



10 DOWNING STREET

THE PRIME MINISTER

16 April 1986

cc Press pse

Dear Mr Powell

Thank you for the letter which you and Mr. Bone wrote to me on 3 April about the Prison Service. I take this opportunity to stress the value which the Government place on the work of all those who help to run our prisons. This hard and sometimes dangerous work is indispensable to our efforts to defeat crime and protect the public.

The facts leave no room for doubt about the Government's continuing commitment to ensuring adequate levels of funding for the Prison Service. Our particular objective is to end overcrowding and improve conditions for both staff and inmates. Over the period 1979/80 to 1985/86, spending on the Prison Service has gone up by 85 per cent. Within that, annual expenditure on the building programme and on the redevelopment of the prison estate has risen by nearly 400 per cent. I do not believe there is any comparable area of public expenditure which has seen such a dramatic increase over the period of this Government. The result, in terms of new building, is that in addition to the five new prisons opened in 1985/86, 15 more are due to be opened by the early 1990s. That means another 8,000 prison places.

On staffing, the number of prison officers has risen by 18 per cent since 1979 and now stands at the highest ever level of just under 19,000. Over the same period, the average number of prisoners has increased by about 12 per

8/11

cent. The ratio of staff to prisoners has increased accordingly. I need not remind you, I am sure, that comparable figures for the Civil Service as a whole show an 18 per cent decrease in staff numbers since 1979.

For the future, continuing increases in overall expenditure are planned and have been announced, starting with an 8 per cent increase in the provision made for this financial year as against that for the year just ended.

It is most important to make the best use of these substantial resources. There is however strong evidence that inflexible working practices and out-moded systems are leading to waste. The money which is locked up in these practices needs to be released and channelled into improvements in the prison service and, in particular, into the creation of better regimes for inmates.

I understand the pressures on prison staff, particularly as a result of the sharp rise in the prison population in the first half of last year. I am also aware that staff have, in many cases, become used to high earnings through excessive overtime working. The Government is concerned that they should be fairly rewarded and for this reason the Prison Service management has been authorised to work up proposals for new pay arrangements which we hope the POA will be prepared to discuss. But greater efficiency will also have to form part of the agenda for any discussions between management and the POA.

Your members will obviously be worried by what is happening. I am assured by the Home Secretary that senior Prison Department management is not seeking confrontation with the POA but will also not shirk its own responsibilities. They are working for further discussions with the POA. The central issue in dispute is management's right to manage, whether nationally, by the Prisons Board, or in individual establishments, by the governor. That right

is absolutely vital to your members and I am sure that they will wish to see it protected.

Yours sincerely
Margaret Hechter

S.T. Powell, Esq.



10 DOWNING STREET

From the Private Secretary

16 April 1986

C/F
for you to
keep psc.
J 014

I am sorry there was a mistake in the second page of the Prime Minister's letter to you of today's date. I enclose an amended copy of page 2 for your records.

(Mark Addison)

S.T. Powell, Esq.

JA

From: THE PRIVATE SECRETARY



HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

15 April 1986

cc Nick Towers.

Dear Mark,

DW

I enclose, as we agreed, a draft letter for the Prime Minister to send to the Governors' Branch in response to their letter (copy enclosed).

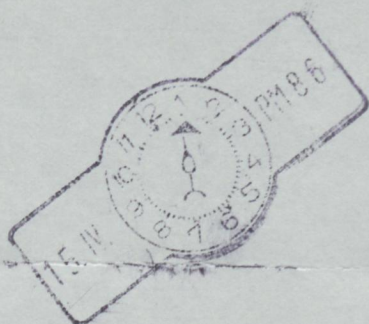
The decision on the POA ballot is expected tomorrow and it would be very helpful if the Prime Minister's reply could issue as soon as possible. I would also be grateful for an early copy.

Yours

Clare

MS C PELHAM

Mark Addison, Esq.



STP
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Thank you for the letter which you and Mr Bone wrote to me on 4 April about the Prison Service. I take this opportunity to stress the value which the Government place on the work of all those who help to run our prisons. This hard and sometimes dangerous work is indispensable to our efforts to defeat crime and protect the public.

