



Ministry  
of Justice

# **The Importance of Strengthening Prisoners' Family Ties to Prevent Reoffending and Reduce Intergenerational Crime**

by Lord Farmer

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## Foreword from the Chair, Lord Farmer

The Farmer Review on the importance of family and other relational ties was commissioned as part of this Government's plans to effect the biggest overhaul of prisons in a generation, demonstrating their understanding of the importance of good family and other relationships to prisoners' rehabilitation. This report is submitted with the intention of being as helpful as possible to the Secretary of State as he rolls out the wider reform programme.

The Ministry of Justice's own research shows that for a prisoner who receives visits from a family member the odds of reoffending are 39% lower than for those who do not.<sup>1</sup> Yet the clearest finding from my work – and the conclusion of Her Majesty's Inspectorates of Prison and Probation and others – is that there is an unacceptable inconsistency of respect for the role families can play in boosting rehabilitation and assisting in resettlement across the prison estate.

This report is not sentimental about prisoners' families, as if they can, simply by their presence, alchemise a disposition to commit crime into one that is law abiding. However, I do want to hammer home a very simple principle of reform that needs to be a golden thread running through the prison system and the agencies that surround it. That principle is that relationships are fundamentally important if people are to change. In the course of my Review I met an army of people who instinctively recognised this. Prison governors, their management teams and prison officers of all ranks, as well as the voluntary sector organisations that exist to ensure families and prisoners can keep in touch and have the best relationships possible in highly constrained circumstances.

At present the challenges those employed in the prison system are facing every day – particularly the understaffing, overcrowding and violence – are impeding their ability to build relationships with the men in their care and hampering the development of programmes and approaches that would enable families to play a greater role in rehabilitation.

That is why the system needs to be gripped in the ways proposed in the recently published white paper on prison safety and reform. The clarification of responsibilities and the plans to empower governors are especially welcome. However, the emergence of a rehabilitation culture inside every prison, which the Secretary of State's plans are pushing towards, will not happen unless good relationships with families and others on the outside are treated as a much higher priority in many jails. These need to be seen as a vital resource and the people who visit, and make the often Herculean effort to keep in contact, need to be treated as valued allies in the rehabilitation cause.

Employment and education are repeatedly cited as mainstream rehabilitation activities in offender management that all prisoners are expected to undertake whilst, in stark contrast, work to maintain and improve family and other relational ties is rarely even mentioned. Yet such work can provide meaning and all-important motivation to these other strands of activity. It also has proven success in preventing reoffending in its own right. If reform is to be achievable in our prisons it is essential that family work should always be seen and referred to alongside these two as the third leg of the stool that brings stability and structure to prisoners' lives, particularly when they leave prison.

We have to use all the tools at our disposal if we are to put a crowbar into the revolving door of repeat reoffending and tackle the intergenerational transmission of crime. In this era of ongoing constriction on public spending, family ties are themselves a resource that newly empowered governors can, and must, deploy in the interest not just of reducing reoffending rates, but also of creating a more settled regime.

There are many people I want to thank for their contribution to the work of this Review. First, I am thankful to Anne Fox, CEO of Clinks who, as Deputy Chair of my Task Group has been a constant source of encouragement and assistance, and to the other members: Diane Curry OBE, Partners Of Prisoners (POPS); Iliad Davies, National Probation Service (NPS); Craig Georgiou, Contract Directorate for Community Rehabilitation Companies, HMPPS; Garry Henry, User Voice; Andy Keen-Downs, Pact and Corin Morgan-Armstrong, Head of Family Interventions at HMP Parc.

The Task Group was greatly assisted by officials from Her Majesty's Prison and Probation Service (HMPPS), then the National Offender Management Service (NOMS) – Richard Booty, Zane Podniece and Paul Baker; and from the Ministry of Justice – Melena Ward (who took over from Gabrielle Lee part way through the Review), Angela Christopher MBE and Graham Mackenzie. Clinks, who provided the secretariat to the Review, worked extremely hard to meet the very tight timelines required. In particular, I would like to thank Oonagh Ryder who analysed the very large body of evidence we received in response to the Call for Evidence. Her rigour, unstinting effort and enthusiasm for the whole process were exemplary. Richard Nicholls, Nathan Dick, Patrice Lawrence and Natasha Phiri also made a significant contribution.

I am very grateful to HMPPS who generously contributed towards my costs, as did the philanthropist Lady Edwina Grosvenor. Similarly, Clinks dipped into their own resources to ensure no effort was spared in carrying out the work.

<sup>1</sup> May C., Sharma N. and Stewart D., (2008). *Factors linked to reoffending: a one-year follow-up of prisoners who took part in the Resettlement Surveys 2001, 2003 and 2004*. London: Ministry of Justice.

The report makes clear that a very large number of people and organisations responded to my Call for Evidence. I am grateful to them all, but I particularly want to thank the many prisoners and their families who wrote, left voicemails or talked in person to me about their experiences and ideas.

Finally, I am greatly indebted to my Parliamentary Adviser, Dr Samantha Callan, who has been tireless in her wise counsel, organisational skills, research and certainly not least as the lead writer of the final report.



Michael Farmer

## Executive Summary

### Introduction

The Secretary of State commissioned this Review to investigate how supporting men in prison in England and Wales to engage with their families, can reduce reoffending and assist in addressing the intergenerational transmission of crime (a landmark study found that 63% of prisoners' sons went on to offend themselves<sup>2</sup>) as part of the Government's urgently-needed reform agenda.

The Ministry of Justice's own research shows that, for a prisoner who receives visits from a partner or family member, the odds of reoffending are 39% lower than for prisoners who had not received such visits.<sup>3</sup> Supportive relationships with family members and significant others give meaning and all important motivation to other strands of rehabilitation and resettlement activity. As one prisoner told me, *'If I don't see my family I will lose them, if I lose them what have I got left?'* Yet the unacceptable inconsistency of work that helps prisoners to maintain and strengthen these relationships across the estate shows it is not yet mainstream in offender management in the same way as employment and education. Family work should always be seen and referred to alongside these two rehabilitation activities as the third leg of the stool that brings stability and structure to prisoners' lives, particularly when they leave prison.

That is why the overarching conclusion of my Review is that good family relationships are indispensable for delivering the Government's far-reaching plans across all the areas outlined in their white paper on Prison Safety and Reform, published in November 2016.<sup>4</sup> If prisons are truly to be places of reform, we cannot ignore the reality that a supportive relationship with at least one person is indispensable to a prisoner's ability to get through their sentence well and achieve rehabilitation. It is not only family members who can provide these and, wherever family relationships are mentioned, it should be assumed that other significant and supportive relationships are also inferred.

Consistently good family work, which brings men face-to-face with their enduring responsibilities to the family left in the community, is indispensable to the rehabilitation culture we urgently need to develop in our penal system and has to be integral to the changes sought. It helps them forge a new identity for themselves, an important precursor

2 Farrington, D. P., Barnes, G. and Lambert, S. (1996), 'The concentration of offending in families', *Legal and Criminological Psychology*, 1 (1) pp47–63

3 May C., Sharma N. and Stewart D. (2008), *Factors linked to reoffending: a one-year follow-up of prisoners who took part in the Resettlement Surveys 2001, 2003 and 2004*, London: Ministry of Justice. Available online: <http://www.lemosandcrane.co.uk/dev/resources/Factors%20linked%20to%20reoffending%2008.pdf>

4 Ministry of Justice (2016), *Prison Safety and Reform*. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

to desistance from crime,<sup>5</sup> based on being a good role model to their children, a caring husband, partner and friend and a reliable provider through legal employment. However, responsibilities are not discharged in a vacuum. Families need to be willing and able to engage with the rehabilitation process, so harnessing the resource of good family relationships must be a golden thread running through the processes of all prisons, as well as in the implementation of all themes of the white paper.

Rather than being unduly prescriptive, I aim to provide a framework of principles illustrated with good practice, so empowered governors can make the most of this typically under-utilised resource and ensure families are treated with the decency they deserve.

### **The backdrop to reform – in wider society, government and prisons**

Arguably, we are living in a society that appears to place little value on family relationships. This can make us less sensitive to the negative effects on prisoners' children, other family members and prisoners themselves when prolonged separation is experienced and when relationships come under intense strain and may not even survive a prison sentence.

The cultural change sought by the white paper reforms and by this Review needs to be part of a broader change in the culture of government, such that the value of positive family relationships is recognised in all areas. There should be ministerial family leads in each government department and cross-departmental working to boost family stability, particularly in poorer, more disadvantaged communities.

Whilst conducting this Review it has been impossible not to be aware of the deep and pervasive problems endemic across the prison estate, which have to be alleviated if rehabilitation is to be a realistic aim. These include understaffing and overcrowding, as well as the proliferation of illicit drugs and new psychoactive substances (NPS), which overlaps with violence and the prevalence of mental health problems across a broad spectrum of severity.

The Government is to be commended for speedily addressing the issue of understaffing by making a commitment to increase staffing levels by 2,500 by the end of 2018. I was frequently told on my prison visits that without boosting frontline staff numbers and changing how they work, any reform programme was very unlikely to be successful.

### **Background to this report**

The Review was carried out with the help of a Task Group comprised of people with first-hand experience of the prison system. We visited 16 prisons, met with men and their families and issued a public Call for Evidence from people and organisations interested in

this issue through National Prison Radio and other outlets. Given the major role played by the voluntary sector in prisons, I have worked in close partnership with the criminal justice sector support organisation Clinks, who provided the secretariat for the Review.

Media coverage of the recent unrest on the prison estate has made frequent reference to rioting at HMP Strangeways in Manchester, which was, in April 1990, 'the scene of the worst penal disturbances that this country has ever witnessed.'<sup>6</sup> Further prisons experienced serious riots in the aftermath and Lord Woolf's subsequent inquiry and report into the unrest highlighted the link between good family work and prison safety and reform. One of his 12 major recommendations was that there should be:

'Better prospects for prisoners to maintain their links with families and the community through more visits and home leaves and through being located in community prisons as near to their homes as possible.'<sup>7</sup>

While much progress has been made, with national and regionally based voluntary sector organisations often at the forefront of pioneering new initiatives, elements of Woolf's prescription concerning prisoners' families are still far from ubiquitous across the prison estate. Therefore, the last 30 years have taught us that cultural change that will embed the importance of families to rehabilitation will not happen simply by a process of evolution. The reforms I am recommending will not be possible without the additional money and staff that have been promised to the prison system, but they will also require a change in the mind-set of many governors, senior staff and prison officers.

The report's chapter structure mirrors the white paper and shows how each area of reform will be strengthened by ensuring family work is embedded in the solutions proposed and how the whole system can better support family ties.

### **Chapter 2: The Right Framework for Improvement**

The white paper commits to clarifying lines of accountability, roles of prison governors and their staff, aims of the various inspectorates and scrutiny bodies and consequences of failing to fulfil requirements. The intention is to establish that the common purpose for everyone working in the prison system is to protect the public and reform offenders. Fulfilling the second part of this purpose requires drawing in, and on, families.

My recommendations lay out where accountabilities and responsibilities for family work should lie in prisons and propose measures to ensure these are met:

1. There should be a clear and simple structure for accountability as regards prisoners' contact and relationships with their family.

<sup>5</sup> Moloney, M., MacKenzie, K., Hunt, G., and Joe-Laidler, K. (2009), 'The path and promise of fatherhood for gang members,' *British Journal of Criminology*, 49, pp305-325; HM Inspectorate of Probation (2016), *Desistance and young people*. Available online: [https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2016/05/Desistance\\_and\\_young\\_people.pdf](https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2016/05/Desistance_and_young_people.pdf)

<sup>6</sup> See: <http://www.publications.parliament.uk/pa/cm200001/cmhansrd/vo010207/halltext/10207h05.htm>.

<sup>7</sup> Prison Reform Trust (1991), *A Summary of the main findings and recommendations of the inquiry into prison disturbances*, p36

- The Lord Chancellor and Secretary of State for Justice to be made responsible for ensuring prisoners' family ties are consistently treated as important across the estate by including them in his accountabilities.
  - The importance of 'Maintaining and developing family relationships' must be explicitly stated as part of the purpose of prison, to protect the agenda from being de-prioritised or dropped under future governments.
  - It should also be explicitly specified that the Performance Agreements the Secretary of State enters into with governors and executive governors of prison clusters must include a 'local family offer' to ensure that effective family work is delivered inside prisons.
  - The Performance Agreement with each prison should specify the following local family offer elements (with guidance from the Ministry of Justice) but detailed design and delivery to be at the broad discretion of Governors in each establishment:
    - (a) Visitor base/centre and visiting services;
    - (b) Staffing structure to ensure family work is an operational priority;
    - (c) Extended visits;
    - (d) Family learning;and
    - (e) 'Gateway' communication system.
  - The Ministry of Justice should ensure that the importance of family ties is a golden thread running through the new policy frameworks based on the revised and pruned body of Prison Service Orders and Prison Service Instructions and also Probation Instructions.
  - The Ministry of Justice to develop an action plan out of the Farmer Review recommendations, including details on how the proposals will be taken forward, and report progress to the Review twice a year.
  - Governors to be held to account for positive family work outcomes.
2. Her Majesty's Inspector of Prisons must ensure the importance of family ties features prominently throughout the new Expectations currently being refined, so empowered governors know this has to be a cross-cutting priority in the running of their prison.
  3. To improve the use of evidence and data, the body that considers 'what works' to rehabilitate offenders should also act as a repository of information about effective family work.

### Chapter 3: Raising Standards

To ensure its vision for prisons is realised, the Government will set new performance measures for each prison, so governors in each prison can be held to account for progress against four standards that are based on the purposes prisons need to deliver well if a rehabilitation culture is to emerge.

Whilst I do not want to weigh governors down with unnecessary red tape, my recommendations stress that the importance of families must feature across the standards and in the list of prison performance measures, to put relationships at the heart of the rehabilitation culture. Although many of the measures associated with the standards are rightly focused on outcomes and not process, when it comes to maintaining and improving relationships we know from the extensive research around rehabilitation that this is an area where the process itself is important. The outcomes of supportive relationships are often not measurable for some time and some can only be captured through longitudinal research.

4. Family work should be included in all four standards in the white paper.

#### Standard 1: Public protection

Policy frameworks should require evidence of the involvement of families or other supportive relationships in sentence planning, resettlement planning and decisions regarding the use of ROTL.

#### Standard 2: Safety and order

Prisons should be able to show evidence that family or other supportive relationships play a role in intelligence gathering regarding a prisoner's mental health, drug use (prescription and illicit), propensity to violence and risk to self.

#### Standard 3: Reform

Given their role in prisoner rehabilitation, a standardised visitors' survey should be developed to capture the experiences of families as they seek to maintain contact and to enable comparison between different establishments.

#### Standard 4: Preparing for life after prison

Prisons should be able to show how many prisoners do not receive visits.

5. Prison performance measures, which would enable comparisons to be made with similar prisons for the purposes of learning from practice, should include a family-related measure such as rate of prisoners who receive visits on entry and exit and rate of prisoners engaged with their family, or other supportive relationships, on entry and exit.



6. Contact details of family and significant others should be mandatorily requested by prisoner escort services before a prisoner leaves court and immediately added to his prison file, with this and other information on key relationships updated on an ongoing basis and sent with him when he moves establishments.
7. If a prisoner cannot name anyone he will want to contact on the first night this should be flagged and active steps taken to try to reconnect him with family or others with whom he might be able to develop a supportive relationship.

#### Chapter 4: Empowered Governors

The five elements of the local family offer recommended in Chapter 2 lay the foundations for family work required in all prisons to enable governors to deliver against the family ties measures in the four performance standards, as outlined in Chapter 3. Once these foundations are in place, governors will have the discretion they need to choose the programmes and approaches that are right for their population and establishment.

This chapter points to current good practice across the United Kingdom and abroad to assist them as they work to harness prisoners' family ties more effectively as part of the drive to build a rehabilitation culture. The governors I met in the course of my Review considered that good family practice served, rather than undermined, other operational priorities. Given the early focus on Release on Temporary Licence (ROTL) in the new policy frameworks, I recommend that:

8. Empowered governors' tenures should be of sufficient duration to demonstrate that they have added value to the prison, as Performance Agreements last for three years this should be the minimum length (apart from in exceptional circumstances).
9. When governors are in the process of making a decision about granting ROTL, family ties and supportive relationships should be one of the considerations.
10. Men who are eligible for ROTL should be able to attend visits outside the prison gate, whether on approved premises or in the wider community.
11. Governors should be intentional about ensuring all prisoners who do not have family or other support – for example if they have been in the care system – are helped to form relationships with people outside or peers inside.
12. To support them in this, the body that considers 'what works' to rehabilitate offenders should examine the effectiveness of models that help prisoners without supportive relationships to develop these, or to reconnect safely with family and others from their past.

#### Chapter 5: Safe and secure prisons

As the white paper states unequivocally, 'the prison system is currently under sustained and serious pressure from security threats and rising levels of violence that are blocks to reform.'<sup>8</sup> Echoing the conclusions of Lord Woolf in 1991 stated earlier, lack of contact with families was viewed by respondents to my Review as a key factor in violence, self-harm, suicide and the deterioration of mental health. Prisoners with more stable family relationships were more likely to be stable prisoners inside prisons and families can provide vital information and insight about the risk of self-harm or suicide for prisoners. My recommendations stress how prisons can routinely draw on families for these insights, instead of dismissing or ignoring them as currently often happens:

13. The Ministry of Justice should make a fund available that governors can bid for to trial innovations that engage with families specifically in order to prevent suicide.
14. As part of their Performance Agreement, each prison should establish a clear, auditable and responsive 'gateway' communication system for families and significant others – a dedicated phone line that is listened to and acted upon. As part of this:
  - Families' concerns about mental and physical health should be properly recorded and action taken.
  - Families (and significant others) should be properly informed about the opening of an ACCT document and able to request the opening of an ACCT document.
    - If, after the completion of a risk-based assessment an ACCT document is opened, they should be kept appropriately updated of any intervention/action arising from this.
    - If, after the completion of a risk-based assessment, it is decided not to open an ACCT document, then the family member or other person who raised the matter should be written to detailing the reason for the decision.

#### Chapter 6: Developing our leaders and staff

Ultimately, it is people who will change the current discontent in the prison system and the overriding priority is to have enough of the right kind of people in place across the estate. In every establishment we visited the issues of understaffing and low staff morale were raised. It was clear that these have to be tackled first and foremost if this Government's reforming vision for our prisons is to be realised. Therefore, I commend the action that the Government has already taken to increase staff numbers and their continued focus on this area, such as through new routes to entry including apprenticeship and graduate schemes. My recommendations work with the white paper's emphasis on training new and existing staff so they adopt a new way of working that will enable them to play a direct role in prisoner reform.

<sup>8</sup> Ministry of Justice (2016), *Prison Safety and Reform*, p6

15. Development of leaders and staff must support governors in fulfilling their Performance Agreement requirement to provide a staffing structure that makes family work an operational priority:
- Given that family work has been characterised by unacceptable levels of inconsistency across the estate, the leadership capability strategy referred to in the white paper should make this area of responsibility a priority.
  - The new leadership programme should give governors a solid grasp of the impressive evidence base that shows good relationships with families are key to rehabilitation and reducing intergenerational reoffending.
  - Personal officer job descriptions must include developing personal relationships with their prisoners and their training must reverse the de-skilling that has prevented many from undertaking informal support for prisoners' family ties.
    - As a quarter of prisoners were formerly in the care of the local authority, personal officer training must also include awareness of how to help them with the psychological and other issues care-experienced men often face. These can affect their ability to form the relationships that will help them to desist from offending and settle back into the community after their sentence.
18. The MoJ should require prisons to demonstrate mutually beneficial links with local businesses, schools and other bodies in the wider community.
19. Virtual visits using video calling technology should be available for the small percentage of families or individual family members who cannot visit frequently or at all due to infirmity, distance or other factors.

## Chapter 7: Building the right estate for reform

The white paper plans to reboot the prison estate by ensuring much of the physical environment is increasingly made up of modern, fit for purpose accommodation where prisoners can turn their lives around. This provides a once-in-a-generation opportunity to make family and relational ties an important factor in decisions about where, and how, prisons are built and prisoner movement. Whilst these should not trump all other operational considerations, my recommendations focus on how assessment should always be made of how decisions will impact on families and how adverse impacts can be mitigated.

16. All new-build prisons should be subject to the Government's Family Test and required to produce a family impact assessment which should be published.
17. Consideration should be given to the closeness of family or other supportive relationships as part of any proposed movements of prisoners out of their home region.
- Governors should arrange, in collaboration with HMPPS Population Management Unit, to ensure prisoners moved out of area are repatriated at the earliest opportunity to the prison region of their family and wider community (if beneficial to the successful completion of their individual sentence plan).
  - As part of any decision concerning prison re-rolling, governors in collaboration with HMPPS, should be required to produce a family impact assessment that considers the proximity of prisoners to their families or other supportive relationships. This should also be published.



## Chapter 1: Introduction

*'Imprisonment is associated with a range of unavoidable harms such as the rupturing of community and family ties...the goal for the prison system must be to anticipate these harms and soften their impact while not adding to them.'*<sup>9</sup> Professor Ian O'Donnell, University College Dublin

### Family work at the heart of prison reform

1. The Secretary of State commissioned this Review to investigate how supporting men in prison in England and Wales to engage with their families can reduce reoffending and assist in addressing the intergenerational transmission of crime as part of the Government's urgently needed reform agenda. I was asked to look particularly at what empowered governors should be doing to help prisoners maintain and improve their family and other significant relationships.
2. If prisons are truly to be places of reform we cannot ignore the reality that a supportive relationship with at least one person is indispensable for a prisoner's ability to get through their sentence well and achieve rehabilitation. It is not only family members who can provide these. Indeed, the nature of an offence may mean contact with family members is inappropriate and not beneficial to either a prisoner or his relative. Family members may be the victims of his criminal activity or strong influences provoking offending behaviour. Wherever family relationships are mentioned it should be assumed that other significant and supportive relationships are also inferred.
3. While conducting the Review, my Task Group and I were seized by the relevance of family ties to all the areas of concerns outlined in the white paper on Prison Safety and Reform published in November 2016. Indeed, the overarching conclusion of my Review is that they are indispensable for delivering the Government far-reaching and appropriately ambitious plans.
4. As the Foreword to the white paper states, making prisons work will require a 'huge cultural and structural change within our prisons – a transformation...to disciplined and purposeful centres of reform where all prisoners get a second chance at leading a good life.'<sup>10</sup> A prisoner has been sentenced by a court and his punishment is the deprivation of his liberty for the period laid down. While this is being carried out there is a responsibility on the part of the authorities to provide an environment that creates the best conditions to rehabilitate him.
5. It is my belief, based on the evidence I have gathered, that consistently good family work is indispensable to the rehabilitation culture we urgently need to develop in our penal system and therefore, has to be integral to the changes sought. The inspirational prison reformer Elizabeth Fry, also quoted by the Secretary of State, calls for 'Arrangements by which [prisons] may be rendered schools of industry and virtue.' The best family work I have seen in prisons has brought men face-to-face with their enduring responsibilities to the family left in the community, particularly their wives, partners and children, but also their parents, siblings and grandparents.
6. It has helped them forge a new identity for themselves, an important precursor to desistance from crime,<sup>11</sup> based on being a good role model to their children, a caring husband and partner and a reliable provider through legal employment. (Some of the men I met were already very alive to these responsibilities when they came into prison but mistakenly thought using the proceeds of crime was the best way to fulfil them.)
7. Responsibilities cannot be discharged in a vacuum. Unless their families are willing and able to engage with the rehabilitation process, imprisoned men will have far less incentive and motivation to reform their ways. In this report I will lay out how the harnessing of the resource they constitute can and must be a golden thread running through the implementation of all aspects of the white paper and have structured it accordingly.
8. Dr Helen Codd states 'Family ties may benefit not only prisoners but also society as a whole.'<sup>12</sup> Given that the majority of prisoners' families are profoundly motivated to help men serving sentences build a better life for themselves, free from offending patterns of behaviour, they constitute a potential army of support for the prison system that has not as yet been strategically and consistently deployed across the estate.
9. In other words, they are instrumental to what the prison service is trying to achieve. A theme of the academic research which I also heard in my evidence gathering, was they should not be 'instrumentalised' or 'used' in order to serve the aims of the criminal justice system and, in the face of challenging budgets, to fill gaps in provision that would otherwise be filled by professionals.<sup>13</sup>
10. Yet we need to recognise the limits of professionals' ability to provoke and sustain prisoners' motivation to change. Rather than family members compensating for a lack of other support in the system, prisoners' families and children can be uniquely well placed to inspire men to go straight.

9 O'Donnell, I. (2016), 'The aims of imprisonment', in Jewkes, Y., Bennett, J. and Crewe, B. eds. *Handbook on Prisons*, Oxford: Routledge, p45

10 Ministry of Justice (2016), *Prison Safety and Reform*, p3. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

11 Moloney, M., MacKenzie, K., Hunt, G., and Joe-Laidler, K. (2009), 'The path and promise of fatherhood for gang members' in *British Journal of Criminology*, 49, pp305-325; HM Inspectorate of Probation (2016), *Desistance and young people*. Available online: [https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2016/05/Desistance\\_and\\_young\\_people.pdf](https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2016/05/Desistance_and_young_people.pdf)

12 Codd, H. (2008), *In the Shadow of Prison: Families, imprisonment and criminal justice*, Cullompton: Willan, p22

13 *Ibid*; Knusden, E.M. (2016), 'Avoiding the pathologizing of children of prisoners' in *Probation Journal*, 63(3), pp362-370

11. My starting point, therefore, is that as positive family relationships are associated with reduced risk of reoffending,<sup>14</sup> family members need to be acknowledged as potential assets who are essential to making prisons places of discipline and purpose, but they must also be treated with respect and decency by all staff in prisons. There needs to be an understanding of the negative consequences inflicted on them by imprisonment and the potentially harmful effects of the individual's offences.
12. Partners, parents and children of prisoners need the support of society, not just because of the key role they can play in offender rehabilitation, but also because of the hidden sentence they are serving, typically without having committed any crime themselves.<sup>15</sup>
13. Part of my remit was to look at how to reduce intergenerational offending, given the range of adversities associated with parental imprisonment, some of which can increase a child's risk of involvement with the criminal justice system.<sup>16</sup> A landmark study showed that 63% of prisoners' sons went on to offend themselves.<sup>17</sup> This is deeply concerning to many fathers inside. A prisoner I spoke to in HMP Leeds told me '*The one thing I fear most is my son moving into the kind of life I have led.*' Access to organisations and services that have proven expertise in helping families with members inside prison is vital for guarding children's future life chances,<sup>18</sup> but so too is ensuring men inside are supported to be engaged fathers so they can be part of the protective web around their children.
14. My intention in this report is to make a limited number of workable recommendations and paint a picture of what good practice across the prison estate looks like that will enable the Ministry of Justice (MoJ) and Her Majesty's Prison and Probation Service (HMPPS) to deliver prison safety and reform through the lens of family ties. Rather than being unduly prescriptive, I aim to provide a framework of principles illustrated with good practice, so that empowered governors can make the most of this typically underutilised resource and ensure families are treated with the decency they deserve.

