



Department of Accounting

# **Shifting Orderings of Values in the Governance of Prisons**

## Lessons from Prison Reforms in England and Wales

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- In England and Wales, prisons have been at the forefront of privatization and NPM initiatives:
  - Experimentation with mixed public-private organisation
  - “Translation” of private sector management and accounting expertise (NPM)

# Market Testing and the Ethos of Contestability

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"In many spheres of activity where the task is to **provide services cost-effectively** in response to customer demand the private sector is better equipped to do this. The **disciplines of the market place** ensure that, to be successful, private sector companies control their costs and provide products at a price and quality, which **attract customers** in a competitive environment. **Innovative solutions** to problems are often found in response to the new challenges which **healthy competition** constantly sets for private sector managers."

Home Office, 1988, p. 7

# Accounting and New Public Management

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“We believe the time is right to put in place a very **clear line of managerial accountability** in the Prison Service with responsibility and performance standards defined at each level. [...] [The inspectorate] needs to be in a position to evaluate the performance of prisons against an agreed set of ‘standards’ **using a well-defined methodology which will allow comparisons** to be made on unit costs and quality of service delivered. The findings of the Inspectorate should be **‘evidence based’ and should not rely too much upon the personal operational experience** of individual inspectors or the Chief Inspector.”

Home Office, 2000, p. 4

# Questions

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- What roles do instruments of quantification play in the organization and management of value conflict?
- What are political and ethical implications?
- To what extent can quantification play the role of a “mediating instrument” where values are at stake?
- How has quantification redefined relations between public service and liberal democratic understandings of public welfare, citizenship, responsibility and legitimacy in the context of prison management?

# KPI used in the Prison Service 1994

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KPI 1 – Escapes from establishments or escorts

KPI 2 – Number of assaults on staff, prisoners and others

KPI 3 – Proportion of prisoners held in units of accommodation intended for fewer numbers

KPI 4 – Number of prisoners with 24 hour access to sanitation

KPI 5 – Number of hours which, on average, prisoners spend in purposeful activity

KPI 6 – Proportion of prisoners held in prisons where prisoners are unlocked on weekdays for a total of at least 12 hours

KPI 7 – Proportion of prisoners held in prisons where prisoners have the opportunity to exceed the minimum visiting entitlement

KPI 8 – The average cost per prisoner place

# KPI used in the Prison Service 2000

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KPI 1 – Escapes from establishments or escorts

KPI 2 – Number of assaults on staff, prisoners and others

KPI 3 – Proportion of prisoners held in units of accommodation intended for fewer numbers

**KPI 4 – Drug testing (positive results from random testing)**

KPI 5 – Number of hours which, on average, prisoners spend in purposeful activity

**KPI 6 – Completion of offending behaviour programmes**

**KPI 7 – Basic skills education**

KPI 8 – The average cost per prison place and prisoner

**KPI 9 – Correspondence (to ensure that 95% of the correspondence from the public received a reply within 20 days)**

**KPI 10 – Telephone response time (to respond to calls to the HQ switchboard in an average of 12 seconds; to have no more than 5% abandoned calls)**

# KPI used in the Prison Service 2002

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- KPI 1 – Escapes from establishments or escorts
- KPI 2 – Number of assaults on staff, prisoners and others
- KPI 3 – Proportion of prisoners held in units of accommodation intended for fewer numbers
- KPI 4 – Drug testing (positive results from random testing)
- KPI 5 – Number of hours which, on average, prisoners spend in purposeful activity
- KPI 6 – Completion of offending behaviour programmes
- KPI 7 – Education (number of awards achieved by prisoners)**
- KPI 8 – The average cost per prison place and prisoner
- KPI 9 – Self inflicted deaths**
- KPI 10 – Staff sickness (not to exceed 9 working days per person)**
- KPI 11 – Race equality (to have at least 4.5% minority ethnic staff)**
- KPI 12 – Resettlement (prisoners discharged with a job, training or education place)**



# Carter's Contestability Agenda

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- 2003 – Introduction of Prison Rating System (PRS)
- Ratings of 1 – 4 awarded per prison
- Rating 4: Exceptional performance
- Rating 3: Meeting the majority of targets
- Rating 2: Overall performance is of concern
- Rating 1: Overall performance is of serious concern

