Facts and figures provide a better basis than opinion for policy and practice change. Drawn largely from government sources, these facts chart the extraordinary rise in prison numbers over the last twenty years, inflation in sentencing and the social and economic consequences of overuse of custody. They reveal the state of our overcrowded prisons and the state of people in them, the impact of deep budget cuts, the pace and scale of change in the justice system and the scope for community solutions to crime.
Scotland and England and Wales have the highest imprisonment rates in western Europe. The prison population has risen by 70% in the last 30 years—and it is currently projected to rise by a further 18,000 people by 2026.1

In England and Wales, we overuse prison for petty and persistent crime.2 In 2021, despite the pandemic

Over 42,000 people were sent to prison to serve a sentence

The majority had committed a non-violent offence

Nearly two in five were sentenced to serve six months or less

Short prison sentences are less effective than community sentences at reducing reoffending.3

Community sentences are particularly effective for those who have a large number of previous offences and people with mental health problems.4 Yet, their use has more than halved in only a decade.

Suspended sentences account for just 5% of all sentences.5

Fewer than one in 10 people surveyed said that having more people in prison was the most effective way to deal with crime. Early intervention, such as better parenting, discipline in schools and better rehabilitation, were all rated as more effective responses.6


2 Table A2.7 and A2.9i, Ministry of Justice (2022) Offender management statistics: Prison receptions 2021, London: Ministry of Justice
5 Table Q5.1b and Q5.4, Ministry of Justice (2022) Criminal justice statistics quarterly December 2021, London: Ministry of Justice
Almost three times as many were sentenced to more than 10 years in 2021 than in 2008. Prosecutions since 2020 have declined due to court closures and the pandemic.9

For more serious, indictable offences, the average prison sentence is now 59.4 months—more than two years longer than in 2008.10

People serving life sentences are spending more of their sentence in prison. On average they spend 18 years in custody, up from 13 years in 2002.11

This is set to rapidly increase as judges are imposing substantially longer tariff periods.12 The average minimum term imposed for murder rose from 13 years in 2000 to 21 years in 2021.13

Many are released from prison, only to return there shortly after. More than four in 10 adults (44%) are reconvicted of another offence within one year of release.14

Anyone leaving custody who has served two days or more is now required to serve a minimum of 12 months under supervision in the community.15

As a result, the number of people recalled back to custody has increased, particularly amongst women. 7,006 people serving a sentence of less than 12 months were recalled to prison in the year to December 2021.16

Source: Criminal justice statistics quarterly December 2021

Source: Criminal justice statistics quarterly December 2021

Correct answer

<table>
<thead>
<tr>
<th>A lot longer</th>
<th>About the same</th>
<th>A lot shorter</th>
<th>Don’t know</th>
</tr>
</thead>
<tbody>
<tr>
<td>2%</td>
<td>11%</td>
<td>19%</td>
<td>25%</td>
</tr>
</tbody>
</table>

Somewhat longer | Somewhat shorter | Don’t know |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>6%</td>
<td>37%</td>
<td>25%</td>
</tr>
</tbody>
</table>

6 months or less | Greater than 6 months to less than 12 months | 12 months to less than 4 years | 4 years to 10 years | Over 10 years (exc. indeterminate)

People (in thousands)

<table>
<thead>
<tr>
<th>Year</th>
<th>All offences</th>
<th>Indictable only offences (more serious offences)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>13.3</td>
<td>6.5</td>
</tr>
<tr>
<td>2009</td>
<td>14.2</td>
<td>6.5</td>
</tr>
<tr>
<td>2010</td>
<td>15.2</td>
<td>6.5</td>
</tr>
<tr>
<td>2011</td>
<td>16.2</td>
<td>6.5</td>
</tr>
<tr>
<td>2012</td>
<td>17.0</td>
<td>6.9</td>
</tr>
<tr>
<td>2013</td>
<td>18.2</td>
<td>7.2</td>
</tr>
<tr>
<td>2014</td>
<td>19.4</td>
<td>7.5</td>
</tr>
<tr>
<td>2015</td>
<td>20.0</td>
<td>7.5</td>
</tr>
<tr>
<td>2016</td>
<td>20.7</td>
<td>7.8</td>
</tr>
<tr>
<td>2017</td>
<td>21.7</td>
<td>8.1</td>
</tr>
<tr>
<td>2018</td>
<td>22.3</td>
<td>8.4</td>
</tr>
<tr>
<td>2019</td>
<td>22.5</td>
<td>8.4</td>
</tr>
<tr>
<td>2020</td>
<td>22.9</td>
<td>8.7</td>
</tr>
<tr>
<td>2021</td>
<td>23.1</td>
<td>8.8</td>
</tr>
</tbody>
</table>

