

YOU'VE GOT THE POWER

Below is a transcript of the feedback from the breakout session following Bethany Schmidt's talk entitled "You've got the power". Delegates were asked to reflect on the issues of power, authority and the use of discretion in their roles.

Group 1

We talked about power, and how whenever we deal with a situation we explain our decisions to each individual depending on the situation; we treat people as individuals, with respect; and any decision we make is defensible, so if it's a decision where we have to use power we must make sure that's defensible. And if again we use authority we have to explain to the prisoner afterwards why we used that authority and why it had to happen and that makes them understand and feel better about the situation.

We talked about power as quite a negative word, we thought that leadership was maybe a better way of explaining the word. You need to use the best of both worlds really when you're talking about power; it's authority verses the caring aspect, so it's important to balance both.

Group 2

We started by talking about the Asda bag bit [an example from Bethany's talk in which a member of staff was asked by a prisoner to bring in a plain bag so he did not have to use an HMP property bag on release] and would we have done it or wouldn't we have done it and to be honest I think most of us... it was a really difficult one because a lot of people didn't really want to say that they would because they thought that would influence what other people thought of us, and that led onto a little bit more of a discussion about whether or not people felt that they had power, or who took away the power from them, from [them being able to] make authoritarian decisions.

And then we talked about a framework and the need for a structure and how that's changed over the last 10, 15, 20 years in the prison service, and about how we have seen that the framework we have had to work within has been like a big thick black line around everything and that line has got smaller and smaller and the grey areas have got bigger and bigger and there is now actually quite a fear of people to step outside of that box to actually take their own initiative and make authoritarian decisions... but whether it's those sorts of decisions [like whether] to bring in a plastic bag, or it's things that would create peer pressure from other members of staff regarding how they then view them... a lot of people just wouldn't want the label from other staff, as in being a 'fluffy' person or being a 'harsh' person. But also the fear from the powers that be, above us within the prison, that there's the risk that we take if we step outside our little box we're just going to be slapped down for it and if that happens once whether we would actually even try to do it again.

Group 3

We also talked about the carrier bag situation and as a group we said that it would depend on many factors; we wouldn't necessarily make the decision on our own to bring in a carrier bag but we might actually raise it higher up and say, look you know this is an issue for this person and is it feasible that we can find a way of bringing a bag that he doesn't have to carry and you know that he feels confident and comfortable with leaving the establishment and going into the community and returning home safely with. For me personally - I'm not talking for anybody else - but I said it would also depend on his behaviour; so, how has he been whilst he has had his stay with us and everything else, because if he has caused nothing but trouble, been rude and abusive, aggressive and everything whilst he's been staying with us I wouldn't necessarily have a problem with him going home with an HMP Wandsworth carrier bag! But that's me personally so that's how I would deal with it.

We talked about trust and how we build trust and I think as a group we acknowledged that trust is personal to an individual, how you build up trust and relationships is different with different people... so what is comfortable for me with boundaries and trust might not be comfortable for my colleagues but that's what makes us all work well together. For instance I'm not happy to disclose details to prisoners of my personal life, if I have children... I'm not on first name terms and equally I wouldn't use their first name - I'm not comfortable using their first name or calling them by their street name or anything like that. I always remain professional and for me that's how I remain professional, by using their surname, but other officers are quite happy and confident disclosing that information. That doesn't mean to say which way is right or wrong, that's just the boundaries that I personally have and that's the boundaries that my colleagues would have, and once you build up the relationships with prisoners and they have an understanding of you and you have that understanding of them, that's how you work well together. So you know as long as you are consistent and you're clear with those types of things I don't feel that it poses a problem either way, whether you use first names or surnames it's just a personal individual preference for us at Wandsworth anyway - you will find some people will call them by their first name.

We talked about abusing power as well; if we disagreed with how a colleague was handling a situation let's say, whether we would challenge that, how we would challenge that... and again it depends on the circumstances, but I think we all collectively said that we would challenge it but whether we challenge it in front of a prisoner or not is a different matter. Obviously if we felt that we had to intervene right at that minute then we would, but if we felt that that situation could have possibly been handled differently then we would talk to the officer after that situation had been resolved. But [sometimes you have to remember] that you might not know the build up to that situation, so we don't know what happened 20 minutes before... so we would challenge but we'd challenge outside of the earshot of the prisoner, and then maybe try and get a good idea of what was happening before with the prisoner and the officer collectively.

But I think trust goes both ways, with regards to prisoners and staff: you need to trust your colleagues as well as the prisoners, so you need to know who you are working with on the day and how you are collectively as a team on that day depends on how well your day goes, and whether you take a little bit more time to de-escalate the situation or whether you are more forceful and say, look this is the situation, we need this to be resolved now and you move forward from that point...but it really depends on who you are working with as well.