14 Brunton-Smith, I. and McCarthy, D. J. (2016), 'The effects of prisoner attachment to family on re-entry outcomes: A longitudinal assessment' in *British Journal of Criminology*, advance online publication. <http://bjc.oxfordjournals.org/content/early/2016/01/13/bjc.azv129.abstract>; Markson, L., Losel, F., Souza, K., and Lanskey, C. (2015), 'Male prisoners' family relationships and resilience in resettlement' in *Criminology and Criminal Justice*, 15(4), pp423-441; Spjeldnes, S., Jung, H., Maguire, L., and Yamatani, H. (2012), 'Positive Family Social Support: Counteracting Negative Effects of Mental Illness and Substance Abuse to Reduce Jail Ex-inmate Recidivism Rates', in *Journal of Human Behavior in the Social Environment*, 22(2), pp130-147

15 Action for Prisoners' and Offenders' Families (2016), *Hidden Sentence Training Brochure*. Published by: iHop. Available online: <http://www.i-hop.org.uk/ci/fattach/get/769/0/filename/APOF+Hidden+Sentence+training+brochure+2016+FINAL.pdf>

16 Murphey, D. and Mae Cooper P. (2015), *Parents behind bars: What happens to their Children?* Available online: <http://www.childtrends.org/wp-content/uploads/2015/10/2015-42ParentsBehindBars.pdf>; Knusden, E.M. (2016), 'Avoiding the pathologizing of children of prisoners' in *Probation Journal* 63(3), pp362-370

17 Farrington, D. P., Barnes, G. and Lambert, S. (1996), 'The concentration of offending in families', *Legal and Criminological Psychology*, 1 (1) pp47-63

18 See page on *Quality Assessment of Research and Evidence on i-HOP*. Available online: [https://www.i-hop.org.uk/app/answers/detail/a\\_id/715](https://www.i-hop.org.uk/app/answers/detail/a_id/715)

15. Indeed, there is much existing good practice – here and abroad – to showcase and build on. Encouragingly, new-build HMP Berwyn has been keen to get family work right from the outset (not least in order to mitigate the long distance many men will be away from home) and the principles and examples highlighted in this Review will be indispensable in laying the right foundations in other new prisons.

### The backdrop to reform – in wider society, government and prisons

16. Over the last forty years, society as a whole has been experiencing unprecedented levels of family breakdown, particularly in its most disadvantaged communities. Arguably we are, as a result, living in a society that appears to place little value on family relationships. This can make us less sensitive to the negative effects on prisoners' children, other family members and prisoners themselves when prolonged separation is experienced and when relationships come under intense strain and may not even survive a prison sentence.
17. The cultural change sought by the Secretary of State and by this Review needs to be part of a broader change in the culture of government such that the value of positive family relationships is recognised in all areas. There should be ministerial family leads in each government department and cross-departmental working to boost family stability, particularly in poorer, more disadvantaged communities.
18. A cross-government strategy to improve outcomes for prisoners' families would also seem essential if the potential for the MOJ's reforms are to be fully realised. The Care Leavers Strategy is a good example of where different departments came together through the Social Justice Cabinet Committee and agreed to each play their part in improving outcomes for care leavers.
19. Whilst conducting this Review it has been impossible not to have been aware of the deep and pervasive problems endemic across the prison estate, which have to be alleviated if rehabilitation is to be a realistic aim. These include understaffing and overcrowding, as well as the proliferation of illicit drugs and new psychoactive substances (NPS) that overlaps with violence and the prevalence of mental health problems across a broad spectrum of severity.
20. The Government is to be commended for speedily addressing the issue of understaffing by making a commitment to increase staffing levels by 2,500 by the end of 2018, not least because of the statistical correlation between the numbers of staff and the level of violent incidents.<sup>19</sup> It was frequently stated by the prison staff and others whom I met on my visits that without boosting frontline staff numbers and changing how they work, any reform programme was very unlikely to be successful.

19 Ministry of Justice (2016), *Prison Safety and Reform*, p41. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

## Background to this Report

21. Several reports (summarised below) have highlighted the important role families play in prisoners' lives in preventing reoffending, promoting rehabilitation and preparing them for resettlement. In consequence they emphasise the need to 'mainstream' interventions and approaches that will harness the resources inherent in many of these relationships so they are consistently, rather than patchily, applied as is the case at present. Professor (and former prison governor) Andrew Coyle describes how hard it is for prison systems to learn from examples of good practice unless the proposed change is perceived as fitting with mainstream expectations.<sup>20</sup> Family work (see box below) has to be recognised as an indispensable aspect of offender management.

### Family work in prisons

According to the BIS/NOMS review,<sup>21</sup> support for offenders' family ties can be grouped into four categories focused on:

- Maintaining relationships with family members;
- Parental and relationships learning/skill building;
- Transformational family-based interventions (which address entrenched patterns of criminogenic thinking and behaviour by looking through a family and relationships lens);
- Casework-based family support.

In practice, different forms of family work often combine these elements. For example, visitor centres do far more than make visits run smoothly and parenting skills courses often encourage prisoners to do more to keep in contact with their children. Some also help them understand the roots of their own criminal behaviour and give them pointers about how to help their children avoid getting into trouble.

In my visits I saw family work delivered by a broad range of people including voluntary sector organisations, prison officers and other prison staff and also by other prisoners (peer supporters).

22. Notably the 2014 Joint Thematic Review by Her Majesty's Inspectorates of Prisons and Probation and Ofsted concluded that 'An offender's family are the most effective resettlement agency'<sup>22</sup> and called for a national strategy to be developed that would 'better help offenders maintain and repair relationships with their families and, where appropriate, involve the family and friends of offenders in the rehabilitation process.'<sup>23</sup>
23. In response, HMPPS is looking closely at how to make the most of family ties for the rehabilitation of men in prisons and is treating this as an organisational priority in the context of the MoJ's wider Prison Reform programme, particularly with regard to increased autonomy for prison governors.
24. Also, the Secretary of State's white paper on Prison Safety and Reform acknowledges 'Research has found that prisoners who report improved family ties are significantly less likely to reoffend or use class A drugs on release from prison. There has been progress improving services in recent years and many prisons have a clearly developed family pathway where their approach involves families as a productive partner in helping to reduce reoffending. This good practice is by no means universal, however.'<sup>24</sup> The independent Review that I have carried out builds on the progress already made.
25. In my remit I was asked to focus mainly on outcomes for the majority male prison population in local and training prisons (and, by implication, in the new 'reception prisons') Categories B-D, but also to learn from what works well for women in prison and their families as well as from the Youth Justice estate. Many of the recommendations may also be applicable to the female and youth estates.
26. I was also asked to look at what works to help those men who do not have any family connections. This can be the case when men were previously in the care system or because they have lost contact with family as a result of going to prison or due to the nature of their offences. Sex offenders and men with histories of domestic violence are often in this position. I am convinced that a supportive relationship with at least one person is indispensable for prisoners' ability to get through their sentences well and achieve rehabilitation. Ultimately it is safe, stable and nurturing relationships that are the key to human flourishing and wellbeing<sup>25</sup> and prisoners are no exception. Evidence submitted to the Review confirms this assertion and that it is not only family members who can provide these.

20 Coyle, A. (2016), 'Prisons in context' in Jewkes, Y., Bennett, J. and Crewe B. eds. *Handbook on Prisons*. Oxford: Routledge, pp7-23

21 Department for Business, Innovation and Skills and National Offender Management Service (2014), *Parenting and relationship support programmes for offenders and their families: Executive Summary*. Available online: [https://www.policis.com/pdf/moj/MOJ\\_BIS\\_Parenting\\_Support\\_for\\_offenders\\_and\\_families\\_Executive\\_Summary\\_280114\\_FINAL.pdf](https://www.policis.com/pdf/moj/MOJ_BIS_Parenting_Support_for_offenders_and_families_Executive_Summary_280114_FINAL.pdf)

22 HM Inspectorate of Prisons, HM Inspectorate of Probation and Ofsted (2014), *Resettlement provision for adult offenders: Accommodation and education, training and employment*, p5. Available online: [https://socialwelfare.bl.uk/subject-areas/services-activity/resettlement/criminaljusticejointinspection/1693032014\\_Resettlement-thematic-for-print-Sept-2014.pdf](https://socialwelfare.bl.uk/subject-areas/services-activity/resettlement/criminaljusticejointinspection/1693032014_Resettlement-thematic-for-print-Sept-2014.pdf)

23 *Ibid*, p15

24 Ministry of Justice (2016), *Prison Safety and Reform*, p32. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

25 Mental Health Foundation (2016), *Relationships in the 21st century: The forgotten foundation of mental health and wellbeing*. Available online: <https://www.mentalhealth.org.uk/sites/default/files/Relationships-in-21st-century-forgotten-foundation-mental-health-wellbeing-full-may-2016.pdf>; Windle, K., Francis, J. and Coomber, C. (2014), *Preventing loneliness and social isolation: interventions and outcomes*, London: Social Care Institute for Excellence. Available online: <http://www.scie.org.uk/publications/briefings/files/briefing39.pdf>



27. Accordingly in my Review and in this report I have sought to avoid an excessive emphasis on biological – and nuclear – families, vitally important though these are for the majority of prisoners. Contact with family members may be detrimental to prisoners (for example if their families reinforce criminal activity) and some relationships are not good for their families. It became clear during the Review process that, as one governor highlighted to me on a prison visit, ‘We can’t ignore the messiness of biological families.’ Also sometimes the primary family tie is between grandparents and grandchildren and either generation may be in prison.
28. The Review was carried out by visiting prisons, meeting with men and their families and by issuing a public Call for Evidence from people and organisations interested in this issue through National Prison Radio and other outlets (see box below). Given the major role played by the voluntary sector in prisons, I have from the outset worked in close partnership with the criminal justice sector support organisation Clinks<sup>26</sup> and they provided the secretariat for the Review process. An analysis of the academic and other literature on desistance, programme evaluations and good practice from the UK and abroad was undertaken by them. More details of the Call for Evidence and the process for collecting evidence for the Review are provided in the box below.
29. The Task Group, listed in my Foreword, was comprised of people with first-hand experience of the prison system – ex-prisoners and family members, leaders of voluntary sector organisations supporting men in prison and their families and representatives of prison and probation services (including former governors). Anne Fox, Chief Executive Officer of Clinks, was the Task Group’s Deputy Chair.

### The Review Process

Views were sought through a number of methods. The Call for Evidence was launched on 28<sup>th</sup> September 2016 and closed on 17<sup>th</sup> October 2016, although we accepted late submissions for two weeks past this date. It was circulated to family organisations through Clinks Light Lunch newsletter and direct emails to key contacts. The Call for Evidence was circulated to NOMS staff via their staff bulletin and sent directly to key contacts in the organisation.

Members of the Task Group and I visited 16 prisons (see Appendix) where we typically met the Governor and/or Deputy Governor, several senior prison staff (including officers) and family service providers. In two prisons I spoke with a group of prison officers and joined prisoner focus groups in 11 of the prisons I visited, to discuss their experiences.

Simple surveys were sent out to Clinks member organisations working in prisons, whose staff then handed them out to prisoners or helped prisoners to complete them. The Prison Radio Association ran a campaign about the Review and included an interview with me in a special programme about family contact. They also opened a free phone line for prisoner to share their views about family ties and provided a transcript of these phone calls.

Staff from Clinks organisations also surveyed families. Some family members filled in an online survey to share their views. A group of family members and ex-prisoners met with me in the House of Lords to discuss their experiences and opinions.

The Farmer Review Task Group heard presentations from 16 key respondents from both Houses of Parliament, the prison service, probation services, academia and voluntary sector organisations in the context of a series of roundtable discussions. Former prisoners also joined us. Some of these respondents provided additional submissions to the Review.

In total the Review received:

- 19 letters from prisoners;
- 431 completed surveys from prisoners in 39 prisons;
- 104 recorded phone calls from prisoners;
- 465 surveys from prisoners’ families;
- 76 responses from 35 voluntary organisations (see Appendix);
- 3 responses from prisons;
- 2 response from HMPPS, then NOMS;
- 65 responses from academics;
- 18 responses from 16 respondents who gave evidence at Task Group meetings (see Appendix); and
- 3 responses from 1 former project manager at HMPPS, then NOMS.

There are some gaps in the evidence:

- Responses from prisoners came mainly from men with already existing, generally positive, family relationships. There is a lack of evidence directly from men with weak or complex family ties, including care leavers, which we compensated for by holding dedicated evidence sessions on this issue.
- Surveys did not ask for demographic information, meaning that there is a lack of evidence on specific issues for groups such as Black, Asian and minority ethnic prisoners, gay, bisexual and transgender prisoners, and disabled prisoners (although some disabled prisoners and families identified issues voluntarily).

<sup>26</sup> Clinks supports, represents and campaigns for the voluntary sector working with offenders. Clinks aims to ensure the sector and all those with whom they work, are informed and engaged in order to transform the lives of offenders and their communities.

- There was no direct consultation with children of prisoners, although the Review received a number of responses from voluntary organisations on this topic and there was relevant experience within the Task Group.

## Aims of the Farmer Review

30. This Review was asked to consider:

- Evidence of what works well to help families and offenders maintain and even improve family ties, where appropriate, while in custody or within the community – either during resettlement or while serving a community sentence.
- What can be learned about what works to help those prisoners who do not have family connections whether these are broken, non-existent or it would be inappropriate for men to maintain or increase contact with family due to the nature of their offending.
- How this learning could be translated into policy and commissioning for change.

31. The Review was asked to make recommendations, relevant to the MOJ's prison reform programme, for what should take place inside the male prison estate and where families and men in prison interact. Probation was not part of my remit although I did consider the work of probation officers in custody who are involved from sentence planning in prison through to resettlement planning prior to final release. It became clear to me that while they have a distinct role from other probation officers who work in the community, together they make a valued contribution as the link between the community and custody.

32. Hence I had representation from probation (the National Probation Service and the then NOMS Contract Directorate for Community Rehabilitation Companies) on the Task Group to ensure the Review was made fully aware of the implications of the evidence for this important aspect of offender management.

33. I also did not focus on family support away from the prison estate, in the community, although it was clear to me that community support is hugely important and needs to be joined up with what happens in visitor centres and inside the prison walls.<sup>27</sup> Partnership working with local authorities, charities and faith groups builds community awareness which is vital for prison reform, given that almost all men will leave our prisons one day. I saw many examples where links with the community made a big difference to the success of family work.

<sup>27</sup> The Community Justice Authorities in Scotland have developed a Framework for the support of families affected by the criminal justice system. It is outlined in a working document which will be periodically reviewed and updated based on feedback from agencies using the Framework and is available online: <http://www.familiesoutside.org.uk/content/uploads/2016/03/Families-Framework-FINAL-July-2015-v3.pdf>

34. The white paper also makes this clear:

'We also know that a vital part of reform is preparing offenders properly for life after prison, creating the right conditions to help prevent a return to crime. This is not just the job of prisons, of course. They must work in partnership with probation to make sure that prisoners have a home to go to when they are released, a key factor in reducing the likelihood of them returning to crime...and with other important services such as Jobcentre Plus, local councils and healthcare providers.'<sup>28</sup>

## Setting the Review in a historical context

35. While I was writing this report, the media coverage of the recent disturbances in the prison estate made frequent reference to rioting at HMP Strangeways in Manchester, which was, in April 1990, 'the scene of the worst penal disturbances that this country has ever witnessed.'<sup>29</sup> Further prisons experienced serious riots in the aftermath. Lord Woolf was asked to head an inquiry into the HMP Strangeways and other violent protests to assess the wider implications for the prison system and make recommendations that would lead to change across the whole prison estate. Then, as now, overcrowding was a major problem and there was concern that efforts to rehabilitate prisoners were foundering due to the prevailing conditions.

36. Subsequently in January 1991, Lord Woolf published his report. He concluded that:

'The Service must seek to minimize the negative effects of imprisonment, to encourage prisoners to take some responsibility for what happens to them in prison, to match the demands of life in prison as closely to the demands of life outside as the conditions of imprisonment permit, and to prepare prisoners properly for their return into society.'<sup>30</sup>

37. Over a quarter of a century ago, Lord Woolf highlighted the main thrust of this report which is the link between good family work and prison safety and reform. He said, 'Prisoners' links with their families are of vital importance to them and to minimise the harmful effects of imprisonment.'<sup>31</sup> He prescribed lengths and frequency of visits for different categories of prisoners and urged that children be allowed to visit for much longer than normal visiting hours.

<sup>28</sup> Ministry of Justice (2016), *Prison Safety and Reform*, p21. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

<sup>29</sup> With a rooftop siege that lasted 25 days, it was also the longest-running riot in the history of our prisons. As well as 47 prisoners, 147 police or prison officers were injured. See: <http://www.publications.parliament.uk/pa/cm200001/cmhansrd/vo010207/halltext/10207h05.htm>

<sup>30</sup> Prison Reform Trust (1991), *A Summary of the main findings and recommendations of the inquiry into prison disturbances*, p14. Available online: <http://www.prisonreformtrust.org.uk/Portals/0/Documents/Woolf%20report.pdf>

<sup>31</sup> *Ibid*, p32



38. He also described a general consensus among those who gave evidence that 'home leave' – now referred to as Release on Temporary Licence (ROTL) – should be extended as it 'restores prisoners' self-confidence, helps maintain family relationships and is an incentive to behave well for many in prison.'<sup>32</sup>
39. Transfers within the prison system were another area of concern flagged by Woolf, which still appear to take place more frequently than necessary and without always, or in most cases, giving due regard for a prisoner's family ties. Woolf described how upheavals in prisoners' lives, such as transfers, were particularly stressful and that 'a transfer against the wishes of the prisoner is one of the most resented actions the Prison Service can take.'<sup>33</sup>
40. The importance Lord Woolf attached to prisoners' families is reflected in the fact that one of his 12 major recommendations was that there should be 'Better prospects for prisoners to maintain their links with families and the community through more visits and home leaves and through being located in community prisons as near to their homes as possible.'<sup>34</sup>
41. The evidence I have examined during the course of this Review leads me to conclude that there is still little respect for family ties when prisoner locations are determined, yet the ability to stay in contact with families is essential to the consensual, and therefore safe, running of prisons.
42. However when the Prison Rules were redrafted in 1999, Prison Rule 4 on Outside Contacts states that:
- '(1) Special attention shall be paid to the maintenance of such relationships between a prisoner and his family as are desirable in the best interests of both.  
(2) A prisoner shall be encouraged and assisted to establish and maintain such relations with persons and agencies outside prison as may, in the opinion of the governor, best promote the interests of his family and his own social rehabilitation.'
- Professor Nancy Loucks notes that the 1999 edition of the Prison Rules moved this (and the next rule on After Care) to the front of the Rules from its previous position as Rule 31. The wording of the Rule had not changed, but, she said, 'the symbolic value of placing them at the front implies an increase in their priority to the Prison Service.'<sup>35</sup>
43. Although the Prison Rules are laid down as secondary legislation, and are therefore binding, the prioritisation of Rule 4 seems to ebb and flow over time. While much progress has been made, with national and regionally based voluntary sector

organisations often at the forefront of pioneering new initiatives, elements of Woolf's prescription concerning prisoners' families are still far from ubiquitous across the prison estate. For example, many prisons that cater for extended family visits have heeded his call for longer visits for children, but these are not available in all settings or to all eligible men in prisons that do provide them.

44. There have been other landmark reports published since Woolf that have reached similar conclusions. In 2002, the Social Exclusion Unit concluded that there was considerable evidence from criminological and social research that family networks were one of the nine key factors that influence re-offending, but emphasised that 'Not enough has been done to engage prisoners, their families, victims, communities, and voluntary and business sectors in rehabilitation.'<sup>36</sup>
45. In response in 2004, a Children and Families Pathway was included in the National Offender Management Service (NOMS) National Reducing Re-offending Action Plan.<sup>37</sup> Activity on this pathway in the subsequently published delivery plan aimed, *inter alia*, to maintain family relationships, develop better advice and guidance material for families and children and integrate relationship and parenting skills into mainstream support and engage the voluntary, community and faith sectors.<sup>38</sup>
46. In 2009, the MOJ and the Department for Children, Schools and Families published a framework for improving the local delivery of support for the families of offenders.<sup>39</sup> However, while recognising the transformative impact of many good quality and innovative services, a 2014 study for NOMS and the Department for Business Innovation and Skills (BIS) found 'something of a gap' between the national vision outlined in the local delivery framework and 'the execution at the front line in commissioning family services'.<sup>40</sup> My Review confirmed that this gap is still very much in place.
47. Similarly, the 2014 HMIP Joint Thematic Review on Resettlement made strongly worded recommendations to the effect that engaging with families is a neglected yet vital area for rehabilitation.<sup>41</sup>

36 Social Exclusion Unit (2002), *Reducing reoffending by ex-prisoners: Summary of the Social Exclusion Unit report*, p6 Available online: [http://webarchive.nationalarchives.gov.uk/+http://www.cabinetoffice.gov.uk/media/cabinetoffice/social\\_exclusion\\_task\\_force/assets/publications\\_1997\\_to\\_2006/reducing\\_summary.pdf](http://webarchive.nationalarchives.gov.uk/+http://www.cabinetoffice.gov.uk/media/cabinetoffice/social_exclusion_task_force/assets/publications_1997_to_2006/reducing_summary.pdf)

37 Home Office (2004), *Reducing Re-offending: National Action Plan*. Available online: <http://www.i-hop.org.uk/ci/fattach/get/50/0/filename/Reducing+Reoffending+Action+Plan+2004.pdf>

38 National Offender Management Service (2009), *The National Reducing Re-Offending Delivery Plan*. Available online: <https://www.i-hop.org.uk/ci/fattach/get/51/0/filename/Reducing+Reoffending+Delivery+Plan+2009.pdf>

39 Ministry of Justice and Department for Children, Schools and Families (2009), *Reducing re-offending: supporting families, creating better futures. A Framework for improving the local delivery of support for the families of offenders*. Available online: [http://dera.ioe.ac.uk/207/7/reducing-reoffending-supporting-families\\_Redacted.pdf](http://dera.ioe.ac.uk/207/7/reducing-reoffending-supporting-families_Redacted.pdf)

40 Department for Business, Innovation and Skills and National Offender Management Service (2014), *Parenting and relationship support programmes for offenders and their families: Executive Summary*. Available online: [https://www.policis.com/pdf/moj/MOJ\\_BIS\\_Parenting\\_Support\\_for\\_offenders\\_and\\_families\\_Executive\\_Summary\\_280114\\_FINAL.pdf](https://www.policis.com/pdf/moj/MOJ_BIS_Parenting_Support_for_offenders_and_families_Executive_Summary_280114_FINAL.pdf)

41 HM Inspectorate of Prisons, HM Inspectorate of Probation and Ofsted (2014), *Resettlement provision for adult offenders: Accommodation and education, training and employment*. Available online: [https://socialwelfare.bl.uk/subject-areas/services-activity/resettlement/criminaljusticejointinspection/1693032014\\_Resettlement-thematic-for-print-Sept-2014.pdf](https://socialwelfare.bl.uk/subject-areas/services-activity/resettlement/criminaljusticejointinspection/1693032014_Resettlement-thematic-for-print-Sept-2014.pdf)

32 *Ibid*, p32

33 *Ibid*, p11

34 *Ibid*, p36

35 Loucks N. (2000), *Prison Rules: A Working Guide*. Prison Reform Trust, p25. Available online: <http://www.prisonreformtrust.org.uk/portals/0/documents/prisonrulesworkingguide.pdf>

## Changing the culture in prisons

48. The last thirty years have taught us, therefore, that cultural change that will embed the importance of families into rehabilitation will not happen simply by a process of evolution. I am conscious that if family work is treated as just another activity prisons are expected to do, when they already feel incredibly stretched, it will continue to be de-prioritised when budgets are tightened or staffing levels drop below a certain level.
49. The reforms I am recommending will not be possible without the additional money and staff that have been promised to the prison system, but they will also require a change in the mind-set of many governors, senior staff and prison officers. Any change in culture needs a change in the underlying assumptions that determine the values and attitudes and drive behaviour within an organisation or system.<sup>42</sup>
50. The evidence I gathered revealed assumptions that could militate against the embedding of family work in the mainstream of offender management. First, alongside addressing a prisoner's health problems (including drugs and mental health), education and employment tend to be seen as the obvious priorities for rehabilitation activity. Dame Sally Coates, in her recent Review, insisted that education had to involve soft skills and training to manage relationships,<sup>43</sup> because this is not the norm. We need to change the formulation so that family work is always named as the third strand of rehabilitation activity – the third leg of the stool that brings stability and structure to prisoners' lives, particularly when they leave prison.
51. Second, family contact tends to be treated as a privilege rather than a right. While a focus on rights can sit uneasily with penal populism – the enduring sense that prisons should be as tough as possible to act as a deterrent to criminal behaviour – this can militate against the progress society needs prisoners to make while they are inside. As one prisoner told me, *'You flourish when you are treated like a human being.'* The way prisons have linked the Incentives and Earned Privileges (IEP) scheme with extended family visits/family days is an example of this assumption in practice.
52. Some families and organisations who responded to the Call for Evidence felt that family days should be disconnected from the IEP scheme on the grounds that families were effectively being punished for the behaviour of the prisoner. There was particular concern about the impact on prisoners' relationships with their children. When I went into prisons I also met family workers providing these longer visits who were concerned that unsettled prisoners, who might derive greater benefit from extended family contact, were denied such visits due to their behaviour. HMPPS are currently reviewing the IEP scheme and I recommend that making access to family days dependent on the privilege scheme is one of the practices that should be outlawed.
53. Third, visits can be seen as a necessary evil if they are perceived simply as a significant threat to security and this can cast a pall over how the regime conducts them. There are undoubtedly risks attached to opening the prison gates and it is in all of our interests for prison officers to be diligent when visitors come through them. However, drugs and other contraband are brought in through other routes, including by prison staff.
54. The most fitting analogy I heard in the Review for how visit security should be handled was in accordance with airport security checks. The broad societal expectation is that these are carried out with impeccable courtesy, a customer service mentality and empathy for vulnerable and older people, parents struggling with a young family and children themselves.
55. Fourth, I heard that prison officers can still communicate a sense that 'families are as "bad" as prisoners themselves', although this was by no means uniformly reported in the evidence I gathered.
56. Fifth, it can be assumed that prisoners are bound to be bad fathers. There is no doubt that all will have to learn new skills to help them adjust to parenting from inside prison (and some find they have to acquire the most basic of parenting skills for the first time). However, while some prisoners have played negative roles in their children's lives or have struggled with parenting, many prisoners will have been active, loving parents before being sentenced but find they are no longer recognised as such.
57. As Marie Hutton notes from her research:
- 'Many of the men I interviewed were active in their children's lives prior to imprisonment. They had lived with their children, taken them to school every day and generally described themselves as having good and strong relationships with their children. They felt that they had been good fathers on the outside and wanted to continue being so, as far as the prison environment would allow.'<sup>44</sup>
58. The severing of these very active relationships and absence from home can produce profound guilt and be another source of poor mental health and badly managed anger. Accordingly, another important aspect of family work that evaluation points to is the alleviation of guilt through supporting the individual to continue to play a role within the family, which can in turn prevent violence and self-harm.<sup>45</sup>

42 Coyle, A. (2009), *A Human Rights Approach to Prison Management: Handbook for prison staff*, International Centre for Prison Studies. Available online: [http://www.prisonstudies.org/sites/default/files/resources/downloads/handbook\\_2nd\\_ed\\_eng\\_8.pdf](http://www.prisonstudies.org/sites/default/files/resources/downloads/handbook_2nd_ed_eng_8.pdf)

43 Ministry of Justice (2016), *Unlocking Potential: A review of education in prison*. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/524013/education-review-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf)

44 Hutton, M. (2016), 'Visiting time: A tale of two prisons' in *Probation Journal*, 63(3), pp347–361

45 Dominey, J., Dodds, C. and Wright, S. (2016), *Bridging the Gap: A Review of the Pact Family Engagement Service*, Cambridge: University of Cambridge. Available online: [http://prisonadvice.org.uk/system/files/public/Research/Bridging%20the%20Gap%20report\\_0.pdf](http://prisonadvice.org.uk/system/files/public/Research/Bridging%20the%20Gap%20report_0.pdf)

59. The Task Group and I were not at all sentimental about prisoners. Several of the Task Group have served as prison officers and we were at all times aware that prisons are housing many dangerous and manipulative individuals. However, in our evidence gathering we found an emphasis on risk that, at times, felt excessive and which threatened to prevent good outcomes from being achieved.
60. In other areas of reform such as social work, eminent experts like Professor Eileen Munro, have pointed out the dangers and fallacies of an undue reliance on risk management.<sup>46</sup> When talking with former Chief Inspectors of Prisons and with senior leaders and governors on prison visits, a recurring theme was the need to take more risks, but in a managed way, to realise the benefits and rewards of better family ties. It was also emphasised that, if the Governor is carrying the risk, she or he needs to know the Ministry of Justice will back them up.
61. The Care Leavers Association, for example, told the Review that prisoners who have been in local authority care may be denied visits or contact with family members because of the risks associated with them reconnecting with their birth families or because of their specific offences. The system should, they said, be ‘needs-based’ rather than ‘risk-based’. Reconnecting with members of their extended family and feeling someone cares about them might make a significant difference to their motivation to get through their sentence well and turn away from crime. One care leaver I spoke to over the course of the Review described how vulnerable prisoners without any family ties could be:

*‘During my time in prison one of the hardest things I had to deal with was not having my mum and dad around. That trauma got to me so bad at times, I used to cry myself to sleep wishing they was there to support me through my sentence. That in itself had me thinking thoughts of suicide but instead of harming myself I put that pain into violence.’*

Whilst he knew he would not be able to see his parents, he felt he should at least have been helped to see his cousins. He had no extended family contact and now his whole family has ‘split up’.

