Research Report (5000 words excluding references)

Background

Perrone and Pratt (2003) have argued that we do not know enough about the relative quality or effectiveness of public and private sector prisons. There is little consensus about how to conceptualise prison quality (Logan 1992), and, as Camp et al (2002) note, there is relatively little information about the internal ‘operations’ of either public or private prisons. In the US, research into private sector prisons has tended to focus on management and budgetary factors rather than internal cultures and relationships (Harding 2001). Outcomes have generally been conceived in terms of future offending or cost savings alone, despite the methodological and philosophical problems with such approaches. Logan (1992: 579) has argued against assessing prisons in terms of external outcomes, claiming instead that it is ‘both equitable and possible to evaluate any prison’s performance in the competent, fair and efficient administration of confinement’ (ibid.: 579).

The principles underlying this ‘confinement model’ of prison evaluation are even more appropriate in jurisdictions such as the UK, where staff-prisoner relationships are proclaimed to be ‘at the heart’ of prison life (Home Office 1994; Liebling et al 1999) and senior practitioners have adopted the notion of ‘moral quality’ (Liebling 2004) in their evaluations of prison performance. It is reasonable to hypothesise that staff practices and moral quality impact upon prison effectiveness (see Mann et al). Further, the attempt to change internal prison practices and staff-prisoner relationships was more relevant to the introduction of private sector prisons in the UK (and Australia) than the United States (Harding 2001; Moyle 1995) - although the significance of such priorities should not be overstated (Ryan and Ward 1989; Jones and Newburn 2005). This makes it all the more significant that so few studies have illuminated the ‘black box’ of culture, practices and interpersonal dynamics within public and private sector prisons. Most studies have relied upon secondary or official performance data, such as costs, suicide rates, or assaults (Home Affairs Committee 1997; NAO 2003; and see Logan 1992; although see Bottomley et al 1997; James et al 1997). It remains incumbent upon researchers to provide meaningful evidence of differences between public and private sector prisons and to identify and describe the processes that can explain these differences.

Data that we had collected prior to this study as part of other studies (Liebling 2004; Liebling et al 2005) suggested that the public and private sectors had different strengths and weaknesses. Much of this data indicated that the treatment of prisoners in many private sector prisons was more benign and respectful than in most public sector prisons (see Liebling 2004; and Shefer and Liebling 2008). At the same time, our own and other studies have also consistently identified problems in the private sector related to low staffing levels, high turnover, and staff inexperience (Moyle 1995; James et al 1997; NAO 2003; HMCIP 2007). Official reports have suggested that, where these problems are particularly acute, private prisons are worse than the poorest performing public sector establishments (NAO 2003; see also e.g. HMCIP 2002, 2005, 2007), but that the best private sector prisons are at least as good as the best public sector establishments. There is clearly considerable variation within both sectors.
We set out to explore some of these issues in a systematic manner, through a dedicated and independently-funded study of public and private sector corrections.

**Objectives**
The key aims of the research in our original proposal were:

1. To provide an in-depth, close descriptive account of a major experiment in the social organisation of prison life.

2. To provide a systematic account of management, quality, practices, values and outcomes in contemporary corrections.

3. To provide rigorous empirical evidence on which to base arguments about the relative quality and effectiveness of public versus private prisons.

4. To investigate the values expressed and practised by senior managers and practitioners in both sectors, and to explore the extent to which they differ by sector, and thus to provide a groundbreaking analysis of the correctional service elite and, crucially, the role of private sector leaders and values in shaping and delivering public service objectives.

5. To explore what impact individual and organisational values have on prison life generally, and on prisoners and prison staff in particular.

6. To assess whether public or private sector prisons have advantages or disadvantages that make a difference to the prison experience, and that influence outcomes for the individual prisoners concerned, including their chances of reoffending.

7. To identify what the key factors in success or failure (high or low performance, and reoffending outcomes) are, including, for example, public or private sector management, the characteristics of staff and prisoners, the management approach to the prison, values held by staff and managers and their translation into practice.

