Welcome to the Winter edition of our news bulletin.

This issue is guest edited by Professor Alison Liebling who is Director of the Prisons Research Centre at the Institute of Criminology at the University of Cambridge.

For more information please visit their website http://www.crim.cam.ac.uk/research/prc/

Academy News

The Academy are very pleased to announce that we have a new Chair of the Executive Group - David Griffiths. David is Deputy Director in the Justice Policy Group at MoJ, with specific policy responsibility for commissioning and competition of offender services. His work has underpinned the current NOMS commissioning strategy and NOMS competition programme.

David brings a wealth of experience to the role and has been an active member of the Academy since its inception. Commenting on his new role David says:

“I am very pleased to have been nominated as Chair for the coming year and the Executive group and I will do all we can to ensure the Academy’s continuing success.

“The Academy will continue to focus on developing commissioning across MoJ to meet the challenge of delivering better and more efficient public services.

"We have some exciting projects planned to help commissioners be more effective in these austere times and we look forward to sharing these with you in the coming months."

We would like to thank our outgoing Chair, Trevor Williams, for his outstanding contribution to the success of the Academy to date and are delighted that he is keen to stay on the Academy’s Executive Group and play a part in its future plans.

We would also like to welcome a new member to the Executive Group - Kerry Wood, Head of Central Commissioning at the Legal Services Commission.

Your feedback, as always, is very important to us and if you have any thoughts or ideas about this edition or any other Academy services, or would like to contribute an article yourself, please email us at: academy@noms.gsi.gov.uk
I am delighted to be invited to edit an issue of the Academy for Justice Commissioning bulletin, and have focused on the work of the Cambridge Institute of Criminology’s Prisons Research Centre.

The Prisons Research Centre was established under my Directorship in 2000, with a very modest budget, one research assistant and a part-time administrator. It is now well established and attracts funding from NOMS, research councils and from other organisations.

Its members include myself, Dr Ben Crewe (recently promoted to Deputy Director), Dr Susie Hulley (Senior Research Associate), Ms Helen Arnold (Research Associate), Christina Straub (Research Assistant) and around 8 PhD students at any one time, all doing individual research projects.

We also have a high number of CASE Studentship awards, which are collaborative partnerships with external bodies (like NOMS) who have an interest in our research and so provide access, background information and support. The centre also hosts Visiting Scholars from time to time.

Our aim is to provide a stimulating research environment in which a coherent strategy of research, and integration between funded and non-funded, and applied and theoretical projects can be facilitated. Part of our aim is to ‘grow a new generation of experienced and skilled prison scholars’, as the need for research outstripped the available supply.

Outstanding PhD students from a wide range of backgrounds and jurisdictions are attracted to the Prisons Research Centre because of the critical mass and expertise built up over time. Most find their way into posts at other universities (often in their home countries) once they have completed their theses. Our hope is that we will see the development of prisons research communities in other countries.

In Cambridge, we are striving to consolidate and enhance the Institute of Criminology’s strengths in prison research, its capacity to collaborate with others, and its capacity to develop and prioritise expertise and understanding in the broad field of penology. The long-term and integrated nature of the work being conducted provides ‘added value’ to the prisons research community and allows us to work away at difficult questions in a developmental or cumulative way. The overarching theme of the research programme being undertaken is ‘What Shapes Prison Life?’.

The relationship between the Centre and NOMS has been an easy and rewarding one, based on mutual trust as well as clear expectations and freedoms on both sides. It has been crucial to our independence that most of our funding comes from sources other than NOMS, but inevitably, we do research that is both requested by or of interest to NOMS. We find the presentation and discussion of findings a healthy and challenging stage in the research process, and the operational experience of our critics often sharpens our thinking as well as deepens our interest.

We hold an annual Steering Group Meeting at which we present emerging research findings to an interested audience and this is always a stimulating day for us as a team, as well as (we hope) for our guests.

In this edition of the Newsletter we present a range of the work currently being undertaken, and an account by one senior manager of his experience on the Institute’s Master of Studies Programme in Applied Criminology, Penology and Management.

I would like to express my personal appreciation to all those who work or have worked in the Centre, as well as to those who trust us to study your world, in all its complexity, for making the Prisons Research Centre such an energetic and rewarding place to work.
Prison privatisation was initially conceived as an ‘experiment’ – a test of different models of the provision of custodial ‘services’. Yet, as a number of academics have highlighted, we still know fairly little about the relative quality or effectiveness of public versus private prisons, in the UK or beyond (Harding 2001; Perrone and Pratt 2003; Gaes et al. 2004).

It is important to try to assess some of the claims that have been made for (and against) private sector involvement in prison management, rather than allow debates to rest on rhetoric and ideology alone. The need for a scrupulous empirical research base in this area is all the more important in the current political context. The recent Green Paper on Criminal Justice proposes to ‘open up the market to new providers from the private, voluntary and community sectors’ (2010: 10) and to pay this more diverse range of providers according to reoffending outcomes. It promises to transform a vital area of public policy, but is able to draw on little existing evidence about the relative performance of public and private punishment provision, despite the fact that the modern era of prison competition started in 1992, with the opening of HMP Wolds.

