

The Scarman Lecture Series

The University of Leicester

WHAT'S PRISON REALLY LIKE?

Nick Hardwick CBE

HM Chief Inspector of Prisons

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The Prime Minister said he wants prison to be part of a 'Tough but Intelligent' justice system. Chris Grayling, the new Justice Secretary, wants to accelerate the 'Rehabilitation Revolution' his predecessor, Ken Clarke, started. For some prisons are a holiday camp where prisoners idle their days away in luxury. For others they are brutal and degrading, little changed since Victorian times.

So what is the truth? How 'tough' are prisons now and how 'intelligent' are they?

This lecture will use the finding of the independent inspection system to compare some of the myths about prison with the realities and examine how prisons are coping with the demand to deliver improved outcomes at a time of rising populations and reducing budgets.

It will show that while progress has been made in some areas, there are signs that basic standards of safety and decency are being compromised.

[SLIDE 1]

Good afternoon.

It is a real pleasure to be here this today and a particular privilege to be speaking as part of the Scarman Lecture Series.

Lord Scarman was one of the 20th century's most eminent jurists and his most lasting legacy was his report into the 1981 Brixton Riots.

His report was seminal. It stands up there with Beveridge, Wolfenden and MacPherson, as one of the inquiries and reports that changed how we see the world around us.

The report was not just ground breaking in its conclusions – but groundbreaking in the way the Lord Scarman went about producing it – going

out into the communities involved and listening to the people affected. It may seem commonplace now, but it felt then like something startlingly new.

At the time of the Brixton riots, I was working with young offenders in the community in Wandsworth, two or three miles up the road from Brixton. I remember sitting with a group of young people in the office one afternoon at the end of the day. It must have been a few days after the main disturbances. There were rumours of further trouble and the young people were debating whether to go down and see.

I remember the mixture of excitement, fear and frustration with which they talked. There were three boys I recall: Orville, who had what we would now call learning difficulties; Tommy, who was later badly injured by a fire in the candle-lit flat he shared with his sister; and Kevin, whose wedding we all attended when he was just sixteen; and a girl called Dawn, who had just left a girl's borstal and wanted to be a singer. All now grandparents I expect. I can't recall now whether we talked them out of it, at any rate there was no further trouble that evening, I think.

And I remember my frustration at the time about how the picture painted by the media reports of the riots seemed so disconnected from, and ignorant of, the realities of the lives of these young people.

And I remember the sense, when the Scarman Report came out, that here, at last, was a recognisable description of the young people we worked with. Here was somebody listening to what they had to say and, therefore, here was a solid evidence base for solutions that might actually improve things.

Of course, no one is saying that this is now job done and, of course, controversy and debate still surround the subjects of Lord Scarman's report. But no one could deny, I think, that the evidence in his report improved our understanding and so led to real change for the better.

So it seems to me that it is in that spirit we should approach the question of crime, prison and re-offending. To start, not with our prejudices and favourite theories, but to try and build up from the real experience of real people in real places.

So let's try and do that.

A couple of months ago, the Prime Minister made a speech setting out his approach to crime and punishment:

"In no other public debate", he said, "do the issues get as polarised as this.

"Lock 'em up or let 'em out. Blame the criminal or blame society. 'Be tough' or 'act soft'.

"We're so busy going backwards and forwards we never move the debate on.

“What I have been trying to do – in opposition and now in government – is break out of this sterile debate and show a new way forward: tough, but intelligent. We need to be tough because the foundation of effective criminal justice is personal responsibility.”

Talking specifically about prisons he said, “So on the punishment of criminals – I don’t want there to be any doubt that we will be tougher. But it’s not good enough just being tough, locking people up and thinking: that’s it.

“We need to be intelligent too, about what happens to these people during and after their punishment. And here’s why. At the moment, six out of ten of those leaving jail are reconvicted within two years.”

So ‘tough but intelligent’ is how prisons are supposed to be. A tougher regime but a more intelligent approach to reducing re-offending.

So I want to talk this afternoon about how the reality my Inspectorate finds matches up to that ‘tough but intelligent’ criteria.

Basically I want to cover four areas.

Who is in prison?

What happens to them when they are there? How tough is it, in other words?

And what happens to them when they leave? How intelligent is it?

But first, before I do any of that, I should talk about where I get my information from. The inspectorate. How we gather evidence and reach our conclusions.