The facts leave no room for doubt about the Government's continuing commitment to ensuring adequate levels of funding for the Prison Service. Our particular objective is to end overcrowding and improve conditions for both staff and inmates. Over the period 1979/80 to 1985/6, spending on the Prison Service has gone up by 85%. Within that, annual expenditure on the building programme and on the redevelopment of the prison estate has risen by nearly 400%. * In addition to the 5 new prisons opened in 1985/6, 15 more are due to be opened by the early 1990s. That means another 8,000 prison places.

on
With regard to staffing, the number of prison officers has risen by 18% since 1979 and now stands at a ~~record~~ ^{the highest ever} level of just under 19,000. Over the same period, the average number of prisoners has increased by about 12%. * I need not remind you, I am sure, that comparable figures for the Civil Service as a whole, show an 18% decrease in staff numbers since 1979.

* The ratio of staff to prisoners has increased accordingly.

For the future, continuing increases in overall expenditure are planned and have been announced, starting with an 8% increase in the provision made for this financial year as against that for the year just ended.

Substantial resources

most important to make the
~~All this is certain. It is crucial that best use be made of these considerable amounts of money. There seems to be strong evidence that significant amounts of what is being provided is still not being well used as a result of inflexible working practices and out-moded systems work. The money which is locked up in these practices needs to be released and channelled into general improvements and, in particular, into the creation of better regimes for inmates.~~ *is however*

are leading to waste

in the prison since
~~I understand the pressures on prison staff, particularly as a result of the sharp rise in the prison population in the first half of last year. I also realise the difficult position of staff who have, in many cases, become used to high earnings through excessive~~

am also aware that

/overtime working

overtime working ^{be} which is excessive by any standards. ^{The Government} I am ^{is} concerned that they should feel fairly rewarded. ^{and for this reason,} The Home Secretary shares these views and it is in recognition of this that ^{the} Prison Service management has been authorised to work up proposals for new pay arrangements which it is hoped the POA will be prepared to discuss. But ^{also} benefits have to flow in other greater efficiency directions too and the search for these will have to form part of the agenda for any discussions between management and the POA.

^{am} Your members will obviously be worried by what is happening. I am assured by the Home Secretary that senior Prison Department ^{also} management is not seeking confrontation with the POA but will not shirk its responsibilities, should reason not prevail. They are working for further discussions with the POA. The central issue ⁱⁿ at dispute is management's right to manage. ~~I am sure that your members will wish to see this right protected and that they can be relied upon to play their part in the maintenance of a vital public service.~~

whether naturally, by the ~~Director General~~ Prison Board or in individual establishments, by the governor. That right is absolutely vital to your members and I am sure that they will wish to see it protected.



PRISON GOVERNORS BRANCH

(ENGLAND AND WALES)

Chairman

Mr. T. Bone Prison Service College
Aberford Road Wakefield West Yorkshire WF1 4DF
Telephone: 0924 371771

Mr. R. S. Mullen HM Prison Cambridge Road
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Telephone: 061 832 2424 extn 339

A branch of the society of
civil and public servants
representing the govern-
ment grades of the prison service
in England and Wales

RECEIVED BY

Secretary

Our Ref: H.1.

The Rt Hon Douglas Hurd, CBE, MP.,
Secretary of State for Home Affairs
Home Office
Queen Annes Gate
LONDON

(No. 10 have not
yet received
the letter and to them.
WTF 4 April 1986
7/4)

Mr. Ganes for advice plan
Mr. Widdell
Mr. Stewart
Mr. Train
Mr. Nairn
Mr. Platt
Mr. Mawer
Mr. Howe

Dear Home Secretary,

POTENTIAL INDUSTRIAL ACTION BY PRISON OFFICERS' ASSOCIATION (POA)

You will undoubtedly be aware of the developing situation in the Prison Service and the possibility that the POA membership may determine a policy of industrial action. This prospect has meant that the Governors Branch has had to also determine its responses. My purpose in writing now is to make available to you :-

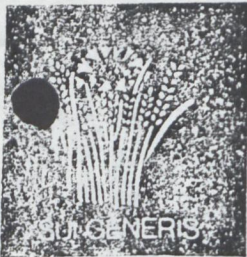
- A copy of a letter which the Governors Branch has sent to the Prime Minister, and
- A copy of a Circular which has been sent to all members of the Governors Branch.