8. To investigate the operation and effects of formal processes of performance improvement, including market testing.

Objectives 1-3, and 5-7 have been met fully, with the exception of some follow up work we are currently doing on reconviction rates for individual prisons. We have met the first part of objective 4 and we are currently writing and reflecting on the second part as we analyse the results from the seven-prison study. Objective 8 was subsumed under the two main parts of the original study, in part because the process of market testing stalled and performance improvement processes have become so widespread and relevant to all other stages of the research. We describe how we have met the objectives below.

**Methods**
For study 1, which was an observational, interview and survey-based study, we were given unlimited access to high-level operational and policy arenas over the course of
the project (e.g. the Prisons and NOMS Boards). We jointly observed around 10 Executive and Change Management Board meetings, and meetings with the Prison Officers Association (POA), and we both shadowed key Board personnel over a number of days, taking full notes throughout. In each of the main study fieldwork prisons, we spent a considerable amount of time observing and interviewing members of the senior management teams. We conducted long, biographical interviews with 95 prison governors, directors, Area Managers, Prisons and NOMS Board members, with Chief Executives and Operational Directors of the private prison companies, and with a few highly involved ‘outsiders’. Most of these interviews lasted around 3 hours. Some had to be conducted in two parts and lasted between 5 and 6 hours. We discussed each interview immediately afterwards, had them fully transcribed, have conducted a series of thematic discussions and analyses, and have developed a typology of professional orientations and a framework for further analysis.

The interviews were focused around biographical and career experiences, values, attitudes towards privatisation and the current organisation and operation of the Prison Service. The selection process was a mixture of opportunistic, snowballing, and theoretical, but was in the end more comprehensive than we originally intended. No-one declined to participate, and the sample was a sizeable proportion of the population of senior managers working in senior correctional management. We deliberately included most of those who had left the public sector to join the private sector and any ‘returnees’. With a few exceptions, the interviews were jointly conducted in Cambridge, with a single respondent, as a relaxed, organised conversation. We received an extraordinary level of cooperation and enthusiasm for this part of our work, and we were made welcome to follow up interviews with shadowing, visits to prisons and further conversation.

We also collected 120 senior manager surveys, which we handed out at the public sector Prison Service conference in 2007 and a smaller number from the private sector.

Study 2 consisted of an observational, interview-based and survey methodology in four matched and three additional establishments. Our original research design proposed a mainly ethnographic comparison of two public sector and two private sector establishments, carefully matched in terms of function, age, size and other relevant factors. One of the key aims of the study was to provide the kind of qualitative insight into cultures and practices that has been absent from most public-private evaluations: to observe the use of power, and interview prisoners and staff about their experiences in general, the exercise of authority and the application of discretion; to gauge staff dispositions, and explore the relationship between their attitudes and behaviour; to see whether there were differences in management styles and structures, and to evaluate values as well as practices within each organisation. This qualitative component has complemented the collection of survey and official data.

Advice on which prisons were comparable was taken from senior practitioners in both sectors. Following the selection process, access was successfully negotiated with two local prisons, HMP Forest Bank (private sector) and HMP Bullingdon (public sector), and two category-B training prisons, HMP Dovegate (private sector) and HMP Garth (public sector). The research team spent several weeks in each of these establishments.
between September 2007 and November 2008, where its members were given keys and allowed unaccompanied access to all areas of each prison. A combination of research methods was employed, including interviews with prisoners, uniformed staff and managers, observations of management meetings, adjudications and staff-prisoner interactions, and the distribution of quality of life surveys to prisoners and staff.

Prisoner perceptions of their quality of life were gathered using a revised version of the Measuring the Quality of Prison Life (MQPL) survey (see Liebling 2004), a 140-item self-completion evaluation instrument that asks prisoners directly about their experiences of staff-prisoner relationships, respect, safety, order and other such aspects of prison life that ‘matter’, rather than relying on management information and secondary indicators of such variables (c.f. Logan 1992). It provides a measurement of culture, as well as of outcomes such as distress and wellbeing, which we know to be correlated with other outcomes such as suicide (Liebling et al 2005). The survey was revised specifically for the purposes of the study in response to ongoing research projects (Liebling et al 2005; Drake 2007; Crewe 2009) which had identified new forms of ‘depth’ (Downes 1988), ‘weight’ (King and McDermott 1995) and ‘tightness’ (Crewe 2009, 2010) in modern imprisonment. It was also adapted in some specific areas in the light of the early qualitative research, such as policing and staff professionalism, which we believed - based on past research findings and early fieldwork – would be especially pertinent to the study. The surveys were administered to a random sample of prisoners from all areas of each establishment in focus groups of between eight and twelve. Time was made available for prisoners to discuss issues arising from the surveys with the research team. The views of staff were gathered using a Staff Quality of Life (SQL) survey developed in consultation with prison staff (see Liebling 2008; Tait et al, in progress). In all prisons apart from HMP Altcourse, these surveys were distributed and collected by the research team following a brief presentation to all staff present during a full staff meeting.