62. We need to think in terms of the risk/reward ratios: there will, potentially, be less crime, fewer victims and a safer society if we take small risks. Such an approach militates against short termism as change will takewhile to bed in and there may be occasional bad news stories in the meantime. However, this should not dissuade governors from innovating in their own practice by adopting tried and tested approaches from other jails which might, on the face of it, seem to carry more risk than business as usual.

63. As mentioned earlier, penal populism and the media coverage of what goes on inside prisons and the wider criminal justice system that stokes and reflects it, presents significant challenges to carrying out reform. I came to the conclusion whilst carrying out the Review that prison staff from the wings to the Governor’s office will need to take more managed risks in order to address the fundamental problem identified in the white paper, that prisons are not working. Politicians will also need to be willing to defend their work publicly, where necessary and appropriate.
64. Finally, I welcome the Government emphasis on making sure the whole system is working – from courts through to prisons and out to probation – if we are to build a justice system that works for society, those employed within it and those who have committed crimes but want to turn their lives around.<sup>47</sup>
65. I have adopted a chapter structure that mirrors the white paper and shows how each area of reform will be strengthened by ensuring family work is embedded in the solutions proposed and how the whole system can better support family ties.

<sup>46</sup> Munro, E. (2011), *The Munro Review of Child Protection: Final Report – A child-centred system*, London: The Stationery Office; Munro, E. (2010), ‘Conflating risks: implications for accurate risk prediction in child welfare services’, in *Health, Risk and Society*, 12(2), pp. 119–130; Munro, E. (2009), ‘Managing societal and institutional risk in child protection’, in *Risk Analysis*, 29(7), pp1015–1023

<sup>47</sup> Ministry of Justice (2016), *Prison Safety and Reform*, p7. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

## Chapter 2: The Right Framework for Improvement

*'Far too little attention has been given by prisons to the roles of families in the resettlement process. A determined strategic effort and national guidance are required to address this.'*<sup>48</sup>

### Recommendations

1. There should be a clear and simple structure for accountability as regards prisoners' contact and relationships with their family:
  - The Lord Chancellor and Secretary of State for Justice to be made responsible for ensuring prisoners' family ties are consistently treated as important across the estate by including them in his accountabilities.
  - The importance of 'Maintaining and developing family relationships' must be explicitly stated as part of the purpose of prison, to protect the agenda from being de-prioritised or dropped under future governments.
  - It should also be explicitly specified that the Performance Agreements the Secretary of State enters into with governors and executive governors of prison clusters must include a 'local family offer' to ensure that effective family work is delivered inside prisons.
  - The Performance Agreement with each prison should specify the following local family offer elements (with guidance from the Ministry of Justice) but detailed design and delivery to be at the broad discretion of governors in each establishment:
    - (a) Visitor base/centre and visiting services;
    - (b) Staffing structure to ensure family work is an operational priority;
    - (c) Extended visits;
    - (d) Family learning;
    - (e) 'Gateway' communication system.

- The Ministry of Justice should ensure that the importance of family ties is a golden thread running through the new policy frameworks based on the revised and pruned body of Prison Service Orders and Prison Service Instructions and also Probation Instructions.
  - The Ministry of Justice to develop an action plan out of the Farmer Review recommendations, including details on how the proposals will be taken forward, and report progress to the Review twice a year.
  - Governors to be held to account for positive family work outcomes.
2. Her Majesty's Inspector of Prisons must ensure that the importance of family ties features prominently throughout the new Expectations currently being refined, so empowered governors know this has to be a cross-cutting priority in the running of their prison.
  3. To improve the use of evidence and data the body that considers 'what works' to rehabilitate offenders and should also act as a repository of information about effective family work.

66. To set a clear direction for change and improvement the white paper states that:

*'Our reforms will overhaul how the system is configured to make lines of accountability clear, ensuring that prison governors and their staff have absolute clarity about their role, the aims of the various inspectorates and scrutiny bodies, and the consequences of failing to meet the requirements placed on them.'*<sup>49</sup>

67. The common purpose for everyone working in the prison system is to protect the public and reform offenders. Fulfilling the second part of this purpose requires drawing in and on families. I will lay out accountabilities and responsibilities for family work should lie in prisons. I also make proposals for ensuring these are met and present a clear role for inspection and other scrutiny bodies. Commissioning of services needs to be predictable and sustainable, for both budget holders and service providers, and driven by evidence of effectiveness.

<sup>48</sup> HM Inspectorate of Prisons, HM Inspectorate of Probation and Ofsted (2014), *Resettlement provision for adult offenders: Accommodation and education, training and employment*, p5. Available online: [https://socialwelfare.bl.uk/subject-areas/services-activity/resettlement/criminaljusticejointinspection/1693032014\\_Resettlement-thematic-for-print-Sept-2014.pdf](https://socialwelfare.bl.uk/subject-areas/services-activity/resettlement/criminaljusticejointinspection/1693032014_Resettlement-thematic-for-print-Sept-2014.pdf)

<sup>49</sup> Ministry of Justice (2016), *Prison Safety and Reform*, p8. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)



68. As stated earlier, Prison Rules have emphasised the importance of contact with families, but the priority accorded to this in secondary legislation has not been sufficiently evident in practice. This is in spite of the fact that, since 2004, it has been recognised, particularly in NOMS' Children and Families Pathway in their Reducing Re-offending Action and Delivery Plans, that prisoners' family and other relationships can be instrumental in giving them the hope and motivation to change. The MoJ's own research shows that the odds of reoffending for a prisoner who receives visits from a partner or family member are 39% lower than for a prisoner who does not receive such visits.<sup>50</sup>
69. More specifically, the perceived strength, stability and quality of social attachments are particularly important factors in rehabilitation.<sup>51</sup> To deliver effective reform there can be no confusion about the importance government attaches to this agenda and who has responsibility for ensuring men in prison can maintain and improve their family ties.

### The role of the Secretary of State

70. To make the lines of accountability for delivering reform clear, the white paper proposes clarifying the role of the Secretary of State, including accountability to Parliament. He will have responsibility for the enforcement of certain duties within a new definition of the purpose of prison. Families play a decisive role in reforming prisoners, as I stated in paragraph 67. Therefore, such a development provides an important opportunity to ensure prisoners' family ties are consistently treated as important across the estate by including them in his accountabilities.
71. For example, Section 11 of the Children Act 2004 places duties on a range of organisations and individuals, included in which are prison governors and directors, to ensure their functions and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.<sup>52</sup> If this duty became something that was enforced by the Secretary of State it would, in many prisons, require some real change and improvement in how children are treated when they come onto the estate and how their ties to their imprisoned parent are perceived. There has to be far greater awareness that maintaining contact with parents in prison is important for children's development, their educational attainment, social inclusion and mental health.<sup>53</sup>

72. It is estimated that around 200,000 children are affected by imprisonment.<sup>54</sup> However, this may be an underestimate as there is currently no process for recording the number of children affected by imprisonment. Although only a fraction of these children will visit, proper enforcement of Section 11 duties would drive the development of a different approach to visits in many establishments.
73. Many families who responded to my Call for Evidence wanted prison staff to have a better understanding of how to interact with children visiting prison and highlighted that searches of children were sometimes conducted in a way that was frightening and stigmatising to them. Barnardos' submission to the Review stated that they should and could be made more child-friendly and proportionate to the security risks posed.
74. While it is important to bear in mind that, as one prison officer pointed out to me, the attention they need to pay to security can mean they forget to smile, staff need to be mindful of the vulnerability of the children and young people passing, literally, through their hands and into the alien environment of prison.
75. Given the relative ineffectiveness to date of Prison Rule 4 for ensuring 'special attention' is paid to the maintenance of relationships between prisoners and their families that are of mutual benefit, a focus on the purpose of prisons provides a timely opportunity to make the importance of family ties to prisoners more explicit. The importance of 'Maintaining and developing family relationships' must be explicitly stated as part of the proposed purpose of prison, to protect the agenda from being de-prioritised or dropped under future governments.
76. Under plans to empower governors the Secretary of State will be entering into Performance Agreements with them (and with executive governors of prison clusters) and they will be directly accountable to him. These must reflect the Government's commitment to cultural change within prisons to drive rehabilitation and greater recognition of the importance of prisoners' family ties to that end. It should also be explicitly specified that the Performance Agreements the Secretary of State enters into with governors and executive governors of prison clusters must include a 'local family offer'. In practice, this would be a requirement to ensure that effective family work is delivered inside prisons.

50 May C., Sharma N. and Stewart D. (2008), *Factors linked to reoffending: a one-year follow-up of prisoners who took part in the Resettlement Surveys 2001, 2003 and 2004*, London: Ministry of Justice. Available online: <http://www.lemosandcrane.co.uk/dev/resources/Factors%20linked%20to%20reoffending%2008.pdf>

51 Healy D. (2010), *The Dynamics of Desistance: Charting Pathways through Change*, Cullompton: Willan

52 Children Act 2004, *Chapter 31*. Available online: [http://www.legislation.gov.uk/ukpga/2004/31/pdfs/ukpga\\_20040031\\_en.pdf](http://www.legislation.gov.uk/ukpga/2004/31/pdfs/ukpga_20040031_en.pdf); HM Government (2015), *Working together to safeguard children: A guide to inter-agency working to safeguard and promote the welfare of children*. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419595/Working\\_Together\\_to\\_Safeguard\\_Children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf)

53 Social Care Institute for Excellence (2008), *Children of prisoners – maintaining family ties*. Available online: <http://www.scie.org.uk/publications/guides/guide22/files/guide22.pdf>

54 Williams, K., Papadopoulou, V. and Booth, N. (2012), *Prisoners' childhood and family backgrounds: Results from the Surveying Prisoner Crime Reduction (SPCR) longitudinal cohort study of prisoners*, London: Ministry of Justice



### Recommendations

The Lord Chancellor and Secretary of State to be made responsible for ensuring prisoners' family ties are consistently treated as important across the estate by including them in his accountabilities.

The importance of 'Maintaining and developing family relationships' must be explicitly stated as part of the proposed purpose of prison, to protect the agenda from being de-prioritised or dropped under future governments.

It should also be explicitly specified that the Performance Agreements the Secretary of State enters into with governors and executive governors of prison clusters must include a 'local family offer' to ensure that effective family work is delivered inside prisons.

### The local family offer

77. Governors will be measured against, and held accountable for, how well they deliver the new standards laid out in the white paper. These standards include measures relating to family ties. However, I am not convinced that these, on their own, will be sufficient to ensure consistency across the estate. The inclusion of a local family offer in the Performance Agreements would build on ways in which the Government has tackled unacceptable variability in practice in other areas, most notably in how local authorities provide for:

- Care leavers, in the Children and Social Work Bill currently going through Parliament and
- Children and young people with special educational needs and disabilities, in the Children and Families Act 2014.

78. Without being overly prescriptive, I recommend that the Government should establish the principle for this offer and that the right level of prescription is provided in the Performance Agreement itself. More detailed guidance from the MoJ (see box below) would ensure governors have ample opportunity to tailor their offer to their local conditions, prisoner mix and feedback from prisoners and families.

79. Evidence made available through the Review indicated that the following local family offer elements should be stated in the Performance Agreement with each prison, detailed design and delivery of which would be at the broad discretion of the Governor in each establishment:

- (a) Visitor base/centre and visiting services;
- (b) Staffing structure to ensure family work is an operational priority;
- (c) Extended visits;
- (d) Family learning; and
- (e) 'Gateway' communication system.

### Local Family Offer – sample guidance

(a) Visitor base/centre and visiting services:

- All prisons must provide a dedicated base and services for visitors, given the distances that many have travelled, the practicalities associated with the visit (such as the care of the young or elderly) and the difficult and distressing experience that visiting someone on prison often entails.
- Where public transport links do not serve the prison adequately (so that, for example, taxis are required to complete journeys from rail and bus hubs), the prison should make arrangements with local firms to provide a service.
- Whether it is an external visitor centre or somewhere within the prison walls is not as important as the warmth of the welcome and the standard of what is provided there. I saw a variety of excellent visitor facilities such as those run by POPS at HMP Liverpool, Spurgeons at HMP Winchester, Nepacs at Holme House and Pact at HMP Forest Bank. They all provided comfortable seating, toilets, and lockers for personal items, activities for children and the sale of refreshments in a welcoming environment. Access to the facility and services were available as soon as people arrived for a visit. Advice, information and assistance (for example, to book in future visits) were also provided, ensuring a smoother visit experience for families and staff inside the secure perimeter.
- Not only were the families I met able to collect their thoughts and recover a little after an often long and stressful journey before going through security and into the actual visit, but they also had somewhere to 'decompress' after the visit, before facing the outside world again.
- If prisoners know their family members are being well treated this contributes to better relationships between them and officers and, therefore, to a more settled regime.

To ensure visitor services within prisons reach a consistent standard HMPPS should issue guidance for governors, informed by their knowledge of best available practice.

(b) Staffing structure to ensure family work is an operational priority:

- High enough overall level of staffing to enable family work to be carried out.
- Functional head with responsibility for championing this area of prison work, as well as someone at middle management level such as a custodial manager, who can act as a champion to the staff.
- Governor surgeries or means whereby families can routinely access senior members of staff can be an excellent way of ensuring they are drawn in as assets to rehabilitation and know they are recognised as such.

(c) Extended visits

- To enable parents to reconnect with their children and supportive relationships with other family members and significant others to flourish.

(d) Family learning

- Evidence-based programmes to enable prisoners to maintain and improve relationships, implemented with fidelity, reflecting the white paper's emphasis on improving the use of evidence and data throughout the system.

(e) 'Gateway' communication system

- Each prison should establish a clear, auditable and responsive communication system with families and significant others: a dedicated phone line that is listened to and acted upon. Such a 'gateway' into the prison will enable families to share concerns about the prisoner with staff who will report back appropriately to families about any action taken or support given.

80. There are establishments in this country that have all these elements in place and from which other prisons – at home and abroad – have learned. HMP Parc in Bridgend, South Wales (see box below, with local family offer elements highlighted in bold text) has a cutting-edge family engagement approach that is being copied in many prisons in this country and overseas.<sup>55</sup> If the local family offer were implemented across the whole prison estate, we would lead the world in the way family ties are recognised as vital for the rehabilitation of prisoners.

### The local family offer in practice at HMP & YOI Parc<sup>56</sup>

HMP & YOI Parc is a local category B prison (and Young Offenders Institution) located in Bridgend, South Wales. It opened in 1997 and holds male adults, young adults and young people with a capacity of around 1750. Parc Supporting Families (PSF) was set up in 2005 to support and develop innovative ways to establish, maintain and enhance healthy family ties whilst one of the family members is inside prison. The main objectives of all its 'family interventions' are to:

- Work towards prisoners' functional and productive re-entry into the community;
- Reduce the likelihood of reoffending and intergenerational offending and help establish safer and more integrated communities; and
- Draw on low-cost rehabilitative services delivered by partner organisations.

A free bus service, provided by the prison, drops off families and friends at a **welcoming external visitor centre** run by a voluntary organisation. **Visits have been redesigned to be family-focused** and fronted by **personnel with training in customer service and awareness of the effects of imprisonment on children and families**. Security is still tightly observed, but family members are treated from the outset with care and sensitivity.

Prisoners can access a visits lounge with comfy sofas and chairs so their family can share a more informal, relaxed visit, by earning Standard and Enhanced status via the IEP scheme (and if they are in certain accommodation). A Learning Together Club (LTC) enables men to help their children with homework and even meet their teachers who travel to the prison from across Wales for parent/teacher events in the visits hall.

**Extended 'family centred' visits** take place once a month, with activities such as arts and crafts, face painting, table-top games as well as more physically active challenges (such as fire fighter training for men and their children), well-being clinics, certificate presentations and themed events. A buffet partly paid for by the prisoners on the visit enables them to show responsibility and provide for their family.

HMP Parc has run a Family Interventions Unit since 2010, a 62 bed living unit where the entire focus is on repairing, improving and taking responsibility for relationships, parenting and family. This ethos permeates other areas of the prison: **PSF works closely with offender supervisors, rehabilitation programmes, learning and skills, transitional support services, multi-faith representatives, probation, drug strategy and treatment and resettlement and has the full support of the Director in the prison**. A wide range of **parenting courses and other family-related learning is available**.

<sup>55</sup> 62 prisons have contacted HMP Parc to discuss their family work and, for example, other contracted prisons such as HMP Altcourse and HMP Oakwood have implemented key aspects of HMP Parc's approach and new-build HMP Berwyn has drawn extensively on their experience.

<sup>56</sup> More detail available at: [http://www.i-hop.org.uk/app/answers/detail/a\\_id/277/~/parc-supporting-families](http://www.i-hop.org.uk/app/answers/detail/a_id/277/~/parc-supporting-families)

PSF is also linked with more than 47 external agencies, including schools. Over 200 volunteers from across the community and Welsh universities, support their work (manning the **24/7 telephone support lines**, visits hall, visits waiting and play areas, as well as assisting in the visits booking-in process). As a result, instead of the insularity that characterises some prisons there is a strong connectivity between men inside the prison and the world outside which the vast majority of them will rejoin.

### Recommendation

The Performance Agreement with each prison should specify the following local family offer elements, with guidance from the Ministry of Justice, but detailed design and delivery to be at the broad discretion of Governors in each establishment:

- (a) Visitor base/centre and visiting services;
- (b) Staffing structure to ensure family work is an operational priority;
- (c) Extended visits;
- (d) Family learning; and
- (e) 'Gateway' communication system.

### The role of the Ministry of Justice

81. I welcome the review and pruning of the 562 Prison Service Orders and Prison Service Instructions (PSO's & PSI's)<sup>57</sup> as a simpler system will be required to support the empowerment of governors and enable them to make the right decisions for their prisoners. The RSA's Rachel O'Brien, author of *Building a Rehabilitation Culture*,<sup>58</sup> advised my Review:

*'We need a simpler system that better and more deeply understands the people within it rather than a highly complex system that still treats everyone in a standard way.'*

The new policy frameworks that will emerge should reflect the MoJ and Justice Secretary's commitment to strengthen family ties and prevent intergenerational offending.

<sup>57</sup> PSOs were issued until 31 July 2009 and will remain in force until replaced by a PSI or cancelled. They are long-term mandatory instructions which are intended to last indefinitely and as such do not have an expiry date, unlike PSIs which apply for a fixed term.

<sup>58</sup> O'Brien, R., Marshall, J., Karthaus, R. (2014), *Building a Rehabilitation Culture*, London: RSA. Available online: [https://www.thersa.org/globalassets/pdfs/reports/rsa\\_building\\_a\\_rehabilitation\\_culture\\_11\\_06\\_14.pdf](https://www.thersa.org/globalassets/pdfs/reports/rsa_building_a_rehabilitation_culture_11_06_14.pdf)

82. Given that rehabilitation will become part of the purpose and culture of prisons and the importance of family ties explicitly stated as a key means to that end, ways of maintaining and improving these should be a golden thread woven through many of these new policy frameworks – and Probation Instructions – wherever relevant, instead of simply adding new ones specifically about family to their overall number.
83. Moreover, to prevent history from repeating itself – and another yawning gap opening up between a vision and its execution – it is also important to hold the Ministry of Justice to account for progress in the development of family work across the prison estate. This will help to ensure individual governors know that this aspect of the desired rehabilitation culture is valued, integral to reform and not just a 'nice to have'.
84. The Farmer Review will therefore work with the MoJ to develop an action plan out of the recommendations. The MoJ have agreed they will drive this action plan and share reviews of outcomes with me twice a year to ensure that the recommendations are properly implemented and progressed: they recognise that much hard work and government resource has gone into the process.

### Recommendations

Ministry of Justice should ensure the importance of family ties is a golden thread running through the new policy frameworks based on the revised and pruned body of Prison Service Orders and Prison Service Instructions and also Probation Instructions.

Ministry of Justice to develop an action plan out of the Farmer Review recommendations including details on how the proposals will be taken forward, and report progress to the Review twice a year.

### The role of inspection and other scrutiny arrangements

85. The white paper states the importance of 'ensuring that inspection and other scrutiny arrangements are sharper, with provision for inspection reports to trigger action to improve the system from the Secretary of State and governors.'
86. Inspection and scrutiny reports, which look across the prison estate as well as into the workings of particular establishments, emphasise the importance of contact with family and friends and criticise any lack where appropriate but I am concerned that these do not presently have the teeth to drive desired change.
87. As stated in the Introduction, the report from the Joint Thematic Review by Her Majesty's Inspectorates of Prison and Probation and Ofsted cited family and friends as the most important 'resettlement agency' for prisoners on release.<sup>59</sup> In the same

<sup>59</sup> HM Inspectorate of Prisons, HM Inspectorate of Probation and Ofsted (2014), *Resettlement provision for adult offenders: Accommodation and education, training and employment*. Available online: [https://socialwelfare.bl.uk/subject-areas/services-activity/resettlement/criminaljusticejointinspection/1693032014\\_Resettlement-thematic-for-print-Sept-2014.pdf](https://socialwelfare.bl.uk/subject-areas/services-activity/resettlement/criminaljusticejointinspection/1693032014_Resettlement-thematic-for-print-Sept-2014.pdf)



year, the Prisons and Probation Ombudsman (PPO) published a 'learning lessons bulletin' reiterating the importance of prisoners maintaining family ties and the need for prisons to facilitate this.<sup>60</sup> This emphasis was further reinforced in August 2016 when HMIP published their Findings paper on contact with family and friends.<sup>61</sup>

88. Both the HMIP and the PPO found problems in provision. The Ombudsman had received a range of complaints, such as family days being removed for specific groups of prisoners, delays in families being brought in for visits, inappropriate mail restrictions and poor access to telephones.<sup>62</sup> HMIP similarly concluded that 'despite some very good practice, arrangements to help prisoners maintain and strengthen those crucial contacts are too variable.'<sup>63</sup>
89. At the individual prison level, family ties and work to maintain or improve these, feature in Indicators of Expectations under three of the healthy prison tests in every HMIP inspection: safety, respect and resettlement. However, they also qualify for the indicator of purposeful activity: 'Prisoners are occupied in activities that benefit them, enhance their self-esteem, and improve their wellbeing and chances of successful resettlement.'<sup>64</sup>
90. This omission should be addressed in the new Expectations currently being refined. More widely, the importance of family ties must feature prominently throughout all of these new Expectations, so empowered governors are in no doubt that this has to be a cross-cutting priority in the running of their prison. For example, Expectations around education could require prisons to have a relationship with local schools attended by prisoners' children. As I describe later, drawing fathers into their children's learning can turbocharge their desire to improve their own education.

60 Prison and Probation Ombudsman for England and Wales (2014), *Learning lessons bulletin: Maintaining family ties*. Available online: [http://www.ppo.gov.uk/wp-content/uploads/2014/09/LLB-Complaints-05\\_Family-Ties\\_web\\_final.pdf](http://www.ppo.gov.uk/wp-content/uploads/2014/09/LLB-Complaints-05_Family-Ties_web_final.pdf)

61 HM Inspectorate of Prisons (2016), *Life in prison: Contact with families and friends*. Available online: <http://iapdeathsincustody.independent.gov.uk/wp-content/uploads/2016/10/Contact-with-families-and-friends-findings-paper-2016.pdf>

62 Prison and Probation Ombudsman (2014), *Learning lessons bulletin: Maintaining family ties*. Available at: [http://mojppo.wpengine.com/wp-content/uploads/2014/09/LLB-Complaints-05\\_Family-Ties\\_web\\_final.pdf#view=FitH](http://mojppo.wpengine.com/wp-content/uploads/2014/09/LLB-Complaints-05_Family-Ties_web_final.pdf#view=FitH)

63 HM Inspectorate of Prisons (2016), *Life in prison: Contact with families and friends*, p17. Available online: <http://iapdeathsincustody.independent.gov.uk/wp-content/uploads/2016/10/Contact-with-families-and-friends-findings-paper-2016.pdf>

64 HM Inspectorate of Prisons (2012), *Expectations: Criteria for assessing the treatment of prisoners and criteria for assessing prisons*. Available online: <http://www.justiceinspectorates.gov.uk/prisons/wp-content/uploads/sites/4/2014/02/adult-expectations-2012.pdf>. Expectations describe the standards of treatment and conditions HMIP expect an establishment to achieve. Indicators suggest evidence that may indicate whether the expectations have been achieved. The list of indicators is not exhaustive and these do not exclude an establishment demonstrating the expectation has been met in other ways.