## Annual performance ratings 2013/14

Altcourse	3	Garth	3	Nottingham	3
Ashfield	3	Gartree*	4	Oakwood	2
Askham Grange*	4	Glen Parva*	2	Onley	3
Aylesbury	2	Grendon / Spring Hill	4	Parc	4
Bedford	3	Guys Marsh	2	Pentonville	2
Belmarsh	3	Hatfield	3	Peterborough Female	3
Birmingham	3	Haverigg	3	Peterborough Male	3
Blantyre House	4	Hewell	2	Portland	3
Blundeston	3	High Down	3	Preston	3
Brinsford*	1	Highpoint	2	Ranby*	2
Bristol	2	Hindley	3	Reading	3
Brixton	2	Hollesley Bay	4	Risley	2
Bronzefield	3	Holloway	3	Rochester	2
Buckley Hall	3	Holme House	3	Rye Hill	3
Bullington	2	Hull*	4	Send*	4

# PRS - Detailed Report Sheet

2012/13 Q3: 31/12/12

Quick Help + -

Home What If Historic Report Region & Comp Summary Report

Weights / Exceptional Hide Measures Measure Information Measure Boundaries Comparator Groups

Moderated Escape? No  
Moderated HMIP? No

PRS Band 3 ← Data driven band 3 ← Band Agg 3.12 ↑

Prison:	Ashfield	MMP Age:	2 - 3 Years
Private:	South West	MQFL Age:	2 - 3 Years

Measure ID	Measure Name	Actuals	Targets	Weights	Band	Exceptional	Trend
<b>1000</b>	<b>Public Protection</b>			<b>29%</b>	<b>3.00</b>		↔
<b>1100</b>	<b>Security Audit</b>			<b>50%</b>	<b>3.00</b>		↔
1110	Security Audit	3		100%	3.00		↔
<b>1200</b>	<b>Quality &amp; Effectiveness of Offender Risk Management</b>			<b>25%</b>	<b>3.00</b>		↔
1210	ROTL Failure	100.00%	95%	100%	3.00		↔
1220	OASys QA		90%	0%	N/A		
<b>1300</b>	<b>Delivery of the sentence to the court</b>			<b>0%</b>	<b>N/A</b>		
1310	KPI Escapes from Prison control	0	0	0%	3.00		↔
1320	Absconds	0.00		0%	N/A		
<b>1400</b>	<b>Effective MAPPA</b>			<b>25%</b>	<b>3.00</b>		↔
1410	MAPPA	100.00%	90%	100%	3.00		↔
<b>1500</b>	<b>GPP</b>			<b>0%</b>	<b>N/A</b>		
1510	GPP		80%	0%	N/A		

<b>2000</b>	<b>Reducing Re-offending</b>			<b>29%</b>	<b>3.17</b>		↑
<b>2100</b>	<b>Reducing &amp; Tackling Offender Drug Dependency</b>			<b>20%</b>	<b>4.00</b>		↔
2110	MDT	0.97%	3.50%	100%	4.00	1.47%	↔
<b>2300</b>	<b>Quality &amp; Targeted coverage of OASys (needs assessment)</b>			<b>0%</b>	<b>N/A</b>		
2310	OASys QA			0%	N/A		
<b>2500</b>	<b>Resettlement (Social Inclusion)</b>			<b>80%</b>	<b>3.33</b>		↔
2510	Settled Accommodation on Release	90.18%	80%	33%	3.00	96.6%	↔

Source: NOMS 2013

# Reactions to the PRS

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Mr Narey, Commissioner for Correctional Services: "The performance testing process is designed to drive up performance across the prison estate... The Prison Performance Rating table shows how prisons are performing against a range of indicators and clearly demonstrates where the public are getting value for money and where there is room for improvement."

M2 PressWire, 24 July 2003

"Prison officers are considering a series of nationwide walk-outs over the next few weeks... Staff in several state-run prisons are thought to be furious with the government's decision yesterday to publish for the first time a rating table identifying the best and the worst jails in the country."

Financial Times, 25 July 2003

# Consequences of the PRS

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Governors are becoming increasingly concerned with process issues, 'box-ticking', efficiency and economy and run the danger of losing sight of humanitarian, ethical and moral principles and concerns.

Ex-prison governor Bryans

"Privatization, and experiments with market testing, formed part of a pragmatic, 'control model' approach to the delivery of penal services. 'The delivery of penal services' was an instrumental notion with little relevance to the ethics of imprisonment. The type of quantification (performance measurement) and the regime aspirations arising out of these developments.. left crucial questions of moral responsibility and individual transformation untouched."

