

# Scottish Order of Christian Unity

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## **Responsibility and Leadership in Public Life**

I like to think that the mainstream tradition of Christianity has been critical of government and suspicious of public life. I do not mean that the actual activity and convictions of churches and Christian people have generally been so. Certainly in Scotland at least the church of which I am a member has found it all too easy and all too tempting to cosy up to those in power and to support governments whatever they are doing. But I like to think that the theory has been better than the practice: and that the theory of mainstream Christianity has seen the prophets of ancient Israel as role models for their relationship with power. And so that relationship should be, whatever it actually has been in practice, critical and sometimes confrontational and occasionally hostile.

When John Knox marched down the High Street, was ushered in to the royal presence and saw the glamorous Mary Queen of Scots standing far above him, it produced one of the legendary confrontations of our history. Since we are dependent on Knox for the information, and since you are listening to a Protestant minister retelling the story, you should be careful. There was a lot going on in Holyrood that day which is no concern of ours. But when Knox said to Mary that the obedience of subjects extended no farther than the law of God allowed, however dangerous and revolutionary it appeared in her ears, it was no more than Peter said to the leaders of the Jews in the Book of Acts; and he had got it from his Bible. That scene is often quoted as the beginnings of Scottish democracy. I'm not sure of that. But what I am sure is that it was the continuation of the prophetic tradition pointing back to the eighth century BCE and pointing forward, however unsteadily, to this present day.

When I was being formed as a minister it was George Macleod who most passionately expressed that prophetic spirit: calling the whole of public life to account before the law of God. Famously, it was the issue of war and peace and of nuclear weapons in particular which drew the public attention: but he was equally powerful in his attacks on the financial system and on those who make huge profits at the expense of the poor. Amos in the twentieth century. It was in that tradition that I was proud to be the convener of the Church and Nation Committee of the General

Assembly in the years when it found itself in continuous tension with the government. It is a tradition embraced by Scottish Roman Catholic bishops.

To speak of Responsibility and Leadership in Public Life within that tradition and from that reading of the Bible is very easy today. Never in my lifetime has public trust in public life been lower. Never has it been easier to denounce the corruption of our public life. Never has there been less confidence in the uprightness and honour of those with power in our land. This last year or two has been the time of the scandal of MPs expenses. It has been the time of the scandal of bankers' bonuses. How often have you heard "They are all at it. All of them with their noses in the trough"? When Private Eye and the Daily Telegraph speak with the same voice it is very easy to be critical standards in public life and confrontational with those who have power among us, both political and financial.

Because that is very easy at this time I want to do the opposite. I want to develop an alternative tradition. Instead of Amos and Isaiah and Acts and Revelation I want to consider an aspect of the Book of Proverbs and what bible scholars call the Wisdom literature. I want to acknowledge virtue in public life and virtue in the leadership of our public life. That is a dangerous approach: it can so easily lead to complacency and self-serving and heresy. Unless we are suspicious of authority we are going to be taken in by authority: what a terrible example we have in the attitude of German Christians to Hitler. How easy it was for them to persuade themselves that the virtue which they saw in him was the virtue of a true and good leader. How difficult it was for the Confessing Church to persuade them that hostility to an evil government was the will of God. But in our day, when all public life is held at negligible value, it might be a Christian duty to explore another way of talking, however risky that might be. It might be that what our public life needs in our day is building up and nourishing and cherishing and affirming. And it might be that Christians, especially those who are most firmly rooted in the prophetic tradition, have a duty to contribute to that.