91. The organisational changes planned in the white paper, particularly the empowerment of governors, will make the independent role of the prison inspectorate increasingly important as their reports will provide valuable management information and indicate how well leaders are fulfilling their responsibilities. Given the need to drive change in this area, where family work is deemed inadequate by HMIP this should trigger action for improvement. Similarly, if the HMIP consider the prison culture is not supportive of family ties this should lead to action to ameliorate the situation.

### Recommendation

Her Majesty's Inspector of Prisons must ensure the importance of family ties features prominently throughout the new Expectations currently being refined, so empowered governors are in no doubt that this has to be a cross-cutting priority in the running of their prison.

### Holding governors to account for family work

92. The white paper commits the Government to ensuring a transparent process overseen by Ministers for holding governors to account and specifies that 'Prisons will be judged not on a 'one-size-fits-all' standard but on a new set of criteria that allow governors to determine what works best to reform offenders and that measures their success in doing so.'<sup>65</sup> In other words, it will be clear what governors have to deliver but not how they should do so.
93. As I embarked upon this Review it did not seem clear to me who had responsibility within establishments for prisoners family ties. However, the framework for improving local delivery of support for families of offenders published by the MOJ and DCSF in 2009 clearly states that governors have lead responsibility for tasks at key stages. Notably these include the following:
- When taken into custody, 'Immediate attention should be paid to the caring responsibilities of prisoners...to include both elderly relatives and children' and 'Prisoners are advised of their entitlement to a visit within 72 hours and that an early special 'compassionate' visit may be possible for the children of prisoners who are primary carers'.<sup>66</sup>
  - During a custodial sentence, 'Subject to security category, allocation procedures include consideration of family ties and resettlement needs – including opportunities to take part in parenting/relationship courses as part of the sentence or learning plan' and 'Prisons to seek to ensure that children have positive experiences when visiting or communicating with their parent in prison

65 Ministry of Justice (2016), *Prison Safety and Reform*, p6. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

66 Ministry of Justice and Department for Children, Schools and Families (2009), *Reducing re-offending: supporting families, creating better futures. A Framework for improving the local delivery of support for the families of offenders*, p14. Available online: [http://dera.ioe.ac.uk/20717/reducing-reoffending-supporting-families\\_Redacted.pdf](http://dera.ioe.ac.uk/20717/reducing-reoffending-supporting-families_Redacted.pdf)

- by improving the quality of visits, including through family friendly visiting arrangements, and children and family days.<sup>67</sup>
  - In conjunction with offender managers, ‘Ensure that sentence planning – using OASys, and linked to induction work with the prisoner, includes a focus on maintaining family ties where appropriate’ and ‘Where possible, ensure families are engaged in planning for resettlement.’<sup>68</sup>
94. During the course of the Review it became clear to me that the commendable vision of the 2009 framework, as regards recognition of the importance of family ties and support to maintain and improve these, has never been fully realised in practice. As I said in my Introduction, research commissioned by the Government bears out my conclusion.<sup>69</sup> Governors need to be held accountable for delivering against these responsibilities, including by demonstrating the positive outcomes that research indicates will flow from good family work.
95. This Government’s reforms provide a crucial opportunity to ensure that prisons are judged in terms of how they encourage the development and maintenance of family and other relational ties. This is where the third leg of the stool comes in. Services and approaches to develop prisoners’ relational skills and family/interpersonal responsibilities have to be universally provided in the same way as education and work-related skills training. It should be noted that relationships are foundational to making progress in these other areas. I expand upon this in Chapter 4 on empowered governors.
96. Assessment tools should be dynamic and continuous and tied into the key performance indicators (KPIs) within Performance Agreements. Visitor surveys, mainly used to provide management information for staff involved with visits (including external agencies commissioned to deliver visitor centre and other services) should be designed to a high enough standard to hold governors to account. If these were made uniform across the estate they could be used as a Standard 3: Reform measure as described in the next chapter.

### Recommendation

Governors to be held to account for positive family work outcomes, in the same way as they are responsible for ensuring prisoners’ education and employment training is fit for purpose.

67 *Ibid*, p16

68 *Ibid*, p17

69 Department for Business, Innovation and Skills and National Offender Management Service (2014), *Parenting and relationship support programmes for offenders and their families: Executive Summary*. Available online: [https://www.policis.com/pdf/moj/MOJ\\_BIS\\_Parenting\\_Support\\_for\\_offenders\\_and\\_families\\_Executive\\_Summary\\_280114\\_FINAL.pdf](https://www.policis.com/pdf/moj/MOJ_BIS_Parenting_Support_for_offenders_and_families_Executive_Summary_280114_FINAL.pdf)

### Funding for family services

97. While I welcome the white paper’s commitment to giving governors the budget and responsibility for family services, so that prisoners can keep and build family ties, it will be essential for the MoJ/HMPPS and governors to fund this area adequately if the local family offer requirements of the Performance Agreement outlined here are to be achievable.
98. There are reasonable grounds for concern in this area. The sums per prisoner on offer in the most recent round of national commissioning of £64 per head seem a) woefully inadequate to deliver even the most basic provision let alone good quality, evidence-based services and b) disproportionate when compared with other resettlement pathways such as drug and alcohol treatment, help to secure housing on release and employment, training and education (ETE).
99. For example, when I visited prisons I was often made aware that there are commonly several staff members in the drug and alcohol team, while it is very rare for there to be even one dedicated family engagement worker who is able to do the detailed case work often required. Such case work can be about existential threats to a prisoner’s family life: for example, custody hearings and adoption proceedings may be taking place and fathers need help to ensure not just that they receive appropriate advocacy but also that their children’s best interests are served. Fathers will often have important insights that should inform such processes.
100. Personal officers under the new offender management model will potentially provide invaluable day-to-day support on the wings. However, I met governors with experience of voluntary sector family engagement workers in their prisons who have found their partnership essential in carrying out the more time-consuming tasks which often require them to work outside prison, such as attending court.
101. The prison staff/prisoner dynamics referred to earlier in this Report can also mean such sensitive work is best carried out by someone who is not seen as part of the regime. For example, helping a care leaver who may be very wary of statutory services to establish a connection with a family member or other supportive adult will take a lot of time and careful brokerage of relationships. (In Chapter 4, I describe the Family Finding model that is increasingly being used to reconnect young people who have been in the care of local authorities and young offenders with people from their past who can be a positive influence on them, and commit to providing support when they are living independently or leave prison.)
102. Obviously budgets will remain very tight for the foreseeable future and it is important that services that help prisoners’ families, as well as prisoners themselves, are able to draw in funding from other sources. This is a major advantage to partnership working with voluntary sector organizations. I came across several with an excellent track record, not just in delivering services, but also in pioneering innovation. They often do so by securing one-off grants and sponsorship from charitable trusts and foundations, as well as at their own cost.



*'In the main, any movement or progression in family services in prisons has been led, developed and funded by the voluntary sector. This is one reason why provision is so patchy and a lot better developed in some geographical areas and individual establishments than others.'* (Diane Curry OBE, CEO Partners of Prisoners)

103. At the individual prison level, one governor told me how voluntary sector partners can be an engine of change and innovation:

*'Our whole offender rehabilitation offer is not yet right, including our family engagement process. We are pushing Nepacs [the voluntary sector organisation with whom they work in partnership] to push us.'*

104. While the empowerment of governors will allow them to deliver family work, either themselves or in partnership with others, the extent of the local family offer aspect of Performance Agreements and the expertise required to deliver this effectively will likely require them to draw on the strengths of the voluntary sector. I repeatedly heard that chaplains and chaplaincy organisations have an important role to play, not least in championing the importance of family ties for prisoners, because of the trust in which they are held.

105. It has come to my attention that, historically, voluntary sector family work in prisons has been subject to short term funding arrangements that make it very difficult for them to plan and to deliver a consistent service. If they already have a strong track record, have proven their effectiveness and are delivering a service that governors are required to provide by law and under their Performance Agreements, stop-start funding arrangements are in no one's interests. Empowered governors' Performance Agreements are to last three years.<sup>70</sup> If they decide to commission the voluntary sector for the provision of their family services, it would not be unreasonable for them to contract with them for the whole of that period.

## Improving the use of evidence and data throughout the system

106. When describing the right framework for improvement, the white paper makes reference to the robust evidence base commissioners and governors need to be able to rely on when deciding which services should be delivered in prisons and the possible development of a new 'what works' resource.

107. In this Report I draw attention to several examples of good practice on which governors and others can draw, but this is a fast-moving field in which organisations are constantly striving to improve what they do. So I welcome the creation of a body that considers what works to rehabilitate offenders, which should also act as a repository of information about which family work has proven effectiveness, under what conditions, at what cost and for whom, so that feasibility and appropriateness are also addressed.<sup>71</sup> It should also include family relationships in its metrics.

108. Governors should be pointed towards this body in the new policy frameworks. As well as outlining the evidence base on programmes and approaches, such a body should also advocate for the need for the local family offer – essentially explaining to governors 'why this is important for your prison' – and provide guidance on how to build it in such a way that there is a change in culture, as well as practice. It should also help to connect senior leaders to those already delivering good practice in family work in similar conditions. I return to the importance of data collection in the next chapter on raising standards.

### Recommendation

To improve the use of evidence and data the body that considers 'what works' to rehabilitate offenders should also act as a repository of information about effective family work.

<sup>70</sup> Ministry of Justice (2016), *Prison Safety and Reform*, p17. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

<sup>71</sup> Evans, D. (2003), 'Review of Research Methodologies, Hierarchy of evidence: a framework for ranking evidence evaluating healthcare interventions', in *Journal of Clinical Nursing* 12, pp77–84

## Chapter 3: Raising Standards

*'It is entirely reasonable of course to adopt aims that can be operationalised but it is important not to lose sight of the fact that what is measured is never more than a proxy for what is important.'*<sup>72</sup>

### Recommendations

1. Family work should be included in all four standards in the white paper.

#### Standard 1: Public protection

Policy frameworks should require evidence of the involvement of families or other supportive relationships in sentence planning, resettlement planning and decisions regarding the use of ROTL.

#### Standard 2: Safety and order

Prisons should be able to show evidence that family or other supportive relationships play a role in intelligence gathering regarding a prisoner's mental health, drug use (prescription and illicit), propensity to violence and risk to self.

#### Standard 3: Reform

Given their role in prisoner rehabilitation, a standardised visitors' survey should be developed to capture the experiences of families as they seek to maintain contact and to enable comparison between different establishments.

#### Standard 4: Preparing for life after prison

Prisons should be able to show how many prisoners do not receive visits.

2. Prison performance measures, which would enable comparisons to be made with similar prisons for the purposes of learning from practice, should include a family-related measure such as rate of prisoners who receive visits on entry and exit and rate of prisoners engaged with their family, or other supportive relationships, on entry and exit.
3. Contact details of family and significant others should be mandatorily requested by prisoner escort services before a prisoner leaves court and immediately added to his prison file, with this and other information on key relationships updated on an ongoing basis and sent with him when he moves establishments.
4. If a prisoner cannot name anyone he will want to contact on the first night this should be flagged and active steps taken to try to reconnect him with family or others with whom he might be able to develop a supportive relationship.

109. To ensure its vision for prisons is realised, the Government will set new performance measures for each prison, so governors in each prison can be held to account for progress against four standards that are based on the purposes prisons need to deliver well if a rehabilitation culture is to emerge.

110. While many of the measures associated with the standards are rightly focused on outcomes and not process, when it comes to maintaining and improving relationships we know from the extensive research around rehabilitation that this is an area where the process itself is important. The outcomes of supportive relationships are often not measurable for some time and can only be captured through longitudinal research.

111. I welcome the inclusion of families in Standard 3 (Reform):

*'To support prisoners to maintain links back to the community, we will work to develop a measure of the quality of prisoners' family relationships.'*<sup>73</sup>

I recommend that this is broadly framed to include the relationships that care leavers (men who were as children in the care of the local authority) and other prisoners who are not in touch with their families have with people who can help them to change. There needs to be recognition within the standards that the ties we are working to strengthen are not necessarily those of blood.

112. Superb family work in a prison might mean that those who can access it see improvement in the quality of their relationships and overall the prison may be able to show that it has delivered against the measure – yet those who have no family may have made no progress at all. Means should be found of ensuring as many prisoners as possible have at least one supportive relationship because this is so vital for prisoner reform. Historically, prison visitors' organisations, chaplaincies and mentoring agencies have undertaken vital work in this area, but it is not consistently available across the prison estate.

113. Whilst I do not want to weigh governors down with unnecessary red tape, I also recommend that families feature in all four standards and in the list of prison performance measures in pursuance of the goal to put relationships at the heart of the rehabilitation culture. Families can provide protective factors such as a good influence on men and greater stability, which can guide them into a more positive place in the prison community.

114. Finally it is important to recognise the sensitivity – both to the individual and to the nuances of the subject matter – that is required when collecting data about personal issues such as those relating to family and other ties.

<sup>72</sup> O'Donnell, I. (2016), 'The aims of imprisonment', p47, in Jewkes, Y., Bennett, J. and Crewe B. eds. *Handbook on Prisons*, Oxford: Routledge, pp39-54

<sup>73</sup> Ministry of Justice (2016), *Prison Safety and Reform*, p24. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

## Family ties as a cross-cutting priority within all four Performance Standards

115. Currently family life and relationships feature only once in the standards. I am concerned that this will prevent their importance from becoming properly embedded in prisons and that provision of family and other relationship work may remain inconsistent across the estate. I therefore recommend that additional measures are developed to take into account the importance of good relational ties in improving rehabilitation outcomes.

### 116. Standard 1: Public Protection

#### Family protection

Prisoners' families are members of the public who can be negatively as well as positively affected by the way a prisoner serves his sentence and is eventually resettled.

Performance plans should require evidence of the involvement of families in sentence planning and resettlement planning. These are both already indicators of Expectations being met under the HMIP Resettlement prison test, so this would quantify the strength of these indicators and help to sharpen inspection arrangements as promised in the white paper. Evidence of families' inclusion in decisions regarding the use of ROTL should also be required. We cannot always assume that ROTL will be conducive to the safety of prisoners' families.

### 117. Standard 2: Safety & Order

The MOJ/HMPPS take a broad view of safety and include suicide, self-harm and violence but there are as yet no measures that relate to self-harm and risk of suicide.

#### Suicide and Self-Harm

Prisons should be able to show evidence that families play a role in intelligence gathering regarding a prisoner's mental health, drug use (prescription and illicit), propensity to violence and risk to self. To achieve this families will need to have easy access to the 'gateway' communication system specified in the Performance Agreement to alert prisons to known risks of self-harm and suicide I outlined in Chapter 2. Again, provision of information from family and friends to improve prisoner safety is another indicator under the HMIP Safety prison test.

### 118. Standard 3: Reform

In addition to the performance measure on family relationships proposed in the white paper I would recommend the following:

#### Visits experience

The respect and care with which families are treated will have a bearing on how much

the prison can draw them into helping prisoners to reform. This measure of prison performance will also indicate how well the prison is delivering elements of the local family offer in the Performance Agreement, particularly the requirement to provide a visitor base/centre and visiting services.

A standardised visitors' survey should be developed to capture the experiences of families as they seek to maintain contact and to enable comparison between different establishments. The survey should be relatively short and simple and families with language or literacy issues should be assisted to complete it.

### 119. Standard 4: Preparing for Life After Prison

Again, this is an example of where the omission of families and relationships has to be remedied in acknowledgement that it is the third leg of the rehabilitation stool, alongside work and education, measures for which are already included under this standard. This is where we should include a measure of how many prisoners do not receive visits, a statistic only one of the prisons I visited was able to provide.

I am aware that visits are not always satisfying or positive for those who come and the prisoner they visit, they can be tense and frustrating for many reasons. However, in the main, contact with the outside world can greatly help to prepare men for re-entry by helping them to retain and develop the soft skills they will need to function well in employment and to reintegrate well with their families, so this is an appropriate proxy measure. Families' abilities to help men resettle after a prison sentence largely depend on relationships being maintained while they are inside, but these can become distant and die if men do not get visits.

*'The vast majority don't have visits – it's very hard to build bridges again.'* Prisoner at a focus group on a Farmer Review visit.

## Prison performance measures

120. Currently the roll call of rehabilitation metrics that will comprise the prison performance measures includes work, employment and health, but misses out progress in family and other relationships. Notwithstanding the caveat about visits mentioned in the last section, a simple indicator could be developed such as rate of prisoners who receive visits on entry and exit or rate of prisoners engaged with their family, or other supportive relationships, on entry and exit.<sup>74</sup> Therefore, we would know how many men are not able to draw on relationships with people outside prison. We measure what we value.

<sup>74</sup> While this measure could be nuanced by also asking how many prisoners decline visits, prisons which value relationships should take active steps to try to ensure all men have contact with someone on the outside.

### Recommendations

The effective delivery of family work should be demonstrated by inclusion in all four standards in the white paper.

#### Standard 1: Public protection

Policy frameworks should require evidence of the involvement of families or other supportive relationships in sentence planning, resettlement planning and decisions regarding the use of ROTL.

#### Standard 2: Safety and order

Prisons should be able to show evidence that family or other supportive relationships play a role in intelligence gathering regarding a prisoner's mental health, drug use (prescription and illicit), propensity to violence and risk to self.

#### Standard 3: Reform

Given their role in prisoner rehabilitation, a standardised visitors' survey should be developed to capture the experiences of families as they seek to maintain contact and to enable comparison between different establishments.

#### Standard 4: Preparing for life after prison

Prisons should be able to show how many prisoners do not receive visits.

Prison performance measures, which would enable comparisons to be made with similar prisons for the purposes of learning from practice, should include a family-related measure such as rate of prisoners who receive visits on entry and exit or rate of prisoners engaged with their family, or other supportive relationships, on entry and exit.

### Collecting and handling information about families

121. Data gathering is crucial in identifying family needs in prisons, and for establishments to demonstrate improvements in outcomes that will reinforce what is provided, to fulfil the local family offer elements of the Performance Agreement. Governors will need to be given detailed guidance about what is required. Quantitative information about prisoners and their family relationships should be gathered and assessed as a dynamic, ongoing and thorough process through all custodial journeys, including at key transition points during a sentence and not just on reception to prison, because family circumstances are changing all the time – and crises can develop suddenly.

122. The voluntary organisation POPS is trialling a Family Support Flowchart approach at HMP Liverpool which aims to gather robust family data at all stages of a custodial sentence. This information enables them, in partnership with the local authority (children's services and Troubled Families team) and community rehabilitation company (CRC), to support prisoners and their families in a timely and appropriate way. A Family Link Worker provides support to families of offenders in HMP Liverpool by linking them into early help across the region (five local authorities), and helping them to navigate the prison system.

123. Information that will enable prisoners to make contact with their family as quickly as possible should be collected at court using a standard form that has to be filled in with names and phone numbers before a prisoner can be handed over. Upon reception at prison this should then be added to a section of their file dedicated to recording information on close family and supportive relationships and their contact details.

124. If the prisoner cannot name anyone he will want to contact on the first night this should be flagged. Men who have spent time in local authority care system may be in this position. They and others might need help to reconnect with family or another relationship, as I describe in Chapter 4.

125. It should be mandatory for this section of the file to be updated, with the prisoner's cooperation, when relevant new information or changes come to light so that the information follows him when he is moved from one prison to another, in the same way that medical records must be kept up to date if health circumstances change.

### Recommendations

Contact details of family and significant others to be mandatorily requested by prisoner escort services before a prisoner leaves court and immediately added to his prison file, with this and other information on key relationships updated on an ongoing basis and sent with him when he moves establishments.

If a prisoner cannot name anyone he will want to contact on the first night this should be flagged and active steps taken to try to reconnect him with family or others with whom he might be able to develop a supportive relationship.

126. Again, how prisons collect this information can be left to local discretion, but who collects it is very important. For example, typically prison staff carry out the Basic Custody Screening process that takes place on the first night, and which includes questions about family ties. If the prison works in partnership with an external voluntary sector organisation to deliver family work then they could carry out the screening. As they are not seen as part of the authority structure in the prison they are more likely to be trusted and, therefore, to collect more accurate data.



127. Sykes's seminal academic account of the prison, *The Society of Captives*, describes five chief tenets of the 'inmate code' one of which is 'not siding with or showing respect for prison staff.'<sup>75</sup> Particularly at this very early stage before there has been any opportunity for more cooperative relationships to develop between prison staff and prisoners, there will often be barriers to them imparting personal information about their families, especially if they are feeling guilty about not being there for them.
128. One study found that about 50% of prisoners found it easier to talk to non-uniformed staff from a voluntary organisation than with prison officers, which will affect how willing they are to divulge personal information.<sup>76</sup> In HMP Winchester staff from the Spurgeons organisation carry out first night screening, which includes detailed questions about fathers' responsibilities. This also gives them an opportunity to hand out 'Dad packs', where appropriate, which have 'top tips' for how to be a father from inside prison and is an early way of grounding them in their family responsibilities at the start of their sentence when it is easy to turn in on themselves.
129. The first night in custody is also a difficult time to collect good data because of the stress that many men are experiencing. As long as security and safety issues are covered – and communication with their families and significant others is facilitated (I return to this issue in Chapter 5) – further data collection can take place a fortnight or so later.
130. The personal officer model being trialled in the ten pathfinder establishments could be used to carry out a more ongoing form of assessment as they will have the daily contact with the men and be aware of how their family relationships are faring. I return to this in Chapter 6.

<sup>75</sup> Sykes, G.M. (1958), *The Society of Captives*, New Jersey: Princeton University Press (cited by Crewe B. (2016), 'The sociology of imprisonment', in Jewkes, Y., Bennett, J. and Crewe B. eds. *Handbook on Prisons*. Oxford: Routledge, p94

<sup>76</sup> Jacobson, J., Edgar, K., Loucks, N. (2007), *There when you need them the most: Pact's first night in custody services*. London: Prison Reform Trust. Available online: [https://www.prisonadvice.org.uk/system/files/public/Research/There%20When%20You%20Need%20them%20Most%20pact\\_s%20First%20Night%20in%20Custody%20Services.pdf](https://www.prisonadvice.org.uk/system/files/public/Research/There%20When%20You%20Need%20them%20Most%20pact_s%20First%20Night%20in%20Custody%20Services.pdf)

## Chapter 4: Empowered Governors

'Families should not fit into one function in the prison. It's got to sit across Learning, Residential functions, Resettlement/Reducing Reoffending and Security if we are going to make it real rather than rebranding.' Governor speaking to the Farmer Review on visit to his prison.

### Recommendations

1. Empowered governors' tenures should be of sufficient duration to demonstrate that they have added value to the prison: as Performance Agreements last for three years this should be the minimum length (apart from in exceptional circumstances).
2. When governors are in the process of making a decision about granting ROTL, family ties and supportive relationships should be one of the considerations.
3. Men who are eligible for ROTL should be able to attend visits outside the prison gate whether on approved premises or in the wider community.
4. Governors should be intentional about ensuring all prisoners who do not have family or other support – for example if they have been in the care system – are helped to form relationships with people outside or peers inside.
5. To support them in this, the body that considers 'what works' to rehabilitate offenders should examine the effectiveness of models that help prisoners without supportive relationships to develop these or to reconnect safely with family and others from their past.

131. The importance of governors' role in shifting the culture of their prisons towards one that is more family-friendly and aware of the importance of prisoners' families and other relationships for their rehabilitation has been repeatedly mentioned already in this report. The white paper states:

'Strong leadership is essential to any organisation and a powerful force for driving change and improvement. Following our reforms, governors will have significantly greater authority and flexibility (along with greater accountability) in determining how their prisons are run, including how to prioritise and deliver services within their prisons.'<sup>77</sup>

<sup>77</sup> Ministry of Justice (2016), *Prison Safety and Reform*, p9. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

132. The Government has committed to give governors, from April 2017:

- Authority to do their own workforce planning and decide what structures best meet their local needs.
- Greater power over service provision in their prison, devolving control over education, work, family ties, offender behaviour and resettlement programmes and greater influence over healthcare provision.
- Greater authority to decide how to spend their budget in order to deliver their strategy, removing many of the centralised restrictions on spending and devolving education and family budgets.
- Devolved decision making power on key operational policies, allowing governors to make better use of tools such as Release on Temporary Licence (ROTL) to allow prisoners to engage in purposeful activity, such as work, as part of their sentence.

133. Having visited three of the first six reform prisons (HMP Wandsworth, HMP Holme House and HMP Kirklevington Grange) during the course of the Review, I welcome this as a historic opportunity to give governors the freedom and accountability to implement the most appropriate family work for their prisoner mix.

134. The five local family offer elements of the Performance Agreement recommended in Chapter 2 lay the foundations for family work required in all prisons to enable governors to deliver against the family ties measures in the four performance standards (as outlined in Chapter 3). Once these foundations are in place, governors will have the discretion they need to choose the programmes and approaches that are right for their population and establishment. This chapter points to current good practice across the United Kingdom and abroad to assist them as they work to harness prisoners' family ties and other relationships more effectively as part of the drive to build a rehabilitation culture.

135. Certainly this is an area where some of the contracted prisons in the private sector have led the way, with HMP Parc as the clearest example of good practice I came across in any establishment during the Review which is being learned from in many other countries. The greater budgetary freedom that Directors of these establishments have had has been a key factor. They have also treated the funding of family work as a sound commercial decision. Not only do their 'family interventions' produce a calmer, more settled prison environment that brings a range of cost savings, but this emphasis has also enabled them to build important bridges with local communities, from which has flowed important additional resource.

136. However, I also became aware that this greater freedom is perceived by some voluntary organisations that are already delivering family work as a possible danger. Not all governors are convinced of the need to do any more than simply ensure visits take place and phone calls and other contact can be made according to the entitlements laid down for prisoners. I visited one prison where there were no facilities for waiting families and there are many others where this is the case. I was informed

by the MoJ that there are currently 20 organisations currently providing contracted out visitor centres at 63 public sector establishments – around half of all the prisons in England and Wales.