Part of the problem is that there is little consensus about the best way to conceptualise and measure prison quality. Should we judge prisons only by ‘external’ measures, such as their impact on reoffending, or by ‘internal’ measures such as suicide rates, or the quality of life experienced by the imprisoned? What are the criteria by which we should measure the prisoner experience? What is the relationship between a prison’s ‘moral performance’ (Liebling and Arnold 2004) and the future behaviour of its captives? Might it be the case that the public and private sectors have different strengths and weaknesses, which lead to different kinds of outcomes, and which might be combined in the institutions of the future?

In 2006, with many of these questions in mind, the authors, and several colleagues, embarked on a detailed study of values, practices and outcomes in public and private corrections. Taking advice from practitioners in both sectors, we sought to ‘match’ two public and two private sector prisons (that is, ensure that they were comparable in terms of age, function, security level), and compare their cultures, relationships and the experiences of prisoners and staff within them. Our ethnographic research in these prisons – two of which were training prisons for adult males, and two of which were local prisons, also for adult males – involved observations of and interviews with prisoners and staff, plus the administration of quality of life surveys to both groups. In all four establishments we were given keys and allowed free access to all areas of the prison, enabling us to talk openly with prisoners, uniformed staff and managers about their experiences. This ‘deep’ fieldwork was supplemented by shorter research visits to three further private sector prisons (Rye Hill, Lowdham Grange and Altcourse), in which we distributed our surveys and conducted a small number of interviews.

In our evaluation of the two pairs of matched prisons, the two public sector prisons (Bullingdon and Garth) generally outperformed their private sector comparators (Forest Bank and Dovegate). The public sector training prison scored significantly higher than its private sector comparator on seventeen of our twenty-one prisoner ‘quality of life’ measures and below it on none, while the public sector local prison scored significantly higher than its private sector comparator on eight of the measures and below it on none. These measures included prisoner assessments of the respectfulness of their treatment, their safety, their psychological wellbeing, and the...
professionalism of prison staff. Data from the three supplementary private prisons complicated this picture. One of the private sector training prisons (Lowdham Grange) scored significantly above the public sector training prison on nine of the twenty-one dimensions (and below it on none), while the additional private sector local prison (Altcourse) scored significantly higher than the public sector local prison on fifteen of the twenty-one dimensions (and significantly below it on none). The public sector prisons in our study were considered to be fairly high-quality. This made the prisoner evaluations of the two high-performing private sector prisons all the more striking.

On the other hand, the least impressive prisons in our study were also in the private sector. Both of the private prisons in the main ethnographic study exhibited weaknesses in the areas of policing and control, organisation and consistency, and the ‘personal development’ of prisoners (e.g. their feeling that the prison regime was constructive and was helping them to lead a law-abiding life on release).

Senior managers in both of these prisons acknowledged that their staff were less good at following procedures than those in the public sector, that the quality of uniformed staff and middle managers was highly variable, and that the high turnover of staff was a major problem. The emphasis in staff training on interpersonal skills - and the effort made to encourage staff cultures that were positive and respectful – did not lead to our two main private sector prisons outperforming their public sector comparators in the expected areas. In these private prisons, relationships between prisoners and staff were courteous, and prisoners generally recognised that staff were benign and committed. However, the lack of experience and expertise among uniformed staff (and their low numbers) meant that prisoners’ legitimate expectations were often unmet. The relatively low levels of staff professionalism in these prisons was also manifested in both the over-use and under-use of authority.

In the public sector prisons, officers were confident and knowledgeable, delivering regimes that were safer and more reliable than in the matched private sector prisons. Relationships with prisoners were fairly informal, and, in general, power was exercised fairly and confidently. However, prisoners sometimes described an experience of imprisonment that felt ‘heavier’ and more ‘edgy’ than in the private sector comparators. Uniformed staff could sometimes be indifferent towards prisoners, and their dispositions of staff towards prisoners were more negative than those of most private sector staff.

The two high-performing private sector prisons that were added into the study seemed to combine many of the strengths of both sectors. They were unencumbered by some of the cultural ‘weight’ of the public sector – in particular, a powerful trade union culture that has often promoted an ethos of cynicism – allowing relationships between staff and prisoners to be respectful, supportive and caring. Uniformed staff seemed confident and knowledgeable, having built up more experience than staff in the poorer-performing private prisons. Interestingly though, there were indications that, in the domain of security and policing, even the high-performing private prisons were less strong than in other areas of quality. Staffing levels were tight and power was slightly under-used.

Not all of the most important issues about prison privatisation can be addressed through these kinds of evaluations. Questions remain about the ethics and longer term effects of private sector involvement in incarceration, and we do not wish to diminish the significance of these matters. Yet our data suggest that some lessons can be drawn from the privatisation ‘experiment’. First, since there are huge variations in the quality of private prisons, we should not assume that the private sector is in itself any better at running prisons than the public sector; second, there are some risks in doing privatisation ‘on the cheap’; third, there are some hidden strengths in the public sector, particularly in relation to staff professionalism and the use of authority; and, finally, the quality of management really matters, and might account for the differences between the performance of otherwise similar establishments.

Ben Crewe, Alison Liebling and Susie Hulley
‘Exploring Excellence: Effective Senior Management Teams in Public Sector Prisons’

Dilulio concluded from his exploratory study of correctional institutions in three US states, that ‘prison management may be the single most important determinant in the quality of prison life’ (1987:255). He also said that ‘poor prison and jail conditions are produced by poor prison and jail management; cruel and unusual conditions are the product of failed management’ (1991:12).