Group 4

We talked about the tools and what was most and least important in using power. We believe that integrity and getting the balance right was really important. We had a mixed group of SO's, or band 4's, and officers, and the SO's were talking about how it's important to try and encourage staff to make their own decisions, the fact that staff have no longer got SO's on the wings, so it's a confidence thing for them and they need to be given the confidence and know that they can make defensible decisions. So confidence and discretion, we saw as massive.

We also saw that dealing with issues as they arise is really important, as well as being fair and consistent, and prisoners really respect that. We also talked a bit about the five-minute intervention training and giving responsibility to prisoners, so if they can make the right decision they actually feel more empowered. Finally, we talked about why do prisoners do what we want them to do, and we talked about the fact that we do a lot for them, facilitate their needs and so on, and that's why they work with us. But because we do what we say we will do and we are transparent, they will work with us.

We also adapt our approach to suit the individual and one of our ladies was talking about the fact that we get warned not to be conditioned and manipulated by prisoners, but actually they need to be warned about us! Because we condition them and manipulate them every day. We had one example of bad practice where somebody spoke about a colleague who said that IEP's were my best friend and we then had a discussion about how that's not good.

Group 5

We talked about care and the ways we try to find a happy medium; how you use your discretion, and how you try to evaluate situations and explain the consequences and the implications. Positive reinforcement is also seen as power; challenging stereotypes; evaluating situations and trying to get prisoners to abide by rules in prison, and the realisation that the petty rules that you have to abide by in prison are a lot easier than the ones outside of jail.

Group 6

We talked about how we define boundaries and we thought that this was split up into two areas: firstly, rules and regulations i.e. national policies and establishment policies; and secondly, rules on the wing. We discussed how we can empower wing staff, and how if you can cut some of the red tape and try and make some of the national policies easier then you can get there quicker.

Common sense needs to prevail and you need to meet the specific needs of the prisoner. Some of the group spoke about local policies which come up and the example they gave was blood spillages in cells, and how the power to clean blood spillages has now been given to local contactors rather than training the prisoners to clean, which costs a lot more money.

We spoke about intelligent power; primarily, this involves common sense and boundaries which in this case can become more defined with clearer instructions. We spoke about dealing with the consequences of actions e.g. being placed on report and the additional loss of privileges. The example we gave here was staff feeling confident with walking into a cell where a prisoner might be threatening [but it turns okay] because of the relationship they've previously built up.

We spoke about trust and 'hot button issues' and the group discussed cross deployment as a pretty big issue around trust at the moment; you're not in your own area of work enough to be able to deal with problems and this leads to a lack of trust from prisoners, who think that you're not able to deal with any of the issues that come up. Also disengagement from some of the staff; so if a prisoner is in distress, staff will automatically assume that he is lying.

Examples of building trust were finding common ground e.g. a football team or certain personal details. And lastly we spoke about confidence - staff feel confident to use power in different areas, all staff are different and their skill sets are different as well. Some are confident using C&R, while other staff are confident in negotiation. Confidence comes with experience. Everybody gets nervous but the skill is learning to appear calm.

Group 7

We looked at top tips for building trust. We decided between us that the top way to build trust is to make sure that you don't lie to the prisoner, so if you are going to lie to the prisoner then they are not going to gain that trust with you. It's tough these days, and the regimes are changing constantly, and obviously it's hard to build trust when you only get 20 minutes' notice that for instance they are not out this afternoon; however, if you have that level of trust with them, you haven't lied to them before and are honest with them then you'll not have any issues.

We also said that working together as a team, - and obviously there's no SO's on our house blocks anymore - so communicating before you go on the wings in the morning, saying: 'this is happening today', so you're all singing from the same hymn sheet, so you can build that level of trust with each other and also with the prisoners.

We looked at being able to deal with situations, being straight about it, for example if some escorts have gone out and the regime has changed, tell the prisoner that, don't lie to them or just say, 'oh you're not coming out this afternoon' and that's it, shut the door. Instead, you say, you're not coming out this afternoon because this has happened, this is why we can't do anything about it, and they're more likely to trust you.

We also looked at fairness: you treat every prisoner the same, you can't expect one prisoner to wear shoes and not tell the other prisoner next to him, you should treat them all the same. Also having empathy and compassion, so building up a rapport with them, talking to them, speaking about things like their family, [so if you see a] picture on their wall, saying 'ohh is that your son?' - building that level of trust with them, they feel that if they are having a bad day they are not going to lose it with you.

We also [thought it was important] not to judge: they are all there for a reason, we all know that, we are not there to treat them because of their offence, we are there to rehabilitate them. And we talked about going the extra mile and building respect [but without] crossing that line. We discussed the carrier bag as well, and we all collectively agreed that we wouldn't have dealt with it that way, we would have gone to the governor and said - the way we're doing it at the moment isn't working.

Group 8

Three top tips to build trust: one, a consistent approach; two, fairness; three, don't be afraid to say no.

You *can* say no, because you can turn it into a yes - but don't try to do it the other way around because it doesn't work!