You may Sir recall, that when representatives of the Governors Branch met with you in October 1985, we expressed our concern that the situation which the Prison Service now faces would arise in the foreseeable future. Additionally, we sought to illustrate the dilemma which would confront our membership in the event that the POA implemented an action which was designed to protect and promote the humane regimes which are, in our view, a vital component in the Prison system. In this context there is a clear unanimity of view between the POA and ourselves.

It will, I hope, be apparent from the enclosures that we have offered advice and guidance to our membership which is indicative of, and compatible with, our proven loyalty to the Prison Service in its total sense. We have tried to ensure the fulfilment of our professional responsibilities and obligations whilst honouring those commitments which are inherent in our membership of a Civil Service Trades Union.

Yours sincerely
S. T. Powell

S. T. Powell.
Secretary



PRISON GOVERNORS BRANCH

(ENGLAND AND WALES)

Chairman Mr. T. Bone Prison Service College
Aberford Road Wakefield West Yorkshire WF1 4DF
Telephone: 0924 371771

Treasurer Mr. R. S. Mullen HM Prison Cambridge Road
Bristol BS7 8PS
Telephone: 0272 426661

Secretary Mr. S. Powell Room 303 Scottish Life House
Bridge Street Manchester M3 3DH
Telephone: 061 832 2424 extn 339

A branch of the society of
civil and public servants
representing the governor
grades of the prison service
in England and Wales.

Our Ref: H.1.

The Right Hon Margaret Thatcher. MP.,
Prime Minister
10 Downing St
LONDON

3 April 1986

Dear Prime Minister,

At the Annual General Meeting (1986) of the
Prison Governors Branch of the Society of Civil & Public Servants
a motion couched in the following terms was unanimously adopted....

" This Conference expresses its serious concern about the
growth in the prison population during 1985, running parallel
as it does, with a more rigorous and strict control upon staff
and other resources. Further, it endorses the stance and
actions which the Executive Committee has taken and now
calls upon the Government to ensure:-

- i) that realistic financial, physical and staffing
resources are provided to enable the Prison Service
to properly and appropriately fulfil its responsibilities
to the community commensurate with the administration
and maintenance of law and order.
- ii) that the prison estate and prison regimes are consistent
with the standards expected and required of a civilised
democratic society."

It is appropriate at the outset that we record our appreciation for,
and recognition of, the endeavours of successive Home Secretaries
in Cabinet for the successes which have been achieved in the
determination of the Prisons Vote. Nevertheless we would be
failing in our duty were we not to draw your attention to the very
serious concern which is felt by our members in connection with
the possible impact and potential outcome of the developing
situation in the Prison Service.

/.....

It would not be appropriate in a letter of this nature to seek to rehearse the specific detail but there are several salient factors which it may be helpful for us to address.

PRISON POPULATION FIGURES

The total prison population as at 21 March 1986 stood at 47,123 - contrast this with the figure which obtained on 3 January 1986 which was 44,259. It will be apparent that during the first quarter of 1986 the prison population has been increasing at an average of about 266 per week. In short the system is being required to assimilate the equivalent of two additional medium sized prisons per month.

That the system is overcrowded is beyond dispute - in fact the current overcrowding factor is in excess of 15%. To put that into perspective it has to be said that the major burden of overcrowding falls mainly on the 'local' prisons and remand centres - the very establishments which already are reduced to base line regimes and thus are least able to absorb further regime cuts. Staffing deficiencies, reductions in the availability of prison officer grades, increasing external demands and substantial unemployment of prisoners are all significant contributory factors to the prevalent practice of having to leave prisoners locked away in cells for 22 - 23 hours per day.

It will be apparent that by their very nature prisons and prisoners exist on what can accurately be described as a 'short fuse'. To continue increasing the demands upon existing staff and resources, with all that this implies in terms further deterioration in the quality of life in penal establishments, is likely to be counter productive. This is particularly pertinent when one appreciates that the increasing demands are running in tandem with what, in real terms, can only be described as reductions in the 1986 - 87 budget.

BUDGET ALLOCATION

Whilst we do not deny that the Prisons Vote and allocations in respect of pay, allowances and overtime for 1986-87 show an increase, in cash terms, over that provided for 1985-86 the reality is that the 1986-87 allocation will not buy as many prison officer hours. We understand that in one region at least some two thirds of their establishments have suffered abatements of officer availability of varying proportions. We have seen no evidence to suggest that this is untypical of the three other regions. In some cases the abatements incur reductions in officer hours which are in excess of 400 hours per week.

