it appear that the bully had won.

All bullies seem to share one characteristic, namely that they have been bullied or been exposed to violence themselves sometime in their lives before they came into prison. This is taken into account in their treatment, and there is no doubt that those prisons in which bullying is tackled quickly and firmly are safer for both prisoners and staff.

Industrial Relations

It is a sad but undeniable fact that all too much potential progress in the Prison Service is bedevilled by an industrial relations climate that can best be described as uneasy. In some establishments, where Governors have included Unions and Staff Associations, including the Prison Officers' Association (POA) in all discussions about strategic development, industrial relations are harmonious and sensible, built on mutual trust and understanding that the roles and responsibilities of each side will be exercised responsibly. In others the relationship can only be described as confrontational between management and staff, which leads it to being confrontational between staff and prisoners. The atmosphere that this creates does no credit to either side, as both must realise.

Because I am convinced that, unless conditions and treatment of staff are right, nothing will be right for prisoners, I must be concerned about the climate in which these are maintained. But, underlying all that goes on in prisons is the fact that governing Governors must govern them. Governors are responsible and accountable

for all that goes on in their prisons and they decide what the programme is to be. Of course, there must be consultation and negotiation, but the buck stops with them.

I was most encouraged to learn, at HMP Manchester, that the strongest advocates for the SLA were the POA, who felt that they, and indeed all the staff, had some ownership of what went on in the prison. There are lessons here, and if a sense of ownership will encourage those who prefer confrontation to accommodation to change their ways, I suspect that, if applied in those prisons that are at present blighted by less than satisfactory industrial relations, things could change. There is no monopoly of wisdom in what goes on in prison, but there must be clear understanding that they are all about protecting the public, which includes maintaining satisfactory treatment and conditions of prisoners, on behalf of the public. The public will not thank, or sympathise with, any who frustrate that purpose.

Race Relations

Recently the Prisons Board has published a very comprehensive update of its Race Relations directive, which is to be commended. We take a keen interest in this subject in every inspection that we carry out, our principal concern being that the percentage of staff from ethnic minorities does not match the percentage of prisoners from the same background. This lack of ethnic minority staff is a problem shared by the Armed Forces and the Police, both of whom suffer from the same degree of publicity when there are allegations of racial prejudice and harassment, undermining the efforts of all those who seek to improve the situation in the future.

Because all these three public service organisations are appealing to the same people to join what are, effectively, different parts of the same national law and order maintenance structure, I wonder whether there is not a case for their combining in a national recruiting campaign to which each can then add their own individual slants. Prison Service recruiting is local, carried out by individual prisons, but, like members of the Armed Forces, job opportunities can take prison officers to any prison in the course of a career, which could be a selling point. Frequently, it is these local conditions, and the history of past problems or prejudices, which works against local people becoming involved locally. It is more important that ethnic minorities are represented on prison staffs than merely local ethnic minorities, and I put this suggestion forward in an attempt to redress the current imbalance.

Boards of Visitors

I have made mention of Boards of Visitors (BoVs) at various times in this report, in connection with their most important contribution to the running of every prison. It is most unfortunate that, recently, following a Review carried out by the previous Government, the volunteers who serve on Boards, have felt increasingly irritated at a number of directions in which they were being driven. At the heart of this is the suspicion that they are being treated not as experienced volunteers - many are magistrates and all have to satisfy certain criteria before their appointment is confirmed by the Home Secretary - but as junior officials. This is unfortunate because the part they play must not be underestimated or undervalued. The role of the 'independent watchdog' is a very special and important one, which, used properly can be an enormous help to Governors in running their prisons.

I am glad that the new Minister of Prisons took immediate steps to set about some damage repair, and I know that Board members are more optimistic about their future. But you cannot direct volunteers in the same way that you can officials, and it is important that all those concerned with their affairs recognise this. If you try to direct them in this way you will drive them away, and that would be unfortunate to say the least. I am concerned that the budgets of Boards, which are tiny in the first place, are being cut to a level which is affecting their ability to do their job, a point that they never cease to bring to the attention of the Minister and their own Directorate, and in which I support them.