Supplementary data (prisoner and staff surveys, and a small number of interviews) were collected at three further private sector prisons: HMP Rye Hill, HMP Lowdham Grange, and HMP Altcourse. The inclusion of Rye Hill was opportunistic, the outcome of an invitation from the Office of National Commissioning to use our staff and prisoner surveys to assess ‘where the prison was’ at the end of its ‘rectification notice’.1 Lowdham Grange and Altcourse were incorporated into the study primarily because prisoners in our main research sites consistently referred to their quality. We recognise that there is therefore some asymmetry in the research design, in that data have not been collected from the highest-performing public sector prisons. Short, informal visits were made to two further private sector prisons, HMP Parc and HMP The Wolds.

The structured questionnaire data were entered and analysed using the computer software package SPSS. A final revised set of quality of life dimensions were

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1 The Office for National Commissioning (ONC) was the body within the National Offender Management Service which oversaw the monitoring and performance of the private sector prisons. The ‘rectification notice’ was served upon the prison’s contractor (GSL) to highlight serious shortcomings in the prison’s performance (principally in the areas of prisoner safety and regime activities). The notice required the company to produce a written action plan and to address the issues identified in an operational review of the establishment.
developed using a combination of conceptual and statistical methods. Theoretical reflection on the factors generated by the quantitative analysis led to revisions, which were then retested statistically. The interview data were transcribed and thematically analysed using the software package NVivo. In total, we collected 1134 prisoner surveys and 957 staff surveys, and conducted 114 interviews with prisoners and 133 with staff.

Results
In terms of the matched pairs of prisons, the two public sector prisons generally outperformed their private sector comparators. Garth (public) scored significantly higher than Dovegate (private) on seventeen of our twenty-one prisoner quality of life dimensions, and below it on none, while Bullingdon (public) scored significantly higher than Forest Bank (private) on eight of the dimensions and below it on none. Data from the three supplementary private prisons complicate this picture, however. Lowdham Grange (private, training prison) scored significantly higher than Garth on nine of the twenty-one dimensions (and below it on none) and Altcourse (private local prison) scored significantly higher than Bullingdon on fifteen of the twenty-one dimensions (and significantly below it on none). Rye Hill’s scores resembled those of Dovegate, i.e. they were relatively poor compared to the other training prisons.

Both Forest Bank and Dovegate (the two private prisons) exhibited weaknesses in the areas of policing and control, organisation and consistency, and personal development. At senior levels, managers in both of these prisons acknowledged that staff were less good at following procedures than staff 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. Many officers and unit managers lacked the confidence and knowledge to deal with prisoners’ problems and referred their queries and applications up the institutional hierarchy. Like prisoners, some senior managers blamed the quality of staff training for these problems. The emphasis in staff training on interpersonal skills - and the self-conscious effort made in both establishments to inculcate a more positive and respectful staff culture – did not lead to our two main private sector prisons outperforming their public sector comparators in the areas that one might expect. This was particularly striking given findings from previous studies (e.g. James et al 1997; Liebling 2004). Relationships with prisoners were courteous and often informal, compared to the public sector, but this is only one component of respect.