Prison Management

Despite management quality and practice being one of the most important determinants of prison quality, to date no equivalent study to Dilulio’s (1987) ‘Governing Prisons’ exists in the UK and not a single study systematically investigates senior management teams as a unit. Why has management not been studied in any detail before? Dilulio (1991) suggests that the “management variable” has been neglected by scholars in part because other variables are easier to study’ (270).

Bryans (2000) noted that ‘access to prisons and governors has traditionally been very limited, requiring special approval from the Home Office’. He goes on to suggest that governors have never been a research priority and that they themselves may have resisted scrutiny of their role, ‘preferring to perpetuate the belief that their work is sui generis and too difficult to describe’ (15).

Prison management is complex. Modern prison management teams operate under ever increasing pressures: challenging populations, overcrowding and stringent standards for performance, set against a backdrop of increasing budgetary constraint. The modern senior manager has to be ‘corporate’ whilst remaining ‘human’. In such testing times it is important to understand how the ‘best’ teams are performing: How do they achieve this success? What are the mechanisms which underlie effectiveness? And could they be replicated in other establishments and at other points in time? What does effectiveness mean in relation to the modern senior manager?

The fieldwork

The current study aims to elucidate some of the 'unknowns' about prison senior management by using innovative and appreciative methods to investigate two high-performing teams in detail. I spent extended periods of time conducting fieldwork at two establishments, I shadowed key SMT members, conducted in depth interviews and conducted psychometric and personality tests on all team members, ran focus groups with staff and administered a staff quality of life survey. I triangulated results by assessing manager's accounts of their work alongside my observational analyses and psychometric assessments. The fieldwork was successful and resulted in a rich and plentiful supply of qualitative and quantitative data.

Emergent Themes

Two broad themes emerged strongly from the data. These were optimism, which encompassed concepts such as positivity, hope, faith, trust and confidence, and resilience, which encompassed concepts such as buoyancy, adjustability, flexibility, tenacity and determination. I used these concepts, alongside evidence from managers personality and work profiles, to create a typology of senior management styles. I identified six ‘types’ based on their position along two intersecting continua, one from optimism to pessimism and one from resilience to vulnerability. The typology is not intended to be a general model for prison management: the ‘types’ are ‘ideal’ types based on the most salient characteristics for that group of individuals. There is variation both between and within type. The group I called ‘flexible-realists’ emerged as the most effective and successful senior managers. They were the ones who possessed the most valuable combination of personal and professional characteristics to succeed in their current context. They were optimistic and resilient but not at the extremes of either.

Other themes developed throughout my thesis include the relative importance of the number one governor and the significance of being ‘authentic’ in order to achieve legitimate leadership.

I am currently in the final stages of writing my thesis which is due for submission at the end of March 2011. I am hopeful that the findings will contribute to the good practice agenda. As Bryans (2000) states, ‘it is only when we understand how prisons are governed and by whom that we will have a better insight into life behind bars’ (15). Understanding what makes senior management teams effective is an important part of the improvement agenda.

Vicky Gadd
Searching for Mercy Street
An examination of the re-entry of ex-prisoners released from a faith-based prison programme in the USA

Faith-based community groups have been suggested as part of the answer to USA’s re-entry crisis. Research shows that involvement in faith communities post release can reduce recidivism (Sumter, 2000), but has also found that ex-prisoners who join faith communities immediately after release, but do not continue involvement, reoffend more than those who never join faith communities (La Vigne et al., 2009). This project was designed to get a realistic picture of the messy realities of life post-release for ex-prisoners intending to join faith communities in order to better understand the processes involved.

Over a six-month period 51 prisoners were released from a faith-based prison program, 48 of whom participated in the study. Ethnographic observations began within the faith-based prison programme four months prior to the first participant’s release and continued for a year post release. Participants were interviewed prior to release, within 2 weeks post release and an average of 7.5 months post release. Volunteer mentors were also interviewed. Contacts with participants included attending faith communities, meeting families, visiting transitional houses, work places, old and new haunts, attending parole offices, crack houses and drug rehab centres, alcoholics anonymous and Bible studies, and experiencing the frustrations of trying to cash a release cheque, open a bank account and get the official ID necessary to do these things with no paper history.

Preliminary findings show the difficulties and barriers ex-prisoners face in re-entry, including the restrictions of coping with life on parole, and how the escalation of these difficulties resulted in increased shame and stigma, posing barriers to continued involvement in faith communities. Participants emphasised the important role of volunteers in providing a link with pro-social society and imparting a sense of common humanity, sometimes through sharing their own vulnerabilities, thus encouraging participants to do the same.

Re-entry is a time of conflicting messages for ex-prisoners concerning their responsibility for their own transformation and success. Parole risk management strategies leave little scope for positive interventions with parolees. The role of officers was to monitor, not to transform. There were few examples of parole officers providing tangible help or support to parolees in transition. Instead parole operated as an agency of social control with pretensions of promoting positive offender change, thus restricting the nature of interactions with parolees and resulting in parole officers’ abdication of responsibility for any transformative function of their role to the parolees themselves (Lynch, 2000). One participant spoke of how his interactions with a difficult parole officer made him feel worthless, “you’re a criminal, you’ve been to prison, you’re crap, I’m not going to treat you like a human being, don’t expect it.”