Of course, we accept that the Prison Department cannot be excluded from the responsibility of ensuring that public money is spent in the most economic and efficient manner. However, we firmly believe that there is an overwhelming case for a higher degree of flexibility in the fiscal approach to the Prison Service. As a 'demand led' Service and bearing in mind the role and functions which we have

we have/

to fulfil on behalf of the community it is, in our view, quite wrong that we should be so stringently financed that it is necessary for us to constantly tread the tightrope between simply coping on the one hand and utter disaster on the other.

STAFF ATTITUDES

It will, we believe, be well known to you Prime Minister, that staff attitudes are one of the most important constituents in achieving the proper atmosphere in prisons; if not the most important. We have to tell you that our members have communicated to us their perception that prison officer grades, as well as other groups of staff, are becoming increasingly frustrated and resentful about the seemingly implacable refusal on the part of Government and Official Side to recognise the very special problems which attach to the enforced detention of law breakers together with what is perceived to be an intransigent and unreasonable application of fiscal policy.

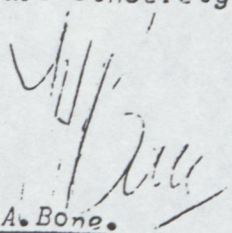
This frustration has manifested itself in the recent decision of the Prison Officers' Association to seek a special meeting of the Prison Departmental Whitley Council and their further decision to conduct a ballot vote of their membership on the question of industrial action. Clearly, such a prospect - if implemented - must presage the most serious situation for Government, for Prison Department and for our members as the senior operational managers in the field.

In our respectful submission the matters covered in this letter indicate that there is a need for a reconsideration by Government with a particular emphasis being given to allowing the Home Secretary more financial scope and flexibility than that which he currently enjoys.

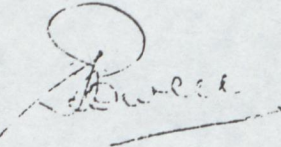
Finally, can we say that this approach does not emanate from any sense of panic on the part of our membership, neither should it be interpreted as being alarmist in its nature. Rather it is a genuine expression of our professional assessment of the situation which we are facing.

We stand ready to develop orally the precise detail of our professional assessment should you deem that to be necessary and/or desirable.

Yours sincerely


T.A. Bone.

Chairman



S.T. Powell.

Secretary

To: All Members

3. April 1986

' INFORMER EXTRA '

Dear Colleagues,

RESOURCES/REGIMES - POTENTIAL INDUSTRIAL ACTION BY POA

The purpose of this Circular is to acquaint the membership with the BEC views on the developing situation and to offer guidance about the stance to be adopted should the POA implement industrial action.

2. Members are aware that the BEC, like the POA, has over the past year or so, been seeking through the normal negotiating machinery to bring home to Government Ministers and to the Prison Department the serious implications which flow from an under-funding of the Prison Service and the imposition of an inflexible and intransigent fiscal policy upon a 'demand led' operational service such as ours. Governors are only too well aware that the provisions of the 1986-87 budget impose further reductions in the availability of Prison Officer hours. These reductions, which vary in proportions between establishments, will, we understand, adversely affect some two thirds of all existing prisons. In some cases the allocations impose losses in excess of 700 officer hours per week. Despite the force of the arguments which the Governors Branch has adduced we, and one has to presume the POA also, have been singularly unsuccessful in persuading the Government and the Department that there is an urgent need for an upward re-adjustment to the Prisons Vote and further a requirement for them to adopt a more realistic and flexible application of the current policy.

3. Although the BEC is not privy to the precise nature of any industrial action which the POA may invoke we do understand that the POA objectives will be:-

- i) To bring pressure upon Government and Prison Department in an effort to get them to realistically re-examine their financial policy and the funding in respect of the Prison Service.

ii) To seek to achieve a position in which the serious deterioration in prison standards, prison regimes, the quality of life of both staff and inmates, and the effects of continuous over-crowding - which are steadily increasing - can be arrested.

iii) To effectively draw to the attention of Parliamentarians, Penal Reform agencies and the general Public, the very serious concern felt about the potentially dangerous situation which is developing in their midst.

4. The POA has recently made requests of the TUC, CCSU and more specifically, the SCPS (including the Prison Governors Branch) to the effect that in the event that their membership decides, by ballot vote, in favour of industrial action, and thereafter such action is implemented, then no member of any other union affiliated to either TUC or CCSU should undertake work which would normally be carried out by Prison Officer grades.

