

# Safe Inside

## Joint Unions in Prisons Alliance

### Position Statement

May 2019



## **Position Statement**

The Alliance are committed to working together and engaging with other key stakeholders to lobby for improvements in the working conditions for our members. Whilst we acknowledge the proposals made by the Ministry of Justice to make prisons places of safety and reform (MoJ and NOMS, 2016)<sup>1</sup>, we are frustrated by the lack of urgency and the continuing impact this is having on our respective members. Retention of a skilled and experienced prison workforce is key to making these improvements in safety; however, the current environment is not conducive to sustainable careers in the prison service or associated support services.

The following are our jointly agreed calls for action to address the situation:

- **Tackling violence against all staff in prisons, including the targeting of violence against women workers**
- **Preventing exposure of all staff to Spice/psychoactive substances**
- **All workers to have proper access to health & safety systems**
- **Effective consultation with unions on Risk Assessments and Safe Systems of Work**
- **Safe staffing levels of prison officers and all staff working in prisons to ensure we can achieve the other objectives**

## **Background**

‘We are not safe inside’ is what workers in prisons were, and are, saying, and unions and professional associations have responded to this in a variety of ways: significant concerns have consistently been raised by the POA; the Royal College of Nursing Congress 2018 debate highlighted the concerns of the nursing workforce; and UCU has undertaken work to tackle issues and improve Safety Systems for their members. These were all key catalysts coming to a head in the summer of 2018. It was quickly recognised that across the range of different workers in prisons there were similarities to the issues being faced. The Joint

---

<sup>1</sup> Ministry of Justice and National Offender Management System (2016) Prison Safety and Reform <https://www.gov.uk/government/publications/prison-safety-and-reform>

Unions in Prisons Alliance was set up in response to these ongoing concerns about the safety of staff working in prison environments to seek improvements to working conditions in prisons so that staff can feel 'Safe Inside'.

The Alliance brings together the following trade unions and professional organisations, all of whom have members working to provide services in prisons:

- BMA (British Medical Association)
- GMB
- Napo (trade union and professional association for probation staff)
- PCS (Public and Commercial Services union)
- POA (Prison Officers Association)
- Royal College of Nursing (RCN)
- UCU (University and College Union)
- Unison
- Unite

We represent staff employed by HMPPS, private prison providers, and staff working for contractors providing cleaning, maintenance, healthcare and education services.

In addition to significant concerns about the safety of members, with an ageing prison population and cases of assaults and self-harm at continuing high levels, the Alliance are also concerned about the impact of current conditions on the welfare of prisoners.

## **Key Concerns of the Alliance**

### **Unsafe staffing**

Against a backdrop of a growing prison population and cost-cutting measures introduced in 2010 as part of the coalition government's measures to cut public-sector funding, it is not surprising that prisons are suffering from overcrowding and understaffing.

A 2018 report in the Observer identified that prisons had lost officers with 70,000 years of experience between them in less than a decade.<sup>2</sup>

---

<sup>2</sup> <https://www.theguardian.com/society/2018/apr/28/loss-experienced-staff-leaves-prisons-unsafe>

The Alliance have identified a number of safety issues that are cause for concern, with perhaps the most important being understaffing. Understaffing and a dramatic loss of experience impacts not only on the safety and welfare of prisoners and prison officers but those providing vital services such as maintenance, education and healthcare. For example, nursing staff holding cell keys in order to access prisoners, or prisoners not able to be escorted to the toilet during an education session and subsequently having no choice but to urinate in the corner of the classroom.

### **Work-related violence**

*Safety in Custody* (Ministry of Justice and Office of National Statistics, 2018)<sup>3</sup> statistics show assaults on prison staff increased by over a quarter (29%) over the year and a staggering 254% since 2010. Serious assaults were up by 10% since the previous year and 230% since 2010. All this equates to an average of 28 prison officers being physically assaulted each day in our prisons.

HMPPS believes that there is an issue with under-reporting of incidents, suggesting this might artificially reduce the numbers by between 10 to 15%.

In his annual report, Her Majesty's Chief Inspector of Prisons noted that the huge increase in violence across the prison estate has really only taken place in the past five years, at the time when large reductions in staff numbers were taking effect.<sup>4</sup>

In response to the high levels of work-related violence, the Health and Safety Executive carried out a targeted inspection of around 20 prisons in England, Wales and Scotland in 2017/18.

The recent Assaults on Emergency Workers (Offences) Act 2018 requires the criminal justice system to take attacks against prison staff more seriously. One prisoner, who had assaulted a prison officer at HMP Berwyn, had an increased tariff added to his sentence, with the judge specifically citing the 2018 Act. However, the Alliance believe that there should be a greater focus on avoiding such attacks in the first place by identifying and preventing of the causes of violence against all prison staff.