### The importance of stable leadership in prisons

137. In the past, family work that has taken years to embed can be downgraded in importance when supportive governors move on. Similarly if an incoming governor has enthusiastically initiated family work but not stayed in post long enough to ensure the changes become embedded, much effort will have been wasted. As stated earlier, over seven years ago the Government made governors responsible for family work, but it has ebbed and flowed in importance, both within individual prisons and in the prison service as a whole.

138. I see the accountabilities that governors will have to deliver against, and the transparent availability of prison performance measures, as an historic opportunity. It could drive welcome change in the length of governor tenure. Although the latest calculated average length of completed governor tenures is 3.3 years<sup>78</sup>, the average for existing governors is 1.9 years<sup>79</sup> and MoJ figures suggest only 38% of governors have stayed in the same post for more than two years.<sup>80</sup> This implies a degree of churn and instability at the top which will make it very hard to hold governors to account for outcomes over the three year period for which Performance Agreements are to last.

139. The RSA also draw attention to this problem and recommended:

'...that longer tenures be encouraged alongside greater focus on career planning and leadership skills. This could allow for governors to take a 'sabbatical' approach, where in return for staying within one prison for longer, bringing much needed stability, they would be able to work within alternative contexts between governing posts.'<sup>81</sup>

140. During my Review I visited or heard about prisons where short term governorships were considered to contribute to less stable regimes. Progression currently requires short tenures to build up the right kind of CV,<sup>82</sup> but this will conflict with the shift to holding governors accountable for outcomes. Therefore, I recommend that, as part of the shift towards greater empowerment for governors, their tenures be of sufficient duration to demonstrate that they have added value to the prison. As Performance

78 PQ 189934 asked by Sadiq Khan MP in March 2014.

79 PQ 4058 asked by David Anderson MP in July 2015

80 Letter sent to Bns Berridge and lodged in the House of Lords library in response to her supplementary oral question on 8<sup>th</sup> November 2016. See <https://hansard.parliament.uk/Lords/2016-11-08/debates/4B61D0D9-882B-4834-8F38-5AE848B1FE33/PrisonsViolence#contribution-A86AAF23-DE4F-40F0-B706-C9DE7C2ED663>

81 O'Brien, R. and Robson, J. (2016), *A Matter of Conviction: A blueprint for community-based rehabilitative prisons*. London: RSA. Available online: <https://www.thersa.org/globalassets/pdfs/reports/rsa-a-matter-of-conviction.pdf>

82 The letter to Bns Berridge referred to in fn71 stated that 'The majority of governors leaving posts is for internal transfer...to gain the necessary experience to take on the more challenging prisons and is part of the career progression of our staff.'

Agreements last for three years this should be the minimum length, apart from in exceptional circumstances.

141. Second, accountabilities could and should transform the landscape of family work provision from one that is patchy and inconsistent – and highly confusing for families when they visit – to one where Governors are competing to out-do one another because their prisons' reputations are affected by the quality of their family work. As stated earlier, this will require the addition of a family-related prison performance measure, currently lacking in the list of rehabilitation measures in the white paper.<sup>83</sup> Moreover, the Governors I met in the course of my Review and who have been involved in evaluation of family services highly valued the operational benefits of good family practice.<sup>84</sup>

### Recommendation

Empowered governors' tenures should be of sufficient duration to demonstrate that they have added value to the prison: as Performance Agreements last for three years this should be the minimum length (apart from in exceptional circumstances).

### Greater use of Release on Temporary Licence (ROTL)

142. The white paper has committed to look at the 562 policies prisons must comply with, which set out in minute detail how each prison should be run, with a view to revising or deleting instructions where possible so Governors need to meet only minimum mandatory requirements and can operate with wider discretion. This will take some time but an early focus on Release on Temporary Licence (ROTL) is promised and Governors will be allowed greater discretion in how and when individual prisoners are allowed ROTL.
143. ROTL allows for the temporarily release of prisoners, where it is safe to do so, to undertake purposeful activities that will benefit their resettlement, including rebuilding closer ties with their family. If men have undertaken parenting and other family learning courses, for example about how to be a more responsible father, then open conditions such as ROTL give them the opportunity to put the theory into practice.
144. Evidence shows there has consistently been a very high rate of compliance with ROTL terms.<sup>85</sup> Research also supports the view that the use of ROTL to maintain and develop family ties contributes to reducing reoffending.<sup>86</sup> However, the MoJ has

informed me that indicators suggest that ROTL for this purpose has fallen significantly (like all ROTL) since 2013.

145. Respondents to the Call for Evidence – prisoners, families, organisations and academics – considered that the use of release on temporary licence (ROTL) to maintain and develop family ties was important and should be utilised more. They told me that this would give prisoners the opportunity to adjust gradually to family life outside of prison and to spend more time in responsible roles such as parent or partner. It would enable them to attend parent-teacher evenings and other meetings at their children's school, as well as meetings to discuss child protection and care proceedings.
146. It also allows families to adjust to having the person around more and is particularly beneficial for children who may feel less comfortable around their parent after a long period of separation. Organisations suggested that many prisoners experience a reduction in their sense of legitimacy as a parent, making it difficult to build relationships with their child and engage in aspects of parenting such as discipline. Increased use of ROTL would give them the opportunity to build relationships with their children and boost their confidence as a parent. It would also reduce pressure on overall numbers on the prison estate.
147. One prisoner also suggested that Childcare Resettlement Leave (which is part of ROTL) could be used more flexibly for special occasions such as children's birthdays or Christmas, when children tend to miss their parents most. This would allow children to rebuild trust in their parents. I would recommend that governors include in their consideration of a ROTL application, whether or not it will improve family ties if it will encourage a greater sense of responsibility and thereby aid rehabilitation. This is another reason why, as stated in Chapter 3, it is important that families are drawn into decision-making processes on ROTL.
148. I would also recommend that men who are eligible for ROTL are allowed to attend visits outside the prison gate, whether on approved premises or in the wider community, to reduce the pressure on the visits hall and prioritise the security for men who require supervision on visits. As part of the local decision making powers given to HMP Ranby as a reform prison, they are investigating the possibility of holding visits for Category D prisoners (eligible for ROTL) outside the secure perimeter of the prison. They have 'outline permission' (with HMPPS Population Unit) to build a new Category D block where these men would be housed, and will aim for this to have its own visits facility so men on ROTL did not need to come back to the 'closed' prison for visits.

83 Ministry of Justice (2016), *Prison Safety and Reform*, p25. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform_web_.pdf)

84 Nepacs (2016), *Integrated Family Support in the North East: evaluation briefing*. Available online: <http://www.barefootresearch.org.uk/wp-content/uploads/Nepacs-16.pdf>

85 Clinks and Prison Reform Trust (2016), *Inside Out: The role of the voluntary and private sector in providing opportunities for rehabilitation for people on temporary release*. Available online: <http://www.prisonreformtrust.org.uk/Portals/0/Documents/Inside%20Out%20Clinks%20PRT.pdf>

86 Baumer, E.P., O'Donnell, I. and Hughes, N. (2009), 'The porous prison', in *The Prison Journal* 89(1), pp119–26



### Recommendations

When governors are in the process of making a decision about granting ROTL, family ties and supportive relationships should be one of the considerations.

Men who are eligible for ROTL should be able to attend visits outside the prison gate, whether on approved premises or in the wider community.

### A workforce that engages well with families

149. From April 2017, governors will also be able to 'design their staffing structure from scratch and hire the senior leadership team, officers and specialists with the skills they think the prison needs.'<sup>87</sup> Given that they will be held accountable for improving prisoners' family relationships, and for delivery against the other family-related standards I recommend above, it will be important to ensure the staff mix includes professionals who can drive change in this area. They may also choose to draw in the expertise of the voluntary sector, which has a strong track record in this area.
150. Good family practice requires taking a holistic approach within prison establishments. Governors should, therefore, be encouraged to understand where their strengths and weaknesses are in relation to the custodial experience and produce a development plan that works to improve practice and delivery in weaker areas. This plan should include a dynamic family engagement approach that enables regular face-to-face contact to take place between families and senior managers. For example, the Deputy Governor at HMP Norwich holds a regular surgery with family members (see box below).
151. HMPPS have informed me that they can support the development of a dynamic family engagement approach with a template tool. Just as importantly, Barnardo's have also developed a quality template for assessing a criminal justice agency's approach to children of offenders.<sup>88</sup>
152. To ensure the golden thread of family work runs through all a prison does, I would go further and recommend that a family engagement approach should be a key element in any Performance Agreement that the Governor (or Director in a contracted prison) holds for delivery of service as a means of ensuring the obligations of the local family offer are fulfilled.
153. As family delivery cuts across traditional functional management models, establishments should aim to establish a family strategy group that coordinates and develops family work within prison that includes membership from all departments and partner providers. This would strengthen the effectiveness of the local family offer

elements of Performance Agreements, which requires a clear functional champion for families within establishments who is responsible for ensuring the importance of family and other relational ties never slips off the agenda. By keeping the issue salient over a long period of time, their advocacy will help to provoke a change in the culture.

154. To achieve this they should, for example, explicitly encourage active parenthood among prisoners. They should also take personal responsibility for ensuring the visits booking system works well and swiftly (especially for those on short sentences) and for making sure intelligence from families and significant others about prisoners' mental and emotional states are fed into offender management processes in the interest of improving safety. I describe this in more detail in the next chapter.
155. HMPPS have also noted that some prisons have additionally established middle manager leadership for families and they would encourage that amongst all establishments. The advantage of this is that someone at this level, such as a custodial manager, can act as a champion to staff.

### What might a dynamic family engagement approach entail or lead to?

- Regular governor surgeries:
  - I met the Deputy Governor at Norwich who regularly meets family members who have concerns and also actively seeks out visitors who might be able to get through to prisoners who are not complying with the regime for various reasons. By getting, for example, a prisoner's mother on side with what the prison is trying to achieve so he serves his sentence well, a family member may be able to provoke a change in his behaviour that does not cause him to lose face.
  - Lynn Saunders OBE, the Governor of HMP Whatton, a specialist prison for people with convictions for sex offences also holds surgeries with families, not least to find out how better contact with families can be facilitated. Such consultation has led, for example, to this prison offering unlimited time slots on visits (this is more easily facilitated by a lower number of men receiving visits due to the nature of their crimes, and the associated consequences).
  - I also heard that prisoners could be deterred from taking NPS or other drugs if they knew someone in their family – in particular their mother – would be told. This might raise concerns about data protection, but it should be seen as a real-world example of families and supportive relationships being harnessed to help keep prisoners and prisons safe.

<sup>87</sup> Ministry of Justice (2016), *Prison Safety and Reform*, p28. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform_web_.pdf)

<sup>88</sup> i-HOP (2014), i-HOP Quality Statements and Toolkit. Available online: [http://www.i-hop.org.uk/app/answers/detail/a\\_id/759](http://www.i-hop.org.uk/app/answers/detail/a_id/759)



- Visit times could also be adjusted in response to engagement with families:
  - Visits usually coincide with daytime activity and there is little flexibility in some establishments. Obviously staff are required to manage visits, but there may be changes that can be made to the visits regime which might facilitate more and easier contact with families and significant others. HMP Wandsworth host evening visits to accommodate single parents who work.
  - Cultural priorities could be accommodated, where appropriate, such as timing extended family visits to coincide with religious festivals and meeting particular needs of minority families. For example, in HMP Wayland I met a large Traveller family who greatly appreciated the fact that they were all able to visit at the same time.

## Visits

156. Although the local family offer elements of the Performance Agreement specify that prisons should provide a visitor base/centre and visiting services, governors should have broad discretion about how visits are conducted, how often and for how long (on top of the basic entitlement of two one-hour visits every four weeks for a convicted prisoner and three one-hour visits per week for a prisoner on remand<sup>89</sup>).

157. It was clear from the prisoners and families I talked with, and their response to the Call for Evidence, that visits were very important to them. It was one of the primary issues raised by respondents and was the topic yielding the most information. Both groups reported that face-to-face contact was the best and this is backed up by research at HMP Leeds, which found that the majority of prisoners see the visit as the main highlight of their time in prison.<sup>90</sup> One ex-prisoner said, 'Visits give you a connection with the outside world. There's no escape otherwise.'<sup>91</sup> Research has also shown that a prisoner's mental health is often contingent on contact with the outside world.<sup>92</sup> It can renew their motivation to get on with serving their sentence and recharge their hope.

*'If I don't see my family I will lose them, if I lose them what have I got left?'* Prisoner at HMP Grendon speaking to the Farmer Review.

158. Barnardo's recommend that all prisons should view visits as a way of drawing families into rehabilitation and include them in the remit of Reducing Reoffending, led by this

team in the prison rather than by Security.<sup>93</sup> They draw on the example of HMP Parc in South Wales, which treats family visits as a valuable resource in rehabilitating offenders, rather than a security risk, or a privilege that can be sanctioned. As well as improving outcomes for offenders and creating a better environment in the prison, such an approach also makes visits more positive for children.

159. This is because families often found the process of going through security checks – and the way children were searched – frightening and stigmatising. While both prisoners and their families understood the need for security and surveillance and emphasised its importance, the extent made families feel as though they were being treated as criminals. Families said that the level of security in the visiting hall felt overbearing and unnecessary, since they had already been searched before entering. Prisoners and their families found it difficult to relax and to have a normal conversation due to prison officers keeping watch.

160. If contact with family is seen as a rehabilitation intervention then, even if there are potential security issues such as when a prisoner has been in segregation, a managed visit can often lead to a much better outcome than not seeing family or significant others at all. A casework approach to segregation, which attempts to drill down into the root causes of non-compliance with the regime, often finds that family issues are playing on prisoners' minds and provoking anger, distress and a sense of hopelessness.

161. Managed contact with family members can go a long way to addressing these underlying concerns and help a prisoner return to the right mental state to serve his sentence. For example, an unavoidable but deeply distressing relationship breakdown may have taken place. The prisoner may need help to work through that process as positively as possible, which could mean sitting down with his ex-partner and a family intervention worker or other professional, or with someone else with whom he has a good relationship.

162. Sometimes it can be beneficial to prisoners and their children if they are able to visit without any other family members present. Northern Ireland Prison Service (NIPS) offer 'child-centred' visits where a parent or relative brings the child to prison and leaves them with their imprisoned parent so they can spend time on their own together. I was told by the former governor of Kirklevington Grange prison, who had offered this kind of visit, that it could work well if the family lived locally and the mother was able to drop her child(ren) off at the prison with their father. Not only did the mother get some time to herself but the father became aware of the effort it takes to look after children on one's own.

89 Gov.uk (2017), *Staying in touch with someone in prison*. Available online: <https://www.gov.uk/staying-in-touch-with-someone-in-prison/visiting-someone-in-prison>

90 Dixey, R., and Woodall, J. (2012), 'The significance of 'the visit' in an English category-B prison: Views from prisoners, prisoners' families and prison staff' in *Community, Work and Family*, 15(1), pp29-47

91 Lord Farmer's meeting with prisoners' families and ex-prisoners.

92 Woodall, J., Dixey, R., Green, J. and Newell, C. (2009), 'Healthier prisons: The role of a prison visitors' centre' in *International Journal of Health Promotion and Education*, 47(1), pp12-18

93 Barnardo's (2015), *Locked out: Children's experiences of visiting a parent in prison*. Available online: <https://www.barnardos.org.uk/locked-out-report.pdf>

163. Typically such 'child-centred' visits are facilitated with the help of voluntary sector organisations and can be particularly important in circumstances where a child would not otherwise see their father because their mother is unable or reluctant to come. Barnardo's informed me that not all fathers are ready or able to manage time alone with their child. So to them good practice involves (where possible) working with a father to prepare him for the visit and then helping him to reflect after it had taken place on what worked and what he would do differently the next time. I came across two other good practice examples from Europe<sup>94</sup> that aim to reduce intergenerational offending, which are outlined in the box below.

#### Child-centred visits in Europe

Relais Enfants-Parent (REP) work in 11 prisons in Belgium and offer 'collective' visits which enable a parent in prison to have a child-centred visit without any other family members present. REP work in conjunction with the Belgian Red Cross and each child arrives at the prison with a Red Cross volunteer or family member but goes through security to see their father with an REP psychologist. Several families are able to meet at the same time in a big child-friendly room where there are lots of activities and security is inobtrusive. Some fathers take the opportunity to see their children individually so they can give them their full attention. Others may be in a conflicted relationship with the child's mother and visits might be highly strained and or non-existent, either of which would be highly distressing for the children.

Exodus works in 26 prisons in the Netherlands and provides parenting programmes which encourage fathers to see their imprisonment from their child's perspective. They also help fathers to develop the nurturing skills they need and provide child-centred visits similar to REP 'collective visits' in their Parents, Children and Detention Project. Prison officers are present but the interaction is minimal and several Exodus staff are available to make sure the men and their children get the most out of the visit.

94 Malcomson B. (2016), *Tackling the inter-generational cycle of offending by promoting parent-child relationships*, London: Winston Churchill Memorial Trust

#### The Incentives and Earned Privileges (IEP) scheme and extended visits

164. The white paper points towards changes to this scheme which currently, for those on enhanced status, acts as a passport to extended (family) visits and extra visits. The Government has committed to continue to set requirements to safeguard decency and ensure a degree of consistency across prisons but changes (which will be announced shortly) will allow governors to introduce better tailored incentives for individual prisoners.

165. As stated earlier, families and organisations responding to the Call for Evidence expressed support for disconnecting extended family (and extra) visits from the IEP scheme as this link meant that families could be, and were, punished for the behaviour of the prisoner. I heard about families who had planned for several weeks to come for an extended visit but found out at very short notice that the prisoner had lost his enhanced status and was no longer eligible.

166. Organisations were particularly concerned about the impact of this unpredictability on prisoners' relationships with their children, as they have seen from their own practice that this does have a more detrimental impact on the child. Additionally, I was told on several occasions when I visited prisons that more problematic, disruptive prisoners who might actually benefit more from family contact (particularly if unresolved family difficulties were a root cause of poor conduct) would be denied these special visits due to their behaviour.

167. My attention was also drawn to the disproportionate number of Black, Asian and minority ethnic (BAME) prisoners on a basic regime and to concerns that this was due to staff stereotyping and discrimination. Black and mixed ethnicity prisoners have the highest proportion of prisoners on basic IEP status, 7.6% and 7.2% respectively, at 31 March 2016, considerably higher than white prisoners at 4.9% at the same point in time.<sup>95</sup> So linking the IEP scheme to visits is likely to restrict family contact for BAME prisoners and their families. I am hoping that the important work of David Lammy's independent review of the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the criminal justice system<sup>96</sup> will shed light on inequalities such as these faced by BAME prisoners.

168. The Prison Reform Trust have recommended that rehabilitation and resettlement are given priority over IEP, so that all prisoners remain eligible for services essential to reducing re-offending, including family visits, and that access to these should not be determined by IEP status.<sup>97</sup>

169. I noted that prisoners had a different view on this topic and thought that increased visits should be restricted to well-behaved prisoners and used as an incentive for

95 Ministry of Justice (2016), *National Offender Management Service Offender Equalities Annual Report 2015/16*. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/571996/annual-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/571996/annual-report.pdf)

96 Gov.uk (2016), *Lammy Review*. Available online: <https://www.gov.uk/government/organisations/lammy-review>

97 Prison Reform Trust (2013), *Incentives and earned privileges*. London: Prison Reform Trust. Available online: <http://www.prisonreformtrust.org.uk/Portals/0/Documents/IEP%20Briefing%20Prison%20Reform%20Trust.pdf>

good behaviour. This most likely reflects the behaviour records of the prisoners who responded and suggests there may be a gap in our evidence for noncompliant or disengaged prisoners.

170. I also met prison officers who stated that the constraints they were under meant they had so few levers at their disposal with which to incentivise compliance – and family visit slots had to be rationed – that they could not envisage delinking IEP with better quality family contact. However, good practice, again at HMP Parc, can steer the careful course necessary to ensure incentives are still there to motivate prisoners. In their visits hall there are different visit areas with different levels of physical comfort, based on behaviour and other considerations.

171. My own view is that extended visits, especially where prisoners have children, were recommended by Lord Woolf in a context of – and to address – deep unrest in the prison system, and that is a factor in why I have included them in the local family offer elements of Performance Agreements. So it would seem counter-productive to link these to behaviour, whereas the provision of additional (short) visits should be at the discretion of governors. They might, after consulting with prisoners' families, decide to run a regime without using the number of visits as a lever but that should be their decision.

### The link between family work and prisoners' educational attainment

172. Given that empowered governors will be given the budget and responsibility for education once current contracts end, as well as family work, it is vital that these two areas are not seen as completely separate but interrelated. As stated earlier, Dame Sally Coates' recommendations, which empowered governors will be drawing on extensively, are derived from the principle that:

'Education is more than a service provided by OLASS providers in classrooms or workshops. All areas of the prison regime should be considered suitable for learning. My vision for prison education is holistic.'

She specifies within that: 'Personal and Social Development (PSD), including behaviour programmes, family- and relationship-learning, and practical skills (e.g. parenting, finance, and domestic management).'<sup>98</sup>

173. During a focus group I attended in one prison, men expressed a strong desire to have access to parenting programmes and other family-oriented learning. The prison officer who was there explained that the new education contract no longer included these elements but was more focused on basic skills such as numeracy and literacy. While these are essential to prepare men for resettlement (and can make an enormous difference to self-esteem and their quality of life inside the prison walls) so too are the softer skills to which Coates refers.

174. The box below provides a few examples of evidence-based and promising courses and approaches to develop and improve parenting and relational skills that are already running in some prisons. Programmes like these would enhance establishments' existing good practice in family work and personal and social development (PSD).

#### Programmes to help prisoners improve parenting and relationship skills

**Storybook Dads** was identified by a large number of respondents to the Review and universally praised. The programme supports prisoners to record themselves reading stories onto CD or DVD and to send this voice recording or film to their children so they can listen to or watch the stories.

The Family Links 10-week **Nurturing Programme** is being delivered in male and female prisons across the UK, including in HMP Askham Grange's and HMP/YOI New Hall's mother and baby units and in the Family Interventions Unit in HMP Oakwood.

**HMP Doncaster** offers a range of ways for prisoners to be active parents to their children. They provide family days, weekly 'daddy new-born visits', toddler days, homework clubs, play projects, treasure box and a social kitchen that enables prisoners to prepare and eat a meal with their children. These allow men to re-establish or maintain their role as central to their children's lives. While the visits are more relaxed than standard visits, security infractions are very rare.<sup>99</sup>

**Relate** provide counselling to prisoners and their families to explore and discuss their relationships in HMP Ford.

**Building Stronger Families** is a short, intensive group-work programme for couples lasting 4-6 weeks which focuses on building relationship skills and also includes a module on managing money, currently being delivered in a range of men's and women's prisons.

**Within my Reach** is a programme delivered in two Welsh public sector prisons that develops the relational capabilities and empathy of young men and women whose relationships have been, or are likely to be, characterized by aggressive or abusive behaviour (they may have been a victim or witness of domestic abuse).

98 Ministry of Justice (2016), *Unlocking Potential: A review of education in prison*, p3. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/524013/education-review-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/524013/education-review-report.pdf)

99 Knudsen, E.M. (2016), 'Avoiding the Pathologizing of Children of Prisoners', in *The Probation Journal*, 63(3), pp362-370



The **Family Issues programme** is offered at a men's prison in Greene, Pennsylvania in the US and is focused on past and future family issues. Family issues are discussed and men are given different resolution methods to cope with the problems. It is a group programme, allowing the men to engage with their peers around their family issues.<sup>100</sup>

The **Parenting from Prison** courses, implemented across Colorado's male and female prisons, has demonstrated improvements in prisoners' self-esteem, parental knowledge, parental attitudes and parental satisfaction. The programme was also found to increase the variety of communication methods used by parents as well as the frequency of contact for those with a low frequency before the course.<sup>101</sup>

The **Domestic Abuse Restorative Family Approaches (DARFA) Partnership** ran a programme called SORI (Supporting Offenders through Restoration Inside) at HMP Cardiff.

The **'Staying Connected' programme – e-learning about relationships:** A 'proof of concept' study was carried out for NOMS to investigate the feasibility of providing parenting and relationship skills training for prisoners through the Virtual Campus (VC), the prison service's web-based learning and skills platform, in order to strengthen prisoners' family relationships. The programme was accessed across 47 prisons over a five-month period. Some of the prison staff and prisoners commented on the distinctive benefits of both online programmes and face-to-face courses and suggested that a combined approach may help most in addressing relationship issues.

175. Moreover, the motivation to overcome years of difficulties in grasping the basics of education can be greatly enhanced by drawing their children's learning into men's lives (see box below). In many of the establishments I visited there are homework clubs to which children could bring their school books and complete work with their fathers. Knowing one's children will be expecting help with or at least engagement in their work during these times can act as a powerful motivator for men to learn with them.

### Family Literacy in Prison (FLiP)

Pact run Family Literacy in Prison (FLiP) an evaluated and effective programme that they co-created with Professor Cathy Nutbrown, Head of the School of Education at Sheffield University. University-trained Pact family workers run FLiP courses in men's and women's prisons across England and Wales. It teaches imprisoned parents more about their children's early literacy development and enables them to fulfil their desire to be good parents by involving them in their children's learning. FLiP uses books and educational play as a focal point to aid attachment and strengthen family bonds.

The evaluation of FLiP showed that participation was very strong, with a waiting list of men wishing to enrol. As many as 93% of fathers participated at a moderate to high level. Families also reported that they benefited from the literacy-orientated family visits and many children mentioned being given a book to take home as a treat from their fathers.

More profoundly, the research showed a resolve among the men who participated to think of their role as a father differently in the future.<sup>102</sup>

176. Parent-teacher evenings are also accommodated in HMP Parc (and other prisons such as HMP Oakwood) where fathers who might never have met with their children's teachers before serving a custodial sentence will be visited by them at the end of the school day. This often requires a round trip of some considerable distance. It is testament not just to teachers' commitment to the children of prisoners, but also to the effort the family interventions team puts into ensuring prisoners can act upon the motivation an active relationship with their child provides and engage with the communities to which they will return.