Because Boards are in prisons every day, and the Inspectorate is only there on occasions, I have tried to bring our work closer together to take advantage of their knowledge and understanding. Boards write annual reports to the Home Secretary, and these are copied to me. I make a point of seeing the Chairman, or a member of a BoV, every time I visit a prison, and BoVs are seen during inspections as a matter of course. It is of interest that, in addition to the fact that it was the BoV that drew attention to the conditions in HMP Holloway on which I reported last year, BoVs have subsequently drawn my attention to unsatisfactory conditions in a number of other prisons, encouraging me to carry out unannounced inspections and highlight problems in published reports. This is an example of how their genuine interest in the treatment and conditions of prisoners in their prisons, coupled with the experience that they bring to the judgements that they make, must not be discounted. In paying tribute to their work, I must add my appreciation for the help that BoVs give me and my Inspectorate, in addition to the invaluable work they do in their prisons.

Chaplains

No praise can be too high for the work of the chaplaincy in the prisons, by which I mean the multi-faith ministry that is delivered by teams of chaplains of all denominations. Because their work encompasses prisoners, staff and their families, their influence is felt in every part of a prison, and the majority of Governors have the good sense to recognise and exploit this. I say the majority because, occasionally, we have come across examples of chaplains being hindered in their ministry by not being allowed to carry keys, meaning that they have to be escorted around the prison, which is a negation of the word ministry. Prisoners are allowed access to chaplains, and this must not be impeded. A strong chaplaincy team is an undoubted influence for good in a prison, and in these days of overcrowding and resource shortages, nothing positive should be undermined.

Voluntary Sector Support

I do not believe that the public realises just how much of what goes on in prisons is carried out by volunteers. I have mentioned the most obvious manifestation, namely Boards of Visitors, but their contribution goes far further than that. Prison Visitors work with those who are either not visited or have no-one to visit them. Samaritans help with suicide awareness, training prisoners to act as Listeners, for example. A number of organisations work with prisoners' families, both helping in Visitors' Centres, including funding Centres themselves and running creches for visiting children. There are organisations concerned with particular parts of the population such as women, ethnic minorities and foreign nationals. Volunteers teach people to read and write. Drug treatment is run by voluntary agencies. There are organisations dealing with rehabilitation including the provision of accommodation and help with

finding work for prisoners. The list is endless, and without it the prison system would have to pay out huge sums of money if the work of these volunteers was to be officially provided. Again, no praise can be too high for the work of all those who volunteer to provide their services.

But I would like to see their work better co-ordinated and aggregated, so that it can be used to best advantage. Before we inspected HMYOI Feltham, I asked all voluntary groups working in the establishment to come and meet me, so that I knew what they were doing and could take their agendas into account. Forty organisations attended, some of which did not know each other, and some of which were doing the same job, but for young prisoners from different parts of London. This emphasised the need to maximise on this effort, and there is, I believe, a very simple solution.

I would like to see someone nominated as the Voluntary Sector Contact Development Officer (VSCDO), at every level of the Prison Service hierarchy - Prison Service Headquarters, Area Managers' offices and in every prison. They would be listed in the telephone directory, as well as in a published register, and their job would be to act as a contact point for voluntary agencies either working in or wishing to work in prisons, and ensure that they were pointed in the right direction within the prison. That way there would always be a known point of contact, who would know where, and in what way, advantage could be taken of what voluntary agencies had to offer. The end result would be more satisfactory for volunteers and prisons alike, which must have an impact on the treatment and conditions of prisoners.

HM INSPECTORATE 1996-97

'The Prisons Inspectorate was reconstituted in 1981. It is headed by [an] independent figure, who is assisted by experienced advisers. It has right of access to all prisons, and to the Home Secretary, to whom it reports its conclusions and recommendations. Its reports are published and available to Parliament. The Government will ensure that the Prisons Inspectorate remains strong and independent in the Future'.

Raising the Standard, the Citizen 's Charter, July 1991, Cmnd 1599.

'...if these reports are going to be effective then the details of the criticism, and the praise, needs to be known immediately to those who have been subject to scrutiny'.

