

# Speech: Justice Secretary launches fresh crackdown on crime in prison – speech

## **Introduction**

Thank you Andy – it's a great pleasure to be here today.

Thank you for coming today and to the Centre for Social Justice for hosting me to discuss the government's agenda for prison reform.

I know the CSJ team well from my time as Work and Pensions Secretary. Iain Duncan Smith is of course a passionate and effective campaigner for social justice and prison is, frankly, where too many people end up when they haven't had the family, community or state support they need to be successful.

So, this is the perfect place to discuss how we address the challenges facing our justice system – because the complexities inside our prisons mirror the challenges we face in society as a whole.

Today I want to restate my commitment to reducing reoffending. With 29% of all offenders and 48% of those discharged from custody reoffending within a year, the rate is far too high.

Rehabilitating people, getting them into jobs and contributing positively to the community is the best outcome for them, their families and all of us. It keeps us safe and gives offenders the chance to turn their lives around.

I pay tribute to my predecessors and the reform journey that they started. It is thanks to them that we have hit our target early to raise prison officer numbers by 2,500, given governors more control of their education budgets, and reaffirmed our commitment to create more prison places.

But with some prisons in poor condition and with the prevalence of drugs, we need to step up our response. That's why today I am announcing additional investment of £30 million for specific measures to stabilise the estate and position us for more reform.

Because reform is what we need to do.

And I think a consensus is building on this. Too many people go to prison for prolific petty crime. Too many leave with little or no skills. Too many return to chaotic lives where families struggle. There is no easy answer to what is a broader social problem but we can build on what we know works.

For the serious criminals who run gangs and devastate communities, who commit rape and murder, who prey on children and the vulnerable – they will continue

to face lengthy prison sentences so that the public feel safer and assured that justice is being done.

I have said before that people go to prison as punishment not for punishment. That means that everyone in prison should follow a disciplined and orderly programme with purposeful activity. The goal of conditions within prison is rehabilitation not retribution.

How do we get there?

## **Sentencing**

I believe that we need to start by looking at sentencing.

I'm pleased to say that the prison population is at its lowest point for a decade. But it remains high by historic standards. In 1993 the prison population was approximately 44,000, in 2017 it was approximately 85,000. We know that every year almost 60,000 offenders are given custodial sentences of 12 months or less – accounting for 8% of the prison population at any one time. For these people there is an over 60% rate of reoffending. This revolving door serves no one and it does not help to cut crime – it diverts the valuable time of prison staff from working on the longer-term rehabilitation of more serious criminals.

I maintain that short custodial sentences should only be used where absolutely appropriate, given the evidence that those on community sentences are less likely to reoffend. They lose their jobs, their homes, and enter a downward spiral. They are often vulnerable people. If they have children, there is strong evidence to demonstrate that those children are more likely to enter prison themselves. That is not just sad – it is bad for our society.

So, I want to see more use of community sentences – to punish, but also to enable those who commit lesser crimes to turn their lives around. Because I believe that holistic and effective community provision can help offenders to break the cycle of criminality by making sure that they get proper treatment – whether that is for a substance misuse problem or a mental health condition – as well as accessing employment support.

Two weeks ago I launched our Female Offenders Strategy – recognising the acute problems facing women. As part of the strategy we are scrapping investment in community prisons in favour of residential centres – to provide timely access to the right packages of support.

I am confident that we can boost community provision to work better – giving more offenders the chance they need to turn their lives around and begin contributing positively to society. In turn, this will enable us to cut crime. So, I want to see more emphasis on community sentencing rather than short custodial ones.

However, I am absolutely clear that prison is the right place for some offenders – those who commit serious crime and pose a risk to the public should, and will continue to be, put behind bars.

## Getting the basics right

Once in prison, offenders deserve to live in decent, safe and secure environments. Some prisons are falling short of that and I am determined to start fixing it. Peter Clarke, the Chief Inspector of Prisons and his team – to whom I pay tribute for their work – have issued some troubling reports, but also some that are promising.

We can learn from those positive reports but we need to act quickly to address the negative ones. I accept that in too many parts of our prison estate today cells are dirty with peeling paint and exposed wiring, shower and toilet facilities are filthy or broken, and food serving and eating areas do not meet modern hygiene standards.