[SLIDE 2]

This is a 19th century representation of the 18th century prison reformer, John Howard.

John Howard might properly be called the first prison inspector.

In 1773 he was appointed the High Sheriff of Bedfordshire. Part of his duties was to inspect the county gaol. He took his duties seriously and, unusually for the time, instead of delegating the task, he took it upon himself to go and see the conditions for himself.

He was so appalled by what he saw he spent the remainder of his life thundering up and down the country, and indeed across Europe, visiting prisons, banging on their gates, demanding to be let in, talking to prisoners and writing vividly about what he saw and heard.

[SLIDE 3]

And here we are, an inspection team, at the gates of Lincoln Prison, 240 years later, doing pretty much the same thing.

Visiting every prison, demanding access (although normally now it's a mobile telephone call to the governor rather than knocking on the door), requiring access, going where we want, talking to who we want, seeing what we want and publishing reports of what we find.

If you read the report we published on Lincoln Prison earlier this week, you might think that it had not changed much over the last 240 years either.

OK. So that's a bit of an exaggeration - but not much.

Let me read you a small section of our report on HMP Lincoln:

The prison was not safe. The violence reduction coordinator was committed but had other duties and did not have the time or support to carry out her role effectively.

In our survey, 24% of prisoners told us they felt unsafe at the time of the inspection compared with 17% in comparable prisons and 14% the last time we inspected Lincoln. This was even higher on the vulnerable prisoner wing.

A third of prisoners told us they had been victimised by other prisoners. The number of reported fights and assaults was high and there were evident opportunities for bullying. There was little attempt to investigate either individual incidents or patterns of violence.

Prisoners who were too frightened to leave their wings to go to work but who refused to name the perpetrator were punished by being sent to the segregation unit. The vulnerable prisoner wing was mainly for sex offenders but others who were frightened on the main wings also sought sanctuary there. They applied for admission under rule 45 but there was no clear process for deciding whether this should be granted, and prisoners told us they had been denied admission without explanation.

So what you have there is a toxic mix of why things go wrong in prisons, factors that are pretty universal in both time and place :

The power imbalance between gaoler and prisoner, so there is no check to the arbitrary exercise of that power. And what could be a more powerful exercise of power in a prison that the decision who or who will not be allowed to move to safety?

The supposed lack of credibility of the detainee – who will believe them if they complain? When prisoners in Lincoln said they were frightened they were not believed.

The normative effects of custody. Prisons are isolating for prisoners and staff and people get used to things in prison that they would never tolerate elsewhere. So why when the levels of violence increased at Lincoln was no action taken? Almost a quarter of prisoners saying they felt unsafe at this inspection, compared with 14% at the previous inspection. Why did nobody do anything to stop it? Because the deterioration happened over time, and they just got used to it.

And then there is what we call the virtual prison – the prison the governor thinks he is running, which is very different from what is actually happening. What the prison management saw was a committed member of staff doing her best. What was really happening was a committed member of staff, without adequate support, being overwhelmed and the data that might have provided a warning about what was happening, not being collected.

What John Howard said was:

“The care of a prison is too important to be left wholly to a gaoler...to every prison there should be an Inspector appointed; either by his colleagues in the magistracy or by Parliament.”

It was true then and it is true now.

The statutory role of the Prisons Inspectorate now is to report on the treatment of prisoners and the conditions in prisons. We take that to mean we report on the outcomes for prisoners, not the management of prisons.

We are not really interested in whether they are on budget or whether the Prison Service’s own regulations are followed, we are not auditors. What we are interested in is what happens to prisoners.

As well as prisons we inspect immigration detention, police and court custody, young offender institutions and secure training centres for children and young people.

Whatever we inspect, our basic process is the same. Nearly all our inspections are unannounced. We just turn up. We inspect against our own human rights based criteria known as Expectations.

We use five main sources of evidence:

We survey a random sample of prisoners or detainees, that we select.

We talk to prisoners individually and in groups.

We talk to staff and other visitors.

We look at records and data.

And we observe.

And then we pull all that evidence together to reach our conclusions and recommendations about any improvements required.

We inspect each prison about every two or three years when we will check on the progress they have made in implementing the recommendations we made on the last occasion.

The most important feature of the Inspectorate is its independence. We are not part of the Prison Service and have no role in its management.

I have never worked for the Prison Service.