In the Book of Proverbs there are many verses which describe the just and wise king. No doubt these are idealised: but it is clear that Israel had learned to expect that the king would be just and wise. The book teaches the king that unjust and selfish use of his power undermines his throne and brings ruin to his people. But the good king, the virtuous king, upheld the cause of justice with perceptiveness and integrity and upheld the cause of justice. He had to see to it that wrong-doers were punished; and

that the rights of the poor were protected. At the coronation of each new king the same prayer was offered

*Give the king your justice, O God, and your righteousness to a king's son. May he judge your people with righteousness, and your poor with justice. May he defend the cause of the poor of the people, give deliverance to the needy, and crush the oppressor. (Ps72)*

Of course that virtuous king did not always sit on Israel's throne. But a wise king, given Solomon's gift of wisdom, is a delight to God. Indeed, when the king is a virtuous king, the Book of Proverbs puts it enigmatically but poetically, *The king's heart is a stream of water in the hand of the Lord; he turns it wherever he will.*

It is from that minority Biblical tradition that I am speaking today: that tradition which not only looks for virtue in those that govern and rule and have power but expects to find it and does find it. So, in the public life of Scotland, I am looking today not at our weakness but at strength. Not at much publicised wickedness, but at goodness. Not at vice but at virtue. I want to talk about responsibility and leadership in Scotland's prisons.

Does it sound odd to speak of our prisons as part of our public life? After all, by definition they are not public places. One of the many difficulties about holding civilised debate about prisons is that hardly anyone has been inside one. Opinions about Scottish jails are formed on the basis of American movies. Everyone has been to school. Nearly everyone has been in a hospital. When people argue about education or health provision they have at least some experience of what they are talking about. But very few people have been in a jail. I approve of that. I have never encouraged people to try to have a tour round a jail. Prisons are not zoos; they are where people live. But it would be better for us all if some of those who are most vociferous in their comments about prisons were a little more modest: if they recognised the limits of their experience.

So in what sense are prisons, hidden and secretive as they are, part of public life? First, and very importantly, they are public places because we pay for them. Whether or not they are publicly owned prisons (and I shall say a word about private prisons in a moment) we pay for them. For that reason alone there should be much more interest in what goes on in our prisons than there is. We demand value for money for the taxes we pay: why are we so reluctant to demand value for money from our prisons? Why is it that punishment in the community has to justify its cost every time, while the £40,000 per year we spend on imprisoning each individual is hardly ever challenged on the basis of good value for

money. The last time I was in Cornton Vale I was chatting to a woman I had not met. I asked her if it was her first time in prison. She replied, “No: it is my 56<sup>th</sup> time”. Einstein famously said that doing the same thing over and over again and expecting different results was a definition of insanity. If that is how we spend public money I ask if we are getting good value for it.

Prisons are part of public life because they are controlled and directed by government policy and by government ministers. The most spectacular example of the political engagement with our prisons – and that means the public engagement – was the furore aroused by the decision to release Mr Megrahi. But on a less dramatic decision those who represent us, those whom we elect, are taking decisions about prisons all the time. I had the privilege of working with three Justice Ministers from three different political parties. Their interest in prisons and their knowledge of prisons and their desire for the best for our prisons was equally marked in each case.

It is the very fact of the public nature of our prisons which led to the creation of a Prisons Inspectorate, where I have spent the last seven years. After riots in English prisons in the 1970s it was concluded that one of the problems was that what went on behind prison walls was concealed and unknown. That might and did lead to brutality. So Chief Inspectors of Prisons were appointed both south and north of the border to make sure that independent inspections would be carried out and that reports would be published. It has always been that Her Majesty’s Chief Inspectors of Prisons have had little or no previous connection with or expertise in prisons. The Chief Inspector of Schools is a teacher; the Chief Inspector of Constabulary has always been a police officer. But the Chief Inspector of Prisons has always been a layman (it was pleasant for me thirty-five years after my ordination to hear myself being referred to as a layman!). The point is precisely that prisons are hidden societies. So it is very important that the person charged with bringing their conditions into public light should be seen as completely independent and not in any sense part of the system: not likely to be colluding with former colleagues.

There is also a moral point, perhaps even a theological point. Prisons are part of public life because they contain prisoners and prisoners are people and are members of the public. It is the easiest thing in the world to forget that and to forget about them. I have always appreciated something that the Present Justice Secretary often says. He says, “Prisoners are not *them*: they are *us*”.