The Rt Hon Jack Straw, Home Secretary, speech on New Approaches to Crime and Punishment, 7 October 1997.

The Inspection and Inspectorate Programme

1996-97 was a very busy period for the Inspectorate, and I attach, at Annexe 1, our list of programmed and unannounced inspections. In addition to my Annual Report, we completed the three thematic reviews referred to above. At Annexes 5 and 6, following a precedent set by my predecessor, I attach the list of speaking engagements that I and my Deputy, Mr Colin Allen, have carried out during the period of the report, to demonstrate the broad exposure, within and without the Criminal Justice System that the Inspectorate has had. In total, we inspected or visited 108 of the 135 prisons in England and Wales, together with all 4 in Northern Ireland and that on the

Island of Guernsey, plus two Immigration Detention Centres and 3 prisons in Scotland in connection with the 'Young Prisoners' review. My Deputy joined the Scottish Inspectorate for their inspection of HMP Perth, and the Deputy Chief Inspector for Scotland, Mrs K Donegan, joined us for our reinspection of HMP Holloway.

The Inspection Process

Independent inspection of prisons in the United Kingdom began in 1835, under an Act of Parliament of William IV. From 1877-1962, during the life of the Prison Commission, inspection was the responsibility of Assistant Commissioners of Prisons. From 1962-1981 it was the responsibility of the Prison Department of the Home Office, and since 1981 has been the responsibility of HM Inspectorate. As I have mentioned already, one of the roles of HM Chief Inspector of Prisons is:

'To inspect, or arrange for the inspection of, prisons in England and Wales and to report on them to the Secretary of State, in particular on the treatment of prisoners and on conditions within prisons'.

to which I add treatment and conditions for staff, because, unless things are right for staff, nothing will be right for prisoners.

When HM Inspectorate was formed in 1981, it was provided with two inspection teams, each of a Governor 1, the equivalent of a Governor 4 and a Grade 7 Civil Servant from the Prison Service, assisted by part-time inspectors of health, nursing, education, estates, and farms and gardens, and by a full time researcher. The understanding, established by the first HMCIPs, and repeating previous precedent, is that every establishment should be formally inspected every five years. Each team was expected to complete one programmed inspection in each of ten months in a year, inspections lasting - on average - one week. This left time for preparation and writing the report, as well as leave, the remainder of the time being available for unannounced inspections, which also have to be written up, thematic reviews and extra requirements such as inquiries following prison disturbances, in line with a second element of the role:

'It is also the duty of the Chief Inspector of Prisons to report to the Secretary of State on specific matters as required, and to submit an annual report to be laid before Parliament'.

However, while the number of prisons has increased to its current 138, soon to be 140, and the number of prisoners whose conditions I am required to inspect has more than doubled since 1981, the size of the Inspectorate has not been increased since that date. In addition, I am required to inspect the 4 prisons in Northern Ireland, those in Jersey, Guernsey and the Isle of Man, and the 3 Immigration Service Detention Centres as well as Dependent Territories overseas at the request of the Foreign Office. Therefore, I have had to admit to the Home Secretary, and do so to Parliament, that, with my current resources, I cannot meet a remit of inspecting every prison every five years. As a result the Home Office Efficiency and Consultancy Unit has been asked to examine the problem, and is due to report by April 1998. But, until I have a third team, and my administrative resources are increased, I am severely constrained in much of what I am required, and would like, to do to help improve the treatment and

conditions of those confined in our prisons. The Director General of the Prison Service acknowledges this.

This problem is exacerbated by the fact that, as the problems facing the Prison Service increase, so does the workload on the Inspectorate. As I have explained above, different parts of the prison system are faced with specific problems, in addition to those caused by the competing pressures of overcrowding and cuts in resources. During the course of our inspections it became clear that two areas in particular - Women and Young Prisoners - needed special attention, because their specific needs were not being separately addressed by a Prison Service whose programmes were based on those appropriate for adult males. A number of prisons were discovered to be in need of special managerial attention, a category that has been introduced by the Prison Service. I have recommended that some be put in this category following our inspection, but the majority have been declared by Operational Directors. When this occurs, I have agreed that I will not inspect the prison concerned until the action plan, prepared by Prison Service senior management, has had time to be actioned.