That independence is now underpinned by the UK's status as a party to the UN Optional Protocol to the Convention Against Torture, known as OPCAT, which requires each signatory state to have a national preventative mechanism that independently inspects all places of detention.

When I was first asked, a few months ago, to give my talk this afternoon a title, I chose 'What's prison really like?'

When I came to write it, I thought maybe the title was a mistake. There are so many different types of prison and each prisoner has an individual experience – so there is no one answer to the question. Besides, the only people who truly know what prison is really like are prisoners themselves.

But the longer I do my job as Chief Inspector of Prisons, the more it seems to me that most of the headlines in the papers, the pronouncements of politicians, the think tank discussion and the criminologists' papers are divorced from the reality of what I see on the wings.

So, even with all the caveats, I think it is worth try.

[SLIDE 4]

Here is one picture of prison, from the Sun newspaper, a few weeks ago.

Toothbrushes and haircuts, whatever next.

Why not give them all scissors so they can cut their own hair?

Give them all scissors. May be not.

So what's the reality?

First, who is in prison?

Let me begin by sketching out the broad statistics.

I think this will be familiar to most of you so I will run through this pretty quickly:

[SLIDE 5]

A steadily rising population. That has about doubled over the last 20 years. That has created significant overcrowding. Lincoln for instance was operating at 50% over-capacity. The issue with overcrowding is not how many prisoners you can squeeze into the cells – it's whether you have the resources to do anything useful with them when they are there.

[SLIDE 6]

A predominantly male population. Only 5% women. And make no mistake about it, the prison system is run by men for men. There is little acknowledgment that women prisoners are different. That's a whole lecture in its own right.

[SLIDE 7]

A hopeful sign. Young people making up a smaller proportion of the prison population as the number of young people in custody declines sharply. By about 25% last year. Children and young people in custody is a big topic in its own right so in this lecture I will stick mainly to adult prisoners.

[SLIDE 8]

Three quarters white.

[SLIDE 9]

At any one time, more than half the population are doing sentences of four years or more – but of course while the proportion of people doing short sentences at any one time is relatively small, they make a high proportion of total admissions. Last year 55% of all sentences were for six months or less.

I imagine you also know the statistics about high levels of mental health problems, drug and alcohol abuse, homelessness, debt and unemployment.

Let me try and make that real for you.

When we published our last report on Wormwood Scrubs prison, a local prison in West London, we set out the characteristics of the men it held:

At the time of our inspection, almost half the men were unconvicted and held on remand.

A third of those sentenced had less than six months to serve.

On average, the prison reception processed 1200 men (equivalent to the total size of the population) moving in and out of the prison each week.

Two out of five prisoners were foreign nationals – and under a quarter of these had English as their first language.

The mental health in-reach team looked after more than 50 prisoners with the most severe and enduring mental illnesses and 14 prisoners had been transferred to specialist mental health services in the six months before the inspection. However many more prisoners with less acute or treatable mental health problems needed support.

Almost 300 prisoners were receiving interventions from the drug and alcohol team.

232 prisoners were waiting for literacy classes and 72 for numeracy.

16% of prisoners entered the prison without accommodation. 20% of prisoners had debts they were very worried about. Just under half thought they would have trouble finding a job when they were released.

When you go to a prison, there is often some corner tucked away where they keep the poor copers, the prisoners who find it difficult to cope on the ordinary wings. I try and hunt it out.

At HMP Risley – ‘Grisly Risley’ it used to be called, but it is better now - they had a twelve bed wing, the Ravensmoor Wing, which the prison described as being

‘a reintegration unit accommodating prisoners not sentenced for sex offences but who are otherwise vulnerable’

It was gloomy and cramped but the men held there were treated with some kindness. I spoke to one man there about his experience and after I had finished I thanked him and told him he had been very helpful.

So what happened next was he said that made him very happy and could he tell his – quote – Mummy. I said he would have to ask an officer. So he literally skipped down the corridor to the office and asked if he could use the phone. They said he could and he should ring his Mum and tell her that he had been very good and the Chief Inspector said he had been very helpful. Which is what he did.

He was about 40 years of age, I guess.

Or think of Wakefield, where I was recently, where you had men in the close supervision centre on six-man unlock. Which meant they were assessed as being so dangerous they were only unlocked from their cell by six officers at a time, with shields and protective clothing.