I hope that I have persuaded you that prisons are part of our public life, and that prison staff are public servants. That is absolutely and unconditionally true of those prison staff who work in our publicly owned prisons: but it is also in some sense true of those who work in our private prisons. There are two of these in Scotland: at Kilmarnock and at Addiewell in West Lothian. Under the last administration the plan was that the new prison to be built at Bishopbriggs would be a private prison. Had that happened Scotland would have the highest percentage of prisoners in private prisons of any country in the world. Labour's enthusiasm for private prisons, however, was not shared by the incoming government and that prison will now be publicly owned.

There are complex questions about the financing of private prisons. In seven years of inspecting, however, in which I inspected both types of prisons on exactly the same terms, I found that these questions made almost no difference to the experience of prisoners or of prison staff. That distinction is important for those interested in public finances and for those interested in the moral philosophy of imprisonment: but for our purposes today it is appropriate to think of prison staff employed in the private sector as still part of our public life. They work entirely under the direction of the Scottish Prison Service, they are entirely funded with public money, and their prisoners, just like the others, are not *them* but *us*.

So we turn to those who work in our prisons, part as they are of public life, subject to the same considerations of leadership and responsibility as everyone else in our public life. Why, in Scotland, do we so consistently and so unreasonably undervalue our prison staff? If you do not believe that we do undervalue them, turn to any red-top newspaper where there is a prison story and see how the officers are depicted in the cartoons. When did you last read a novel or see a film or television story in which a prison officer was a genuine hero? Why do we so undervalue our prison staff?

Let me tell you two stories. In 2003 a police officer was stabbed in a "drugs bust" in Manchester. His name was Stephen Oake, and there was a great outcry of revulsion at his death. Much news coverage followed and Tony Blair came to the funeral. The Chief Constable of Manchester received six hundred letters of sympathy from a grateful public, saying how much they appreciated the risks his staff took on our behalf. Two weeks later there was a riot in Shotts prison. Three prison officers were stabbed with screwdrivers, two of them within half an inch of their hearts. No-one died, but they were in hospital for weeks. How many letters do you think the governor of Shotts Prison received from the Scottish public,

grateful for the risks her staff took every day for our safety? Not even one.

It happens that I took part in the funeral of Donald Dewar, since he died when I was Moderator of the General Assembly. It was a very moving occasion, in Glasgow Cathedral. At the end of the service the coffin was carried high on the shoulders of six uniformed members of public services, with the organ playing wonderfully. When the crossing was reached the organ stopped and as the coffin moved through the nave Aly Bain and Phil Cunningham began to play. It is very emotional: most people were crying. Do you remember I said the coffin was carried on the shoulders of uniformed members of public services? There was a police officer and a fire-fighter and an ambulance person and so on. Who was there not? And why was there no prison officer: because no-one thought!

I do not understand why we do not value more our prison staff. I have never worked for the Prison Service, so I have no personal interest here. The people they work with are by definition the most difficult and most dangerous in the country; and we do not pay them well. Despite increasing prison numbers, the budget of the Scottish Prison Service has been reduced by 5% each year in the last few years. That makes their lives much more stressful. We demand that fewer of them do more with higher numbers of prisoners. This week there have been strikes among prison officers in England because of budget cuts. If the point is reached when safety of prisoners and of prison staff is compromised, what are the duties of responsible leadership?

Sometimes responsibility and leadership in public life will be faced with difficult decisions like that. But I move to a clear and lasting achievement of responsible leadership in public life. In my lifetime some things have changed a great deal: the kind of food people eat, the kind of holidays people go, the kind of television programmes people watch. But no change is more remarkable or more welcome than the change in Scotland's prisons. It is something of which we can all be proud.

Whenever I used to visit a jail with someone who had not been inside before I invariably heard the same two comments. *It is much more bleak than I expected. Why do they keep saying it is like a holiday camp? And it is much less frightening than I expected. I feel quite safe.* Thirty years ago only a fool would have felt safe in a Scottish prison. My first visit was to a parishioner of mine who was in Perth Prison in 1972; and I remember still how terrified I was (sad to say I met that very same man in Greenock

prison last year). The noise, the glances, the atmosphere of menace, the whole culture was based on fear and violence.