177. Families are also included in events marking men's achievements in education or other rehabilitation pathways. The desistance literature shows that support and approval from family members can motivate ex-prisoners to maintain positive lifestyles and work to achieve certain goals.<sup>103</sup> When fathers' educational and other achievements are celebrated together with their children and families this provides a significant fillip to men inside, some of whom feel they have never achieved anything in their lives that would make their children proud of them. This is all part of them developing a new identity that will help put them on the road to a life outside that does not involve criminal activity.<sup>104</sup>

100 Garzarelli L. (2011), 'The effectiveness of parenting programs on recidivism rates', Naples, FL: Walden University, *Dissertation Abstracts International Section A: Humanities and Social Sciences*, 2011

101 Purvis, M 2013, 'Paternal Incarceration and Parenting Programs in Prison: A review paper' in *Psychiatry, Psychology and Law*, 20(1), pp9-28

102 See *Transforming lives by improving children's literacy*, 15th December 2016 <http://www.sheffield.ac.uk/research/impact/stories/transforming-lives-improving-childrens-literacy-1.669080>

103 Hunter, G., Skrine, O., Turnbull, P., Kazimirski, A., and Pritchard, D. (2013), *Intermediate outcomes of family and intimate relationship interventions: a rapid evidence assessment*. London: Ministry of Justice. Available online: <http://www.icpr.org.uk/media/36296/Intermediate-outcomes-of-family-and-intimate-relationship-interventions.pdf>

104 Maruna, S. (2001), *Making Good: How Ex-Convicts Reform and Rebuild their Lives*, Washington, DC: American Psychological Association



178. When I visited HMYOI Feltham I was struck by how uninterested the young men (18-20 year olds) in the focus group were in discussing visits and contact with their families. They did however describe how much gang and peer pressure they were under in the prison and this may have contributed to their reluctance to discuss family work with others there.
179. Moreover, they attached great importance to their families coming in to meet the prison educators on teacher-parent evenings and, for prisoners of this age, this could be the most effective way of involving their families to aid their rehabilitation. The young men appreciated the interest their parents were showing in their education and perhaps this was the first time they had able to show their parents they were capable of achieving anything in this area. Here again, education is a key hook for family engagement.

### Drawing families into sentence and resettlement planning

180. To reiterate, empowered governors are to be given authority and responsibility for delivering against the standards of reform and resettlement. Prisoners' responsibilities to their families should be seen as an important lever for change and their families are often significant assets for offender management during sentences and when these are coming to an end. This issue is touched on in the preceding chapter about standards. I found that sentence planning by the offender management team rarely takes into account family members understanding and knowledge about the prisoner. HMP Forest Bank does this and Scottish prisons involve a prisoner's family in release planning (see box below) but it is uncommon.<sup>105</sup>

#### Integrating families into sentence and release planning

In Scotland, the Integrated Case Management (ICM) Case Conference provides a mechanism for involving a prisoner's family in release planning. An ICM Case Conference is a meeting held at set intervals during a prisoner's sentence between the ICM case coordinator, prison-based social work, community based social work and the prisoner. The prisoner may invite his family to these meetings if he wishes. The ICM Case Conference provides an important opportunity to prepare and advise families about the issues arising on a prisoner's release, thereby supporting them in their own right as well as preventing offending.

At one men's prison in Louisiana USA, families are involved as soon as the individual arrives at the prison. The Director of Re-entry invites a family member, or someone close to the prisoner, to the prison for an informal meeting, allowing the Director to learn about the prisoner's background and how he can be best supported.<sup>105</sup>

181. As the most basic first step it would cost nothing for offender management staff to email the sentence plan to the family and their response could be very instructive and helpful. I was told that, in practice, it is not difficult to get consent for information-sharing from the individual and that many voluntary organisations already do this for their service users in prison, allowing them to share information with the family and with resettlement agencies. More meaningful engagement of families in planning is made possible by these staff meeting with family members (sometimes with the help of voluntary organisation staff) and family conferencing.<sup>106</sup>
182. Without the insights these interactions with families afford, offender management is often a far more hit and miss affair than it needs to be. In the worst case scenario, important information relating to a prisoner's emotional and mental state is not communicated and their safety can be compromised. I look at this in more detail in the next chapter on safe and secure prisons.
183. Similarly, families and organisations both felt it was important to involve families in resettlement planning and were concerned that this rarely happened. The importance of this is backed up by evidence demonstrating that partners of prisoners are often more realistic about the potential difficulties of resettlement.<sup>107</sup>
184. The Joint Thematic Report by HM Inspectorate of Prisons, HM Inspectorate of Probation and Ofsted in 2014, suggested that the role of families in the resettlement process remains peripheral. Offenders' relationships with their families were frequently viewed simply in terms of visits and no evidence was found in the sample that families were involved in sentence planning, even when prisoners confirmed their reliance on family for support following release.<sup>108</sup>
185. Research by James Woodall found that families are frequently frustrated by the lack of clarity about resettlement after release, even if staff do involve them. Families said they were inadequately informed about ROTL or Home Detention Curfew (HDC) and that the way these phrases were used made them feel they should already know and not need to ask prison staff what they involved.<sup>109</sup> It was even hard to ask the returning prisoner what they entailed if he had also become accustomed to the jargon.

<sup>106</sup> Beyond Youth Custody (2016), *Families provide hope... that thread of continuity that everything's going to be OK, that they'll get through it*. Available online: <http://www.beyondyouthcustody.net/blog/families-provide-hope-thread-continuity-everythings-going-ok-theyll-get/>

<sup>107</sup> Losel, F., Pugh, G., Markson, L., Souza, K. A. and Lanskey, C. (2012), *Risk protective factors in the resettlement of imprisoned fathers and their families: Final report*, Cambridge: University of Cambridge

<sup>108</sup> HM Inspectorate of Prisons, HM Inspectorate of Probation and Ofsted (2014), *Resettlement provision for adult offenders: Accommodation and education, training and employment*. Available online: [https://socialwelfare.bl.uk/subject-areas/services-activity/resettlement/criminaljusticejointinspection/1693032014\\_Resettlement-thematic-for-print-Sept-2014.pdf](https://socialwelfare.bl.uk/subject-areas/services-activity/resettlement/criminaljusticejointinspection/1693032014_Resettlement-thematic-for-print-Sept-2014.pdf)

<sup>109</sup> Wilson, A. (2006), *'Good Relations': Keeping positive family links between custody and the community for the successful resettlement of offenders*. Unpublished evidence undertaken in HMP Northallerton submitted to the Review.

<sup>105</sup> Jacobson, J. and Fair, H. (2016), *Family Connections: a review of learning from the Winston Churchill Memorial Trust Prison Reform Fellowships – Part II*, Institute for Criminal Policy Research, Birkbeck, University of London

186. The Prison Reform Trust recommend involvement of the family in resettlement at an early stage, whenever the family is relevant to resettlement needs, and not just when family relationships are problematic. I share their concerns that ‘too often little support is given to someone who is returning to live with their family because it is assumed that solves the majority of their resettlement needs.’<sup>110</sup> The complexity of the relational dynamics at play cannot be underestimated here and family members may feel highly conflicted about a returning ex-prisoner.

187. Organisations emphasised that involvement of families in resettlement planning should be a supported activity. When a man returns to his family this can be highly disruptive and families may need strategies to cope, find the strengths in the situation and to be able to provide support to him.<sup>111</sup> One organisation thought that the requirement to involve families in resettlement planning should be made explicit in commissioning frameworks for family work.<sup>112</sup>

188. There was also much support for including family work in community rehabilitation companies/National Probation Service contracts. As stated earlier, there should ideally be a whole family approach that joins up family work in prison with family support in the community and enables good preparation for resettlement that can anticipate and mitigate potential difficulties.

### People without family ties

189. Prison officers informed me that some men do have family on the outside but choose to do ‘hard time’ by refusing to let them visit, believing this is how ‘tough’ men cope with a sentence when they have messed up and find themselves behind bars. However, this can be very hard for their families and detrimental to prisoner wellbeing and it is still important for prisons to try to reconnect them with people outside.

*‘I refused to see my family when I first went to prison but somehow they got in to see me anyway. I’m glad they did.’* Prisoner in high security prison talking to the Farmer Review

190. Other men experience what was referred to me as total family breakdown upon being convicted and sentenced, often because of the nature of their crime. This is why it is important to know how many men do not receive visits. HMP Parc does collect this data and Corin Morgan-Armstrong, their Head of Family Interventions, informed me that

*‘Our Unilink system shows about 28-31% do not get visits, large swathes are sex offenders and where possible and appropriate we try to engage them with their families*

*by working with the voluntary sector who can contact them in the community. If he hasn’t got family connections we can ‘buddy him up’ with someone possibly from the Insiders (peer support) or prison visitors scheme. The aim is to try and create a safe proxy family support, as ultimately this is a key aspect of relapse prevention for sex offenders.’*

191. Governors and prison officers should also be aware of the value of supportive relationships with significant others for rehabilitating prisoners and reducing reoffending in the absence of family ties. As one prisoner said to me

*‘What does family look like – it might be your mate’s mam. It’s other credible voices, someone who can give you a seal of approval.’*

However these credible voices can be completely lacking in a man’s life while he is inside prison, yet there may be family or significant other adults outside with whom he has lost touch who would be willing to be supportive during, or after, his sentence if they knew his circumstances.

192. Men who were previously in the care of the local authority, and therefore separated from their birth parents, often lack supportive relationships with their families and other people outside. There is a disproportionate number of these care leavers in our prisons compared to the general population. 24% of the adult prison population have been in care,<sup>113</sup> yet the leaving care population represents about 1% of young people.<sup>114</sup>

193. My Review received evidence from the Care Leavers’ Association, which stated that those with experience of the care system are more likely to have experienced significant trauma and abuse and other disadvantage that can put them more at risk of violence, self-harm and suicide when in prison. Many also have experiences of being failed by their corporate parents and can come to prison feeling extremely isolated and angry.

194. HMPPS has made some progress in supporting care leavers, appointing Teresa Clarke, the Care Leavers’ Champion in 2013, who gave verbal evidence to my Review and a Care Leavers’ Lead – usually a governor or deputy governor – for each region. My Review also heard evidence from a care leaver and ex-prisoner, who felt that prisons should do more to help care leavers in prison make contact with wider family (such as siblings or cousins) and re-establish other connections, so they can start to build family and other supportive relationships. The Care Leavers’ Association recommended that care leavers in prison have access to their local authority files in order to be able to identify contacts.

<sup>110</sup> Prison Reform Trust (2016), *Prison Reform Trust response to the Farmer Review: How can supporting men in prison to engage with their families reduce reoffending?* Unpublished evidence submitted to the Review.

<sup>111</sup> NACRO (2016), *Nacro’s response to Lord Farmer’s independent review into supporting prisoners and their families to reduce reoffending.* Unpublished evidence submitted to the Review.

<sup>112</sup> *Ibid*

<sup>113</sup> Ministry of Justice (2014), *Prisoners’ childhood and family backgrounds Results from the Surveying Prisoner Crime Reduction (SPCR) longitudinal cohort study of prisoners*, London: Ministry of Justice, p8

<sup>114</sup> The Centre for Social Justice (2015), *Finding their feet: Equipping care leavers to reach their potential*, London: Centre for Social Justice, p7. Available online: <http://www.centreforsocialjustice.org.uk/core/wp-content/uploads/2016/08/Finding.pdf>

The Family Finding model described in the box below has been trialled in juvenile detention facilities in the United States, but it is also a promising approach for the many men on the adult estate who have lost contact with their extended families and significant others which should be piloted in our prisons.

### Family Finding

Family Finding is an approach that originated in the United States and is now being used in several local authorities in the UK to ensure young people who are about to leave the care system have supportive relationships that will help them in their transition to adulthood. Birth and other records are used to map out the full extent of their biological relationships, as there may be members of their extended family whom they have never met, but who might be willing to be part of their support network. Members of the Family Finding team also track down other adults, such as teachers and youth workers, who have been significant to them in the past.

Edinburgh City Council and Leeds Youth Offending Team are using Family Finding and reconnection approaches in their practice. They came to talk to my Review about the potential of this approach for the youth and adult prison estate. They cited cases of young people who thought they came from very small families but for whom the Family Finding process identified several dozen family members. Although only a very small number might be able to offer support, that is the beginning of a network they can build upon and very valuable to people who thought they had no one.

195. As stated earlier, a growing number of sex offenders are being held in our prisons: 13,663 (remand and sentenced) prisoners were held for sexual offences at 30 September 2016, which is 16% or one in six of the total. Lynn Saunders OBE the Governor of HMP Whatton, which is a therapeutic prison for sex offenders, and Circles UK (see box below) gave evidence to the Farmer Review. They made it clear that we cannot underestimate the difficulties they face in making and maintaining relationships with people outside prison (during their sentence and after they leave) who can help to relieve their sense of isolation.

196. At HMP Whatton for example, only 40% of prisoners receive visits and for those who do receive visits, their offences often restrict their contact with certain members of the family or with all under 18 year olds. Sex offenders often have diminished or complicated family ties. This is due to the nature of their offences, their family histories and the increased likelihood of them being held far from home.

While they may have had good family contact when on remand, family relationships can change dramatically or be completely severed after their conviction and make support from others, such as Listeners, Insiders, other peers and (official) prison visitors particularly important. As they prepare to leave prison it is essential that they quickly develop supportive relationships as a protective factor against further offending and harm to others.

### Circles UK

Circles UK provides mentoring in the community to sex offenders leaving prison. The charity connects each sex offender or core member with a circle, a group of volunteers committed to providing practical and emotional support to them in the resettlement process. The approach aims to create a family-like network of people the core member can turn to as they will often have very little or no family contact.

This can be particularly helpful for sex offenders as it allows them to discuss inappropriate feelings (for example, towards children) or worries with mentors, rather than suppressing them or discussing them with family members, which can be highly distressing.

The process also requires that each core member take responsibility (is accountable) for his or her ongoing risk management. The Circle provides support and assistance in developing their social skills, finding suitable accommodation or helping them to find appropriate hobbies and interests.

Volunteers assist them in recognising patterns of thought and behaviour that could lead to their re-offending and, in developing healthy adult relationships, maximising their chances of successfully re-integrating into the community in a safe and fulfilling way.

### Recommendations

As they will be delivering against performance measures that take account of the importance of good relational ties in improving rehabilitation outcomes, I recommend that:

Governors should be intentional about ensuring all prisoners who do not have family or other support – for example if they have been in the care system – are helped to form relationships with people outside.

To support them in this the body that considers what works to rehabilitate offenders should examine the effectiveness of models that help prisoners without supportive relationships to develop these, or to reconnect safely with family and others from their past.



## Chapter 5: Safe and secure prisons

*‘From the moment of entry into prison my personal safety was my main anxiety. Prison is really scary.’* Prisoner in focus group speaking to the Farmer Review.

### Recommendations

1. The Ministry of Justice should make a fund available that governors can bid for to trial innovations that engage with families specifically in order to prevent suicide.
2. As part of their Performance Agreement, each prison should establish a clear, auditable and responsive ‘gateway’ communication system for families and significant others – a dedicated phone line that is listened to and acted upon.
  - Families’ concerns about mental and physical health should be properly recorded and action taken.
  - Families (and significant others) should be properly informed about and able to request the opening of an Assessment, Care in Custody and Teamwork (ACCT) document.
    - if, after the completion of a risk-based assessment an ACCT document is opened, they should be kept appropriately updated of any intervention/ action arising from this
    - if, after the completion of a risk-based assessment it is decided not to open an ACCT document, then the family member or other person who raised the matter should be written to detailing the reason for the decision.

197. As the white paper states unequivocally, ‘the prison system is currently under sustained and serious pressure from security threats and rising levels of violence that are blocks to reform.’<sup>115</sup> Likewise Her Majesty’s Inspector of Prisons, Peter Clarke, describes how many prisons have become inadequately staffed, ‘unacceptably violent and dangerous places’<sup>116</sup> and how much of this violence is linked both to the harms associated with drugs, particularly the new psychoactive substances (NPS) and to poor mental health.

198. Obviously mental health conditions do not always lead to violent behaviour, but they do create much additional work for officers and contribute significantly to the difficulties many prisons face in producing the settled regime that is the essential precondition to developing and maintaining a rehabilitation culture.

199. The condition of today’s prison estate is frequently compared to the status quo reviewed by Lord Woolf in 1990-1, who judged disruption to family ties to be an important driver in the violence that had recently erupted in HMP Strangeways and other jails. Lack of contact with families was similarly viewed by respondents to my Review as a key factor in violence, self-harm, suicide and the deterioration of mental health.

200. Respondents felt strongly that families can provide vital information and insight about the risk of self-harm or suicide for prisoners and that prisons should routinely draw on them for these insights, instead of dismissing or ignoring them as currently often happens. I was told repeatedly that it is very difficult for even a close family member to ensure concerns about a particular person are successfully communicated to a prison and subsequently followed up.

201. While it would be naive and wrong to treat family work as a panacea for the difficulties prisons are facing, or to assume that family engagement is minimal, I am in no doubt that its role is under-recognised in current policy and practice because poor family relationships can be a major source of disruption on the estate. Conversely there is much evidence that improving family ties can lead to improved behaviour in prisons. It can reduce anxiety in prisoners and therefore make them less confrontational,<sup>117</sup> or it can motivate prisoners to engage in employment, training or other services in prison through providing hope for the future.<sup>118</sup>

202. The Prison Reform Trust has also found that prisoners with more stable family relationships were more likely to be stable prisoners inside prisons.<sup>119</sup> It is important that empowered governors are aware of and able to act decisively on this evidence by ensuring effective family work to help prisoners build and maintain these relationships is available and at a sufficient level to meet the identified needs of their population.

203. In this chapter I will describe how the Secretary of State’s overriding priority of ensuring prisons are safe – which is also at the top of the agenda for all the prisoners and staff I met – is served by ensuring prisoners are able to build and maintain good family or other relational ties. I will do this by outlining what emerged during the course of the Review about their importance for prisoners’ well being and how families can be drawn into the regime’s efforts to reduce drugs in prison and drugs-related and other violence.

<sup>115</sup> Ministry of Justice (2016), *Prison Safety and Reform*, p6. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

<sup>116</sup> Clarke, P. (2016), *HM Chief Inspector of Prisons for England and Wales Annual Report 2015–16*, London: HM Inspectorate of Prisons, p22.. Available online: [https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2016/07/HMIP-AR\\_2015-16\\_web-1.pdf](https://www.justiceinspectorates.gov.uk/hmiprisons/wp-content/uploads/sites/4/2016/07/HMIP-AR_2015-16_web-1.pdf)

<sup>117</sup> Woodall, J., Dixey, R., Green, J. and Newell, C. (2009), ‘Healthier prisons: The role of a prison visitors’ centre’ in *International Journal of Health Promotion and Education*, 47(1), pp12-18

<sup>118</sup> Dominey, J., Dodds, C. and Wright, S. (2016), *Bridging the Gap: A Review of the Pact Family Engagement Service*. Cambridge: University of Cambridge. Available online: [http://prisonadvice.org.uk/system/files/public/Research/Bridging%20the%20Gap%20report\\_0.pdf](http://prisonadvice.org.uk/system/files/public/Research/Bridging%20the%20Gap%20report_0.pdf)

<sup>119</sup> Loucks, N. (2005), *Keeping in touch: the case for family support work in prison*. London: Prison Reform Trust. Available online: [http://www.prisonreformtrust.org.uk/Portals/0/Documents/KEEPING\\_IN\\_TOUCH.pdf](http://www.prisonreformtrust.org.uk/Portals/0/Documents/KEEPING_IN_TOUCH.pdf)



## Self-harm, suicides and poor mental health

204. The evidence I received has led me to conclude that family ties and relationships with significant others should be treated as assets by the team that keeps prisoners safe. Lord Harris' Review into deaths in custody of young people aged 18-24 in the criminal justice made the following important observation:

'One of the 'cliff-edge' changes that happen to a young person who turns 18 in the criminal justice system is that family contact is no longer considered a necessary part of the management of the offender. As an adult, there is no longer an expectation that families will be involved in care and decision-making processes. However, in the same way that...a young adult does not become an adult overnight...they also don't stop needing their families... Much of the time, however, the evidence we have considered has led us to conclude that families are not sufficiently involved or considered in the processes.'<sup>120</sup>

Accordingly he made a number of recommendations regarding family contact, including that families should be regarded as a central component of support to ensure the safety of prisoners.

205. The involvement of families and significant others has to begin at the earliest point when someone comes into custody – before they leave the court to be transported to the establishment where they will begin to serve their sentence, on their first night and during the induction period and processes. Not only does this lay a good foundation to help them cope with the often very difficult times ahead as they, hopefully, adjust to the prison regime and settle into their sentence, it also helps them in the immediate present when vulnerabilities can be fatal.

206. One fifth of male prisoners have attempted suicide, five times the rate in the general male population.<sup>121</sup> In the 12 months to December 2016 there were 112 suicides across the whole prison estate.<sup>122</sup> The Prison and Probation Ombudsman found that nearly a third of self-inflicted deaths (in a sample of those they investigated) occurred in the first 30 days and, of these, half died within the first week in prison.<sup>123</sup>

207. I heard many distressing stories of first night processes which should ensure every prisoner can make contact with their closest relative or friend – who may not know which prison they have been taken to, or even that they are in custody – not being followed through with due diligence.<sup>124</sup> Sometimes this was because a prisoner did not have the right phone numbers to hand. Perhaps they had been stored on a mobile phone that had been sequestered upon arrival at the jail and could not be accessed.

208. First-time prisoners would not necessarily think ahead and ensure they knew these numbers. Such practicalities would not be uppermost in their minds, particularly if they were feeling traumatised by being incarcerated. Additionally, traumatic experiences can affect the memory of someone who is usually of sound mind and compound existing mental health issues. Certainly something as important as being able to contact someone on the outside should not be left to chance.

209. Hence I recommended in Chapter 3 that an attempt should always be made to collect contact details of family and significant others. Court and prisoner transfer processes should ensure someone serving a custodial sentence is not handed over to those transporting him to or between prisons without them requesting telephone numbers from him for first night/early contact purposes.

210. Academic research has also linked family contact to safety over the course of a sentence. While regular family contact is associated with a prisoner's ability to cope with imprisonment,<sup>125</sup> those more vulnerable to suicide are less likely to have contact with their families through visits and letters, leading them to feel isolated.<sup>126</sup> There is also evidence that the impact of prison on family relationships can lead to an increased risk of self-harm and suicide.<sup>127</sup>

211. As I mentioned in the last chapter, prisoners and families I met with emphasised the importance of hope and a sense of the outside world in protecting prisoners' mental wellbeing. One family member told me, '*Prisoners live for visits and letters*' and one prisoner I met said, '*If I don't maintain my family life I'll lose it, if I lose it what happens then?*' and referred to their family ties as '*the bond you're scared of losing...it's my biggest fear.*'

120 Harris, T. (2015), *Changing Prisons, Saving Lives: Report of the Independent Review into Self-inflicted Deaths in Custody of 18-24 year olds*, London: Ministry of Justice, pp120&124. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439859/moj-harris-review-web-accessible.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439859/moj-harris-review-web-accessible.pdf)

121 Ministry of Justice (2013), *Gender differences in substance misuse and mental health amongst prisoners*, London: Ministry of Justice

122 Ministry of Justice (2016), *Safety in Custody Statistics Bulletin, England and Wales, Deaths in prison custody to December 2016, Assaults and Self-harm to September 2016*. London: Ministry of Justice. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/586364/safety-in-custody-quarterly-bulletin.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/586364/safety-in-custody-quarterly-bulletin.pdf)

123 Prisons and Probations Ombudsman (2016), *Learning lessons bulletin, Fatal incidents investigations Issue 10*. Available at [http://www.ppo.gov.uk/wp-content/uploads/2016/02/PPO-LearningLessons-Bulletin-Fatal-incidents-issue-10-early-days-and-weeks-in-custody\\_Final\\_digital.pdf](http://www.ppo.gov.uk/wp-content/uploads/2016/02/PPO-LearningLessons-Bulletin-Fatal-incidents-issue-10-early-days-and-weeks-in-custody_Final_digital.pdf)

124 Prison Service Instruction (PSI) 07/2015: Early days in custody – reception in, first night in custody and induction to custody sets out mandatory requirements for what happens when prisoners first arrive in custody. Prisoners should be interviewed on their first night, and assessed to identify any risk they might pose to themselves or others. They should also receive information about prison life and be allowed to make a telephone call.

125 Adams, K. (1992), 'Adjusting to Prison Life' in *Crime and Justice* (16), pp275-359

126 Liebling, A. and Krarup, H. (1993), *Suicide attempts and self-injury in male prisons*, London: Home Office; Pierce, M. (2015), 'Male Inmate Perceptions of the Visitation Experience: Suggestions on How Prisons Can Promote Inmate-Family Relationships' in *Prison Journal* Vol. 95(3), pp370-396

127 Loucks, N. (2012a), 'Prisons: Where DOESN'T the community come in?' *Prison Service Journal*, No. 204, pp42-50; Codd, H. (2008), *In the Shadow of the Prison. Families, Imprisonment and Criminal Justice*. Cullompton: Willan

212. Hope, described by the Irish political prisoner Michael Davitt as the 'all sustaining prison virtue', is also, according to Professor Ian O'Donnell 'slippery, elusive and difficult to operationalise.'<sup>128</sup> I would argue rather that one important way it can be made a practical concept in prison policy is by ensuring prisoners have healthy and supportive relationships with people outside.
213. When all hope is lost, and if warnings from family members and significant others have been ignored, this can compound the already enormous tragedy that suicides in custody constitute for families. This talks to the importance of communication, not only between the prisoner and his family, but also between the family and the prison, which I address below.
214. In crude financial terms alone there are sizeable savings to be incurred if we can in any way prevent these terrible incidents. Arguably the costs of family work could be significantly or even completely covered by suicide reduction, given that the estimated cost to the public purse of the 95 suicides that took place over the 12-month period to September 2015 is at least £160m and could be as high as £300m.<sup>129</sup> Family contact is recognised as a protective factor that can reduce the risk of suicide.
215. I heard during my Review that by simply relaxing relevant policy instructions and removing budgetary ring fencing this could help to support innovation around self-harm, but empowered governors should also be more actively encouraged to focus their attention on this vital area. I recommend that the MoJ should make a fund available that governors can bid for to trial innovations that engage with families specifically in order to prevent suicide.

### Recommendation

The Ministry of Justice should make a fund available that governors can bid for to trial innovations that engage with families specifically in order to prevent suicide.