So before you start pontificating about prisons should do this or do that, that the regime should be tougher or provide more incentive, remember who you are dealing with. The huge churn of needy and challenging men going through a local prison like Wormwood Scrubs. The child-men hidden away in prisons like Risley. The few very dangerous men in high-security prisons like Wakefield.

Of course, I am not saying all men, even most men, held in prison display the extreme behaviours I have described. The profile of men in an open prison like Ford will be very different for instance.

But overall about 10% of the prison population has a serious mental disorder and about two in five have a less serious mental health problem. Between a third and a half of new receptions into prison are estimated to be problem drug users. A high proportion will have spent a childhood looked after by a local authority. These are the norm, not the exception, and to be fair, the Prime Minister recognised this in his speech.

The needs of women prisoners are even greater. Although women make up just 5% of the prison population, they account for a staggering one third of all self-harm incidents. At our inspection of Styal women's prison, inspectors noted bleakly:

“Officers, particularly on Keller unit, often had to use force to remove ligatures from women intent on harming themselves”.

Women prisoners are more likely to have problems with drugs and alcohol than men. They are more likely to have mental health problems. They are more likely to have been remanded in custody and, if convicted, more likely to be convicted of an acquisitive rather than a violent crime than men.

They are more likely to be victims too.

According to data provided to us by the Prison Service about women held at New Hall prison:

- About three quarters had identified some sort of trauma
- Just under half had experienced physical or domestic abuse
- About one in three had experienced emotional abuse
- And about one in three too had experienced sexual abuse or rape
- And about one in three had a history of self-harm or suicide attempts
- One in five had been involved in sex work

As I have mentioned, like my predecessors, I was appointed from outside the Prison Service. So I was really shocked on the first inspection of a women's prison I went to – Bronzefield, a private prison just outside West London - in October 2010.

The vulnerability of the women held was very visibly obvious. So many looked physically unwell. A third of the women had a drug problem when they

arrived at the prison. Half had children under 18 and about one in seven told us they had a problem ensuring their dependent children were looked after when they were taken into custody. Levels of self harm were very high.

I remember being shocked by how many women had scarring on their arms.

New arrivals were visibly distressed. One woman, who had just arrived, who I suspect had been convicted of a white collar crime and so appeared very different from most of the women held, was rooted to the spot, weeping, staring around her with eyes as big as saucers.

I think that's a pretty fair picture of who is in prison. I know it is a bit anecdotal and a more nuanced picture than I describe – but I think what I have set out would be recognisable to anyone who works in prison.

So given that mix how are they treated when they are there? How tough is it?

When we inspect prisons, we assess them against four healthy prison tests.

[SLIDE 10]

Safety	prisoners, even the most vulnerable, are held safely
Respect	prisoners are treated with respect for their human dignity
Purposeful activity	prisoners are able, and expected, to engage in activity that is likely to benefit them
Resettlement	prisoners are prepared for their release into the community and helped to reduce the likelihood of reoffending.

[SLIDE 11]

As you can see, over the last few years, there has been a slow improvement in the proportion of prisons we have assessed as being good or reasonably good on each healthy prison test – although that improvement has not been consistent and shows worrying signs of slowing as the cuts bite.

I am not going to talk about each of these in detail.

I want to focus on the things I think prisoner's focus on. I want to try and paint a picture of some of the details of life that a typical prisoner in a typical prison would experience.

Do you remember Porridge? It was a 1970s TV comedy series set in Slade Prison starring Ronnie Barker, as Norman Fletcher, a repeat offender and Richard Beckinsale as Godber (no preferred names then), his pad mate who is in prison for the first time.

Let me quote to you from an article that appeared in the Daily Express a few months ago. The headline was 'Why prisons today are nothing like Porridge'.

"RECENT cases have highlighted how prisoners play the system to win once unthinkable luxuries while jail bosses give in for fear of human rights laws

NORMAN Stanley Fletcher would never have believed it. As he counted the days of his sentence with Lennie Godber in the classic comedy series Porridge, all the entertainment they were allowed in their shared cell at Slade Prison was a few magazine pin-ups taped to the grey walls and the occasional out-of-date newspaper.

The unforgiving prison officer Mr Mackay was always quick to remind them: they were in prison for punishment not to enjoy themselves. How times change."

It goes on to say:

"It has now reached a stage where a prisoner in a Category B jail who has done well under the Incentives and Earned Privileges programme can kit out his cell with refinements that many people who have never broken the law might envy.