In contrast some faith communities provided respite from continuing experiences of exclusion, control and punishment. In the first interviews, at the pre-release stage, all participants said they intended to join a faith-community post release, and 94% did so. Participants selected the faith communities because they accepted them and welcomed them. A lack of judgment for past wrongdoings was a crucial component of this perceived acceptance. However, participants did not always feel they were accepted at face value and provided with a supportive forum in which to demonstrate a transformed self. James said that he was enjoying church when he was first released and was doing well, but he noticed some people ‘looked at him funny’ because of the GPS monitor he had to carry around with him, and when he began to struggle with difficulties he simply stopped going.
Explaining this decision in a song, he wrote: “they stereotype me all my life, even when I choose to do what’s right”. James managed to stay out of prison, but others who found it too shameful to return to faith communities and ask for help when they had engaged in illicit behaviours did not fare so well.

One of the beneficial roles participants attributed to volunteers who worked with them both pre and post release was the sincere nature of their interest. This communicated a sense of humanity and was important in establishing a relationship of trust. Each of the volunteers told me that as they interacted with prisoners and people released from prison they began to see commonalities, to see that prisoners were not so ‘other’ as they had previously believed. A crucial element of the common humanity experienced between prisoners and volunteers was the importance of shared vulnerabilities. Participants in the study talked about their move towards a pro-social identity through volunteers being willing to ‘level with them’, to treat them as redeemed rather than redeemable, to meet them in their weakness and at this level to acknowledge, ‘we are the same, we all struggle’. This approach encouraged participants to be realistic and resilient in the face of struggles and helped them to open up with themselves and others about the difficulties they faced in life. Volunteers willing to be honest about their own problems demonstrated how those who are successful sometimes fail, that those who are good are not always quite so good, and that even those who are strong are sometimes vulnerable and weak.

These interactions with volunteers model a pro-social identity that can survive in the face of struggles, difficulties and disappointments. This acknowledgment of weakness or failure helped offenders navigate the relentless realities of life after prison more effectively than attempts to construct an identity based on strengths and triumphs alone. They communicated that difficulties need not spell disaster and that coping with failure is part of the path to success. This same communication of acceptance and self-worth was linked to successful involvement in faith communities.

The risk management nature of parole interactions with ex-prisoners in this study implicitly defined them as the ‘criminal other’ and presented professional barriers to the development of trusting relationships. When success on parole is defined by monitoring compliance with restrictions, not only is the interpersonal interaction necessary to establish the trust in which vulnerabilities might be shared actively discouraged, but for ex-prisoners, sharing such factors could actually count against them if they are considered to be risk factors.

In line with government proposals to increase the role of volunteers and community organisations in the criminal justice system, the findings of this study have important implications for ex-prisoners and for volunteers. Real human relationships based on real lives could help to break down some of the preconceived barriers between the criminal ‘other’ and the social ‘us’, creating a more cohesive sense of common ground among those with differences. The proposals contained in the MoJ green paper, Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders, include giving both front-line professionals and third sector service providers greater freedoms in how they manage and interrelate with offenders, “increasing discretion to get the job done” and aiming to “restore trust”. The findings of this study suggest caution in an approach to offender management that is exclusively focussed on risk, because it can lead to a mechanistic model of interaction between criminal justice professionals and offenders that lacks an authentic relational dimension. Giving professionals and community volunteers more freedoms that aim to ‘restore trust’ between community volunteers, offenders and staff, should be welcomed, especially if this freedom encourages a return to the relational in offender management.

Ruth Armstrong
Exploring Contestability and Privatisation - what it means to the role of Prison Staff

Amy Ludlow is in the second year of her PhD in law at the University of Cambridge. Her research is jointly supervised by Professor Alison Liebling, Mrs Nicky Padfield and Professor Catherine Barnard.

Context

Contestability through market testing and competitive tendering with private sector involvement is a hugely significant experiment in penal organisation and management. It may result in prison closure or the transfer of management of that prison to a private company (privatisation). This business restructuring necessarily has enormous potential to effect employment and industrial relations change. The Prison Service wage bill accounts for approximately 80% of the total Prison Service budget and it is apparent that employment change (e.g. staffing levels or terms and conditions of employment) is a core mechanism for achieving increased efficiencies, making bids more competitive and attractive in any procurement process.

The current political and fiscal landscape suggests that contestability and privatisation will remain high and increasing prison policy priorities. In April 2009, after prison officers voted to reject the Workforce Modernisation package, the then Secretary of State for Justice, Jack Straw, announced a far-reaching market testing and prison capacity expansion programme. Significantly, the market testing of two public sector prisons, HMP Birmingham and HMP Wellingborough, described by Jack Straw as "poorly performing" was also announced.

Research Aims

My PhD research concerns this most recent wave of market testing in the prison sector. It combines public source data collection with two empirical case studies at HMP Birmingham and HMP & YOI Doncaster. One of the aims of the case study research is to carefully describe and evaluate market testing and procurement processes in prisons against labour law and human resources values. It aims to explore the role of procurement and employment law both in substance and practice in shaping the staffing and industrial relations impacts of contestability and privatisation. At heart, it seeks to explore any tensions between contestability and privatisation and good employment law and practice, particularly in the currently challenging economic climate. How has this tension been managed? What of the managers, bid teams and NOMS staff who have been charged with steering the process to its conclusion? Does the law provide an adequate and effective framework within which competing interests can be balanced? What is the experience of prison staff in local establishments who are going through this process and facing an uncertain future?