Average sentence length (months)

2008: 13.3
2009: 14.2
2010: 15.2
2011: 16.2
2012: 17.0
2013: 18.2
2014: 19.4
2015: 20.0
2016: 20.7
2017: 21.7
2018: 22.3
2019: 22.5
2020: 22.9
2021: 23.1

1%  2%  2%  4%  6%  16%  37%  11%  19%  25%

Correct answer: About the same

1. More people were sent to prison in 2021 than in 2008.
2. Prosecutions since 2020 have declined due to court closures and the pandemic.
3. The average prison sentence is much longer now than it was 25 years ago.
4. Over half (56%) of people surveyed believed sentences were shorter now, rising to three-quarters (75%) if those who said they didn’t know are excluded.

5. Almost three times as many were sentenced to more than 10 years in 2021 than in 2008.
6. The average prison sentence is now 59.4 months—more than two years longer than in 2008.
7. People serving life sentences are spending more of their sentence in prison. On average they spend 18 years in custody, up from 13 years in 2002.
8. This is set to rapidly increase as judges are imposing substantially longer tariff periods.
9. Many are released from prison, only to return there shortly after.
10. More than four in 10 adults (44%) are reconvicted of another offence within one year of release.
11. Anyone leaving custody who has served two days or more is now required to serve a minimum of 12 months under supervision in the community.
12. As a result, the number of people recalled back to custody has increased, particularly amongst women.

7 YouGov, available at https://yougov.co.uk/topics/politics/articles-reports/2022/03/30/criminal-sentencing-too-soft-say-two-thirds-briton, accessed on 30 June 2022
9 Table Q5.4, Ministry of Justice (2022) Criminal justice statistics quarterly December 2021, London: Ministry of Justice
10 Table Q5.1a, Ibid.
14 Table C1a, Ministry of Justice (2022) Proven reoffending statistics quarterly: January to March 2022, London: Ministry of Justice
16 Table 5.2, Ministry of Justice (2022) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice
Covid-19 and the prison system

The Covid-19 pandemic has created major disruption in the normal running of the prison system. This has led to urgent changes to prison regimes in order to prevent transmission and protect health. While the outside world might have moved on from the pandemic, Covid-19 still looms large in prison. Time out of cell in general has not recovered to anywhere near pre-pandemic levels and levels of purposeful activity are also very low.\(^{17}\)

From mid-March 2020 until around February 2021 almost all people in prison in the UK spent 23 hours or more out of every day locked in a cell, typically around 3m by 2m in size. Two-thirds of them have been in conditions that amount to solitary confinement, the other third are sharing a cell, or in dormitory accommodation.\(^{18}\)

As of Spring 2022 HMPPS has decommissioned the National Framework for Prison Regimes and Services which had placed many restrictions on prison life in order to control the spread of Covid-19. Nonetheless many difficulties remain due to staff shortages and continuing outbreaks.\(^{19}\)

Pandemic conditions

Inspectors found all people in prison confined to their cell for 23 hours or more a day following the introduction of regime restrictions. Most people in local and high security prisons were allowed 30 minutes a day to shower and exercise.\(^{20}\)

Lockdowns and restrictions have endured far longer in prison than they have in the outside community. A User Voice survey of 1,421 people in prison conducted in the summer and autumn of 2021 found that fewer than 20% of participants reported experiencing three hours or more out of their cell each weekday.\(^{21}\)

A joint inspectorate report released in May 2022 found that recovery in prisons has generally been slow and inconsistent, with little progress made to improve time out of cell, which is far below pre-pandemic levels. Inspectors found it common to find prisoners locked in their cells for 22.5 hours a day.\(^{22}\)