Depending on their entitlement and the facilities at a prison, prisoners are allowed in their cells: a TV with satellite channels; a music centre (with earphones); a games console such as a PlayStation or an Xbox; a hand-held computer game such as a Nintendo GameBoy; newspapers, books and magazines."

I think it is true that even today, for many people, Porridge conjures up a half-remembered picture of what prisons are or should be like.

So are today's prisons holiday camps compared with the stark and brutal environment of HMP Slade?

Let's remind ourselves with a clip.

[CLIP]

So what do you notice?

First of all, the cell was absolutely enormous. Bunks, two chairs, a table and a cupboard. It looked pretty clean. The two prisoners, Godber and Fletcher are engaged in friendly banter. Their clothes were in good repair and seemed to fit.

What else? Well the cell door was open for a start - so Godber, the younger one, could make his way to the variety of activities on offer – sport, Spanish classes, pottery.

A running theme of the series is Fletcher's attempt to outwit the strict Mr Mackay, the senior officer in charge, and the weak Mr Barraclough, the junior officer. Mackay and Barraclough are constantly popping into the cell, McKay to check what is going on, Barraclough to have a friendly chat.

Compare that with where Fletcher and Godber might end up now.

Come to HMP Peterborough, on an industrial estate at the edge of town, next, appropriately you might think, to the 'Big Yellow' storage warehouse – "flexible storage space without compromising security or cost" according to its website. The warehouse, not the prison.

The prison is not a bad place. I think it is pretty typical.

It is generally safe and decent and is doing some good work to prepare men for release.

The wings in the prison radiate from a central hub on two levels.

Go to the end of one of the wings on the upper level. Not many staff come down here.

A third of the men will be locked in their cells even during the working day so whenever you go, you will find one of the cells occupied.

Cells about this wide and twice as long.

A toilet at the end of the bunks – so the prisoners have made a cardboard cover.

Blanket draped over the window as a curtain.

Pictures of partners and children stuck to the wall with toothpaste.

A matchstick model in the corner.

Toiletries lined up in exact, neat rows on a shelf.

Daytime telly on.

Sealed windows, airless and sour smelling.

A man lying on his bunk.

You will probably be the first person he has spoken to since the day before.

Prison officers, thinner on the ground than they used to be, move quickly from task to task or are in the central hub on the computer.

There is no Mr Mackay or Mr Barraclough here, with time to stop and chat.

A breakfast pack was served the night before and other meals are collected to eat in cell. Lunch at 11.30. Tea at 4.30. The food is brought to the wing serveries from a central kitchen so it is nicely cold and congealed before you eat it. It is a multi-choice menu on a five week cycle.

The prisoner needs permission to do even the simplest thing but in this prison, a kiosk, like a hole in the wall cash machine, allows him to make applications or 'apps' remotely, terribly efficiently, without an officer needing to speak to him.

At Peterborough, men got 90 minutes association four evenings a week when they could use the communal showers, queue to use one of the four phones on the wing or deal with other domestics. They could have thirty minutes in the bare exercise yard every day. If our man has no job or other activity in the prison he will also get a bit of time out of his cell in the morning and at lunch time but overall he will be locked in his cell for 21 hours a day.

Prisoners at Peterborough could wear their own clothes and if they did not have any of their own they were issued two sets of prison clothing. The laundry worked reasonably well.

That is often not the case. In some cases, prisoners don't get back the same clothes they send in to the laundry so you see them walking round in clothes that don't fit – trousers hanging off their backsides because they are too big or ending half way up their legs because they are too small.

Different prisons have different rules about clothes and possessions.

Peterborough has a men's and women's side. One woman we found at New Hall had arrived from Peterborough women's prison wearing a strappy top. She had been allowed to wear it at Peterborough but not at New Hall, to which she had just been transferred.

She refused to hand it over. You can think of lots of sensible ways you could deal with that situation (do nothing might not have been a bad option). But what did they do? – they held her down, got some scissors and cut it off her.

At New Hall, don't forget, which is typical, two out five women said they had been raped.

I think we also sometimes forget the simple impact of confinement. Full Sutton is a well run Category A prison which I was at last week. It holds some of the most serious offenders doing very long and some whole life sentences.

It is totally enclosed. There are no windows you can look out of. When you are in an exercise yard you can look up and see the sky but there is no view longer than from here to the back of this room. For years and years and years. Some of the men had been held for much longer than almost anyone

in this room has been alive. The men there have done terrible things but don't ever let anyone tell you their punishment is a soft touch. It is a sobering thing to see.