<sup>128</sup> O'Donnell I. (2016), 'The aims of imprisonment', in Jewkes, Y., Bennett, J., Crewe B. eds. *Handbook on Prisons*, Oxford: Routledge, p46

<sup>129</sup> The Howard League for Penal Reform (2016), *The cost of prison suicide: Research briefing*. Available online: <http://socialwelfare.bl.uk/subject-areas/services-activity/criminal-justice/howardleagueforpenalreform/176991The-cost-of-prison-suicide.pdf>

### Good communication to ensure supportive relationships can make a difference

216. Many families have significant worries about the safety of their family members in prison and feel frustrated and very anxious that they are not able to provide support, particularly if the family member is vulnerable. Families I met with described trying to contact prisons to report serious concerns about their family member's mental health and wellbeing. They found it extremely difficult to access the appropriate person to discuss these concerns with and were often passed from one person to another through the switchboard. When they finally did manage to discuss their concerns with staff at the prison, they found they were not taken seriously. One mother told me she was described as hysterical by prison staff when she tried to inform them of the deterioration in her son's mental health, but sadly a few weeks later her son was sectioned.
217. Families were concerned that prisons do not always appear to follow up initial questions about mental health asked during their own screening processes in the first days of custody. Also, some families gave examples of where their family member had not disclosed mental illness or a need for medication, sometimes because their mental health had deteriorated to the point where they didn't realise they were ill. Families were frustrated that their detailed knowledge of their family member was not drawn upon and gave examples of where they could have provided crucial information about health needs and medication in order to prevent violence, self-harm, suicide and further deterioration in health.
218. These issues are explored in more detail in Inquest's consultation and casework, which finds that in large numbers of cases of deaths in prison, families have not been able to contact anyone within the prison to discuss the safety of a prisoner, or their concerns have not been acted upon when contact has been made. Neither have they been drawn upon by prison staff to ensure the safety of the individual.
219. Inquest's work also reveals significant problems in the involvement of families in the Assessment, Care in Custody and Teamwork (ACCT) process. ACCT is a set of processes in place to monitor and support prisoners at risk of self-harm and suicide, designed to reduce the risk of these incidents occurring. Inquest's work finds several cases in which concerns raised by family members in relation to self-harm and suicide was not recorded on ACCT documents.
220. The ACCT process also states that a case review for the individual should be held when information is received from families that points to an increased risk – Inquest's work finds that this rarely happens. Families speaking to Inquest were often unaware about ACCT and how it worked.
221. Although a number of Prison Service Orders and Instructions exist to ensure that information from families is acted upon and that families are involved in supporting vulnerable prisoners, it is clear that these are not being followed in many cases. PSI 64/2011, for example, states that prisoners who pose a risk of harm to themselves

must be encouraged to communicate with their families and that they should be invited to ACCT case reviews. Inquest has never come across an instance of this happening.

222. Families concerns about mental and physical health should be systematically recorded and acted upon as families have valuable information on prisoners medical history which should not be undervalued. As well as tighter processes, this will require a change in attitude among any staff in prisons who do not value families' contributions to safer custody. Information should also flow back to the family from health care personnel if a prisoner has been formally diagnosed, for example, with a mental health condition.
223. Families should also be properly informed about and able to request the opening of an ACCT document and be kept appropriately informed of any intervention/action arising from this. Where there is a strong relationship with someone other than a family member this person should also be listened to.
224. Inquest's work also finds numerous instances of prisons failing to take down or pass on the contact details of family members to enable prisoners who have not been able to remember the details, to contact them. The process of making phone calls was not always explained to prisoners or their families and, in some cases, a lack of understanding prevented family contact. For vulnerable prisoners, this inability to speak to family members on the phone can be catastrophic. Several families of men who have died in prison remain convinced that contact via phone could have prevented their death.
225. There were also incidences of failures in communication and listening earlier on in the criminal justice system. Some families had tried to pass on information to court clerks, legal representatives and the judge, but didn't believe their concerns had been listened to. Families also felt that courts failed to consider information from families when deciding on sentences.
226. Improvements that are currently being made to the prison system, such as the key worker/personal officer system will hopefully free up time for prison staff to do some of this work such as contacting family members to share information. Similarly, in-cell telephony, discussed more fully in Chapter 7, may also address some of these issues, although the ability to call family members when in distress will often create extra work for staff.
227. Families that are worried about a prisoner after a phone call will need to be able to contact prison staff. As stated earlier, families presently find it extremely difficult to share or receive information about their vulnerable family members.
228. Each prison should establish a clear, auditable and responsive communication system with families and significant others – a dedicated phone line that is listened to and acted upon. Records would need to be kept of every call received and action taken, including details of who the information was forwarded onto.

229. Such a gateway into the prison will enable families to share concerns about the prisoner with staff who will report back appropriately to families about any action taken or support given. The gateway/phone line number and guidance for when it should be accessed should be clearly published with other public information about the prison.
230. Until in-cell telephony is in place across the estate there should be an appropriately flexible approach such that prisoners are able to contact the family at their most vulnerable times. For prisoners who don't have family relationships, Samaritans listeners can be very helpful. Listeners can also alert prison staff if they are very concerned about an individual's wellbeing. The ability of other prisoners to talk down people feeling suicidal shouldn't be underestimated.

### Recommendation

As part of their Performance Agreement each prison should establish a clear, auditable and responsive 'gateway' communication system for families and significant others: a dedicated phone line that is listened to and acted upon.

- Families' concerns about mental and physical health should be systematically recorded and action taken.
- Families (and significant others) should be properly informed about and able to request the opening of an Assessment, Care in Custody and Teamwork (ACCT) document:
  - If after completion of a risk-based assessment an ACCT document is opened they should be kept appropriately updated of any intervention/action arising from this.
  - If after completion of a risk-based assessment it is decided not to open an ACCT document, then the family member or other person who raised the matter should be written to detailing the reason for the decision.

### Managing risk during visits

231. I have already described how visits can be seen primarily as a security risk due to the assumption that this is the main route for drugs and other forms of contraband, including mobile phones, to come into prison. While illicit items are sometimes brought in by families, it became clear to me that there are also rewards from operating a flexible and family-friendly visiting regime and the risks should be acknowledged and managed, but not allowed to drive out these benefits.
232. As stated earlier, prison visits security should resemble airport security checks which are carried out with impeccable courtesy, a customer service mentality and understanding: family members may have come a long way with children and/or have health conditions that make the journey difficult. They may also be distressed by news – or the lack of it – from their loved one inside prison, or experiencing pressure



from them to bring in money or licit goods they cannot afford, or illegal items. They may have been told that if they do not bring these in their loved one will not be able to pay off debts (which can be incurred due to the high costs of keeping in contact by telephone) and their safety may be jeopardised.

233. Researchers talking with NOMS staff on the work of the Jigsaw visitor centre, run by a voluntary sector organisation at HMP Leeds, were told that the support they provided could aid security by helping people to avoid being pressured to bring drugs and illicit items into the prison.<sup>130</sup> Similarly respondents to the Call for Evidence felt that it was important for visitor centres not just to be seen as waiting areas, but as a base for holistic support for families. Information and support were seen as the two key aspects of what visitor centres should be providing. For example, help with booking visits, support for travel costs, information about search procedures, the effects of imprisonment on families, drug and alcohol issues and resettlement, as well as listening support.<sup>131</sup>

### Family relationships as a motivation to adopt a positive approach

234. One ex-prisoner respondent highlighted that prisoners often use drugs to cope when family relationships break down. When I met with families they told me that behaviour in prison is detrimentally affected by worry about family members and their perceived inability to act responsibly and alleviate their concerns

*'They worry about whether you got home ok, or how your job interview went, but they can't do anything about it. This doesn't help behaviour in prison.'*<sup>132</sup>

235. Conversely, if men are involved with family work that requires them to think about how their partners and children are faring and what they can do to fulfil their ongoing responsibilities, this provides a powerful motivation to avoid disruptive behaviour on the wing. If they can get into a routine where they are having regular visits and phone calls with their children this can be a strong disincentive to taking mind altering and destructive drugs, including NPS.

236. When I visited HMP Winchester I spoke with men who met family workers from the Spurgeons voluntary sector organisation team in the prison during their induction period. They stated how important it was to be able to talk about their family responsibilities at the earliest possible opportunity as it laid a good foundation for the whole of their sentences. From the outset, they were encouraged to think about the negative effect of their imprisonment on their children and families and how they could mitigate this.

237. One of these fathers, a peer support worker who led a group for other fathers, told the Review that life in prison could really get you down and, at times, it was tempting to do something really stupid such as take drugs. However, he said, *'If part of your prison routine is to do homework with your child or ring home regularly to hold a quality conversation with her, this is a strong deterrent to taking a substance that would mean you were unable to do that because you were "off your head".'*<sup>133</sup>

238. Peer support, where it is focused on helping men be good fathers, can greatly contribute to them maintaining a positive, family-focused lifestyle in prisons. I was told by prisoners in HMP Winchester that the strength to follow through on a good decision – for example, not to take drugs – was often found by meeting and making oneself vulnerable with a group of other fathers and explaining how bad it felt to be away from home and family. The men in the support group also helped each other with the practicalities of staying in contact, the literacy skills required for letter writing might be swapped for stamps and stationery when someone's stocks were depleted.

239. A review of the Families Matter programme in Northern Ireland confirms that men appreciate the culture of peer support and information sharing and find it highly beneficial. The experiences of other prisoners are harder to dismiss than teaching by a member of staff and men can be motivated by each other's progress.<sup>134</sup>

240. We should not underestimate the importance of other prisoners who have become converts to the need to be active fathers, who do all they can for their children while inside, encouraging other prisoners to do likewise. This 'ministry of encouragement' amongst prisoners is an organic asset that should be fostered by prison officers and governors. Again, the sense of responsibility towards one's partner or children that good family work can engender can be a tremendous force for reform. Peer support should also be included in this category because, whilst there are risks to sharing family information with another prisoner, these can be mitigated by supervision.

241. Similarly, an evaluation of Pact's Family Engagement Service suggested that Family Engagement Workers working in the prison provided pro-social role models for prisoners and were sometimes able to encourage them to re-think their interactions with authority figures.<sup>135</sup> Another respondent, who had previously been a prison officer and now worked for a family service at a prison, suggested that engaging with prisoners was made easier by knowing their families. She felt it was easier to understand and motivate them when armed with a good understanding of their family relationships.

<sup>130</sup> Woodall, J., Dixey, R., Green, J., and Newell, C. (2009), 'Healthier prisons: The role of a prison visitors' centre', in *International Journal of Health Promotion and Education*, 47(1), pp12-18

<sup>131</sup> Ellis, J., Grillo, M., Matthews, S., Cowley, D., Keenan, L. and Ruthven, D. (2011), *Recognising Quality. An Evaluation Toolkit for Prison Visitors' Centres. 3rd Edition Revised 2011*. London: Action for Prisoners' Families, Pact, and Charities Evaluation Services.

<sup>132</sup> Lord Farmer's meeting with prisoners' families and ex-prisoners.

<sup>133</sup> These insights are confirmed by the HMPPS desistance literature review, which references how family connections and responsibilities can motivate desistance. Hunter, G., Skrine, O., Turnbull, P., Kazimirski, A., Pritchard, D. (2013), *Intermediate outcomes of family and intimate relationship interventions: a rapid evidence assessment*, London: Ministry of Justice. Available online: <http://www.icpr.org.uk/media/36296/Intermediate-outcomes-of-family-and-intimate-relationship-interventions.pdf>

<sup>134</sup> Butler, M., Hayes, D., Devaney, J. and Percy, A. (2015), *Strengthening Family Relations? Review of the Families Matter programme in Maghaberry Prison*, Queen's University Belfast

<sup>135</sup> Dominey, J., Dodds, C. and Wright, S. (2016), *Bridging the Gap: A Review of the Pact Family Engagement Service*. Cambridge: University of Cambridge. Available online: [http://prisonadvice.org.uk/system/files/public/Research/Bridging%20the%20Gap%20report\\_0.pdf](http://prisonadvice.org.uk/system/files/public/Research/Bridging%20the%20Gap%20report_0.pdf)



242. This suggests that prison officers would also benefit from having an understanding of prisoners family ties. I look at this in more detail in the next chapter on workforce issues.

### Safe Ground

Safe Ground's Family Man and Fathers Inside programmes, which use drama and written portfolio work to enable students to develop a better understanding of their role as a father, are proven to improve staff-prisoner relationships. Independent evaluation of the programmes showed a 10% reduction in the number of men receiving adjudications when comparing the six months before and after courses took place. The activities and exercises undertaken by the men on courses are specifically designed to increase awareness and empathy, benefiting the running of the prison as well as the community in the long run.<sup>136</sup>

Family Man requires participants to have an adult supporter who can be a partner, family member, close friend or a Safe Ground volunteer. The theory underlying the programme is linked to the findings of desistance literature and uses proven methods to encourage key elements of desistance. The evaluation concluded that the programme

- Supports participants and the supporters who work with them in developing and maintaining their family ties.
- Increases participants' skills in group work and personal development towards employment, training and education both in prison and on release.
- Changes graduates' attitudes and behaviour, both towards the prison environment and towards their resettlement plans and prospects.<sup>137</sup>

Fathers Inside was recently subjected to Ministry of Justice Data Lab analysis that measured re-offending behaviour after participation in the programme for a treatment group of 51 offenders who took part (compared with a much larger control group of similar offenders who did not). Only 24% of men who took the programme re-offended within a year of release (and they committed fewer re-offences) compared to 40% of their counterparts who did not take it.<sup>138</sup>

<sup>136</sup> Safe Ground (2016), *Summary of how Safe Ground Programmes support the prison reform agenda*. Unpublished evidence submitted to the Review.

<sup>137</sup> May T., Skrine O., Moretti A. and Webster R., (2014), *Out of my comfort zone: An evaluation of the Family Man programme*, Institute for Criminal Policy Research, Birkbeck, University of London. Available online at <http://www.icpr.org.uk/media/38094/Final%20Final%20FM%20draft%20TM%2005.08.14.pdf>

<sup>138</sup> Ministry of Justice Data Lab, (2016), *Re-offending behaviour after participation in Safe Ground's Fathers Inside programme*. Available at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/575421/safe-ground-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/575421/safe-ground-report.pdf)

## Chapter 6: Developing our leaders and staff

*'It is at the level of staff-prisoner relations that the prison's everyday moral climate is determined and its pains cushioned and crystallised.'*<sup>139</sup> Dr Ben Crewe, University of Cambridge

### Recommendation

Development of leaders and staff must support governors in fulfilling their Performance Agreement requirement to provide a staffing structure that makes family work an operational priority:

- Given that family work has been characterised by unacceptable levels of inconsistency across the estate, the leadership capability strategy referred to in the white paper should make this area of responsibility a priority.
- The new leadership programme should give governors a solid grasp of the impressive evidence base that shows good relationships with families and others are key to rehabilitation and reducing intergenerational reoffending.
- Personal officer job descriptions must include developing personal relationships with their prisoners and their training must reverse the de-skilling that has prevented many from undertaking informal support for prisoners family and other relational ties.
  - As a quarter of prisoners were formerly in the care of the local authority, personal officer training must also include awareness of how to help them with the psychological and other issues care-experienced men often face. These can affect their ability to form the relationships that will help them to desist from offending and settle back into the community after their sentence.

243. Ultimately, it is people who will change the current discontent in the prison system and the overriding priority is to have enough of the right kind of people in place across the estate. In every establishment we visited the issues of understaffing and low staff morale kept cropping up and it was clear that these have to be tackled first and foremost if this Government's reforming vision for our prisons is to be realised.

244. Therefore, I commend the action that the Government has already taken to increase staff numbers and their continued focus on this area such as through new routes to entry (including apprenticeship and graduate schemes). The emphasis on training new and existing staff, so they adopt a new way of working that will enable them to play a direct role in prisoner reform, is also indispensable.

<sup>139</sup> Crewe B. (2016), 'The sociology of imprisonment', in Jewkes, Y., Bennett, J., Crewe B. eds. *Handbook on Prisons*, Oxford: Routledge, p94

245. It is essential that we get the right staff onto the wings and the right staffing ratios so I welcome the white paper's important commitments to improve the performance of staff as well as to increase their numbers by:

- Developing a capability strategy to support governors and senior managers to take on new responsibilities.
- Developing a bespoke prison leadership programme by the end of 2017.
- Introducing an improved induction and support programme for new staff.
- Training existing staff to take on new responsibilities such as providing one-to-one support to prisoners.<sup>140</sup>

### Ensuring all staff value family work and embed it in their practice

246. These planned changes provide an historic opportunity to ensure all leaders and staff understand the importance of family ties to prisoners – the influence that good and bad relationships with family members and significant others on the outside – can have on life inside prison and the role that families play in reducing reoffending and desistance. The starting point for this is the explicit ministerial support for this agenda that must also be expressed by empowered governors. Prison staff need to know that any work they do to support prisoners family ties and other supportive relationships will be valued.

247. I welcome the intention to hold governors and senior managers to account for their existing responsibilities to support family ties. The local family offer elements of Performance Agreements, detailed in Chapter 2, include a duty on governors to provide a staffing structure that makes family work an operational priority. The good practice I have seen over the course of this Review underlines the importance of governors appointing a functional head with responsibility for championing this area of prison work, reinforced by someone at middle management level, such as a custodial manager, who can act as a champion to the staff.

248. Given that this has been a rehabilitation pathway characterised by unacceptable levels of inconsistency in implementation across the estate, the capability strategy promised in the white paper should make this area of responsibility a priority, as should the new prison leadership programme.

249. During my Review I heard about prisons where it might be assumed that Governors considered they had discharged their responsibilities to families simply by ensuring visits were provided. There is no doubt that the visits regime is very important. Many respondents said that ensuring visits were run well had an important impact on the overall running of the prison. Similarly, I was told that a bad visit experience or a cancelled visit could create problems with behaviour and, therefore, safety in the prison and negatively affect staff.

250. Having the right staff on the visits team was considered to be very important in the prisons I visited myself. I was told that:

*'We need people who want to be on visits rather than people on rotation or disciplinary.'*

*'It's about recruiting and attracting staff who can build relationships with families and the visits centre staff.'*

*'It's crucial to have prison staff on board who 'get' what you are trying to do, who have energy and enthusiasm for it.'*

Moreover, it was clear that having a dedicated set of prison officers who could become familiar with visitors and able to spot if anyone was acting strangely and might, for example, be trying to bring in contraband could actually enhance security

*'A stable visits team who want to be doing the job is also good for security as they get to know the visitors.'*

251. However, visits on their own are unlikely to generate the improvement in the quality of prisoners' relationships and progress in other measures that are planned to raise the standards in prisons. Yet we cannot assume governors will automatically understand why relationships can be so influential. Therefore, the leadership programme should give governors a solid grasp of the impressive evidence base that shows good relationships with families and others are key to rehabilitation and reducing intergenerational reoffending. They also need to understand, for example, the effects on prisoners of disrupted or dysfunctional attachment processes and of experiencing trauma in childhood or later life.

252. Similarly, the induction programme and training for new and experienced staff should ensure officers know how to make the most of family ties in prisoner rehabilitation and heighten their sensitivity to the range of issues these present on the wings and in the context of visits. It is important that prison officers are trauma-informed and understand the effects of past trauma on prisoner behaviour and mental health.

253. Given the aim of trying to change the culture, every prison officer or prison leader should receive an annual refresher session on family issues, not just on restraint techniques as is presently the case. This should start immediately rather than waiting for the phased introduction of personal officers.

254. Training should also highlight the importance of family work, such as courses to improve parenting and relationships with partners or others and opportunities for men to be involved in their children's learning. I particularly welcome the plans in the white paper for personal officers that will, in time, provide the kind of daily support for prisoners which is indispensable if prisons are to be places of reform.

<sup>140</sup> Ministry of Justice (2016), *Prison Safety and Reform*. Available online: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/565014/cm-9350-prison-safety-and-reform-\\_web\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-_web_.pdf)

255. If the Governor is not just taking an active interest in family work, but also driving its delivery (albeit it that he or she has delegated implementation details to a deputy) and frequently expressing their support, value and prioritisation of it to staff throughout the prison hierarchy, this makes it far more likely that the important role families can play in rehabilitation and safety will be in everybody's thinking. That mental shift is the cultural change required.

256. I talked with several prison officers over the course of the Review and a senior representative of the Prison Officers Association gave evidence to the Task Group. A common theme was of course the very difficult conditions all prison officers are working in. However, they also explained how the very serious under-manning that is now prevalent across the estate severely curtails their ability to do the day in, day out work with men on the wings that they used to be able to do in the past.

257. The long-serving prison officers in the focus group convened for the Review referred to a golden age in the profession when they had time to get to know their men. This often included knowing when a visit had gone badly, when a phone call had left them in a bad way, their fears for their children and other personal information. Consequently someone on staff was often aware if family issues were a cause of serious distress.

258. While what they did could not be described as detailed case work, which others will typically be better placed to deliver, as I outline below, simply being on hand to talk through these issues with the men could help to defuse tensions and stop them spreading to other relationships on the wing.

259. The present reality, however, was that these officers described feeling not just exhausted by staff shortages, but also deskilled because they no longer had time to fulfil these more pastoral duties with the men on their wings. They told me

*'We've lost the ability to allow staff to make those personal relationships and embed them further.'*

An officer who had recently completed Prison Officer Entry Level Training (POELT) described learning about the Five Minute Intervention (where prison officers are encouraged to turn everyday conversations with prisoners into rehabilitative opportunities), but never having been able to put it into practice because the constraints the regime was operating under made it impossible to do so.

260. We welcome the proposals for every prisoner to have a dedicated, personal officer (they will share with only five others). It must be a priority of this policy that officer job descriptions include developing personal relationships with their prisoners. We have to reverse the de-skilling and enable staff to rebuild these skills.

261. The 'light touch' family work they will need to do should not be presented as a new, extra responsibility for prison officers, some of whom may already feel overwhelmed by the changes planned for the prison estate. Rather, it is important to couch it

in terms of them being able to regain an important aspect of what prison officers traditionally did that has been deprioritised due to the resource constraints they have been living under. Supporting that shift will require skills training to ensure they are confident to engage with prisoner family and relationship issues and to provide basic help.

262. Given the high prevalence of care leavers in the prison system (24%), it is highly likely that every personal officer will have at least one man in his group who is care-experienced and who may not be familiar with what it means to be in a caring relationship. It will be important for personal officers to make an added effort, where necessary, with all prisoners who have no history of having someone there for them in the ups and downs of life, to motivate them to improve their circumstances in this area.

263. Whilst they might initially feel it is not worth the effort, they should be encouraged either to reconnect with family or someone else from their past who might be supportive, or to engage with mentoring, prison visiting or other services. A repeated theme in the evidence submitted to the Review was the importance of good peer-to-peer relationships and the value of these should not be discounted.

264. However, as stated earlier, the evidence I heard suggested receiving a visit or letter from someone outside who cared about them could make a significant difference to life inside. Many personal officers will not necessarily instinctively know how to help a prisoner to achieve a breakthrough in this area and this should be covered in their training.

### Recommendation

Development of leaders and staff must support governors in fulfilling their Performance Agreement requirement to provide a staffing structure that makes family work an operational priority:

- Given that family work has been characterised by unacceptable levels of inconsistency across the estate, the leadership capability strategy referred to in the white paper should make this area of responsibility a priority.
- The new leadership programme should give governors a solid grasp of the impressive evidence base that shows good relationships with families and others are key to rehabilitation and reducing intergenerational reoffending.
- Personal officer job descriptions must include developing personal relationships with their prisoners and their training must reverse the de-skilling that has prevented many from undertaking informal support for prisoners' family ties.



- As a quarter of prisoners were formerly in the care of the local authority, personal officer training must also include awareness of how to help them with the psychological and other issues care-experienced men often face. These can affect their ability to form the relationships that will help them to desist from offending and settle back into the community after their sentence.

### Partnership working to effect the shift towards a rehabilitation culture

265. However well-trained, personal officers will still need to know where to point prisoners if they need more bespoke information, advice and guidance. Many respondents – prisoners, families, organisations and HMPPS staff – thought that there should be dedicated family workers or liaison officers in all prisons, not just aiding communication between prisoners and their families, but also working to involve families in prisoner resettlement planning.

266. For example, family engagement workers can make a significant, specialist contribution over a very broad range of family circumstances and difficulties.<sup>141</sup> Currently a Family Engagement Service is provided in 26 prisons across England and Wales and staff are directly employed by Pact and its two partner charities, Nepacs in the North East of England, and POPS in the North West.

267. As stated earlier, the voluntary sector has played an essential role in initiating change and their contribution has been immensely valuable, not just because of the vocational approach and personal commitment many staff members and volunteers bring to family work, but also because their approaches have been tried, tested and refined over many years. They can also excel in joining up support for prisoners (and their families) inside and outside the prison and connecting men to life outside, as the box below about the West Yorkshire Community Chaplaincy Project (WYCCP) shows.

#### West Yorkshire Community Chaplaincy Project (WYCCP)

WYCCP provides one-to-one mentoring support for men leaving HMP Leeds and resettling in West Yorkshire. Using key workers and trained volunteer link workers, the organisation provides emotional and practical support for up to three months before release, and for as long as necessary after release, to address the needs of the service user and his family in the desistance process. The organisation has in-depth expertise around local services such as health, accommodation, probation, education, employment and volunteering, as well as processes in place for referral to these services.

<sup>141</sup> Dominey, J., Dodds, C. and Wright, S. (2016), *Bridging the Gap: A Review of the Pact Family Engagement Service*, Cambridge: University of Cambridge. Available online: [http://prisonadvice.org.uk/system/files/public/Research/Bridging%20the%20Gap%20report\\_0.pdf](http://prisonadvice.org.uk/system/files/public/Research/Bridging%20the%20Gap%20report_0.pdf)

Ex-prisoners and their families can often struggle to find out about services, fill in paperwork and keep track of appointments and contacts. WYCCP key workers and link workers provide support with all aspects of this, as well as liaising with contacts from services, to aid information sharing and create a holistic support package. Their work not only ensures that support for ex-prisoners and their families is tailored and effective, but also supports the work of local agencies by acting as a point of contact to join up support and share information between agencies and services.

Maslow's hierarchy of needs theory, often cited in desistance literature, underpins WYCCP's mentoring approach.<sup>142</sup> Key workers work with service users initially to address their most urgent developmental needs, gradually progressing towards more in-depth, long-term work on attitudes and behaviour. For those with existing, positive family ties, this approach regularly involves working with the family in the resettlement process and taking steps to improve family relationships.

However, the mentoring approach can be even more beneficial for those with no family ties or with problematic or complicated family relationships. Regular contact with a key worker and/or volunteer provides the man with a stable relationship with a positive role model who is interested in his welfare, which can be highly motivating.

For those whose engagement with family members or friends is a trigger for offending, this alternative relationship can be a stabilising factor in the desistance journey.

268. Their reach into the prison and the overall effectiveness of their work has tended to be at its best when it is carried out in a strong and mutually respectful partnership with the senior leaders there. While some organisations had a good relationship with staff in the prisons they work in, other organisations felt that the prison did not give their work status. For example, one organisation said that the facilities provided by the prison for their parenting programme were dirty and not fit for purpose.<sup>142</sup>

269. I came across examples of prison officers who were so seized of the importance of family ties that they had moved roles within their prison, or to another establishment to become voluntary sector family workers, based outside the prison gate in the visitor centre. Similarly, the Governor in HMP Leeds decided the best way to spend money he had been given to improve security was by seconding a prison officer to work in the voluntary sector-run visitor centre, given the links between good family work and safety I explained in Chapter 5.