Jimmy Boyle was one of the most feared Glasgow criminals. In 1967 he smuggled out of Barlinnie an account of prison life. It was a shocking picture of brutality. Here is one typical passage. *A short time later I heard the sound of heavy boots and the cell door opened. There stood the heavy mob all wearing covered overalls and they told me to take off my clothes....I was told there would be no brutality, all they wanted was my clothes for the cops....No sooner had I stripped off than some of them moved in punching and kicking me...They beat me to the floor, leaving me in a pool of blood. There is something totally humiliating about being brutalised when naked....I lay on the floor in an absolute rage, hating myself for being such a bloody fool as to trust them.* (Jimmy Boyle, *A Sense of Freedom*).

Any decent person would be revolted by that account; and any decent Scot would be ashamed of Scotland. I can tell you that forty years later that scene does not happen any more in any Scottish jail. I repeat: that sickening brutality has disappeared from Barlinnie and from Saughton and from Polmont and from everywhere. I say that with confidence: partly because of evidence of the former prison governors who worked with me in the inspectorate and whom I trust; partly because of the countless conversations I have had with prisoners about violence in prison; partly because the very few allegations of brutality made to me over the years were fully investigated by the police; and partly because of the many conversations I have had with ex-prisoners who had no reason to feel intimidated about telling the truth.

As a Scot I am enormously proud of that sea-change which has taken place in our jails (although, of course, it should never have been necessary). I am proud that a culture of violence and cruelty has been replaced by a culture of safety and decency. One reason for this transformation may well be the creation of an independent Prisons Inspectorate thirty years ago: an Inspectorate with full access to every prisoner and every part of every prison. It is very much more difficult now for bad things to happen in prison and be concealed from the public eye. And the other reason is the responsibility and leadership shown by prison staff at all levels: prison staff determined to bring about the change. I know of no better example anywhere in our public life of the good that responsibility and leadership have done.

Perhaps you can guess how difficult that change has been. Not just changing the way things have been for a long time; but also changing a way of behaving many people thought was right. Make no mistake. Those men who beat up Jimmy Boyle believed they were doing their duty. So it quite admirable that Prison Governors and Trade Unions and Prison Officers have all combined to make that kind of thing a thing of the past. But do not imagine it was easy, or popular, or quickly done.

Perhaps you think it does not matter much. Perhaps you think that a few kicks designed to hurt a bad person is all part of the rough and tumble of life and that prisoners have only themselves to blame if they get beaten up by prison staff. If you think that I think the less of you; and I am absolutely sure that you are wrong. What those responsible leaders who have produced this great change have grasped is that the way we treat those in our power is indicative of the kind of people we are. The way parents treat their children; and the way pet owners treat their animals tells you a good deal about the parents and about the pet-owners. The way Scotland treats its prisoners tells what kind of society we are. We could have no claim to be a decent, civilised society unless we treated our prisoners in a decent, civilised way.

If you do not agree with me, then let me offer you three pretty impressive witnesses. The first is Nelson Mandela. In his autobiography “Long Walk to Freedom” Mandela describes his first day in jail. Clearly a jail in apartheid South Africa had a viciousness about it beyond Scotland at its worst; but what is relevant for us is the point he makes at the end of that first dreadful day: . *It is said that no-one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones – and South Africa treated its imprisoned African citizens like animals.*

The same point is made even more powerfully by a British Home Secretary. It is a long time since a British Home Secretary spoke for me. A hundred years to be exact. This is the Member for Dundee, Mr Secretary Winston Churchill, speaking in the House of Commons in 1910:

*The mood and temper of the public in regard to the treatment of crime and criminals is one of the most unfailing tests of the civilisation of any country. A calm and dispassionate recognition of the rights of the accused against the state, and even of convicted criminals against the state, a constant heart-searching by all charged with the duty of punishment, a desire and eagerness to rehabilitate in the world of industry all those who have paid their dues in the hard coinage of*