Inspectors found the provision of purposeful activity to be poor, with a lack of education and work provision for the majority of prisoners. Rehabilitation work has been hampered by low staffing levels, as well as high numbers of inexperienced staff who had no experience of a full regime in operation.\(^{23}\)

Over two out of five (44%) survey participants reported experiencing thoughts that they would “be better off dead” or considered hurting themselves in the preceding two weeks. Almost one in five (19%) reported experiencing these thoughts every day.\(^{24}\)

Courts backlog

Before Covid-19 restrictions were introduced there was a backlog of around 40,000 cases in the Crown Court and nearly 328,000 cases in the magistrates’ courts. By 31 December 2021 these backlogs had increased by 43% and 10%, respectively.\(^{25}\)

In the Crown Courts, where the most serious cases are held, waiting times have continued to rise almost uninterrupted since March 2020. Defendants in the Crown Court are waiting 20 months on average for their trial to begin than they were before the pandemic, a rise of 79%.\(^{26}\)

Magistrates’ powers of sentencing has been increased in order to try and reduce the backlog in the Crown Court. Magistrates may now hand out sentences of up to 12 months in custody to people coming before the court, up from a maximum of six months before the pandemic.\(^{27}\)

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\(^{23}\) Ibid.


\(^{25}\) Tables C1 and M1, Ministry of Justice (2022) Criminal court statistics quarterly: October to December 2021, London: Ministry of Justice

\(^{26}\) Table C7, Ibid.

Safety in prisons has deteriorated rapidly during the last nine years. However, the pandemic and associated regime has muddied the picture. In the last year recorded assaults have fallen; and recorded self-harm has decreased slightly but remains close to historically high levels.

People died in prison in the year to March 2022

More than a quarter were self-inflicted
of which 74 were men and 1 was a woman

Recorded rates of self-harm remain close to record levels

Safety in custody statistics quarterly update to December 2021

Women account for a disproportionate number of self-harm incidents in prison—despite making up only 4% of the total prison population.

But in recent years there has been a significant rise in self-harm incidents by men.

The recorded rates of assault and serious assault have fallen sharply during the pandemic

Assaults on staff have reduced but remain close to historically high levels

Safety in prisons has deteriorated rapidly during the last nine years. However, the pandemic and associated regime has muddied the picture. In the last year recorded assaults have fallen; and recorded self-harm has decreased slightly but remains close to historically high levels.

287 People died in prison in the year to March 2022

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of which 74 were men and 1 was a woman

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But in recent years there has been a significant rise in self-harm incidents by men.
**Prison service resources and staffing**

Many justice secretaries, many promises, but little delivered

The government has committed to building 20,000 new prison places by the mid-2020s. But published details of what is being built and when are both unclear and confusing.28

HM Prisons and Probation Service (HMPPS) has experienced significant cuts to its budget in recent years. Between 2010–11 and 2014–15 its budget reduced by around 20%, and despite increases its resource budget remains 6% lower in real terms than in 2010–11.29

The government projects that the prison population will rise by more than 20,000 people from its current level in the next four years—placing further pressure on places.30

The cost of a prison place reduced by 13% in real terms between 2009-10 and 2020-21. The average annual overall cost of a prison place in England and Wales is now £48,162.31

The number of frontline operational prison staff (bands 3–5) was cut by 26% between 2010–2017.32

The government announced £100m to partially reverse the decline, committing to recruit a further 2,500 officers by December 2018.33 This target was achieved, but there are still 2,828 (11%) fewer staff than there were in 2010.34 More than one in seven (15%) of employed officers left the service last year.35

Staff retention remains a problem—Half of officers (50%) who left the service last year had been in the role for less than three years, more than a quarter (26%) left after less than a year.36

Staff experience has declined as a consequence. Almost three in 10 (29%) of officers have been in their post for less than three years, up from around one in eight (13%) in 2010.37

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28 House of Commons written question 133194, 9 March 2022 and House of Commons written question 134023, 9 March 2022.