I can therefore announce today that, as part of the new £30 million investment, we will spend £16 million, on top of our day-to-day maintenance budget, to improve the facilities at 11 prisons with the most pressing problems – to start making progress in bringing them up to the standard we expect.

But decency also extends to how we treat prisoners – fairly and consistently, with time out of their cells, activities, and the opportunity to maintain family relationships. As Lord Farmer made clear in his ground-breaking review last year, supportive relationships are critical to achieving rehabilitation, as well as preventing self-harm and self-inflicted deaths.

So, as part of the overall investment I am announcing today, we will spend £7 million this year to extend in-cell telephony – something we know is supported by the Chief Inspector of Prisons – and digital kiosks.

Making phone calls and arranging visits can mean long periods of time spent queuing – which serves to heighten tension in prisons, as well as fuelling demand for illicit phones. Some modern prisons have in-cell telephony with strict security measures so that calls can take place quickly and privately; as well as digital kiosks to speed up arranging visits and managing money – this in turn frees up the time of prison staff.

This new investment I have announced today is about creating environments that are decent, clean and safe. And it is crucial that we focus on that because the evidence shows us that, the better conditions are within prisons, the more likely offenders are to engage with rehabilitation.

To that end, we remain committed to building up to 10,000 modern, decent prison places that will help to reduce violence, increase rehabilitation and will be cheaper to operate. We believe that using private finance to create these places can offer real benefits, so we will be launching a competition to appoint a framework of prison operators, with the first to take charge of a new prison in Wellingborough.

The fundamental aim of this Prison Estate Transformation Programme is not just providing extra capacity but delivering reform. Because that's the future I want for our prison estate – to be an altogether better environment

for offenders to begin their rehabilitation journey.

## **Tackling drugs**

To do that we also need to tackle the causes of violence in prisons, such as the prevalence of drugs. Illicit substances are fuelling a cycle of violence and self-harm and preventing some offenders from ever really starting the process of rehabilitation.

The availability of cheap, psychoactive drugs like Spice is being exploited by gangs, with criminal networks that are highly organised, and led by prison kingpins who are experts at ensuring others further down the chain take the fall for their crimes.

And, with a worrying similarity to criminal gangs involved in 'county lines', some are now exploiting young women, coercing them to visit prison and pass drugs to offenders they do not know. In one recent example, a young woman explained that she had smuggled drugs into a prison having been told by her gang that, had she not done so, she would have nowhere to sleep that night.

We must make it clear to these gangs that criminality stops at the prison gate.

That's why, as part of the investment I am announcing today, we are investing £6 million to enhance security in prisons – so that through scanners and improved searching techniques and phone blocking technology, we can counter the criminal networks.

Blocking works by preventing phones from connecting to mobile networks, allowing us to stop the mobile phones that we have not been able to find from working. In recent years we have implemented two generations of mobile phone blocking technology and continue to work with network providers to develop innovative solutions.

We are helped on this by the excellent work of my colleague Maria Caulfield MP, who at the end of last week successfully steered through the Commons a Private Members' Bill that will allow us to work much more closely with mobile network operators and take advantage of developments in phone blocking technology.

We are dedicated to using all the tools we can to prevent and disrupt serious crime, and working closely with the police to build a detailed picture of offenders' criminal activities. That means maintaining our focus on high-priority organised criminals from the moment they come to the attention of the police, to the end of their sentence.

So, we are working across government to implement Lifetime Offender Management, including improving information and data sharing, as part of our work to review and update the Serious and Organised Crime Strategy, being led by my colleagues at the Home Office.

And we are investing £1m in a new digital categorisation tool that we have

been trialling to better assess an offender's risk of being involved in organised crime. The system currently relies on offence type and sentence length to categorise prisoners. This new digital tool takes information from a range of sources to help staff better assess what risks an offender poses – whether that's violence, escape or disrupting order – so that we can take measures to mitigate against them.

This new £1 million investment will allow us to extend the use of digital categorisation to the rest of the prison estate within 12 months, so that all offenders will be sent to appropriate prisons, based on the intelligence we have available to us.

More immediately, we have been working closely with law enforcement to share knowledge about offenders in prison, their networks, and likely avenues for further crimes. This allows us to disrupt the gangs in smarter, more targeted ways, identifying the ringleaders and placing them in the right security conditions.