Then there is the question of safety. Remember what I told you about Lincoln at the start of the lecture.

A quarter of prisoners did not feel safe at the time of the inspection, the level of fights and assaults was high.

Reception and first night processes are critical to keeping you safe.

The prison must identify if you need to go to the vulnerable prisoner wing – usually that will be sex offenders but it might include others who because of debt, accusations of being a grass, or because of their previous occupation, former police officers for instance – need protection from other prisoners.

The cell sharing risk assessment needs to identify who is not safe to share a cell with others. The process was adopted after Zahid Mubarak was murdered by his racist and violent cell-mate Robert Stewart at Feltham Young Offender Institution a few years ago.

Women are no longer automatically strip searched when they first arrive but all men and children are. It is intrusive and humiliating.

At one prison we inspected recently they also routinely carried out a squat search of all prisoners arriving at the prison. I won't go into the details – suffice it to say, it involved mirrors.

What should also happen, amongst other things, is that you should get a pack of essentials, toiletries and the like, to see you through your first few days until you can make an order to the prison canteen and receive your goods.

This is an important safety issue because what you really, really don't want to do is borrow from someone else and get into debt.

You may find you are in debt anyhow. If the person who had your cell before you left owing debts, you may find someone at your door telling you that you have inherited the debt and now you will have to pay it off.

If you are in debt it will be what they call 'double bubble' – at 100% interest.

You will have to pay back what you borrowed plus the same again.

You are new in, you smoke, you haven't got a smokers pack, so you have no tobacco. Someone friendly offers you some burn. Then he asks for it back. Twice as much. How are you going to do that?

If you can't pay the debt and you don't have anybody outside who can help you – then the places to be on your guard are during association, on

movement to activities and in the showers. Although when we asked prisoners at Lincoln where they felt unsafe, the most popular answer by far was 'everywhere'.

Shouting abuse and threats out of windows at night can be a problem. In an adult prison we were in recently, the vulnerable prisoners exercise yard was overlooked by one of the main wings and we witnessed horrendous and foul abuse shouted down at the VPs.

Drugs are a big part of prison life. I think they are part of the experience of a typical prisoner in a typical prison.

In Durham Prison over a third of prisoners said it was easy to get drugs in the prison and one in eight said they had developed a drug problem while they were in the prison.

Some people think drugs are tolerated in prison because they keep the prisoners quiet. Far from it. They are a significant cause of violence and trouble.

Drugs of choice in prison are depressants that decrease awareness and alertness – in effect kill time. There is a discussion to be had about drug policy more generally but as things stand at present, problems about crime and anti-social behaviour associated with drug supply in the community are reflected in prison. So while for the individual drugs may have a temporarily quietening effect, the impact of drug availability in the prison as a whole is destabilising.

Prison drug treatment systems are generally pretty successful but are undermined if it is not possible to check supply

Drugs get into prison with prisoners going backwards and forwards to court etc; with visitors, through the mail, over the wall and with the help of corrupt staff.

But increasingly the drug of choice is diverted prescribed medication.

Methadone, pain killers like codeine and tramadol and anti-convulsant drugs like gabapentin and pregabalin.

These often won't show up in drug testing systems and can be dangerous when mixed together.

They are handed out to the medicines queue and then, unless taken immediately under observation, may be traded or stolen. Even when taken under observation there have been instances of prisoners regurgitating swallowed methadone to sell to others.

You would be making a mistake if you thought sending someone with a drug problem to prison was a good way of putting temptation out of their way and solving the problem.

If you go to prison as an official visitor the prison will naturally want to show you the most interesting things. The segregation unit, the brand new healthcare centre, how they care for the prisoners with mental health problems or those who are at risk of suicide and self-harm. I haven't talked about those this afternoon because they distort the picture (and because I haven't time).

The point I am trying to make is that if you, the Prime Minister or the Justice Secretary, are worried that prisons aren't tough enough, you needn't be. I have found no holiday camps. I think even a short sentence in the best run prison is a very tough punishment indeed.

So in my view prisons are already tough. Are they intelligent though?

I think the test of an intelligent prison is one that prepares prisoners for release so that they are less likely to offend than when they went in.

I don't think we pass the test at the moment.

The bottom line is that just under half of all prisoners are re-convicted within one year of release, even more for those serving sentences of less than 12 months.