33 House of Lords written question HL1680, 18 October 2017

34 Ibid. and Table 3, Ministry of Justice (2021) HM Prison and Probation Service workforce statistics: March 2021, London: Ministry of Justice

35 Table 8c, Ministry of Justice (2021) HM Prison and Probation Service workforce statistics: March 2021, London: Ministry of Justice

36 Table 13, Ibid.

37 Table 4, Ibid.
People on remand

For many people, their first experience of prison is on remand. This might be ahead of their trial, or whilst they are awaiting sentencing having been found guilty.

People remanded to custody to await trial are innocent until proven guilty. 27,660 people were sent to prison before their trial in 2021—down by nearly a fifth (19%) in five years.38

Despite this, on 30 June 2021 there were 12,727 people in prison on remand, an increase of more than a third (39%) in two years. This is the highest number of people since 2010, in part due to the impact of the pandemic on the courts. Before 2020 the number had been largely decreasing over the previous decade.39

More than half (56%) of people entering prison on remand in 2021 awaiting trial are accused of non-violent offences—22% of drug offences and 13% of summary non-motoring offences.40

People on remand currently make up more than one in seven people in prison (16%)—12,747 people. The majority are awaiting trial (64%), whilst the rest await sentencing.41

One in 10 people (10%) remanded into custody by the magistrates’ courts in 2021 were subsequently acquitted. A further 12% of people received a non-custodial sentence. In the Crown Court, the figures were 11% and 15%, respectively.42

Black men are 26%, and mixed ethnicity men 22% more likely to be remanded in custody at the Crown Court than white men.43

More than third (37%) of self-inflicted deaths in 2021 involved people held on remand—far higher than the proportion of the prison population they represent (16%).44

Four in 10 (40%) children in custody are on remand.45

Almost three-quarters of children remanded in custody in the year to March 2021 were either subsequently acquitted (37%) or given a non-custodial sentence (37%).46

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40 Table A2.5i, ibid.
41 Table 1.1, Ministry of Justice (2022) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice
42 Table Q4.4a, Ministry of Justice (2022) Criminal justice statistics quarterly December 2021, London: Ministry of Justice
44 Table 1.7, Ministry of Justice (2022) Safety in custody statistics quarterly update to December 2021, London: Ministry of Justice
45 Table 7.5, Ministry of Justice (2022) Youth Justice Statistics 2020–21, London: Ministry of Justice
46 Table 8.6, ibid.
Over a quarter (27%) of the prison population, 21,804 people, are from a minority ethnic group. The largest minority ethnic groups are Black or Black British (13%), followed by Asian or Asian British (8%), Mixed (5%) and other ethnic groups (2%). 47

The economic cost of black, Asian and minority ethnic (BAME) over-representation in our prison system is estimated to be £234 million a year. 48

Research has found a clear direct association between ethnic group and the odds of receiving a custodial sentence. Black people are 53%, Asian 55%, and other ethnic groups 81% more likely to be sent to prison for an indictable offence at the Crown Court, even when factoring in higher not-guilty plea rates. 49

Black and Asian people in prison are more likely to be serving long sentences than other groups. 17% of people in prison on a life sentence identify as black, and 8% as Asian. 15% of people serving a determinate sentence of over 20 years identify as black, and 12% as Asian. 50

The number of Muslim prisoners is now two and a half times higher than in 2002. In 2002 there were 5,502 Muslims in prison, by 2021 this had risen to 13,724. 51 They now account for 18% of the prison population but just 5% of the general population. 52

Muslims in prison are far from being a homogeneous group. Some were born into Muslim families, and others have converted. 37% are Asian, 29% are black, 19% are white and 10% are mixed. 53

Only 159 people, 1% of Muslims in prison, are currently there for Islamist extremist terrorism-related offences. The number of Muslims in prison for terror offences peaked at 192 in 2017. By contrast the number of people in prison for right-wing extremism has risen to 57, up from six people in 2016. 54

5% of men and 7% of women in prison said that they are Gypsy, Roma or Traveller, compared to an estimated 0.1% of the general population in England. Inspectors found that most prisons they visited were still not aware of their existence or needs. 55

Inspectors found that prison staff underestimate the cultural requirements of Gypsy, Roma or Traveller and BAME people in prison. A third of BAME prisoners said their ethnicity directly influenced their rehabilitation and resettlement planning, whereas almost no staff considered ethnicity to have any impact. 56