Liebling, 2004, p. 26

# Moralizing Measures?

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**Counter-quantifications:** Alison Liebling and team (Criminology, Cambridge University) develop “quantitative measures of qualitative dimensions of prison life”

- Two dimensions:
  - Relationships (respect, humanity, trust, staff-prisoner relationships and support)
  - Regimes (fairness, order, safety, well-being)

**Prison Rating System (PRS) 2012/13 Relative Importance/ Weight**

<b>ID</b>	<b>Measures:</b>	<b>2012/13 % Weight in PRS</b>
<b>1000</b>	<b>Public Protection</b>	<b>28.6%</b>
<b>1100</b>	<b>Security Audit</b>	<b>9.5%</b>
1110	Security Audit	9.5%
<b>1200</b>	<b>Quality &amp; Effectiveness of Offender Risk Management</b>	<b>4.8%</b>
1210	ROTL Failure (Release on Temporary License Failure)	2.4%
1220	OAYSys (Offender Assessment System, contributing to Public Protection)	2.4%
<b>1300</b>	<b>Delivery of the sentence to the court</b>	<b>4.8%</b>
1310	KPI Escapes from Prison control	0.0%
1320	Absconds	4.8%
<b>1400</b>	<b>MAPPA Effectiveness (Multi-Agency Public Protection Arrangements)</b>	<b>4.8%</b>
1410	MAPPA Effectiveness	4.8%
<b>1500</b>	<b>GPP (Generic Parole Process)</b>	<b>4.8%</b>
1510	GPP	4.8%
<b>2000</b>	<b>Reducing Re-offending</b>	<b>28.6%</b>
<b>2100</b>	<b>Reducing and tackling offender drug dependency</b>	<b>3.6%</b>
2110	MDT (Mandatory Drug Testing)	3.6%
<b>2300</b>	<b>Quality and targeted coverage of OAYSys (needs assessment)</b>	<b>3.6%</b>
2310	OAYSys (contributing to Reducing Reoffending)	3.6%
<b>2500</b>	<b>Resettlement (Social Inclusion)</b>	<b>14.3%</b>
2510	Settled Accommodation	4.8%
2520	Employment on Release	4.8%
2530	Education & Training on Release	2.4%
2540	HMIP Resettlement	2.4%
<b>2600</b>	<b>Targeting Quality interventions to the right offenders at the right time</b>	<b>3.6%</b>
2610	OBP Completions	3.6%
<b>2700</b>	<b>Sex Offender Treatment Programmes</b>	<b>3.6%</b>
2710	SOTP Completions	3.6%

<b>3000</b>	<b>Decency</b>	<b>28.6%</b>
<b>3100</b>	<b>Diversity and Equality</b>	<b>4.1%</b>
3130	MQPL (v BME Score)	4.1%
<b>3200</b>	<b>Quality of offender general treatment/experience</b>	<b>4.1%</b>
3210	HMIP Respect	4.1%
<b>3300</b>	<b>Maintaining order, control, safety and reducing violence</b>	<b>4.1%</b>
3320	MQPL Safety	4.1%
<b>3400</b>	<b>HMIP Safety</b>	<b>4.1%</b>
3410	HMIP Safety	4.1%
<b>3500</b>	<b>Availability &amp; quality of offender regime</b>	<b>4.1%</b>
3520	HMIP Purposeful	4.1%
<b>3600</b>	<b>Decent Conditions</b>	<b>4.1%</b>
3620	MQPL Decency	4.1%
<b>3700</b>	<b>Mental Health (Self Harm)</b>	<b>4.1%</b>
3710	Self Harm Audit	4.1%
<b>4000</b>	<b>Resource Management &amp; Operational Effectiveness</b>	<b>14.3%</b>
<b>4400</b>	<b>Staff motivation and effective staff</b>	<b>4.1%</b>
4410	Staff Sickness	4.1%
<b>4500</b>	<b>Value for Money</b>	<b>8.2%</b>
4510	Public PCA/ Private Performance against contract price	8.2%
<b>4600</b>	<b>Order &amp; Control</b>	<b>2.0%</b>
4610	C & R	1.0%
4620	Tornado	1.0%



# Quantification and Hierarchization of Values

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- **Budget cuts: Plurality of quantification is hierarchized**

**Concerns with cost and economies of scale overrule measures of decency.**

- **But: Contracted-out prisons are shielded from budgetary savings requests.**

## Figure 5

### Prisons closed since 2010

Source: NAO 2013

	Number of cases (certified normal accommodation)	Number of places (operational capacity)
<b>Tranche 1 (2011-12)</b>		
Ashwell	184	214
Morton Hall <sup>1</sup>	392	392
Lancaster Castle	161	243
<b>Tranche 2 (2011-12)</b>		
Brockhill (Hewell cluster)	170	170
Latchmere House	207	207
Wellingborough <sup>2</sup>	580	588
<b>Tranche 3 (2012-13)</b>		
Shepton Mallet	165	189
Gloucester	225	321
Shrewsbury	170	340
Bullwood Hall	216	228
Camp Hill (Isle of Wight cluster)	521	595
Canterbury	195	314
Kingston	204	205
<b>Total</b>	<b>3,390</b>	<b>4,006</b>