### **Impact of Exposures to Psychoactive Substances**

---

<sup>3</sup> <https://www.gov.uk/government/statistics/safety-in-custody-quarterly-update-to-september-2018>

<sup>4</sup> HM Chief Inspector of Prisons annual report 2017-18 <https://www.gov.uk/government/publications/hm-chief-inspector-of-prisons-annual-report-2017-to-2018>

In addition to the well-documented role psychoactive substances have played in the rise of violence in prisons, members of the Alliance have serious concerns about short and long-term secondary exposure to psychoactive substances, especially in situations where members working in prisons have to enter cells to provide first aid to prisoners who have become unconscious following exposures.

Members working in prisons report a variety of symptoms from second-hand exposures, including nausea, dizziness and anxiety. The Alliance are aware of cases where their members have been rendered unconscious due to exposures; have experienced breathing problems and instances of staff being taken to hospital, including a member of prison healthcare staff being cardioverted (an emergency procedure to regularise their heart) in the back of an ambulance.

Members also highlight concerns over driving home from a shift following secondary exposures to psychoactive substances. The Alliance is aware of a case of a prison officer crashing his car on the way home from work after exposure.

### **Working conditions and overcrowding**

In a recent report, the UK Parliament's Health Committee (2018) found that too many prisoners remain in unsanitary conditions that fall far short of the standards we should expect. The committee recommended that the Government should set out what its plan is to ensure that all prisons are clean and sanitary all of the time and by when, and how, they expect to stop overcrowding. The Health Committee also recognised workforce issues and highlighted that "Workforce is fundamental to addressing the problems in prisons", going on to recommend that "the National Prison Health Board should develop a workforce plan to underpin a whole prison approach. The plan should set out how it will ensure there are sufficient and stable staffing levels and how it will fill key gaps in the skills and skill-mix of the prison workforce."<sup>5</sup>

Overcrowding and poor conditions were also raised by HM Chief Inspector of Prisons. As identified by McGuire (2018) in a rapid evidence review for HMPPS, poor physical conditions for prisoners can heighten tensions and lead to a rise in conflict and abuse<sup>6</sup>.

---

<sup>5</sup> <https://www.parliament.uk/business/committees/committees-a-z/commons-select/health-and-social-care-committee/inquiries/parliament-2017/prison-healthcare-inquiry-17-19/>

<sup>6</sup> <https://www.gov.uk/government/publications/understanding-prison-violence-a-rapid-evidence-assessment>

Unite members tell us that there are low stocks of goods in many prisons, where they are unable to provide the basics such as pillows for prisoners and toilet rolls. Their members are also struggling to catch up on the backlog of repairs needed to maintain the prison estate.

The conditions that prisoners are living in are also the conditions our members are working in. We know of cases of education staff exposed to mites living on rat droppings, where their bites are exacerbated by overheated classrooms and where they can't access clean water because their kitchen is infested with cockroaches. Probation officers tell us that they don't always have somewhere appropriate to meet prisoners, and can end up conducting meetings in cupboards.

Poor workplace conditions can lead to an increased risk of workplace hazards such as slips and falls, asbestos exposures and exposure to biological hazards such as leptospirosis linked to vermin.

### **Consultation on health and safety issues**

With the contracting out of services in prisons, and therefore multiple employers, it is difficult to tackle many of the issues our members are justifiably concerned about. There are multiple reporting systems for health and safety issues and no overall co-ordination of the approach to tackle these problems across a prison.

UCU have developed a framework with HMPPS and education services providers which helps to address some of these issues. This could be used as a future framework to be adopted by all prison-service providers.

The Alliance recognise the value of trade union safety representatives in improving working conditions and want to work with respective employing organisations to recruit safety reps.

There is evidence of under-reporting of issues, members working for contractors in prisons were also unsure how to raise concerns and who to raise them with. In some cases, staff are fearful to raise concerns within the prison. This was illustrated by the case of the private contractors working for AMEY who were unfairly dismissed for raising concerns about working practices in HMP Liverpool.<sup>7</sup>

---

<sup>7</sup> <https://www.ioshmagazine.com/article/liverpool-prison-workers-fired-raising-safety-concerns-win-unfair-dismissal-case>

## **Safe Inside**

Considering the current state of prisons outlined in this position statement, the Alliance believe that these issues can only be effectively addressed with a clear and united call on behalf of all prison workers for meaningful action. Employers, government and trade unions across this sector must work together to tackle this crisis. Our calls for action, cited at the beginning of this document, begin to scope out the nature of the work involved in ensuring that prison staff feel 'Safe Inside'.