Why do prisoners do what you want them to do? We have a mutual respect, good relationships and there is a gender element apparently to this because the females [on the wing]... are they quite a bit more receptive to that? Possibly.

Prisoners are also scared of other prisoners running the jail and prisoners would prefer us to run the jail rather than other prisoners. All this is washed away of course with NPS as we discussed in our little groups. [Finally] just a nod to my colleague over there, I'm afraid I don't love this job, it's like a long term relationship where we just kind of get along!

Group 9

I think what we need to remember is that our use of power as prison officers has the ability to create and change and develop prisoners and embrace positive relationships and build better relationships with staff, and also change the wider perception of the public's opinion of what we do as prison officers and how we use our authority.

It was put to me that a wise man once said: rules are there for the convenience of fools but guidelines are there for the use of a wise man. And I think that we do have an awful lot of rules but sometimes there needs to be a level of flexibility. We discussed the carrier bag: one of the things we said is, it's about being transparent, it's about: yes, okay, the decision was made and it's probably the right decision but the way it came about was the wrong way. It needs to be a defensible decision, so discuss it with other people and actually put a process in where you are sharing that information.

I think the main point is that when you use any level of control, force, or power within your employment, it needs to be consistent. So to that end you need to be honest: if you know you don't know the answer, say what's happening, and if you forget, be honest again! Communication with prisoners is obviously key and the environment that we work in has an impact as well. One of the things we need to consider is if we have a discussion with a prisoner in the wrong environment then is that going to escalate the situation?

Act consistently and with transparency, and never abuse the power. We do have a lot of power as prison officers and we do have a lot of tools at our disposal; however, you should never under-estimate the impact that the use of that power has on the prisoner in the long term.

Group 10

We have been talking most of the day about toilet rolls! So we thought we better mention it, as whoever holds the key to the cupboard of the toilet rolls has an awful lot of power in prisons and I think we all know that. Currently working in a wing at a prison where there is about 273 uses of toilet roll, I really understand that.

We also talked about the power to determine how we can influence someone's life for the good or the bad; we looked at things like parole reports, reports for release on temporary licence - we write these things, and we've got to make sure that they are truthful and accurate, and that is a lot of power - it might be the difference between someone on life licence getting out next week, or in five years' time, so it is an awful lot of power to have. We *have* to avoid the abuse of power.

We treat people as equals but we must also treat them as individuals: power isn't black and white. When a prisoner is being non-compliant, they get all the attention for all the wrong reasons, so we talked about those individual prisoners who sit there quietly getting on with their sentence, doing what they should do, and actually we need to make sure that we do empower them to do what they need to do to get out, and not forget about them just because they appear to just be going along with everything.

Use Nomis to report things appropriately: accountability and respect and decency works in both ways and we need to be aware of that. We devolve power as prison officers and we can devolve power to prisoners themselves in a lot of different ways; for instance, we talked about listeners, we talked about insiders and peer support workers and those that actually do an awful lot of work for us. I guess in the open establishment, and perhaps even in the closed prisons, it's there for everybody to use and it's one of our best resources.

We also talked about challenging fellow officers and the use of discretion, and using it right: there is a bit of flexibility there, everybody is an individual, all prisoners are individuals, all staff are individuals, so we have got to do what we do with that in mind, think about where they came from and where they are going to.

Group 11

We started our discussion by talking about the carrier bag, and it raised a few issues regarding boundaries and discretion whilst staying within the rules set by the prison service. We spoke about how each individual officer will set their own boundaries within the confines of the rules set by the prison, and how you have to be consistent with those boundaries.

We discussed issues which might affect how your boundaries change and how you use the power that you have been given... we've got a variety of establishments represented in our group, I'm from an open prison but there are several from closed prisons... we have got a lady in open conditions who said that her boundaries are different having moved from closed to open conditions, in what she is called, [being on] first name terms, whether you are referred to by 'officer' or by surname, and it's just keeping consistent with those boundaries.

A good example of how people vary [the way they use power] is C&R; if you are confronted with an aggressive prisoner, it would maybe take one person a lot less to use force than someone else and it's entirely up to you, but it's your discretion. No preferential treatment should be shown to prisoners; you treat them all as equals. In different categories of prison, boundaries might be affected and in some jails the discretion could be led by the culture within the jail, so for example in some prisons there a quite draconian culture of surnames being used all the time.

We discussed intelligent authority: using your power but weighing up the consequences of your actions, so that you can use your power differently depending on what the knock-on effects of that might be. It's the responsibility of the staff to decide that: being aware of conditioning when using your discretion, understanding the differences between being nice and being conditioned, and explaining the rules and procedures.

Group 12

We talked about how, when you need to use your discretion and enforce a rule, you will use your defensible decision making skills, your interpersonal skills and your judgement, but it does depend on each situation and the individuals involved, IEPs, etc. Use of force is always our last resort and we will all be using our relationships and rapport with prisoners and our discretion probably more than we realise.