*punishment, tireless efforts towards the discovery of curative and regenerating processes, and an unfaltering faith that there is a treasure, if only you can find it, in the heart of every person – these are the symbols which in the treatment of crime and criminals mark and measure the stored up strength of a nation, and are the sign and proof of the living virtue in it.*

The treatment of criminals, according to Churchill, is the sign and proof of the living virtue in a nation: that very virtue which the Book of Proverbs directed us to look for.

The Bible also provides the third witness. Jesus said *just as you did it to one of the least of these who are members of my family, you did it to me.* The least of us are those in prison. How we treat them is how we treat Jesus Christ. The implications of that thought are enormous.

The best example I know of responsibility and leadership in public life is the change which our prisons have seen in our lifetime. Places which were once brutal and dangerous are now safe. In the days of Jimmy Boyle prisons were cages for animals. Today it is not absurd to employ the word “care” in connection with what goes on in our prisons. Indeed, that is the official word. The four aims of the Scottish Prison Service are Custody, Order, Care, and Opportunity. They certainly do not always live up to these ideals: I have spent the last seven years trying to call them to account when they fail. But that the ideal of care is now universally accepted as appropriate and possible is a tremendous advance.

This is not about softness, nor about convicts running the jails. Order and discipline and safety are paramount. No-one would find a prison sentence good fun. But it is about recognizing responsibility for those sent by the courts into prison. I remember a prisoner whose marriage service was conducted in jail; and I remember that he asked a prison officer to be his best man. Last week I attended a retirement function for a lifetime prison man. He had started as a junior officer and worked his way up to the top. He had seen it all: the Barlinnie Special Unit and Shotts riots in the bad old days. He finished up as my colleague as Deputy Chief Inspector of Prisons. The Governor of Barlinnie said of this really hard nut *The legacy you leave us, John, which has inspired us all and which we will carry on, is your care for prisoners.*

Peace where there was no peace. Not perfect peace and not continuous peace, but peace. Would you not call that the work of God. But you are not to conclude from that that our prisons are nice places, nor that they

are useful places, nor that they are positive places, nor – certainly – that they are happy places. Prisons are the saddest places in Scotland. What else would you expect when they are full of people who have made a mess of their whole lives? Prisons are full of pain and disappointment. Worst of all, they seldom make people better. Occasionally imprisonment does good; but it always does harm. Famously a Home Office report twenty years ago – this is a Government report! - described prison as *an expensive way of making bad people worse*.

So what of the future? What must responsibility and leadership produce for our prisons in the years ahead? The word used by the Chief Executive of the Scottish Prison Service last year to describe the state of our jails was “crisis”. Overcrowding is so bad in our prisons that prison staff cannot do their jobs, suicide assessments cannot be carried out, prisoners cannot get to work or to education, prison health services are desperately overstretched and prisons do not turn out good citizens from the prison gate. Things are just going to get worse. Unless responsible leadership can be found to make them better.

It is now or never. Last July the publication of the Scottish Prisons Commission report showed a way forward for Scotland’s prisons which was widely – perhaps almost universally – supported by criminologists and by prison professionals – and certainly by me. It proposed a prison population half the size of the present one. It is now or never. The opportunity presented by that report to change punishment in Scotland will not come again. If this opportunity is not taken, the future is, in Mr McLeish’s own words, *more prisons but just as overcrowded...skilled professionals buried in paperwork.....the public’s distrust of the criminal justice system reaching record levels...and fragile communities ignored*.

This is not just about politicians or prison staff. It will be a costly mistake if we leave leadership to others in this vitally important aspect of public life. Mr McLeish said *If this (halving the prison population) is to work, all of us – politicians, the judiciary, the media, professionals, communities, families and individuals – have to embrace the opportunity to change*. Responsibility and leadership in public life is not a matter for other people.