We have already identified some of the worst offenders coordinating drug supply from the inside and moved them to other prisons to cut them off from their market. This includes people using drones and visitors to smuggle drugs and mobile phones into prisons, and those seeking to corrupt prison staff and coerce other prisoners – through intimidation – to get involved in criminal activity.

I can confirm today that since February twelve such offenders have been targeted and nine of them have been transferred to other parts of the estate, including more secure prisons, with three more awaiting transfer. Removing these individuals disrupts supply routes and makes it more difficult for gangs to get business done. Better categorising offenders who pose the biggest risks and ensuring we bring together the intelligence to deal with them gives us a real opportunity to understand how they operate. With this understanding, we can have more confidence in the measures we take to disrupt them.

That's why I want to see this approach being used right across the estate.

For ten prisons with significant drug problems, our Drugs Taskforce – made up of partners from law enforcement and healthcare agencies and which supports the whole estate with better security and intelligence, is applying a real focus. We will carry out a drug diagnostic with each of these ten prisons, which will help us – and them – understand better what is happening in the jails. These diagnostics will then be used to address specific problems at each individual prison.

As we start to address the issues in these ten prisons, I want to see them at the vanguard of how we do it right across the estate. Taking their experiences and evidence will give us the opportunity to learn lessons about how we get drugs and the gangs supplying them out of our prisons for good.

This approach and the investment I have announced today to focus on criminal gangs, identify and remove ringleaders and stop the inward flow of drugs,

will remove barriers to the successful rehabilitation of other prisoners. It will allow prison to be a better opportunity for offenders to turn their lives around and it will free up our vital prison staff to concentrate more of their energy on making sure that happens.

## **Punishing criminality**

Prison staff are unsung heroes. They do a difficult job, making real sacrifices every day to protect the public, and offering offenders the support they need to change. Let me say how grateful I am to prison staff for all they do and how determined the government is to protect them. The Assaults on Emergency Workers Bill, currently going through Parliament, sends a clear message that we will not tolerate violence against our staff.

We also want prisoners to know that crimes they commit in custody will be met with the full force of the law. So, we're working closely with the police and Crown Prosecution Service to make sure that happens, as well as making the prison adjudications system quicker and less bureaucratic. We are also working with them over the next eight to ten months to revise and reissue our cross-agency protocol on handling crime in prison – to set the standard on doing it effectively.

In addition, we are investing in the training we give to prison staff on preserving evidence – to ensure that the police and CPS have the best information on time in order to make charging decisions and prosecute cases successfully. We expect this training to be ready by the Autumn and it will form part of the Prison Officer Entry Level Training package.

By shining a light on how prisons and the police carry out their responsibilities to deal with crime effectively, and providing the right tools to do so, we can make staff and prisoners safer – as well as sending a message to offenders that rehabilitation is the only endeavour worth pursuing in prison.

## **Rewarding rehabilitation**

But we also need to pull all the levers at our disposal to encourage offenders to rehabilitate themselves.

In March I outlined how I want us to utilise sanctions and incentives to influence the behaviour we want to see. I saw the power of this model during my time at the Department for Work and Pensions and I am determined to apply those same principles within our prisons system.

Some prisons already have 'enhanced' wings – with small rewards like additional time out of cells and access to kitchen facilities – for those offenders who behave well and work hard. This allows them to prepare their own meals, take showers when they choose and generally take responsibility for managing their own time.

These wings are appreciated by prisoners and they understand that if they break the rules they can quickly be returned to the standard wing. Wherever

possible within the constraints of the estate, I want to support governors to develop these simple but effective approaches.

When it comes to substance misuse there is clear evidence that solely punitive approaches in prison do not reduce demand, or support prisoners to make the difficult transition to drug-free lives. Building on the idea of enhanced wings, we have developed a concept called 'Incentivised Substance Free Living', where prisoners who demonstrate – through regular testing – that they are clean of drugs, can experience better living conditions.

This is not about giving them an easy life – overcoming addiction is not easy. But for those who persevere, we want to offer targeted support and better drug-free living conditions in ten prisons over the coming year. This will give drug misusers the opportunity to take responsibility for their own recovery and give them the best possible chance to stay on the straight and narrow.

As well as helping offenders to keep on track, we also need to give them hope for the future and the tools to build a bright one. So, we need to create prison regimes that encourage offenders to engage positively with clear pathways to progress.