**Figure 17**

Measuring the quality of prison life surveys and prison size, 2009 to 2013

**Male category C prisons**

Personal development (includes helping the offender lead a law-abiding life on release)

Dealing with drugs problems

Prisoner safety

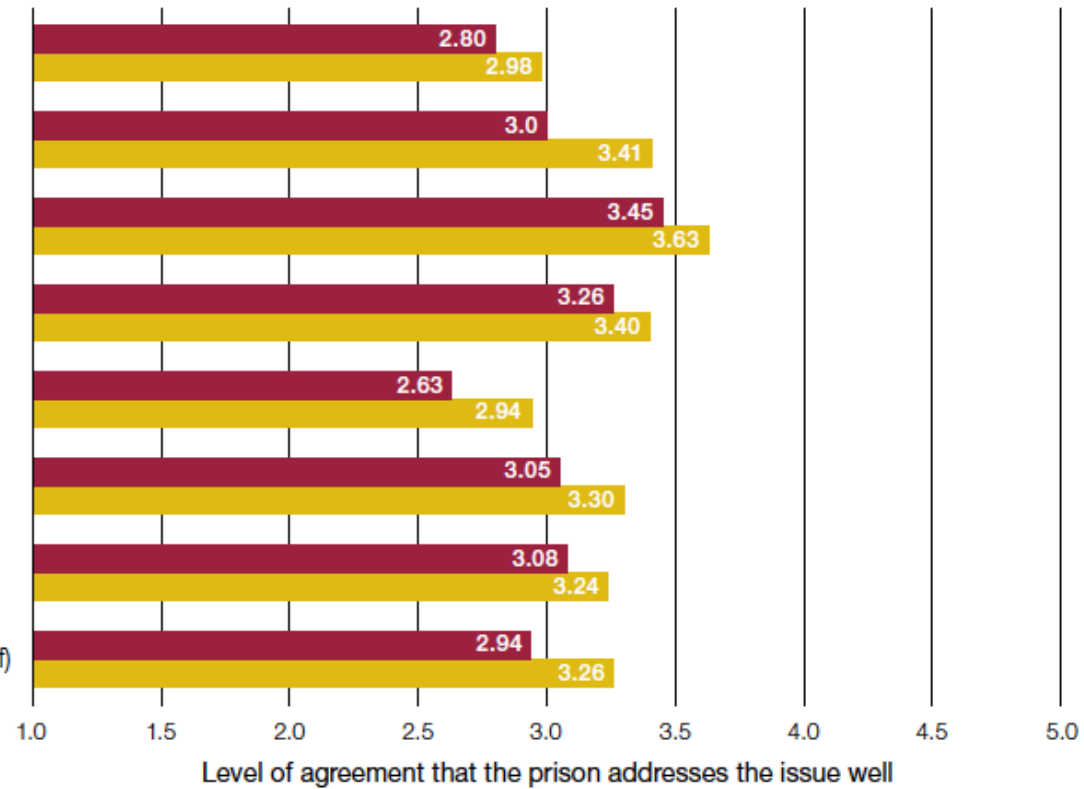
Quality of policing and security

Levels of organisation and consistency

Staff professionalism

Quality of care for the vulnerable

Relationships (quality of interactions with staff)



■ Average score (out of 5): Large prisons (more than 800 prisoners) ■ Average score (out of 5): Small prisons (less than 400 prisoners)

Source: NAO 2013

- Not a matter of saying categorically “yes” or “no” to quantification.
- Reflection needed on how and where to quantify (and not to quantify).
- Reflection needed on relationship between quantification and control, and quantification and auditability – consider “safe spaces” as an option for quantification without external observation and scrutiny.
- Need to consider interaction of different systems of calculation and quantification and their effects on value orderings.

- Performance measures can be important catalysts of problematization; they can stir and frame debates about prison reform.
- At the same time they can hollow out accountability and undermine aspiration. Attempts aimed at “moralization” and “democratization” further the expansion and legitimation of existing performance measurement systems (PRS), making them immune to their practical limitations and failings.

- “... governance by laws is giving way to governance by numbers” (Supiot, 2015):
  - Accounting is used to operationalize aspiration
  - At the expense of justice?
- “The Economy puts an end to all moral experience... Accounting escapes scruples” (Latour, 2013):
  - How to open up accounting/KPIs for re-negotiation and re-calculation? How to induce scruples?
  - Importance of distilling “distrust in numbers”, creating alternative accounts, and disaggregation.