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47 Table 1.4, Ministry of Justice (2020) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice
50 House of Lords written question HL3861, 23 November 2021 and House of Lords written question HL14483, 8 April 2021
53 House of Lords written question HL10577, 7 December 2020
56 HM Inspectorate of Prisons (2022) Minority ethnic prisoners’ experiences of rehabilitation and release planning, London: HMIP
Older people in prison

With prison sentences getting longer, more people are growing old behind bars. People aged 60 and over are the fastest growing age group in the prison estate. The population has more than trebled in under two decades.57

More than one in six people (17%) in prison are aged 50 or over—13,659 people. Of these, 3,561 are in their 60s and a further 1,699 people are 70 or older.58

The prison population is projected to grow by a quarter in the next four years. The government anticipates that the older population will increase at a similar rate.59

44% of men in prison aged over 50 have been convicted of sex offences. The next highest offence category is violence against the person (25%) followed by drug offences (8%).60

331 people in prison were aged 80 or over as of 31 December 2021. 329 were men and two were women.61

Life and indeterminate sentences

Many people in prison don’t know when, or if, they might be released. 10,663 people are currently in prison serving an indeterminate sentence—16% of the sentenced prison population, up from 9% in 1993.62

Of those 10,663 people, 8,610 people have yet to be released. 7,056 people are serving a life sentence and 1,554 people are serving sentences of Imprisonment for Public Protection (IPP). The remainder, 2,053 people, are back in prison having been recalled from licence.63

Despite its abolition in 2012, almost all (96%) people still in prison serving an IPP sentence have passed their tariff expiry date—the minimum period they must spend in custody and considered necessary to serve as punishment for the offence.64

244 people are still in prison despite being given a tariff of less than two years—most of these (196 people) are still in prison over a decade after their original tariff expired.65

There are currently almost as many IPP-sentenced people being recalled back to prison as are being released. In the last 12 months 612 people serving an IPP sentence on licence were recalled and returned to custody, whereas only 734 people were either released for the first time or re-released having been previously recalled.66

7,056 people are currently in prison serving a life sentence. One in six (16%) have a tariff of 10 years or less, almost half (49%) have more than 10 and up to and including 20 years, and nearly a third (32%) have over 20 years.A further 661 and 1,392 people serving life and IPP sentences are in prison having been recalled.67

England and Wales have more people serving life sentences than Austria, Belgium, France, Germany, Italy, the Netherlands, Russia, and Sweden combined.68

Lifers continue to serve their sentence on release from prison for the rest of their lives. They are subject to monitoring and restrictions and can be returned to custody at any point if they break the terms of their licence.

There are currently 64 people serving a whole life sentence—they are unlikely to ever be released.69

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 replaced IPP sentences with new Extended Determinate Sentences (EDS). While not indeterminate, they both extend the period of custody that offenders serve, and revoke automatic release at a fixed point in their sentence.

As of March 2022, there were 6,639 people serving EDS—one in 10 (10%) of the sentenced prison population. This figure is 10% higher than the previous year.70

58 Table 1.3, Ministry of Justice (2022) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice
59 Table A1, Ministry of Justice (2021) Prison population projections 2021 to 2026, London: Ministry of Justice
60 House of Lords written question HL10578, 23 November 2020
61 House of Lords written question HL7259, 6 April 2022
63 Table 1.9a, Ministry of Justice (2022) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice
64 Ibid.
65 Table 1.9b, Ibid.
66 Table 1.9a, Ibid.
67 Table 1.9a, Ibid.
68 Table 1.9a, Ministry of Justice (2022) Offender management statistics quarterly: October to December 2021, London: Ministry of Justice
69 Table 1.9a, Ibid.
70 Table 1.1, Ibid.
Life and indeterminate sentences

The legacy of the IPP
Nearly all are stuck in prison beyond tariff

<table>
<thead>
<tr>
<th>People in prison serving an IPP yet to be released</th>
<th>1,554</th>
</tr>
</thead>
<tbody>
<tr>
<td>96% have already served their tariff</td>
<td>1,498</td>
</tr>
<tr>
<td>Over half of those had a tariff of four years or less</td>
<td></td>
</tr>
</tbody>
</table>