The problems exhibited by the two main private prisons in the study were not identical, however. Relative to Bullingdon, the main weaknesses in Forest Bank were in two domains: first, in organisation and consistency; and second, in control and security, including drug culture and its attendant problems. Staff in Forest Bank were inexperienced and sometimes ineffective in meeting prisoners’ needs, and while this caused significant frustrations, prisoners recognised that staff attitudes were generally benign. Dovegate shared many of these problems, but its main weaknesses related to staff-prisoner relationships, fairness and staff professionalism. Having been encouraged to tighten up control after a highly turbulent period, and to manage their boundaries more appropriately, re-empowered staff had become rather careless in their use of power. They had reduced their emphasis on forming meaningful relationships with prisoners, and the prison’s ‘re-integration unit’ was generating a culture of fear and resentment.
One implication of these findings is that deficiencies in private sector prisons can take different forms, even when their root causes – chiefly, a lack of experience and expertise among staff (and low numbers) – are similar. In both establishments, uniformed staff struggled to use their authority and generate legitimate forms of control. In Dovegate, they tended to over-use their authority to achieve order, to the detriment of interpersonal relationships. In Forest Bank, staff under-used their power in a way that maintained good relationships but at the expense of safety and control.

Prisoners in Dovegate and Forest Bank were often explicit in identifying staff professionalism as the key difference between their experiences in the two sectors. The importance of this variable to prison quality is evidenced by the fact that the differences between the mean dimension scores of the best and worst performing prisons in our study were greatest within our ‘professionalism’ cluster. ‘Staff professionalism’ generated the largest difference in the study (ranging from Altcourse: 3.53 to Rye Hill 2.62, where the highest possible score is 5 and 3 is neutral) ‘organisation and consistency’ the second largest (Altcourse: 3.08; Dovegate: 2.23), ‘fairness’ the fifth largest (Altcourse: 3.15: Rye Hill 2.46) and ‘bureaucratic legitimacy’ the eighth largest (Altcourse 2.97; Dovegate 2.35). It is instructive to note that the prisons at the extreme poles on these dimensions were all private sector establishments.

In the private sector prisons, prisoners acknowledged that many problems were caused by staff being naïve rather than malign. In both Dovegate and Forest Bank, officers were enthusiastic about their work and fairly positively oriented to prisoners. However, their benign intentions were impeded by their inexperience and lack of confidence. For prisoners, the resulting problems made the experience of imprisonment more stressful and frustrating than in the public sector comparators, even though the lack of ‘edge’ among staff meant that it was in some ways ‘lighter’. Here, then, we see the limits to what positive staff cultures can achieve when there are other (‘professional’, or ‘delivery’) problems linked to private sector staffing.

In Garth and Bullingdon (both public sector), 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 power was generally exercised fairly and confidently. However, prisoners sometimes described an experience of imprisonment that felt ‘heavier’ than in the private sector comparators, and staff could sometimes be indifferent towards prisoners. Although their interactions with prisoners were often highly professional, their dispositions towards them were more negative than those of most private sector staff.

Lowdham Grange and Altcourse combined the strengths of both sectors, providing an environment that was relatively humane, predictable and purposeful. Unencumbered by the cultural baggage of the public sector – in particular, a powerful trade union culture that tends to promote an ethos of cynicism – the relationships that staff formed with prisoners appeared to be largely respectful, supportive and caring. Because the turnover of uniformed staff was not as high as in Dovegate and Forest Bank, wing staff had built up the kind of confidence, knowledge and expertise that was lacking in the weaker private sector prisons. Significantly though, Lowdham Grange and Altcourse were least impressive (relatively speaking) in the domain of security and
policing. It seems likely that, even in private prisons with experienced staff, the thin staffing levels that characterise profit-making institutions, and the relatively high turnover among a staff group who are less bonded to their occupation, may limit quality levels in certain areas. This caveat aside, it appears that prisons that are relatively good are relatively good in almost all respects – they are generalists rather than specialists. This reinforces our view that prisons are fundamentally relational: where staff-prisoner relationships are right, almost all aspects of the prisoner experience are enhanced.

There were some differences in management practices in the public and private sector prisons. Private sector directors spent a higher proportion of their time managing the external environment and company reputation, while also trying to reinforce basic staff standards. Public sector governors devoted considerably more time to dealing with industrial relations issues. At more senior levels, we found greater resistance to punitive government policies within the private sector, albeit for largely instrumental reasons.