<sup>142</sup> Brinson, A. (2013), 'Success, Desistance and Relationships Between Probation Officers and Probationers: A Social Work Perspective'. *St Catherine University Master of Social Work Clinical Research Papers*. Paper 157. Available at [http://sophia.stkate.edu/msw\\_papers/157](http://sophia.stkate.edu/msw_papers/157)



270. As staff numbers gradually increase under the MoJ's plans, governors should consider seconding more officers to visitor centres. This could help to shift the culture in the main prison by increasing awareness of the issues facing families, how they can be better treated during visits and at other points of contact (without compromising security) and their potential as assets for rehabilitation and resettlement.
271. More flexible career trajectories would allow prison officers who are enthusiastic about upskilling themselves in the area of family ties by being seconded into the partnering voluntary sector organisation without needing to leave the employment of the prison service. When they return to the uniformed service (or more senior ranks) they would have particularly rich insights which would enable them to be fitting champions for family work at different levels in the hierarchy.
272. When planning their family work, governors should inform themselves about the expertise of their local and regional voluntary sector organisations. Some governors have already concluded that working in partnership with them will produce the most impactful and cost-effective delivery strategy. These are the professionals for whom prisoners' families are their prime focus and who have the inbuilt flexibilities to meet the complexities of human relationships. They also provide a vital connection to communities outside the prison. In fact the whole of the prison has to be better connected to the community as part of the shift to a rehabilitation culture, as I describe in the next chapter.

## Chapter 7: Building the right estate for reform

*'The big word is family, being away from your loved ones – I could be in the Hilton but it doesn't matter if you are away from your family. It takes jail to show you what matters most is your family. It does give people a drive to stay on the straight and narrow.'*

Prisoner I talked to in a high security jail

### Recommendations

1. All new-build prisons should be subject to the Government's Family Test and required to produce a family impact assessment that should be published.
2. Consideration should be given to the closeness of family or other supportive relationships as part of any proposed movements of prisoners out of their home region.
  - Governors should arrange, in collaboration with HMPPS Population Management Unit, to ensure prisoners moved out of area are repatriated at the earliest opportunity to the prison region of their family and wider community (if beneficial to the successful completion of their individual sentence plan).
  - As part of any decision concerning prison re-rolling, governors in collaboration with HMPPS, should be required to produce a family impact assessment that considers the proximity of prisoners to their families or other supportive relationships. This should also be published.
3. The MoJ should require prisons to demonstrate mutually beneficial links with local businesses, schools and other bodies in the wider community.
4. Virtual visits (using video calling technology) should be available for the small percentage of families or individual family members who cannot visit frequently or at all due to infirmity, distance or other factors.

273. The white paper proposes to reform much of the physical environment of the prison estate so that it is increasingly made up of modern, fit for purpose accommodation and establishments are places of safety where prisoners can turn their lives around. To this end, the Government has embarked upon a process to open new-build prisons and redevelop existing sites.

274. Their plans to reboot the prison estate provide a once-in-a-generation opportunity to establish the principle that family and relational ties should be an important factor in decision-making processes about where, and how, prisons are built and prisoner movement. Whilst it would be unreasonable to propose that these should trump all other operational considerations, an assessment should always be made of how decisions will impact on families and how any adverse impacts can be mitigated.

275. The commissioning of a new prison is a major policy decision that warrants a rigorous assessment and documentation of family impact. This is consistent with the Family Test that government departments now have to carry out on all proposed policies and publish as a family impact assessment. The Test was introduced, not as a tick box exercise, but in order to give families a central role in policy design:

'The objective of the Test is to introduce an explicit family perspective to the policy making process, and ensure that potential impacts on family relationships and functioning are made explicit and recognised in the process of developing new policy.'<sup>143</sup>

I recommend that all new-build prisons should be subject to the Government's Family Test and required to produce a family impact assessment. I also recommend that this be published.

#### Recommendation

All new-build prisons should be subject to the Government's Family Test and required to produce a family impact assessment, which should be published.

276. The reforms also provide the opportunity to look again at the concept of regional prisons. This would restrict prisoners' movement so they stay within their region for the duration of their sentence, unless they were high security or needed to go to a specialist prison (such as HMP Whatton or HMP Grendon). The changes should also ensure adequate and appropriate allocation of space for contact with families and significant others.

277. Similarly, the Government's plans to take advantage of video conferencing technology that will allow more court hearings to take place virtually could, in conjunction with other elements of HMPPS Digital Prisons programme, pave the way for prisoners to have easier and more frequent contact with their families, particularly by mainstreaming the use of video calling technology. This is especially important to consider for foreign nationals. As I outline below, the risks of relaxing the regime in this way are outweighed by the rewards, not least of ensuring men inside do not become stuck in a technological dark age which will ill-equip them for life on the outside.

278. Even prisons which are not earmarked for substantial building work may be able to adopt small changes to their physical environment that could make a big difference to prisoners and their families in furtherance of prisoner rehabilitation and decent treatment of those making the, often significant, effort to visit.

## Revisiting the concept of regional prisons

279. As stated earlier, the Call for Evidence yielded more comments about visits than any other issue and, within that, the costs and inconvenience associated when prisoners are held far from their families, which is often the case. Visiting a family member in prison typically puts a huge financial strain on families and sometimes limits the number of visits, or prevents them from happening altogether. This is worsened by the poor or non-existent public transport links serving many prisons, which can mean that those without a car need to take a taxi for at least part of the journey. Some families cited travel costs of £60 - £100 or more per visit, others that they were only able to visit due to financial support from the Assisted Prison Visits (APV) scheme (although one survey, conducted by NOMS found that 38% of prisoners and visitors were unaware of the APV scheme.<sup>144</sup>)

280. They can request a temporary move to a prison near home to use up accumulated visits and I met families in prisons who had benefited from this policy. However, I was also told that men may be reluctant to make this short-term move if they are settled in their long-term establishment as they may not be able to return there after the visits period due to pressure on numbers.

281. As I have stated earlier, the evidence I have examined during the course of this Review leads me to conclude that there is still little respect for family ties when prisoner locations are determined (see box below), yet the ability to stay in contact with families is essential to the consensual and, therefore, safe running of prisons.

282. The former Chief Inspector of Prisons, Lord Ramsbotham, informed me that the importance of regional prisons was firmly established by Lord Woolf's report. This recommended, as stated earlier, that prisoners should be helped to maintain their links with family and community by being held in community prisons as near to their homes as possible. While Woolf was envisaging much smaller prison units than are currently the norm across English and Welsh prisons – which I am not recommending given the size of our prison population and the prohibitive costs that would be associated with such a radical restructuring – the principle of localisation is still valid for the existing estate, but not adequately followed through in practice.

283. Without attempting to describe the prison system in this country in great detail, there are eight regions. Wales is one and England is divided into seven (North East and Yorkshire, East, North West, The Midlands, South West, London and Thames Valley, Kent, Sussex and Essex). Men are ideally held in different category establishments (B-D) in each of these regions throughout their sentence, unless they have to spend time in a high security jail (of which there are too few in number for each region to be served) or specialist setting such as HMP Whatton or HMP Grendon.

<sup>143</sup> Department for Work and Pensions (2014), *The Family Test: Guidance for Government Departments*. Available at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/368894/family-test-guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/368894/family-test-guidance.pdf)

<sup>144</sup> NOMS (2009), *Families Do Matter Project Report 2009: West Midlands Children and Families of Offenders Pathways*, London: Ministry of Justice

### Criteria HMPPS uses to move prisoners around the estate

- All prisoners begin their journey in a local prison serving the courts. Upon conviction, they are assessed and categorised and moved into the training estate according to their needs and to make room to receive other prisoners from court.
- Prisoners are moved according to their age, sex, category, offence type, offender behaviour needs and resettlement needs.
- They can also be moved for tactical management purposes to make the best use of prison space across the estate and, for example, when an incidence within one prison requires the emergency transfer of prisoners and cell space to be created in their receiving prison.
- Towards the end of a sentence, a prisoner is generally moved back to a resettlement prison near to his home area to prepare for release.

284. As well as the usual movement criteria stated above, prisoners may be moved out of area in response to events, such as a significant altercation in another prison, to enable the main protagonists to be relocated. Although their home region has an ongoing responsibility to these men who have been moved away and the norm is that they should be brought back into the area when possible, this does not always happen.

285. If the importance of family ties is genuinely to be a golden thread running through establishments, when decisions are being made about which prisoners will be moved out of area an assessment should be made of the impact on their family ties. If a move is inevitable, steps should be taken to mitigate harm to relationships. HMPPS Population Management Unit should work with governors to ensure prisoners moved out of area are repatriated at the earliest opportunity to the prison region of their family and wider community, if this will be of benefit to their rehabilitation. It should become the norm for most category B-D prisoners to be held within their home region.

286. Similarly, when re-rolling of prisons takes place, for example as part of the current white paper reforms, proximity of prisoners to their families should be a major consideration in movement plans.

### Recommendation

Consideration should be given to the closeness of family or other supportive relationships as part of any proposed movements of prisoners out of their home region.

- Governors should arrange, in collaboration with HMPPS Population Management Unit, to ensure prisoners moved out of area are repatriated at the earliest opportunity to the prison region of their family and wider community (if beneficial to the successful completion of their individual sentence plan).
- As part of any decision concerning prison re-rolling, governors in collaboration with HMPP, should be required to produce a family impact assessment that considers the proximity of prisoners to their families or other supportive relationships. This should also be published.

### Prioritising family ties in new-build prisons

287. Unsurprisingly, given the many different prison designs in this country, I saw a correspondingly diverse range of provision for visitors. Broadly, I am referring to visits halls within the security perimeter of the prison and waiting areas, such as visitor centres, on or outside this border with the outside world.

288. Many governors are making the most of the real estate and grounds they have at their disposal, but the capacity of their visiting arrangements is severely lacking. When I visited a Victorian jail with a roll of 800+ men and visiting facilities for only 24 men at a time, the management clearly felt they had very little scope to ameliorate the situation, beyond creating as many time slots as possible for people to visit.

289. The closure of some of the old Victorian jails creates significant scope for change in this area, but has the major downside of removing prisoners further from their communities and making it harder for families to visit. I frequently heard concerns about the many prisoners who will be held a long distance from home in new-build prisons like HMP Berwyn.

290. The next generation of prison building must take into account the significant distance many will have travelled and also reflect the contribution that visits from families and others can make to the rate of reoffending and the likelihood of successful resettlement. I was encouraged to hear that HMP Berwyn have thought about families in the way they have designed the prison and have consulted with establishments like HMP Parc to ensure good practice in family work from the outset (see box below).

291. If establishments were measured according to the percentage of men who receive visits, halls should be large enough to accommodate an aspirational level of visiting. Using space to treat families decently, such as by providing a welcoming visitor centre, also contributes to a more settled prison population, as men will have the

comfort that their families are being treated as human beings. New-build prison design should also consider providing outdoor space for visits, but many existing jails could also adapt their grounds. HMP Wandsworth, which will re-roll to become a reception prison (predominantly housing remand prisoners and men with very short sentences, while retaining a resettlement function) recently cleared the floor above its visits hall to enable two-storey visiting and significantly expand its total visits area.

### HMP Berwyn plans for family engagement

- The prison anticipates that between 10 and 20% of the men they will hold will be from North Wales and, under re-rolling any man in custody that fits their reception criteria and is from North Wales will be held there, thus reducing the travel distance from home.
- They will also predominantly hold men from the North West and Midlands and are conducting roadshows to establishments where men are showing an interest in coming to Berwyn (to maximise the numbers who are relocating voluntarily to create a more settled regime).
- A Children and Families Manager has been appointed who is a senior uniformed member of staff, which is a first in the prison service. Wrexham Borough Council are appointing a Children Affected by Parental Imprisonment (CAPI) manager and deputy to cover North Wales. They will be based at Berwyn and funded by the six North Wales local authorities.
- They are working with Head Teachers across North Wales so they can support families in their schools who have a parent in HMP Berwyn. For example, children will be able to visit during the school day without this being registered as an absence, not least to reduce absenteeism, but also they want to encourage children who come to Berwyn during the school day for a visit to bring schoolwork with them, which their father will help them with.
- Novus Cambria has been chosen as their learning and skills provider and will deliver parenting courses as part of the curriculum.
- Pact have been appointed on an interim basis to provide their visits service and this will be heavily weighted towards families and children.
- One of the prison's communities of 88 men will be a family intervention unit, specifically to support men in their relationships with their families and children.

### Improving family work on the existing estate

292. The men in the focus group I talked with at HMP Grendon, which had, after several years created an outdoor play area next to the visits hall, said how much it meant to them and their children that they were not cooped up inside:

*'At my previous jail I always had to stop my child running around.'*

293. Outdoor play opens up a much more diverse and appealing range of possible activities for fathers and children to do together. It helps to build positive memories for children and lessens men's sense of guilt that they are putting little ones through an ordeal. Mothers will also feel that this is a more healthy way for children to spend time with their father.

294. The outdoor activities that take place in HMP Parc, draw in organisations from the local community, such as the fire brigade, which trains fathers and their children together. As well as being educational, aspirational and enjoyable, this provides imprisoned men with an opportunity to take part in an activity with heroic connotations. It builds on the other elements of family intervention, which are all geared to developing a sense of responsibility and a new identity.

295. Similarly, at HMP Winchester family days are held in the exercise yard: this has the additional advantage that some children could see their father's cell window and those who couldn't were at least able to imagine where their father might be accommodated.

296. Other prisons take the importance to the family of access to the prisoner's lived environment one stage further by allowing family members, including children, onto the wing. HMP Grendon's twice yearly Family Days are spent on the wings and adult family members of men on HMP Parc's Family Intervention Unit are also permitted to visit men's cells as part of one group intervention.

297. Changing the atmosphere on prison visits can also be enhanced through bright, simple visuals. I saw some prisons with welcoming signage such as the POPS penguin on the walls, which guides children from the front gate of the prison to the visits hall – a considerable distance for a small child.

298. However, while buildings obviously matter a great deal and have the potential to contribute much to the friendliness or otherwise of the visits experience, as the Deputy Governor of HMP Leeds told me, *'It's the interactions that matter.'* Establishments should also focus on the tone of exchanges between staff and visitors and the quality of the contact facilitated by the visits regime for prisoners and their families.



299. Research has found that the level of respect with which families are treated during a visit matters more to families than the physical visiting conditions.<sup>145</sup> Even when I visited a high security prison I was conscious of the familiarity with which prison officers greeted family members and the warmth of their tone. It is in the relationships with families that they need to build trust.

### The Extrovert Prison

300. Prisons need to bear in mind that they are part of a wider community and there are distinct advantages to being an extrovert establishment. When I visited prisons I found some were outward looking and able both to draw in resource from the community as well as serve it, whether from local government, the voluntary and private sector or volunteers.

301. Others were markedly more introverted. One prison in a somewhat rural setting was evidently not very involved with the outside community. Although the chairs in the visits hall were not considered fit for purpose, the prison had to wait until the budget was available to replace them. The management of another prison in a similar geographical situation had worked very deliberately to build links between the work they do to support contact between prisoners and their families and local companies. By focusing on benefits to children and local families, they were able to make the case to them that partnership could be mutually beneficial.

302. When they wanted to improve the seating in their visits hall they went to a company looking for good corporate social responsibility opportunities and had them donated. Some of these companies are also willing to provide work experience, ROTL opportunities and family day activities. In the Foreword to the white paper, the Secretary of State said, 'Few of us see what goes on behind the high walls of our prisons.' Prisoners' families are a hook to get organisations outside the prison, including schools, agencies like the Fire Brigade and local businesses, interested in what is going on inside those walls.

*'We want to be an open book and are looking for ways of getting in more resource such as grants from local industry.'* Governor in an extrovert prison speaking to the Farmer Review on a visit to his prison.

303. Some local authority Troubled Families programmes are also helping to build bridges between family work inside prisons and what is being done to support families in the community (see box below).

### Joining up support for prisoners and their families inside and outside prison

I was told by the former HMIP, Nick Hardwick, about the opportunities prison can provide, for example during family days, to have the whole family in one place to work through challenges together. Certainly there are synergies between the aims of Troubled Families teams and organisations which support prisoners families that are being exploited in a few pioneering areas, including the sub-region of Liverpool mentioned earlier. This can help draw extra resources into prison for family work. The Department for Communities and Local Government informed me that

- Staffordshire County Council have seconded a Family Intervention worker into their local prison. The local Troubled Families team regularly attend Governor's meetings and have prison representation on their Troubled Families strategic board.
- Hampshire has used their Troubled Families funding to partially fund the Invisible Walls service delivered by Spurgeons at HMP Winchester. This funding helps them to run a visitor centre and parenting courses for fathers there prioritising those families who are part of the Troubled Families programme locally.
- Part of Lambeth's Troubled Family offer includes a service for women at risk of, and involved in, the criminal justice system (the Beth Centre). It combines the work of Probation, Youth Offending Schemes, prison in-reach and Integrated Offender Management and is focused on family-based interventions. It aims to reduce reoffending amongst women, divert women from crime and custody, prevent family breakdowns through custody or offending and offer holistic support e.g. around domestic and sexual violence.

On my visit to HMP Liverpool I met with Gail Porter, the Director of the Families Programme for Liverpool City Council, who outlined their whole system approach around offenders and their families. She told me:

*'We are working with the men in prison to produce a sense of responsibility. The mission critical bit is helping the mum and the children be part of the triangle.'*

304. The flow of provision is not always from the outside into the prison. Establishments which run social enterprises can deliver valued services to the towns and cities of which they are a part, as well as on-the-job training and work experience to the convicted men who staff and manage them. For example, I visited the Britannia Café on the outer wall of HMP Norwich, which has become so popular it is on the city's tourist bus route. Prisons can also provide research opportunities to local universities, which in turn provide them with the data they need to improve their work.

<sup>145</sup> Robertson, O. (2012), *Collateral Convicts: Children of Incarcerated Parents*. Geneva: QUNO

305. Prisons should also treat their family work as an invaluable opportunity to build bridges with the world outside and actively seek to partner with private, voluntary and public sector organisations. Additionally, prison family work often relies heavily on the work of volunteers, for example to run refreshment services in the visitor centre.

306. The Higher Education Funding Council of England places a requirement on universities that accept public funding to demonstrate mutually beneficial links with local businesses, schools and the wider community. The MoJ should do likewise with prisons.

#### Recommendation

The MoJ should require prisons to demonstrate mutually beneficial links with local businesses, schools and other bodies in the wider community.

#### Opportunities for better family contact created by better use of technology

307. A recurring theme, and cause of considerable resentment in every prison I visited and in the Call for Evidence, was the high cost of phone calls under the existing BT contract that provides on-wing secure telephony to the whole prison estate. HMPPS is to be commended for implementing their plans to roll out the digitisation of the entire prison estate, which will eventually lead to the provision of a phone in every cell, but their new cable networks will not be fully installed and functioning until 2021. *'In my last jail I had in-cell telephony – it was brilliant, it was awesome. I could ring my missus when I was banged up and she wasn't rushing around.'* Prisoner speaking to the Review.

308. In the meantime, HMPPS have agreed a small reduction in their contract with BT of 10% across the adult estate and 50% for juvenile establishments. The contract comes to an end in April 2018 and becomes subject to full open market competition, which should allow further reductions. Digitisation should also drive significant improvement as soon as a prison has been completed. For example, HMPPS have just negotiated at Wayland, the proof of concept (for Digital Prisons) site, a 50% reduction with BT for its move to the new in-cell telephony provision using the existing BT contract.

309. Clearly HMPPS have been taking steps to reduce the price of phone calls for prisoners and it is important to recognise and give them credit for this, although it is obviously concerning that call costs will remain high until 2018. However, it is also important to acknowledge that, whilst phone calls are highly valued, people are not communicating in the same ways as they previously did and the prison service needs to adapt. Technology to enable virtual court appearances is going into prisons anyway, and we need to think how it can also be augmented to improve family contact.

310. At present, the Digital Prisons project will not automatically include video calling technology, although I heard during the course of the Review that this facility could be especially beneficial to older and more infirm visitors who struggle to make the journey to prison. On one prison visit I met a man who had been in the care system since he was a young child whose only relative with whom he was still in contact was his 93 year old grandmother. He knew she would never be able to visit, but considered that if she had help to operate video calling technology that would enable them to see each other again.

#### Learning from other countries' use of virtual video visiting

- Virtual video visiting is gradually being made available in prisons in Northern Ireland, and has become particularly embedded in Magilligan Prison. It does not replace face-to-face visits, but supports them by enabling prisoners to 'visit' their own homes and see their family members *in situ*. Churchill Fellow Mark Goodfellow, from the Northern Ireland Prison Service, describes how it 'acts as a motivator and a reminder of "normality"'.<sup>146</sup>
- On the juvenile estate in Tasmania many boys are a long distance from home but are able to have virtual visits on restricted tablets in the visits hall.<sup>147</sup>
- Shine for Kids, a charity based in New South Wales, Australia, helps to locate accessible community venues with video conferencing equipment to allow children to contact imprisoned family members.<sup>148</sup>

311. Pilots have been carried out at HMP Grendon, but these were not carried on, although HMP Parc are still delivering a pilot with their Young Person population for the Youth Justice Board. I found much enthusiasm inside prisons for making the use of video calling technology mainstream – and video conferencing technology that will allow more court hearings to take place virtually could help to achieve this. However, security at the family members' end was considered to be unnecessarily tight. They had to visit another prison that had the right equipment to facilitate video calling into their family member's establishment and the inconvenience largely negated the benefit of being able to make a virtual visit.

312. The impression I gained from discussing this issue with governors and others was that the main risks associated with augmenting the Digital Prison offer in this way were presentational ones, because robust risk assessment could be carried out for individuals within a policy that allowed access to video calling technology and virtual visits. There is also a risk that real face-to-face contact could eventually be replaced by virtual visits, which would be a highly unwelcome development.

<sup>146</sup> Jacobson, J. and Fair, H. (2016), *Family Connections: a review of learning from the Winston Churchill Memorial Trust Prison Reform Fellowships* – Part II, Institute for Criminal Policy Research, Birkbeck, University of London, p8

<sup>147</sup> Private meeting with Nick Hardwick, former HMIP

<sup>148</sup> Purvis, M 2013, 'Paternal Incarceration and Parenting Programs in Prison: A review paper' in *Psychiatry, Psychology and Law*, 20(1), pp9-28

313. As a starting point empowered governors should be able to make this facility available for the small percentage of prisoners whose families or individual family members cannot visit due to infirmity, distance or other factors. This would likely include most foreign nationals but also, for example, it might also be too disruptive for new babies, young children or teenagers studying for important exams to come into prison to visit at frequent intervals, but virtual visits would keep up the contact in the meantime.
314. A room, possibly in an empty cell on each wing, could be made available to enable those prisoners whose family members cannot visit to stay in contact with them. A booking system and application process would mean each prisoner's request to have access to video calling technology had to be cleared by the Governor and prisoners would know that the call could be monitored. Alternatively, tablets could be made available in visits halls as in the Tasmanian example in the box above.
315. Help should be made available for family members who need it to access video calling technology, with funding where needed from the Assistance with Prison Visiting (APV) fund. For example, they might need to travel to the offices of a voluntary organisation that would be willing to help them make the call. However family members should be able to 'video call' into prisons from their own homes which will not incur any additional cost.

**Recommendation**

Virtual visits (using video calling technology) should be available for the small percentage of families or individual family members who cannot visit frequently or at all due to infirmity, distance or other factors

## Appendix

### List of voluntary organisations that responded to the call for evidence

Action on Addiction  
 Barnardo's  
 Bedford Row Family Project  
 Beyond Youth Custody  
 Bournemouth Churches Housing Association (BCHA)  
 Children Heard and Seen  
 The Clink  
 The Domestic Abuse Restorative Family Approaches (DARFA) Partnership  
 EDP Substance Misuse Services  
 Families Outside  
 Futures Unlocked  
 HALOW Birmingham  
 Inquest  
 Key4Life  
 Lincolnshire Action Trust  
 Nacro  
 New Leaves  
 New Philanthropy Capital  
 Nepacs  
 Ormiston Families  
 Pact  
 Partners of Prisoners (POPS)  
 Prison Radio Association  
 Prison Reform Trust  
 Prison Voicemail  
 Quaker Social Action  
 Rehabilitation for Addicted Prisoners Trust (Rapt)  
 Relate  
 Resettlement and Care of Older ex-Offenders and Prisoners (RECOOP)  
 The Riverside Group Ltd.  
 Safe Ground  
 Safer Living Foundation  
 St Giles Trust  
 Unlock  
 The Well

### List of respondents who gave evidence at Farmer Review Task Group meetings

Alex Redston, Prison Voicemail  
 Baroness Lola Young  
 Charlotte Weinberg, Safe Ground  
 Darren Coyne, Care Leavers' Association  
 Rt Hon David Lammy MP  
 Gary Monaghan, HMPPS  
 Dr Jane Dominey, University of Cambridge Institute of Criminology  
 Joe Simpson, Prison Officers' Association  
 Kieran Ball, Prison Voicemail  
 Lizzie Coles-Kemp, Royal Holloway University of London  
 Lynn Saunders, HMP Whatton  
 Maxine Myatt, Circles UK  
 Richard Lambe, Expert by experience  
 Sam Davey, Care Leavers' Association  
 Sara Kirkpatrick, Respect  
 Selen Cavcav, Inquest  
 Teresa Clarke, HMPPS



## List of Prisons visited

Across these prisons I spoke to prisoners in 13 focus groups ranging from 4-14 men in total and to two focus groups of prison officers.

Prison	Category	Additional information
HMP Brixton	C/D	Men's resettlement prison.
HMYOI Feltham	n/a	Boys aged 15 – 18 years old and young men 18 – 21 years old.
HMP & YOI Forest Bank	B	Men's local prison holding adult men and young men (18 -21).
HMP Frankland	A/B	Men's high security prison.
HMP Grendon	B/C	Men's democratic therapeutic prison. For long-term sentenced prisoners.
HMP Holme House	B	Men's local prison. Holds adult men and young adult men (18 – 21 years old). Mainly longer determinate sentenced prisoners and substantial remand population.
HMP Kirkclevington Grange	D (open prison)	Men's resettlement prison. Primarily men resettling in the North East.
HMP Leeds	B	Men's local prison.
HMP Liverpool	B/C	Men's local prison.
HMP & YOI Norwich	B/C/D	Men's local prison. Holds adult men and young adult men (18 - 21 years old).
HMP & YOI Parc Contracted prison (G4S)	B	Men's local prison holding adult men, young men (18 – 21 year olds) and boys (15 – 17 year olds).
HMP Isle of Wight	B	Men's training prison.
HMP & YOI Styal	n/a	Women's local prison. Holds adult women and occasionally young adult women (18 – 21 years old).
HMP Wayland	C	Men's training prison.
HMP Wandsworth	B	Men's local prison.
HMP Winchester	B/C/D	Men's local prison.



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Any enquiries regarding this publication should be sent to us at Prison Reform Programme, Offender Reform Family Engagement Policy, 4th Floor, Zone B, 102 Petty France, 102 Petty France, London, SW1H 9AJ

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## Contact Information

For queries concerning information in this publication please contact:

Prison Reform Programme  
Prison Reform and Youth Justice Policy Group  
Ministry of Justice  
4th Floor, Zone B, 102 Petty France  
London  
SW1H 9AJ