< 2 years | 2–4 years |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

People

Source: Offender management statistics quarterly: October to December 2021

Risk of harm?
IPP prisoners are more vulnerable to self-harm

Source: Safety in custody statistics quarterly update to December 2021 and Offender management statistics, Prison population 2021

Revolving doors
The gap between the number of people released from prison and the number recalled has closed in recent years

Source: Offender management statistics quarterly: October to December 2021

The new IPP?
Extended Determinate Sentences now look likely to surpass the IPP sentences they replaced

Source: Offender management statistics quarterly: October to December 2021

The growth of indeterminate sentences
Use of indeterminate sentences has risen significantly—with recalls now driving up numbers again

Source: Offender management statistics, Prison population 2021 and Offender management statistics quarterly: June to August 2021

*Recalled population not included in the underlying data

Source: Offender management statistics quarterly: October to December 2021

Note: *Recalled population not included in the underlying data.
People with neurodivergent conditions

A recent joint review by criminal justice inspectorates estimates that around half of those entering prison have some form of neurodivergent condition which impacts their ability to engage. This is much higher than in the outside community, where the working consensus among professionals is that around 15–20% of individuals have at least one neurodivergent condition.71

Around three in 10 people (29%) who chose to participate in education in prison were identified as having a learning disability or difficulty following assessment in 2019–20.72 Despite this, the Offender Assessment System (OASys) only records 924 prisoners (1%) as having a learning disability.73

A recent Equality and Human Rights Commission report into inclusive justice found that three out of four criminal justice professionals surveyed in England and Wales said that defendants’ impairments were sometimes or always missed.74

A study has estimated that a quarter (25%) of people in prison have an attention deficit/hyperactivity disorder (ADHD), around one in 10 (9%) have an autism spectrum disorder, and around one in 10 (9%) have an intellectual disability.75

Prisoners with learning disabilities or difficulties were almost three times as likely as other prisoners to have clinically significant anxiety or depression—many were both anxious and depressed.76

The government has invested £75m in liaison and diversion services in police custody suites and the criminal courts.77 In 2018/19 98,200 people engaged with liaison and diversion services.78

The roll-out of liaison and diversion services achieved 100% coverage across England in March 2020.79

Foreign nationals in prison

The term ‘foreign national prisoner’ encompasses many different people. They may have come to the UK as children with parents, or been second generation immigrants; they may have been asylum seekers or been given indefinite leave to remain as a refugee; they could be European nationals; they may have entered the UK illegally or have been in the UK as students, visitors or workers who have become involved in the criminal justice system.

Foreign nationals (non-UK passport holders) currently make up 12% of the prison population in England and Wales. On 31 March 2022 there were 9,661 foreign nationals in prison.80

Foreign national prisoners come from 165 countries—but over half are from eight countries (Albania, Poland, Romania, Ireland, Lithuania, Jamaica, Vietnam, Pakistan).81

More than a quarter of foreign nationals are in prison for drug offences (29%) or for violence against the person (28%). One in seven are in prison for sex offences (15%).82

One in 10 (10%) women in prison are foreign nationals.83 Some are known to have been coerced or trafficked into offending.84

More than 60,000 foreign national offenders have been removed from the UK since 2010. 2,673 of these were removed in 2021.85

621 people were still held in prison at the end of March 2022 under immigration powers, despite having completed their custodial sentence. This has increased by almost three-quarters (73%) from 359 before the pandemic at the end of December 2019.86

73 House of Commons written question 18886, 16 June 2022
79 House of Commons written question 249321, 11 November 2019
80 Table 1.7, Ministry of Justice (2022) Offender management statistics quarterly, October to December 2021, London: Ministry of Justice
81 Ibid.
82 House of Lords written question HL7536, 14 April 2022
83 Table 1.7, Ministry of Justice (2022) Offender management statistics quarterly, October to December 2021, London: Ministry of Justice
85 Table Ret_02a, Home Office (2021) Immigration statistics, year ending March 2021, London: Home Office
86 Table Det_03a, Home Office (2021) Immigration enforcement data: February 2021, London: Home Office
Women in prison

Women make up only 4% of the total prison population.

In 2021, 4,806 women were sent to prison—either on remand or to serve a sentence.