In the senior manager study, we identified some clear professional styles, representing distinct approaches to the Governing task, with certain strengths and weaknesses, including different depths of moral vision. These were linked to personal and biographical characteristics and formative experiences during careers. We have defined these styles as: highly skilled operational; the performance-plus manager (including some technicists); entrepreneurs; moral dualists; thinker/speakers; and those who are alienated or complacent. We found some paradoxical developments, whereby some managers with the strongest liberal-humanitarian commitments were leaving the public sector to work in the private sector, because they felt their values would be more welcome and effective there. It is a false assumption that public sector professionals are ‘knights’ – heroic altruists with professional ethics – or that private sector professionals are ‘knaves’ – pursuing only profit under any circumstances.

Moral dualists were the managers most sensitive to power dynamics and to the plight of the individual, and were arguably the most effective. They were empathic and had a ‘feel’ for the prisoner experience. They were articulate, intelligent and operationally astute. They almost always had a clear focus on ‘delivery’, and they had a passion and pride in what they did. But they had a broader grasp of the purpose of performance targets and a clear focus on ends as well as means. They saw order, and targets, as for other things; and saw security and relationships as mutually reinforcing rather than in conflict. Thinker/speakers were liberal-idealists or value intellectuals. They were often slightly uncomfortable with their own roles, and were sometimes uncomfortable wielding power. They tended not to be pragmatists and were unembarrassed by using a language of care. We found an old liberal style of ‘gentleman governors’, who were paternalistic and somewhat elitist, but were respected for their values. These practitioners embodied the moral conscience of the Service, and had often shaped or mentored younger, highly competent but more managerial governors, creating in them a broader vision. There was also a younger, less purist, set of liberal governors, who were less utopian, more comfortable using power, and less embarrassed about the prison’s security functions, but who were no less values driven.

Two key axes emerged from our typology – values, and style. In general, the balance within the Service has shifted towards the security, ‘robust management’ end of the
style axis, and towards an individual, responsibilised model of offending. We found widespread unease with some harmony values and orientations. A younger generation of managerialists have become so focused on ‘the figures’ that they risk alienating staff by demanding that they work in a ‘virtual prison’. They have a narrow model of offending and its treatment and may blur the boundaries between responsibilisation and punishment. They are uncritical and can be highly mechanical (what Le Grand calls ‘willing Jonahs’). Many liberals governors think that the Prison Service has moved away from ‘doing things that matter for prisoners’ and that a form of economic rationalism has started to dominate, where a business case rather than a moral case is made for interventions (and everything else).

In our publications (in preparation), we consider the question of what the implications are of the proliferation of senior managers who have ‘bought into’ the performance agenda. Many complained of a ‘growing distance’ between themselves and the Board, and an absence of moral language, despite huge respect for the abilities of their leaders. Their moral instincts and enthusiasms were being stifled by an operationally mechanical, performance-oriented culture above them. Despite being almost like ‘knights’ in their public sector habits and orientations, the senior leadership were creating a ‘knave-like’ culture in the organisation. This is largely unintended, but is having major effects on prison life.

**Activities**

From the start, we have consulted and communicated with a range of end users. We have engaged in a range of ad hoc feedback activities, often as a response to direct requests. We have provided informal feedback on various issues to members of the Prison Service Management Board about emerging findings. In December 2008, we gave a seminar on the senior manager study and the establishment data to a meeting organised by the Office for National Commissioning, attended by private sector Directors and Executives and private prison Controllers. In January 2009, we reported on the findings of our senior manager study to the NOMS Race Equality Action Team (see NOMS 2008). In March 2009, drawing on early findings from our study, we provided a number of individual submissions for the Justice Commission on the role of the prison officer. Professor Liebling was subsequently called to speak to the Parliamentary committee as an expert witness (House of Commons Justice Committee 2009). Our invitation to assess HMP Rye Hill demonstrates the practical value of our research and the trust that penal decision-makers have in our expertise. We were invited by academics at the University of Edinburgh to talk to the Scottish Prison Service about the value of prison research.

We provided tailored feedback to senior management teams in six of the seven establishments that have been included in our comparative analysis of quality of life and culture in public and private prisons. In each case, we presented the main research findings, provided extensive documentation of the staff and prisoner results for each survey item, and responded to questions. We were very positively received and were told that our data provided exceptionally useful insight into both staff and prisoner views. We expect to be asked to use our surveys in private prisons in other jurisdictions, such as Scotland.

