Prison Officers' Association (Eastbourne, 13.5.26)

Thank you Steve, thank you Mark and thank you Conference.

Last June I visited the US Federal Supermax Prison in Colorado.

There was one thing that impressed me above all.

Of course the United States Federal officials I spoke to wanted to promote their approach to an international visitor like me.

And of course, their regime is not foolproof. I found out that even in the deepest custody attacks on correctional officers can and did happen.

And true, there is a risk that the exceptionally restrictive measures at the Supermax can be used against terrorists who are too old and frail to present a realistic physical threat. In other words for their symbolic value not for legitimate protection.

But what impressed me was - what I will call - confidence in control.

The warden of the entire correctional institution – the Supermax was just part of a huge complex including equivalents of Cat B, Cat A, and various step down facilities – had her office in the supermax unit. That is where prisoners like Abu Hamza are still held. That is where the risk lay, and the warden (probably most important federal governor in US sytem) was physically there.

She was clearly in charge. She and her staff were confident in control.

She felt, it was obvious when speaking to her, supported by senior management in the Federal Bureau of prisons, many of whom had done her job before her.

The correctional officers were able to have frank and meaningful conversations with most of their prisoners because they felt in control - if you behave, things get better for you. If you don't, they will get more restrictive for you.

The prison's own lawyers, can you believe it, responsible for drafting those tricky witness statements to explain to judges how things actually happen in prison, were also correctional officers themselves. They knew.

This sense of confidence in control influenced my recommendations on a single Separation Centre system after Hashem Abedi's atrocious attack at Frankland. I've seen the video. I've seen the bravery. I know some of you are here today and it was very good to meet some you last year.

I regret to say I did not find amongst SC prison officers and even the governor of the unit itself, a clear sense that they had control of their prisoners.

In my view it was necessary to strip away some of the bureaucracy that left individual prison officers feeling completely at sea about how they could manage dangerous prisoners. Let me give you an example, and I will never forget this.

Officers considered, based on the advice they were getting, that they were unable to remove aluminium ring pulls from drink cans used by SC prisoners, even though those same ring pulls could be used to make weapons, because this would breach a principle of equality derived from the wording of the prison rules.

They were also advised that it would be difficult to use the empty segregation cells within the SCs, even where officers had been threatened, unless the same conduct would result in segregation in mainstream where there was a greater pressure on seg cells. This seemed wrong.

I hope that my recommendations to strip away inappropriate bureaucracy and principles will give officers greater confidence in control. Of course a recommendation

is nothing without implementation but the government has accepted all the recommendations in my report.

Let me say a little about terrorism in prisons more generally. I've written three independent reports relating to prisons or prisoners. My report on Multi Agency Public Protection Arrangements or MAPPA in 2020. My report on Terrorism in Prisons in 2022. And my report on Separation Centres in 2025. I think it's right that the most significant changes of terrorism legislation since I became reviewer in 2019 have concerned the sentencing and management of terrorist prisoners.

I do get it, that amongst all the other risks of violence, and demands like getting prisoners to court on time or stopping drugs dealing or illicit phones, terrorism in prison can seem less immediate.

When I did my first report Terrorism in Prisons, I heard that some manifestations of terrorism were almost welcomed by the system: I am thinking of the wing 'emir' who could keep a lid on disorder. But I concluded that this form of radicalising influence could prove fatal.
In prison and I think in particular of the 2020 attack in HMP Whitemoor involving a terrorist offender and a radicalised prisoner Baz Hockton, in which a prison officer was almost murdered.
In the community there was that terrible sequence of attacks by former prisoners at Fishmongers' Hall, Streatham, Reading, whose behaviour in prison was a warning signal for what they might do on release.

What this meant in practice was that even if a prisoner had joined an Islamist gang with motives of self-protection, there was still a counter-terrorism aspect. This required, I concluded in my report on Terrorism in Prisons, a sensitivity to terrorist risk behaviour. An awareness that those celebrating jihadi attacks when the TV news came on were displaying behaviour that could encourage and embolden terrorist attacks.

I recognise that even this could seem like special pleading by a counter-terrorism specialist. Sometimes counter-terrorism can seem to suck resources away from other areas. I understand this.

The way I put it in my SC report was this: Where there is an attack by a terrorist in prison:

Firstly, there is firstly a loss of public confidence in the authorities, a sense that society cannot neutralize or contain the threat posed by terrorists even after imprisonment, the appearance that terrorists have been allowed to carry on a campaign of violence against the state, or the public, by targeting prison officers as the State's or the public's representatives.

Secondly, there is frustration of the expectations of victims and survivors of terrorist attacks, and their families, that convicted terrorists should never be able to use violence again, amounting to a subversion of the criminal justice outcome.

Thirdly, there is the real prospect of a radicalising effect within the wider prison estate. An attack by a notorious prisoner can be seen as a symbolic victory against the establishment, be seen to advance a terrorist cause through the propaganda of the deed or simply inspire copycat attacks by violence-minded prisoners.

Fourthly, there are the additional burdens arising out of such an attack: the fear of existing and future staff that they will be future victims; on unconnected prisoners, who may lose cooking facilities or spend additional time in cell because of reactive measures; on the public purse, through internal reviews, police investigations, and reforms.

Given these consequences, there is a dignity in containment as a goal, alongside the desire for rehabilitation.