During the period, a number of prisons required additional inspections. These included a second inspection of HMP Holloway, following our inability to complete an earlier one, an unannounced and a further follow-up inspection of the women's wing at HMP Risley, an unannounced inspection of the women's wing at HMRC Low Newton and two inspections of the new wing at HMP Eastwood Park. It will be noted that all these are women's prisons. But that we were alerted to the conditions that we found by the Board of Visitors, demonstrates their values as I have mentioned earlier. They are in prisons every day, and can see what is happening, or not happening.

In addition, and in advance of our programmed inspection, we carried out an unannounced inspection of the Healthcare Centre at HMYOI Glen Parva, following two suicides. We were sufficiently disturbed by what we found during the programmed inspection in April 1997 not to publish our report until a number of improvements had been made. We re-inspected in December 1997, and were satisfied that much has been done to rectify an unfortunate situation. In addition, having carried out a programmed inspection of the Tinsley House Immigration Centre, subsequently we had to carry out an unannounced inspection of Campsfield House, following a major disturbance and a number of worrying reports. But all these had to be added to an already busy programme.

One most important advance in our inspection procedures has been the inclusion of members of other Inspectorates, who have a responsibility for or involvement with work in prisons. Firstly, I invited the Auditor General to send staff to our inspection of HMP Doncaster, a contract prison, to examine financial procedures and see if they have any relevance for the public sector. Subsequently, they came with us to another contract prison, HMP Buckley Hall. Their invaluable contribution to the inspection of the SLA at HMP Manchester has already been described. HM Chief Inspector of Probation has sent inspectors on a number of inspections, particularly of YOIs, as well as his acknowledged assistance during our thematic reviews. HM Chief Inspector of Social Services, in addition to seconding an inspector to help us with 'Young Prisoners', also provided an inspection team for the Mother and Baby unit during our re-inspection of HMP Holloway. HM Chief Inspector of Education has also made an inspector available for inspections of YOIs, as well as for the thematic review. The

Director of the Further Education Funding Council has also provided an inspector. What this has meant is that our inspections have been far more multi-disciplinary in content, which I hope has proved helpful to Governors. Personally, I believe that the way ahead. For inspections within the Criminal Justice System is for inspection teams to be made up of inspectors from different disciplines, to match the need of the establishment being inspected.

Inspection Reports

In my last report I drew attention to the appallingly long time it was taking for our reports to be published, acknowledging that the Inspectorate was partly to blame for the time that it was taking to write and present them. The main reason was, however, the length of time that it was taking for the reports to go through an internal clearing process between Ministers and Prison Service Headquarters, so that, on publication, there were two separate press releases - one from the Inspectorate reporting what it had found, and one from the Prison Service saying what it had done about the recommendations since then. The end result was that reports were becoming historical, the climax being reached in the case of HMP Featherstone, which we inspected in February 1996, and which, after ten months in the internal clearing process, would not have been published until June 1997. I withdrew the report, because to publish then would have been a farce, not least because most of the recommendations had been acted upon, and reinspected in January 1998.

I reported that I was sure that we could speed up the process, helped by the adoption of new procedures in Prison Service Headquarters. I am pleased to be able to report that the Home Secretary has agreed to, and subsequently announced in public, new procedures which, as he said, have received the enthusiastic support of the PGA and the POA. The aim of all our reports is to help prisons improve their operational efficiency. Therefore, it makes little sense for their publication to be delayed more than absolutely necessary. I now aim to have a report with the Home Secretary five weeks after the completion of an inspection, together with an intended publication date five weeks later. A quote from his public announcement is printed at the head of this section.

The procedure for debriefing Governors and their senior management teams, attended by the Area Manager, that we introduced last year, is proving to be successful. It means that no-one is in any doubt about the areas on which we are likely to make recommendations, and so can start work on them before the report arrives. The Prison Service then has three weeks to come back to me with any factual observations on the report, which are then resolved as quickly as possible, before publication is agreed by the Prisons Minister. The Inspectorate then publishes and distributes the report, after which the Prison Service has 40 days to produce an action plan, detailing who is to do what about each recommendation.