The government is now trying to establish a system of 'payment by results' so agencies who work with prisoners to reduce the rate at which they offend get paid according to how successful they are. The payment bit of that is pretty complicated but I think the idea that prisons should know what happens to prisoners after they leave, what their results are, is absolutely right.

I think there are three key things that need to happen in prisons to improve rehabilitation outcomes.

The first is that you need a whole prison approach.

The most important thing that prisoners learn in prisons – is how to survive in prison.

How you manage your relationships with other prisoners and staff. How you manage the passage of time. How you cope with the restrictions of the regime. How you keep a semblance of individual autonomy.

In prisons, these are distorted images of the sorts of behaviour you need outside. You have to kill time, not use it. You have to comply, not use your initiative. You have to avoid not welcome mutual obligation.

So I think it is important that as far as possible the regime in prison is normalised and the extent of a prisoner's personal responsibility is maximised. For instance, so that you have to get yourself up in the morning and get to any activity on time, not wait to be told what to do and be moved. So the routines of the day are like the routines outside – breakfast in the morning not the evening. So external providers of activities are encouraged to come into the prison whose own behaviours and expectations are not shaped by the prison environment. So you go to the gym in the evening after work not in the middle of the working day.

Of course, there are necessary restraints on how far you can do this but the more you can move people into open prisons, the more use you make of release on temporary licence to work or spend time with family – the better for prisoners and the better for the rest of us, I think.

Then you need to sort out prisoner's practical needs. What prisoners repeatedly tell us is the most important thing for keeping them out of prison is getting a job and that is also what they think will be most difficult. There is a lot of evidence to suggest they are right.

I think there is a danger that the activity that is available in prisons concentrates too much on vocational skills and not the employability skills that employers say they need. I was talking to someone the other day who offered work experience in charity shops.

"What prisons keep sending me" she said, "is prisoners who have got a fork-lift truck drivers qualification – but who can't talk to customers". So I think prisoners need to acquire basic practical skills if they don't have them but then whatever they are doing, from working in a prison industry to attending an art class, it is important to encourage the employability requirement of self reliance, reliability, relationships with colleagues. These characteristics need to be encouraged not just in formal activities but on the wings and in the life of the prison as a whole.

At Rochester, which was a YOI for young adult men, basically they managed security by keeping them all locked in their cells for most of the day. I went there on a hot summer's day and in cell after cell, in the middle of the morning, you had men lying on their beds, sleeping their sentences away. That was not their choice, it was the prison's. It may have made the prison easier to manage – but it did little to ensure that the rest of us were less likely to be the victims of crime by these young men when they left.

To get and hold down a job when you leave needs other things as well. It needs a stable and secure roof over your head. You won't keep a job if you are homeless. You need whatever drug treatment you were on in prison to continue and – most importantly of all, you need the support of your family.

Which is the most effective resettlement agency - prisoners families.

Who fixes them a job when they leave? It's their uncle's mate who gives them a job in his building firm.

Who puts them up when their partner won't have them back? It's their mum. If you want to give someone a certain return ticket back to prison, release them with no accommodation to go to.

Who hassles them to keep their drug and probation appointments? It's their sister.

Too often contact with families is seen as just a privilege for prisoners to be awarded or taken away rather than an essential part of the resettlement process.

And finally, you need to back up these practical interventions with offender management processes that challenge and address prisoners' offending behaviour and help them to change. Sex Offender Treatment programmes have a proven efficacy – and many indeterminate prisoners will not be released till they have successfully completed one. But time and time again, we find prisons with insufficient programme places to match the needs of the prisoners it holds.

[SLIDE 12]

So how tough and intelligent are prisons?

As I have said, I have found no holiday camps. Prisons are a severe punishment. You can have an argument if you like about how prisoners should be treated but let's try and do that on the basis of the facts.

But what I would also say is that if you want prisons to be intelligent, and by that you mean reduce the rate at which people re-offend when they leave, then you cannot divorce that from the totality of the regime that is offered. It is no good taking a training course in, say, plumbing skills – if the rest of the prison experience is destroying your self confidence, motivation and ability to relate normally to others.

I think we run the risk of their being a disconnect between policy and the facts on the ground. I hope it is something the Inspectorate's work helps to overcome – and I hope here, on our website, academics and students will find the evidence they need to help shape the debates about what our prisons should be doing, and how.

Thank you.