Implications for Contemporary Practice

The fieldwork for this research is ongoing, so it is not yet possible to describe any emerging findings. However, it is possible to state one finding with confidence: There is a huge amount of uncertainty about the current procurement process and outcomes among all prison staff at all levels within NOMS and in individual establishments.

Contestability and privatisation might have the potential to bring about significant positive employment and culture change for those who work in our prisons. Penological literature
has highlighted the centrality of prison officers in determining variations in prison quality. It has been argued persuasively that staff culture is a key factor in explaining the relatively high performance of some private prisons (albeit that some privately managed prisons operate less well). At its best, contestability and privatisation might be able to stimulate innovation and professionalise prison staff and management. But there are risks that where badly planned or badly managed, market testing also has the potential to undermine staff commitment, loyalty and trust in their employer and to jeopardise long-term regime quality and industrial stability.

There has not yet been a transfer of an operational public sector prison to private sector management in England and Wales (although there is an example in New South Wales – Parklea). A public to private prison management transfer is now possible at HMP Birmingham. This study is the first piece of staff-focussed research undertaken in a publicly managed prison in England and Wales which is facing either privatisation or management under new public sector conditions. How will our current understandings about what the private sector can offer be challenged by the import of public sector prison infrastructure and staffing, industrial and cultural heritage? If the public sector bid is successful, how will traditional public sector staff react to completely new staffing arrangements? And how and with what success or effects will employment law and human resources practice be used to manage staff transitions and workplace change?

This is a time of considerable transition, and it is hoped, improvement in the management and organisation of prisons in England and Wales. It is to the Prison Service’s credit that they are supporting research on the effects of these transformations on staff and managers at this critical time.

Amy Ludlow

Studying Applied Criminology, Penology and Management at the University of Cambridge Institute of Criminology

In the early 1990’s I was a young 20 year old and started to develop my social conscience and I decided that when I retired I wanted to have made a difference to society. I concluded that work within a prison would meet my objectives and would also provide an exciting career.

So, in 1993 I commenced work as a Prison Custody Officer at HMP Blakenhurst. As the years progressed I worked hard and undertook numerous prison focussed courses and gained promotions. By 2004 I was a senior manager within Kalyx working at HMP Forest Bank. I enjoyed my work and performed well, but I was conscious that, at times, I looked at issues primarily from an operational perspective. I therefore decided to review some academic opportunities to broaden my horizons.

In 2007 Forest Bank took part in the Cambridge Institute of Criminology’s research titled “Values, Practices and Outcomes in Public and Private Sector Corrections.” It was there that I met Professor Alison Liebling and Dr. Ben Crewe and I found their research fascinating and inspiring. I discussed the Institute’s part time Diploma and Masters of Studies Degree in Applied Criminology, Penology and Management and with my prison Director’s consent I applied and in March 2008 I commenced my Diploma and Masters Degree.

The course consisted of six separate fortnights in Cambridge over two years and content covered criminological theory and research, management theory and practices, prisons and imprisonment and issues in contemporary criminal justice.

The criminological theory and research strand included lectures on how such theories had evolved, what empirical evidence existed to support (or refute) them and how they informed government policy. It was interesting to see how this affected daily experiences, for example how deterrence and rational choice theories informed police initiatives such as situational crime prevention and...
the subsequent installation of CCTV. What became fascinating was to learn how and why this initiative had been successful in certain areas such as car parks, but had proven less beneficial in town centres.

The management strand reviewed Human Resource Management in public sector and private organisations, culture and industrial relations and organisational effectiveness. This area caused much deliberation from the students whose backgrounds ranged from public and private prison management, the probation service, magistrates and lawyers to international students.

The topics presented under the contemporary criminal justice strand ranged from human rights legislation and the use of torture, to race, gender and youth justice. The prison modules ranged from the sociology of prison life, suicide prevention, and prisons and their moral performance, to topics on order and control in prisons and the place of Super-max prisons in the USA. Following each fortnightly stay at the University, a 3000 word essay was required and the titles covered each of the four sections outlined above. Learning from the various strands was synthesised in special sessions, guest seminars, and in out of classroom deliberations – often late into the night!

In the second year a fifth essay was required and then the focus turned to the dissertation that would be required to pass the Masters degree. A proposal was submitted and each student was allocated a thesis supervisor from the department who specialised in their research area and guided us through the process of empirical data collection and analysis. Throughout the remaining two fortnights ideas were developed and research methodologies and analyses reviewed. Finally students completed their research and undertook the task of writing their 18000 word thesis. We became knowledgeable researchers, and therefore also better consumers and managers of research.

I found the second year exhilarating. My research focussed on an operational issue at Forest Bank. My study, titled "Prisoner Violence in a Privately Managed Local Prison: A Study of Frequency and Cause," reviewed official prison data and compared it to the experiences of prisoners. I completed focus groups and discussed with prisoners the prison data on frequency of violence on their living units and their views about what caused violence in the prison. My findings indicated that the prison management were aware of the frequencies of violence, however there was a need to develop investigations. Prisoners were very forthcoming in their views about the causes of violence and this has enabled the prison’s Director to review and improve procedures and facilities. An example of this was where a large proportion of prisoners claimed that friction arose from the queues to use the telephones. In response to my findings, the Director has installed extra telephones on the wings. It is encouraging to see the prison’s current performance against the serious assault target out performing all previous years. The whole experience of the Masters course allowed me to experience academic research and thinking that was relevant to my work. I challenged my previously held perspectives and developed a greater understanding of the work I undertake.