5. After careful consideration the BEC has concluded that, since the objectives set out in paragraph 3 above are in broad conformity with Governors Branch policy, as enunciated by successive AGM's, we should respond to the POA request in as constructive and positive manner as is possible, commensurate with the obligations and responsibilities which are specifically placed upon Governors by Statute, Standing Orders and Circular Instructions.

6. The Governors Branch has recently raised Prison Department funding via written approach to the Prime Minister. Even at this late stage we know that the POA has arranged a special meeting of the Prison Departmental Whitley Council. We sincerely hope that these two initiatives, which incidentally were taken quite independently of each other, will succeed in enabling a resolution of the issues which will be responsible, sensible and mutually acceptable.

7. Notwithstanding these initiatives, it is both appropriate and prudent for the BEC to set out the principles which we believe should apply in the event that industrial action is implemented. Further we offer guidance to the membership on the approach to be adopted in response to the POA request referred to in paragraph 4 above. The BEC guidance etc is set out in the Appendix annexed to this Circular.

8. In view of the unusual nature of the circumstances which obtain in this case it is vital that we take all reasonable steps to minimise the risks of having the Governors Branch position misunderstood, misinterpreted or misrepresented. Accordingly copies of this Circular and the Appendix will be made available to the following persons:-

The Home Secretary
The Director General
The Deputy Director General
The Director Personnel & Finance
All Regional Directors
The General Secretaries of all Civil Service
Trades Unions.

There is no objection to local Governors Branch representatives making the contents of this Circular and Appendix available to local POA Committees.

Any queries arising out this Circular should be addressed to either the Branch Secretary (Tel: 061-832-2424 Ext 339 or outside office hours 0942-711254) or the Branch Chairman (Tel: 0924-371771 or out of office hours 0924 - 259179).

Yours sincerely

T.A.Bone
Chairman

S.T.Powell
Secretary

Room 303
HM Prison Department
Scottish Life House
Bridge St
MANCHESTER

April 1986

INDUSTRIAL ACTION - PRINCIPLES & GUIDANCEPRINCIPLES

1. It should be clearly understood that neither the SCPS nationally, nor the Prison Governors Branch, are themselves engaged in industrial action.
2. Although the BEC believe that members will feel able to accept and follow the guidelines set out below, we nevertheless accept and respect the right of individuals to disregard any or all of them if those individuals, in all conscience, feel morally bound so to do.
3. Governors Branch members who carry 'in charge governor' status, or Governor grades who temporarily substitute to such functions, are excluded from any trades union responsibilities which are implicit in this Circular and Appendix. Governors Branch members who do not carry 'in charge' status will be expected NOT to undertake duties which, under normal conditions, are performed by Prison Officer grades.
4. Any action, whether declared by the POA National Executive Committee, or invoked by local POA branches, which:-
 - a) Threaten the safety of life of staff, inmates, or visitors to prison establishments, or
 - b) Denies the provision and maintenance of appropriate essential services, ie, feeding, needs of hygiene, proper medical care, discharging of inmates on their due dates etc, or
 - c) Offends against the law or contravenes those statutes which are vital in respect of a) and(b) above,
 will be deemed to be an unacceptable industrial action which the Governors Branch cannot condone.
 In the event that such forms of action are invoked Governors Branch members may undertake any duty which is necessary to ensure the protection of the conditions inherent in (a) (b) and (c) above.
5. Any threats made against, or intimidation of, any Branch member who, save in the circumstances covered in paragraph 4 above, declines to carry out duties which ordinarily would be performed by members of the Prison Officer class will be regarded as an unacceptable and provocative act. The circumstances of any such case should be reported immediately to the Branch Officers and SCPS Headquarters.

6. GUIDANCE - INTERNAL ACTIVITIES

Governors Branch members will continue to fulfil the full range of their own respective functions. However, save for the provisions set out in paragraph 4 above, Governors Branch members should NOT perform any duties which under normal conditions would be performed by members of the Prison Officer class.

It is possible that the POA action may embrace a work to rule, a 'go slow' policy, the curtailment or complete banning of overtime working. Branch members should resist any temptation to act out of role in order to achieve a speedier conclusion to any particular activity or because of any feelings of frustration.