There has been considerable demand for further feedback and dissemination. For example, we were asked to lead a seminar with the Director of Human Resources of
the National Offender Management Service on our senior manager study, and had several requests from senior practitioners in NOMS to report the results of the comparative study. We still regularly receive requests from individual establishments to talk to uniformed staff and managers about issues such as staff-prisoner relationships and the use of authority. In addition, we have participated in or organised:

- A day seminar attended by representatives from private sector prison companies and prisons, to provide interim feedback and an opportunity to discuss emerging findings, and a similar seminar attended by representatives from the public sector Prison Service/NOMS.
- A session at the European Society of Criminology conference, in September 2009, Ljubljana, to report emerging findings to an international, academic audience.
- A meeting of the Scandinavian Network of Confinement Research Network Meeting, University of Oslo, October 2009, at which we reported the results of our senior manager study to an international, academic audience.

We are continually engaged in dissemination activities including seminars at the Criminal Justice Alliance meeting (April 2010), the PRC Steering Group Meeting (June 2010), ESC Conference (September 2010), East of England Regional Conference (My 2010), a staff-prisoner relationships conference (July 2010), and so on.

**Outputs**

Two papers have been submitted with our report: Liebling, A., Hulley, S., and Crewe, B. (under review) ‘Conceptualising and Measuring Prison Quality’, forthcoming in Gadd, D. et al (eds) *The Sage Handbook of Criminological Research Methods*; and Crewe, B., Liebling, A., Hulley, S., and McLean, C. (under review) ‘Prisoner quality of life in public and private sector prisons’. These papers constitute the first major accounts of our conceptual and methodological work, and the main findings from the comparative study. In addition to the two publications submitted, our third (on liberal humanitarianism) summarises our first thinking on the senior management study and has been submitted to an edited collection. Several others are in preparation. We have specific plans for papers on (a) the senior management typology (b) the issue of (what has happened to) liberal humanitarianism in corrections (c) the role of the prison officer and new forms of penal power (d) the balance of power between senior managers and staff in the two sectors, including perspectives on and the role of the POA (e) ‘punishment, pain and weight: why decency and distress matter in prison’; and (f) ‘staff culture, use of authority and outcomes for prisoners in public and private prisons’. We also plan to develop our analysis of the ‘very senior’ observational study of NOMS Board members. These papers will form the basis of the two main books we plan to write over the next 18 months based on the study (a comparative analysis of public and private sector prisons; and a study of culture and values among correctional senior managers).

**Impacts**

The revised MQPL survey represents a significant advance in our work on measuring the quality of prison life, has been adopted by Standards Audit Unit (and so is used in all prisons) and will inform future research. Prison Services in several other
jurisdictions have asked to use or develop the survey. Our methods and findings have been shared with bid teams in both sectors, have been used in other research projects (for example, a study of staff-prisoner relationships in HMP Whitemoor), and have informed a PhD on industrial relations in prisons.

As part of the feedback and dissemination process we have participated in the development of a training module on the use of authority for prison staff (on going) and may do similar on staff-prisoner relationships.

Several of the team contributed written evidence to the Justice Committee Inquiry on the Role of the Prison Officer and the PI was asked to be an oral witness.

Our various feedback activities have helped inform senior-level policy discussions about management culture and the relative strengths of public and private prisons, and the revised survey is making an impact on how the Service measures its own performance.

Future Research Priorities
We plan to continue to use (and develop) the quality of life survey, and the project in general has deepened our understanding of the use of authority, the prison experience, prison dynamics and outcomes, and the nature of contemporary imprisonment. Together, the revised dimensions represent a carefully balanced conceptual framework for thinking about the moral quality of a prison, as experienced by prisoners. The survey constitutes a tool for reflection and analysis, and for the 'identification of symptoms' indicating moral failings as well as strivings for legitimacy. In this sense, it is informing all our current thinking about future work.

Ethics
We encountered several relatively manageable ethical issues throughout the study, including the vested nature of interests in this field, the usual problems of working in prisons, access to (commercially and operationally) delicate material, sensitive findings with implications for some specific individuals, and the difficulties of close and continuing contact with staff and prisoners facing major difficulties and becoming their confidantes. None of these constituted serious or irresolvable problems and we discussed them fully with each other.

References


Tait et al (in progress) ‘Measuring Prison Staff Quality of Life: Implications for research on prison culture’.