The course was not all work as each week there were formal dinners in grand halls in different parts of the University. The evenings were often accompanied by distinguished speakers ranging from Chief Constables to the Chief Operating Officer of NOMS. The degree was approved by a graduation at the Senate House at the University, a grand affair that was an exciting conclusion to the two years.

Since completing the course I have continued my association with academia. I have attended various European Conferences and given lectures myself on the effectiveness of issuing bank accounts to prisoners prior to release and how this project assisted in reducing their reoffending rates.

The MST has also enabled me to develop an analytical approach to operational prison matters, both when dealing with individual prisoners and when dealing with wider prison policy. Although prior to the course I felt I was a capable and effective manager, post course I am more aware of the broader context, and feel able to use my experience and knowledge to greater effect. I also have stronger relationships with, and understanding of, my colleagues elsewhere in the criminal justice system, and abroad.

Ian Whiteside
Conceptualising and Measuring the Quality of Prison Life

Alison Liebling and colleagues have spent around ten years considering how the social environment of a prison can be accurately assessed: what it is important to measure; and how we can capture distinctions between prisons.

The original Measuring the Quality of Prison Life study aimed to develop a meaningful test of prison performance based on what staff and prisoners described as the most important aspects of prison life, or what ‘mattered most’. Adopting an ‘appreciative’ approach – a method aimed at the articulation of best experiences – extensive fieldwork was conducted in five prisons between 2000-2001. Careful, organised discussions were held with staff and prisoners, and through a process of dialogue, deliberation and refinement, a set of dimensions were agreed, including concepts such as ‘staff-prisoner relationships’, ‘humanity’, ‘fairness’ and ‘order’. A survey was constructed made up of individual statements (or ‘items’), which reflected these concepts. This was administered to 100 randomly sampled prisoners in each of five prisons, as part of long, one-to-one interviews.

Significant differences between establishments emerged from the survey data, indicating the value of the MQPL in distinguishing between prisons in important areas of prison life. Consistent with growing conceptual work on prison life, it was possible, using the survey data, to see that ‘scores’ on ‘staff-prisoner relationships’ and ‘fairness’, for example, were related to outcomes, like ‘order’ and prisoner ‘well-being’. The Prisons Service’s Standards Audit Unit expressed an interest in the research, and a follow-up project was carried out, preparing the survey for general use by the Prison Service, in an easy-to-administer and manageable way. Individual interviews were replaced by focus group administration.

The MQPL, as it became known, was developed by the Prisons Research Centre team during an evaluation of a suicide prevention initiative in 12 prisons between 2001 and 2004. In this research, stronger emphasis was placed on measuring prisoner distress and wellbeing, as well as on developing the staff component of the survey (the SQL). New MQPL dimensions included ‘assistance for the vulnerable’, ‘entry support’ and ‘distress’. The revised survey was administered to 100 prisoners in 12 prisons before and after the implementation of the safer custody initiative, alongside observation and semi-structured interviews. The study found that scores on the ‘distress’ dimension were significantly related to institutional suicide rates, and also that some prisons were much better implementers of the safer custody strategy than others (even when they had received significant additional funding), with significant effects on outcomes. Knowing more about ‘what went on’ in individual prisons, in areas that mattered, gave us a clearer understanding about how policies worked in practice, how staff cultures worked with or against such policies, and how complex prisons were to manage well.

The most recent version of the MQPL was developed during an ESRC-funded study of ‘Values, Practices and Outcomes in Public and Private Sector Corrections’ led by Professor Alison Liebling and Dr Ben Crewe. During this study, the survey was extended to represent new quality of life issues raised by prisoners in the context of the changing nature of prison life and to balance and complement the more explicitly relational aspects of prison life emphasised in earlier versions of the survey.

Surveys were administered in two public and five private prisons to a total of 1145 prisoners. Analysis was undertaken to refine the conceptual dimensions (this analysis was also informed by interviews with prisoners and extensive fieldwork). The twenty-one dimensions were grouped into five conceptual categories:
those following a short custodial sentence. For this reason this punishment should be favoured for those that are unlikely to pose a threat to the public. However, a two-year reconviction rate of around 50 per cent following a community sentence is still cause for concern. Developing a sustainable market for the delivery of probation is the critical reform that can see the rate of reoffending reduced at lower cost to taxpayers. The Green Paper’s commitment to competition is therefore welcome and commissioners must start to tackle the barriers that have prevented a range of providers per year for each offender — and rarely successful at rehabilitating offenders.

The National Audit Office estimates that reoffending following short-term sentences costs the economy around £10 billion each year. More than half of offenders on short sentences will be convicted of a further crime within a year of release. Reform is needed to change this trend. Community sentences can be delivered more cheaply and have a better record in rehabilitating offenders. The reoffending rate for similar offenders starting a court order under probation supervision is seven per cent lower than for those following a short custodial sentence. For this reason this punishment should be favoured for those that are unlikely to pose a threat to the public.

Competition – unlocking more for less in probation services

Reoffending rates following community sentences could be cut significantly if probation services were delivered in a mixed market of providers. The pressure of competition will force providers to raise their performance and focus on running efficient and effective programmes.

The Ministry of Justice’s Green Paper includes plans for sentencing reform, which will see non-custodial options used more frequently. The government has acknowledged that short-term prison sentences are costly to provide – at an average of £41,000 per year for each offender — and rarely successful at rehabilitating offenders.