Despite a recent decline there are still twice as many women in prison today as there were 28 years ago.

Women tend to commit less serious offences—many serve prison sentences of less than 12 months.

In 2021, people entered prison for committing the following offences and to serve the following sentences:

<table>
<thead>
<tr>
<th>Offence</th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theft</td>
<td>21%</td>
<td>13%</td>
</tr>
<tr>
<td>Violence against the person</td>
<td>17%</td>
<td>12%</td>
</tr>
<tr>
<td>Summary (non-violent)</td>
<td>9%</td>
<td>9%</td>
</tr>
<tr>
<td>Crimes against society</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>Drug offences</td>
<td>16%</td>
<td>16%</td>
</tr>
<tr>
<td>Fraud</td>
<td>1%</td>
<td>5%</td>
</tr>
</tbody>
</table>

Community sentences for women have dropped by two-thirds in a decade. Use of suspended sentences has fluctuated, but only account for 3% of all sentences. Use of short prison sentences has declined by a half.

Many women in prison have high levels of mental health needs and histories of abuse. Self-harm rates are rising and deaths are high.
Most women (68%) in 2021 who entered prison under sentence committed a non-violent offence.\(^{87}\)

More women were sent to prison to serve a sentence in 2021 for theft than for robbery, sexual offences, drugs, possession of weapons and motoring offences combined.\(^{88}\)

Half of women (50%) entering prison in 2021 to serve a sentence had received a sentence of less than six months. This has decreased from 62% in 2019.\(^{89}\)

Seven in 10 women in prison (71%) reported that they had mental health issues compared with nearly half of men (47%).\(^{90}\)

Rates of self-harm amongst women are at the highest level since available records began in 2004. Women account for a disproportionate level of self-harm in prison—last year 22% of all self-harm incidents in prison were by women, despite making up only 4% of the total prison population.\(^{91}\)

Half of women (50%) left prison without settled accommodation in 2020–21.\(^{92}\)

### Children and young adults in prison

The number of children (under-18s) in custody has fallen by 86% since its peak in 2008.\(^{93}\) They are also committing fewer crimes—with proven offences also down by 86% between 2008 and 2021.\(^{94}\)

At the end of March 2022 there were 422 children in custody—12 children were aged 14 or younger.\(^{95}\)

A quarter (25%) of children in custody in 2020–21 were there for non-violent crimes.\(^{96}\)

A disproportionate number of children in custody come from a care background. Fewer than 1% of all children in England are in care,\(^{97}\) but around two-fifths of children in secure training centres (44%) and more than half in young offender institutions (54%) have been in care.\(^{98}\)

Almost half of children in custody (48%) are from a black, Asian or minority ethnic background.\(^{99}\) One in five (22%) of children in custody self-report as Muslim and one in 10 (9%) as from a traveller background.\(^{100}\)

Many children who are alleged to have committed offences are tried and sentenced in the Crown Court as adults after turning 18 while awaiting a trial. In the year to June 2021, 1,225 people who were alleged to have committed offences as children were dealt with in the Crown Court. Equivalent data for the magistrates’ courts does not exist.\(^{101}\)

Two of the three secure training centres in England and Wales (Rainsbrook and Oakhill) were declared inadequate and issued with urgent notifications in 2021 due to serious and widespread concerns about the care and safety of children, leadership, and staffing.\(^{102}\)

Restraint of children in custody remains high, with an average of 358 restraint incidents a month. In the year to March 2021, there were 55 incidents of restraint per 100 children in custody, up from 18 in 2010.\(^{103}\)

The number of incidents of self-harm by children in custody is increasing. In the year to March 2021 there were 18.6 incidents of self-harm for every 100 young people in custody each month, up from 9.8 six years ago.\(^{104}\)

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\(^{87}\) Table A2.9, Ministry of Justice (2022) Offender management statistics: Prison receptions 2021, London: Ministry of Justice

\(^{88}\) Ibid.