What are key points that have emerged in my various reviews?

I've mentioned the importance of identifying and not ignoring terrorist risk behaviour.

There is the importance of intelligence that is actionable. I've seen too many cases where the useable intelligence is lost because so much is generated.

There is the need to recognise where the power lies and make sure that the person with power can exercise it effectively.

For offenders on licence, this the Probation Service. For offenders in custody, the power lies with the number 1 governor. It is no good if responsibility for CT delegated entirely to specialists because ultimately it the no 1 governor who is responsible for terrorist risk offenders in his prison. He ultimately has the power to prioritise counter-terrorism, or not.

And finally, I think we all understand now that risk does not end at the point of sentence. Some terrorist offenders will carry on committing terrorist offences in prison. If so those offences must be identified and prosecuted as part of an ongoing management of risk.

So far I have spoken only about prisons and prison officers but I know this is a union for workers in other secure settings.

Some of the occasionally catastrophic violence carried out by psychiatric patients will be terrorist or terrorism-inspired.

In fact in my report on Multi-Agency Public Protection Arrangements (MAPPA), I wrote a whole annex on Terrorist Risk Offenders admitted to Hospital under the Mental Health Act 1983.

I made the point that no institution is an island – that information has to be shared, that judgments will be difficult (paranoid delusion or genuine terrorist plotting) and that responsibility for dangerous mental health patients will fall through the gap.

Immigration detention too is almost certainly affected. Let us say hypothetically that under this or under a future government, there is much greater use of immigration detention of small boat arrivals and that some of those will be detained for a long period of time whilst arrangements are made for their removal to places where historically removal has been legally impossible.

I do not see why immigration detention will be immune from the considerations I have described.

A small number of immigration detainees may have arrived wishing the UK harm. Some may adopt Islamist personas in detention for all the familiar reasons. Some will be influential, and some of you may recall that after 9/11 the UK had to deal with the long term immigration detention of the extremely influential Abu Qatada.

To return to the prison setting – and I welcome correction if I am wrong about it – the issue amongst prisoners is Islamist influence.

The position is very different from the correctional facility in Colorado where I began my address. I recall going round the perimeter of a huge open yard, several football pitches wide, watching prisoners playing basketball or hanging out in the fierce sun. All was calm, because the correctional officers are expert at separating the Californian gangs from each other and from the Mexican gangs: these are individuals who would not play nicely together.

A failure to separate one gang member from another – for example, failing to recognise the meaning of a single tattoo - would be fatal.

In the US there are Islamists but there are also extreme right wing prisoners who have influence. I have not yet seen that sort of influence – ERWT influence – in UK prison.

Perhaps it will come, although looking at the profile of many ERWT prisoners, younger, lone actors, internet enabled, often neurodiverse, it may be some time before they build up an influential presence.

I think there are more present dangers which whilst not quite terrorism are not unrelated.

Firstly, in the last few years the UK has got the bit between its teeth in taking action against State Threat actors, which means the new NSA has been used - more than anticipated - to arrest and prosecute Russian proxies, Iranian saboteurs and recently against Chinese intelligence activity.

That means entry into the prison system of a new type of risk: I should say, new types of risk, as a teenager willing to carry out an act of arson is significantly different as a person from a middle aged man convicted of using technical means to survey Nato troops. These will present different sorts of risk to manage.

It is of course theoretically possible that some State Threat prisoners will try and foment chaos in prison as a mechanism of state interference but I think it is perhaps more likely that some of these individuals, attracted to the identity of being a spy for Russia or Iran, will be attracted to other individuals who they perceive as strong. We will see.

Secondly, there is the threat of prisoners who are not just prepared to use ever greater levels of violence but appear to be attracted to, or even fixated on, violence. These are your Rudakubanas and the like. From the point of view of a prison officer who has been assaulted, it may not much matter whether he is a terrorist prisoner or not.

We need to learn the right lessons here. Some of the violent fixated individuals – young individuals obsessed with school shootings or some great ‘end of days’ battle between

the races – and I have now visited several of these prisoners to understand their internet use – may never be violent in custody.

So there will be a major need to distinguish between types of violent obsessives.

In the same way there is a need to distinguish between those who preach terrorism (Anjem Chaudary) and those who use terrorist violence (Hashem Abedi). Morally there may be little between them. For the Abedi's of this world, my view was that what was needed was more like a Closed Supervision Centre.

I want to end my address with some more personal reflection. I have come to appreciate that what prison officers do is more central to how our society operates than I ever imagined.

Law and order is the original rule of law without which society cannot function. Law and order don't function without the ability to detain individuals on remand and implement prison sentences, hopefully but not always with a view to moving people on to better and more useful lives.

A Senior Investigating Officer in CTP or a specialist prosecutor in the Counter Terrorism Division cannot congratulate herself on securing the conviction of a dangerous terrorist, unless she can be confident that there is a prison that can hold him. Terrorist victims cannot get the sense of satisfaction that someone who did wrong has been put away in a place where they can hopefully no longer cause harm to society.

I've tried in my various reports to throw a little light on what you do. I've found working on terrorism in prisons probably the most difficult of everything I've done. But I also can say that I have found it a compelling task, and in speaking to you and listening to you and reflecting on your expertise and experience, I have come to respect your role very deeply.

So I wish you all the best.