This has allowed me to introduce a new type of inspection to follow-up our recommendations, something that has not happened in the past. This will normally happen within two years, although in some cases we have specified that we will return in a shorter time, particularly where specific action is required. The discipline of producing an action report is proving to be useful for Prison Service line management. Of course, not all recommendations will be accepted, and some will be overtaken by

events. That does not matter, because they are, after all, only recommendations. What matters is that they are all looked at, and action taken as quickly as possible, rather than ignored. I hope, too, that they can help the Prison Service provide evidence to support requests for resource increases, without which some of the recommendations cannot be actioned in the first place. But, as they all relate to conditions and treatment of prisoners, and their preparation for release, they are all in line with the Home Secretary's direction to the CJS including the Prison Service.

During the period, too, we have found that one week is not long enough for the proper inspection of large and complex prisons, particularly those in the Dispersal estate. Beginning with HMYOI and RC Feltham, in November 1996, we have developed a ten day inspection programme, which includes a weekend, so that we can see what is done throughout a complete working week. This, of course, has implications on our programming, but as prisons themselves become more complex, so do inspections, and time is of the essence if we are to probe properly into all conditions.

I have also attempted to change the format of reports, to try to encourage readers to concentrate on macro rather than micro elements. Firstly, I have introduced a preface in which I draw on what we have found in a particular prison to give evidence of trends affecting all prisons with similar roles, or to illustrate matters affecting the Prison Service as a whole. Then follows an Executive Summary, drawing attention to all major findings and recommendations. Finally, I include lists of good and indeed best practice in every report, drawing attention to it in the text, and listing it separately after the recommendations. The Prison Service response has been to publish some best practice throughout the service. I hope that more effort will be made to follow-up examples to which we have drawn attention, as there is much good work taking place in every prison.

I tried to publish this package as a separate Part A of a report, committing all the detail to Part B, which was designed to be of particular use to the prison itself. I hoped that the media, in particular, would use Part A, but it was not to be. They wanted Part B as well, and so I have reverted to the single volume report, with preface, and lists of good and best practice.

Thematic reports

In my last report I detailed my reasoning for producing a thematic report on Prison Service Healthcare 'Patient or Prisoner?', which included my concerns about Healthcare, commented on above. I also highlighted my concerns about the treatment and conditions for women and young offenders, which have resulted in our two reports 'Women in Prison' and 'Young Prisoners', from which I have quoted above. Each of these reports involved the Inspectorate in a considerable amount of work outside the inspection process, but I am convinced of their value. During the course of our work we are able to look across the Prison system, and make objective observations based on those opportunities. Engrossed as it is with every day matters, it is not so easy for the Prison Service to do the same. Therefore, I intend to continue with the process which begins with an identified area for study being discussed with the Director General, and then confirmed with the Home Secretary before work starts.

We have been careful to involve the appropriate Prison Service staffs in all our work, as well as involving outside experts. Prison Service representatives have served on

our advisory boards. Furthermore, both of the thematics published since the change of Government have been publicly launched by the Prisons Minister, the Director General and myself jointly, demonstrating that they are designed to help the Prison Service move forward, not merely record Inspectorate criticism. I am delighted that the Prison Service has established working parties to examine our recommendations. We shall use the reports as our agenda when inspecting prisons containing women or young offenders, in order to maintain the momentum of what, I hope, will be constructive change to current circumstances.

As mentioned earlier, we are currently embarked on two further thematic reviews, due to be published in the summer of 1998. I had intended to carry out a joint review of Throughcare with the Probation Inspectorate. However, it seems sensible to put this on hold until after the publication of the Prison/Probation Service Review, on which Board both of us sit anyway.

However, that I am fully persuaded of the value of including members of other Inspectorates in our inspection teams, is demonstrated by the membership of our lifer review team. During our research, joint teams from the Prison and Probation Inspectorates will be visiting an equal number of prisons and probation areas, acknowledging that a sentence includes time in custody and time on licence. I hope that the jointness of the report will add to its credibility. There are then a number of other subjects that commend themselves for study, but these will depend on our inspection programme, and the outcome of the Prison/Probation review.