Obviously, industrial action will undoubtedly impose pressures upon staff and inmates alike - pressures which are likely to increase very rapidly. If the principle set out in paragraph 4 above is to be fully observed it will be necessary for Governor grades to undertake an increased level of 'ground floor' supervision and frequent monitoring of inmate attitudes. It is only by so doing that the safety and well being of both staff and inmates can be assured. Such additional and more direct supervisory duties are, in the view of the BEC, entirely consistent with the managerial role of Governor grades and do not contradict the advice given elsewhere in this Circular. Any increased supervision of staff and inmates should be undertaken with the highest degree of sensitivity and understanding.

Any difficulties arising locally which cannot be amicably resolved between local management and POA may be referred to the Governors Branch Secretary who shall endeavour to find a solution at national POA level.

7. GUIDANCE - EXTERNAL ACTIVITIES

It is unclear at this stage whether the POA strategy includes any policy of reducing establishments to their CNA figures. Previous experience suggests that such a policy - if invoked - would very quickly require the use of Police cells to accommodate prisoners who have not been received into prison establishments. In such circumstances it is likely that the Prison Department will wish to deploy junior Governor grades to Liaison duties at Police cell locations. This subject, as the membership is well aware, is a sensitive matter and is one which we have been pressing the

been pressing the,

Prison Department to jointly address with us since the autumn of last year. After the most careful consideration the BEC has concluded that Liaison duties are compatible with, and necessary for, the full observance of the requirements of paragraph 4 above. However, we have withheld our full agreement to the undertaking of Liaison duties until such times as we have reached an accord with the Prison Department on the following:-

- a) An acceptance that Assistant Governor grades will not be deployed to Liaison duties when such a deployment would impose unreasonable managerial burdens upon those Governor grades remaining in the establishment. In this context the contrived shortage of Assistant Governors generally is of extreme significance.
- b) An acceptance that the very long hours and substantial travelling demands which characterised the previous use of Liaison Officers will be avoided. In particular, agreement that the arrangements will include a maximum tour of continuous duty which should not exceed 8 weeks, will provide a system of regular relief for scheduled week-end rest days, and the establishment of more realistic catchment areas.
- c) Agreement to the waiving of the 30 day limit on the payment of full subsistence rates.
- d) Agreement to the continuation of full mileage allowances beyond the present 10000 mile limits if this becomes necessary.
- e) Agreement that, subject only to over-riding operational/security demands, annual leave periods booked in advance, ie, periods of one week or more, will be honoured.

The BEC will be seeking urgent resolution of these matters and will report developments as soon as possible.

8. GOVERNOR GRADES EMPLOYED IN PDHQ & REGIONAL OFFICES

It is well known that industrial action situations contain a substantial risk of degenerating into serious operational/security incidents. It is clear that, if for no other reason, there will be a need to man HQ and Regional Office Control Rooms. These are

These are,

functions which are undertaken by Governor grade staff.

Nothing in this Circular or the Appendix should be construed as being any impediment to such functions being fulfilled by members of the Governors Branch. Indeed, the Branch Executive Committee takes the view that deployment of Branch members to Control Room duties is compatible with the predominant theme of this guidance, which is, that the principle set out in paragraph 4 above is, and has to be, the standard of judgement to be used when determining the nature and degree of the Governors Branch response to the POA industrial action.

9. Finally, to put this guidance into some perspective it is necessary for us to inform the membership that the BEC has recently become aware that the Prison Department is actively considering the nature of any sanctions which may be applied to Governor grades who, because of "a lack of management skill or failure to take necessary steps"....exceed their budgets. The judgement of these factors will be placed with Regional Directors- and the sanctions may include:-
- i) a deduction from the 1986-87 budget to account for any over-spend of budget incurred in the current financial year.
 - ii) an intention to comment in the respective Governors ASR which, in circumstances where a Governor is deemed to have failed to tackle the problems posed by the application of budgets, would adversely affect his chances of further promotion.
 - iii) exclusion from being nominated for a performance bonus award.
 - iv) some other unspecified sanctions about which it would, at this stage, be imprudent to speculate.

The BEC, of course, accept that Governors should be accountable for local expenditure, but, the over-riding factor, in our view, is that the budget provided must be realistic in terms of sustaining the demands which Governors have to face. As you all will know the demands which we face are very often outside of our general control, at both local and national levels.

* * * * *