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from the private and voluntary sectors from getting involved.

**Probation must be re-engineered to deliver more for less**

Despite significant expenditure on probation – investment has increased by more than 50 per cent over ten years – reoffending rates remain stubbornly high and have actually increased in some parts of the country.

The population under probation supervision has grown, sometimes to unmanageable levels, reducing officers’ ability to provide personal support and supervision. We must not let cuts to public spending exacerbate this situation, leading to costs being transferred to other parts of the public sector. Innovative solutions must be found. Increasing competition can be the driver of this change.

**A competitive environment is essential to increase effectiveness and lower costs**

Competition in public services has proven to deliver better value for money as providers seek to innovate to reduce their costs and improve quality. For probation this will mean lower reoffending, achieved at reduced cost to taxpayers.

The benefits of competition have been realised in other public services such as welfare to work, where independent providers are playing a leading role in the development of the Department for Work and Pensions’ Work Programme. In criminal justice, competitive tension has brought fundamental changes to the prison service, with cost savings in excess of 20 per cent achieved across the entire system.

The establishment of trusts from 2008 was intended to bolster competition for probation services. It was intended that they would be lead providers but commission services from independent organisations when deemed to offer best value. In practice, very few services are commissioned outside the public sector. In fact, the eight probation trusts in existence during the 2009/10 financial year commissioned just three per cent of services from the independent sector.

Private and voluntary organisations are running successful programmes for community sentences in parts of the country. For example, Northumbria and County Durham & Teesside Probation Trusts has teamed up with private provider A4e to provide employment and skills support to offenders serving unpaid work sentences. Serco is working with the Leicestershire and Rutland trust to deliver Community Payback out of HMP Lowdham Grange. Serco and G4S are also responsible for electronically monitoring offenders on curfew, achieving compliance rates above 90 per cent. Commissioners must build on this good practice to involve new, diverse organisations in managing offenders on probation.

**Commissioning must focus on outcomes and allow for innovation**

Top-down targets have restricted substantial improvements in probation service delivery. Too much focus on process has contributed to a situation where probation officers typically spend just a quarter of their time at work in contact with offenders.

Commissioners should be clear about the expected outcome – reducing reoffending – when contracting out services and allow providers freedom to innovate to achieve this. This will ensure that resources are focused on the tasks that have a real impact. Providers will also be incentivised to join up services from other agencies to meet the complex needs of offenders, forming alliances with the most qualified partners.

We support the MoJ in exploring options for implementing payment by results in criminal justice – this has the potential to transform how services are delivered. And once the market for probation services has developed, providers will be able to take on the risk associated with this type of commissioning.

The prime contractor model which has been used to deliver the Work Programme is well suited in this context. It would see one organisation accountable for offenders’ rehabilitation, bringing in local partners to help deliver the sentence requirement. This can also be an effective way to involve small businesses and voluntary groups that may be unable to take on the risk associated with large payment-by-results contracts.

The MoJ’s Green Paper contains some useful ideas which must now be built upon and implemented to combat reoffending through community sentences. CBI will be urging government to continue embracing competition, engaging with established and new providers to develop a mixed market, fully focused on achieving this aim.

CBI
Public Services Directorate
December 2010
As public sector budgets are drastically squeezed, many commissioners may think their only option is to cut existing services. But what if you could commission more for less?

**This spring the Centre for Public Innovation is delivering eight accredited courses in commissioning for outcomes**

Each course carries a Level 4 award qualification with the national awarding body, NCFE. A Level 4 award recognises specialist learning and involves detailed analysis of a high level of information and knowledge in an area of work or study.

Each course represents a component of the commissioning cycle, with all eight courses together covering the whole commissioning cycle. Learners can attend as many courses as they want. You may want to spread attendance at different courses across your commissioning or managerial team. Course 1 is particularly useful as a starting point for anyone unfamiliar with outcome based concepts.

The courses are of benefit for anyone involved in the commissioning of public services. They will also benefit **Service Provider managers** who want to understand both outcome-based commissioning and what commissioners will be looking for from successful providers. CPI’s trainers have specific experience of successfully commissioning services in health, social care, substance misuse services, crime reduction and children’s services; outcome-based commissioning frameworks are suitable across all public and third sector delivery.

**15 March, 2011** Course 01 **Developing Outcome Based Commissioning in the Public and Third Sector**

**23 March, 2011** Course 02 **Developing Needs Led Assessment to Determine Commissioning in the Public and Third Sector**

**5 April, 2011** Course 03 **Stimulating the Provider Market to Deliver Services in the Public and Third Sector**

**6 April, 2011** Course 04 **Involving Service Users and Other Stakeholders in the Commissioning of Services in the Public and Third Sector**

**19 April, 2011** Course 05 **Using Procurement to Commission Outcomes within the Public and Third Sector**

**4 May, 2011** Course 06 **Developing Outcome Based Tenders and Service Specifications in the Public and Third Sector**

**7 June, 2011** Course 07 **Developing Outcome Based Performance Management within the Public and Third Sector**

**14 June, 2011** Course 08 **Encouraging Innovation in the Commissioning of Services in the Public and Third Sector**

All courses will be held in London and run from 9am to 5pm

Each course involves one full day of classroom training plus a minimum of four hours self-study on a specific assignment. The assignment will be based on your real life workload and is marked and individual feedback provided to you by your course tutor.