Inspectorate Staff

This busy programme requires a considerable amount of time and effort from my small staff, and I would be quite wrong not to pay due tribute to them. When on inspection they work all hours, followed by hours of writing their reports, and the manner in which they go about their work, which I describe as being a free consultancy rather than an inquisition, has been favourably commented upon by many Governors and staffs of prisons. I was intrigued to learn that the Social Services Inspectorate grade the demands that inspections make of inspectors on a scale of 1-10.1 was equally intrigued that the SSI inspector, who came with us on our inspection of HMYOI and RC Feltham, graded the demands made of prison inspectors at 15. If, as I hope, our recommendations help the Prison Service improve the conditions and treatment of prisoners, I hope too that the determined and devoted work of my staff will be acknowledged.

CONCLUSION

Frequently, I am asked whether I am optimistic or pessimistic about the future as far as treatment and conditions of prisoners are concerned. I always reply that I am optimistic for three reasons, two of which I mentioned in my last report, as priceless advantages which gave the British Prison Service a head-start in its laudable and eminently achievable aim, set by the previous Home Secretary, of being regarded as the best in the world.

The first remains the quality and dedication of so many of its staff, and the thousands of volunteers, who devote so much of their time and effort to a whole host of tasks, without which the many good things in prison would not happen. In survey after

survey, the job that is deemed to involve the highest level of stress is that of Prison Officer, and I can see why. Faced with the inexorable rise in numbers, and the cuts in resources with which to work with prisoners, I am amazed at what they continue to achieve, and their determination to go on doing it. This is not the moment to quibble about what might be done differently, or better. This is the time to pay public tribute to them for the way in which they carry out their immensely difficult and demanding tasks, on behalf of the public.

The second remains the programme set out in 'Custody, Care and Justice', designed to take the Prison Service into the next century, which, if actioned, and resourced, could improve the current situation out of all recognition. This, plus exciting developments such as the introduction of Service Level Agreements, could transform the ability of the Prison Service to carry out the second part of its statement of purpose, namely to prepare prisoners to live a law-abiding life on release.

The third is the evidence of growing recognition that the prisons must not be considered in isolation, but in relation to the remainder of the Criminal Justice system. This is not just for reasons of cost but of greater efficiency; it simply does not make sense for those who have a part to play in influencing the treatment and conditions of prisoners to keep their part to themselves and not share it with those who are also involved. I believe that the trend will be set by the Government's drive on improving Youth Justice, because the improvements outlined not only demand a multi-disciplinary approach, but simply will not come about unless all involved genuinely share their responsibilities, and work together. From that beginning, the principle of joint working can be spread to other areas.

Of course there are problems, and the Prison system remains overcrowded and under-resourced. I believe that the effects of this can be mitigated by a different management structure and procedures, but that is because I have had a lifetime's experience in such a structure, using such procedures, and know that they work. To me the principal problem facing not just prisons, nor the Criminal Justice System, alone, but the nation as a whole, is the nature of the society from which all to many of those committed to our prisons come and to which they will return. The level of unemployment and lack of job experience, the numbers evicted or truanting from schools leading to appalling lack of basic literacy and numeracy let alone further educational skills, the numbers of drug and other substance abusers, chaotic home conditions, characterised by the break up of families and the dreadful amount of sexual and physical abuse inflicted on children by parents and close relatives - all these are statistics about which we should be alarmed and ashamed. Prisons cannot do anything about the cause, except to hope that the standards they are able to impart on prisoners, by the way they are treated during their time inside, will contribute to stemming, if not reversing, the tide. Conditions that encompass the sort of chaotic life style that all too many adopt, are conditions that encourage law-breaking and anti-social behaviour, which, in turn are the conditions that are giving rise to the increased numbers being committed to our prisons, which make such huge demands on the public purse. Only the public can stop them.

My frustration, as Chief Inspector of the treatment and conditions of prisoners, is that I know how much more prison staffs could do to protect the public by tackling re-offending, if they had the right level of resources. On their behalf, and on behalf of

the public they serve, I hope that these will soon be estimated and granted, so that their service to the nation can be enhanced.