That's why we are deploying workplace Release on Temporary Licence. In the right circumstances, the offer of this type of temporary release can incentivise offenders to cooperate during their sentences – and the release itself gives them opportunities to learn new skills which can help them to succeed when they finish their sentence.

This is a vital piece of the puzzle.

The Education and Employment Strategy that I launched in May is designed to put offenders on a path back to employment from the moment they enter prison. And it is crucial that we do that because just 17% of offenders are in P45 employment a year after release. Whether they are reoffending and causing more harm to the public, or relying on state benefits – they continue to be a burden to society.

As part of the strategy, we have consulted on how we can use Release on Temporary Licence to support offenders getting back into work. And, as ever, we are following the evidence which tells us that for prisoners given at least one release of this type, additional releases are associated with reductions in reoffending.

The evidence is also clear that offenders are overwhelmingly compliant with Release on Temporary Licence. It comes with carefully constructed conditions, tailored to each prisoner's individual history, and fewer than one in a thousand releases ends in a failure of any kind.

Of course, there will be those prisoners for whom temporary release is not appropriate. But there are other ways in which we can incentivise more prisoners from within prison itself. For me, rehabilitation begins with acceptance of – and conformity to – the rules. If we can incentivise

prisoners to find the structure, rhythm and routine we know is so crucial to successful lives, then we can start to change their behaviour.

Prisoners can earn nominal amounts of money each week by working, for example cleaning or preparing food, as well as for participating in rehabilitative activity. This work earns them enough to rent a television, pay for a few phone calls and buy some vaping refills or snacks.

Governors have the freedom, within their existing budgets, to pay prisoners who behave well more and to pay those who don't less. I support this approach and I want to see governors going further, using their existing budgets to strengthen the idea that prisoners' pay reflects their work – but so too should it reflect their behaviour.

Over the summer we will be consulting prison governors and stakeholders on our new Incentives and Earned Privileges policy – which will empower prisons to use sanction and reward to support and encourage offenders to engage with regimes.

By using this type of incentives and sanctions model, I believe we can change the dynamic within prisons, creating environments built on mutual respect and trust – where prisoners know what is expected of them and what they can expect in return.

In the short term, it encourages offenders to take responsibility for their own wellbeing and to earn their right to better contact with the outside world. In the longer term, these changes will place a far greater emphasis on the role that learning and employment has to play in rehabilitation and risk reduction.

Rehabilitation requires a collaborative approach that places responsibility on staff and prisoners alike. It requires prisons and justice services becoming more embedded within their local communities and economies. And I want to take this opportunity to welcome any business, any employer, any community group or charity who wants to support the service on this journey.

## **Conclusion**

My objective is to create a safer, fairer, more productive Britain. It is estimated that reoffending costs our society £15 billion every year. That's why we need to reform our prisons to be more effective at cutting crime. We have already begun an innovative programme for reform that is yielding results. Now is the time to press ahead and, while we are doing so, ensure that we ask the right questions and carry on getting the fundamentals right.

So, we must be prepared to challenge the effectiveness of our criminal justice system, not just in locking people up, but ensuring they address the reasons for their involvement in crime.

For the most vulnerable offenders who pose the smallest risk to the public, it is time to look again at how alternatives to prison – with the right conditions – can actually better enable them to abandon their often-petty

crimes, get the treatment they need to stay out of prison, and stop putting a burden on society. To those for whom prison is the only appropriate course of action, we must provide a prison estate that is safe, clean and decent – an orderly environment that can be the launching pad for that goal of rehabilitation.

But so too must we protect those offenders who are willing to get their heads down to be rehabilitated, as well as our prison staff working hard to that end. That's why we must employ new tactics and new technology to combat organised crime in our prisons – in turn removing the drug supply that we know is so often the cause of violence and disorder.

And we must that ensure offenders understand that their time in prison can – and should – be their route to a better life. By creating regimes based on decent incentives and effective sanctions, we can energise prisoners to get on board with rehabilitation, to realise the impact it can have on their futures and their potential to contribute to society.

With the appropriate sentences for all offenders, a decent prison estate for those who end up there, one that is free from drugs and violence, and set up to incentivise prisoners to take responsibility for their own rehabilitation – we can cut the cost of reoffending, better protect the public, and make Britain a safer, more civilised place for the future.

Thank you.