The cost is at an introductory rate of **£275 plus VAT per course.**

(Places are strictly limited so early booking is advised)

To book a place please [download the booking form](mailto:monica.fenwick@publicinnovation.org.uk) and send to monica.fenwick@publicinnovation.org.uk Or visit our [website](http://www.academyforjusticecommissioning.org.uk) for further info and training dates.

Should you have any further queries please do not hesitate to contact Mark Davison on 07866 406 387 or email mark.davison@publicinnovation.org.uk.

For further details on CPI and what we can do for you visit our [website](http://www.academyforjusticecommissioning.org.uk).
The Academy for Justice Commissioning

These events are free and open for anyone to attend and provide important context for our work as commissioners & providers, open up networks of contacts and promote the role of the Academy amongst participants from other sectors.

To book your place please email your job title and organisation to Janet at: academy@noms.gsi.gov.uk

Please note that places are limited at these Seminars and are offered on a first come first served basis.

Seminar Programme

Thursday, 17 March, 2011

Evening Seminar

The Future Commissioning of Drug and Alcohol Services for Prisoners

featuring

Mike Trace, Chief Executive RAPt (Rehabilitation for Addicted Prisoners Trust)

After 15 years of significant expansion of drug interventions in UK prisons, the responsibility for commissioning these services has been passed from NOMS to the Department of Health. This change technically takes effect from 1st April 2011, but there is certain to be a transition period whilst the new commissioning structures in the NHS are developed and start the process of change towards a more efficient and effective portfolio of services.

Mike has been closely involved in this field for many years, both as a policy maker and service provider and will give a brief overview of the history of drug services to prisoners, a vision of how they could be made more effective in the future, and the key commissioning structures that will need to be put in place to achieve the policy objectives.

Venue: MoJ HQ, Petty France, London

Tuesday, 12 April, 2011

Commissioning Specialised Health Services

featuring

Dr Edmund Jessop

NHS National Specialised Commissioning Group

In this seminar Dr Jessop will explain what ‘commissioning’ means in the NHS and talk through the process involved which includes planning, funding and monitoring. He will also give an overview of the role of patients when commissioning NHS services.

There are 10 Specialised Commissioning Groups (SCGs) in England that commission specialised services for their regional populations, which range in size from 2.8 million people to 7.5 million people. The National Specialised Commissioning Group (NSCG) facilitates working across the 10 SCGs at a regional and pan-regional level.

Venue: MoJ HQ, Petty France, London

Further events to be announced shortly
The Academy for Justice Commissioning seeks to source and promote excellence in justice commissioning.

By setting standards and raising commissioner capability we will support the transformation of justice services to enable improved effectiveness and increased public confidence in the justice system.

Delegate feedback from recent Academy Seminars

Many thanks for an extremely useful and genuinely inspiring seminar. Good to have the chance to meet and talk in a relaxed setting to people at the forefront of commissioning who are genuinely interested in it and who have a cutting-edge understanding of it in relation to criminal justice.

I've been meaning to attend one of these for a while and found it to be extremely useful and informative. The opportunity to meet commissioning experts from a variety of backgrounds was invaluable. I will definitely be returning for future seminars. Thank you for organising this fantastic event.

The presentation stimulated excellent questions and debate, particularly around Public and Private sector providers working in partnership together.

A selection of past Seminar Topics

- Developing Community led Approaches to Designing & Delivering Services
- World Class Commissioning to Improve Health Outcomes
- Sharing Commissioning Experiences
- Developing Commissioning Skills
- Third Sector Commissioning: the reality
- DWP Commissioning Strategy
- The Future Commissioning System
- The Challenges of Collaborative Leadership
- Investing in Outcomes
- International Research Study of Public Procurement
- Seminar featuring Lord Carter of Coles
- Getting more from Commissioning Budgets
- The Difficult Business of Television Commissioning
- Seminar featuring CBI & TUC
- Seminar featuring Serco, Catch 22 & Turning Point
- Seminar featuring Michael Spurr, NOMS
- Successful Commissioning
- Commissioning for Probation
- Seminar featuring Jonathan Slater, MoJ
- The Fall and Rise of the Legal Services Commission
- "Embracing the Revolution"

If you would like a full list of presentations or a summary of a particular one please visit the Learning & Development section of our website www.academyforjusticecommissioning.org.uk or contact Janet via email: academy@noms.gsi.gov.uk

Contributions and feedback are most welcome.

If you are interested in submitting comments, relevant information or an article for inclusion in a future edition please contact Janet at academy@noms.gsi.gov.uk or call Janet on 01733 443 191

The Academy Executive Group members are:

- David Griffiths, Justice Policy Group, MoJ (Chair)
- David Keegan, Legal Services Commission (Vice Chair)
- Christine Lawrie, Probation Association
- Janet Cullinan, Academy for Justice Commissioning
- John Graham, HR Learning & Development, NOMS
- Kerry Wood, Central Commissioning, Legal Services Commission
- Michelle Jarman-Howe, Governor, HMP Highpoint
- Patsy Northern, MoJ / NHS East of England
- Peter Johnston, West Yorkshire Probation Trust
- Rhian Hamer, Strategic Planning & Performance, MoJ
- Sarah Ackgoz, Legal Services Commission
- Stephen Shaljean-Tilley, National School of Government
- Tony Challinor, Business & Service Development, NOMS
- Trevor Williams, Operations Director & DOM, NOMS