\(^{89}\) Table A2.7, Ministry of Justice (2022) Offender management statistics: Prison receptions 2021, London: Ministry of Justice


\(^{91}\) Table 3, Ministry of Justice (2022) Safety in custody quarterly update to December 2021, London: Ministry of Justice

\(^{92}\) Table 11, Ministry of Justice (2021) Community performance quarterly Mi, update to March 2021, London: Ministry of Justice

\(^{93}\) Table 1, Ministry of Justice (2022) Monthly youth custody report—March 2022, London: Youth Justice Board

\(^{94}\) Table 4.1, Ministry of Justice (2022) Youth Justice Statistics 2020–21, London: Ministry of Justice and previous editions

\(^{95}\) Tables 1 and 9, Ministry of Justice (2022) Monthly youth custody report—March 2022, London: Youth Justice Board

\(^{96}\) Table 7.6, Ministry of Justice (2022) Youth Justice Statistics 2020–21, London: Ministry of Justice


\(^{99}\) Table 6, Ministry of Justice (2022) Monthly youth custody report—March 2022, London: Youth Justice Board


\(^{101}\) House of Commons written question 4577, 23 May 2022


\(^{103}\) Table 8.1, Ministry of Justice (2022) Youth Justice Statistics 2020–21, London: Ministry of Justice and previous editions

\(^{104}\) Tables B.1 and B.3, Ibid.
11,468 young adults (aged 18–24) are currently in prison in England and Wales—they account for 14% of the total prison population.105

There are now half (50%) as many young adults in prison in England and Wales than in 2010.106

Young adults are disproportionately involved in violence in prison. Young adults were identified as the assailants in more than a third (34%) of assaults in prison in 2021.107

Mental health

More than half (52%) of people in prison surveyed by inspectors between 1 July 2020 and 31 March 2021 reported having mental health problems. Only around a fifth (22%) said it was easy to see a mental health worker.108

Seven in 10 women in prison (71%) reported that they had mental health issues compared with less than half of men (47%).109

A study of 469 male and female prisoners found that 42% of participants had been previously diagnosed with a mental illness. Some of the most common diagnoses include personality disorders (27%), anxiety disorders (27%), PTSD (20%), psychotic disorders (10%) and autism (4%).110

70% of people who died from self-inflicted means whilst in prison had already been identified with mental health needs. However, the Prisons and Probation Ombudsman (PPO) found that concerns about mental health problems had only been flagged on entry to the prison for just over half of these people.111

1,095 people were transferred from prison to a secure hospital in 2021, the highest number since records began.112

At a third of prisons inspected in 2019–20 officers had not undergone adequate mental health awareness training, despite repeated recommendations.113

Reoffending rates are lower for people given a community sentence subject to a mental health treatment requirement. Rates were 3.5 and 5 percentage points lower, respectively, for people on a community order or a suspended order, than those without such a requirement.114

105 Table 1.3, Ministry of Justice (2022) Offender management statistics quarterly, October to December 2021, London: Ministry of Justice
107 Table 3.3, Ministry of Justice (2022) Safety in custody quarterly, update to December 2021, London: Ministry of Justice
112 Table 7, Ministry of Justice (2022) Offender management statistics: Restricted patients 2021, London: Ministry of Justice
Rehabilitation and resettlement

Reoffending rates are hard, if not impossible, to measure. Published figures almost invariably use reconviction as a proxy measure. But reconviction can be affected by many factors, in particular the ability of the police to detect crime and the priorities they set in doing so. In this section, we use published material on reconvictions as the best available indicator of probable trends in reoffending.

Reconviction rates within a year of release are high—for those serving short sentences of less than 12 months, the rates are even higher.

<table>
<thead>
<tr>
<th>Adults</th>
<th>Women*</th>
<th>Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>59%</td>
<td>44%</td>
<td></td>
</tr>
<tr>
<td>73%</td>
<td>58%</td>
<td>73%</td>
</tr>
</tbody>
</table>

Short prison sentences have been shown to be less effective at reducing reoffending than community orders for people committing the same types of crime.

For people with more than 50 previous offences, the odds of reconviction when a short prison sentence is used rather than a community sentence.

<table>
<thead>
<tr>
<th>Prison sentence of less than 12 months</th>
<th>Community order</th>
<th>Suspended sentence order</th>
</tr>
</thead>
<tbody>
<tr>
<td>63%</td>
<td>56%</td>
<td>54%</td>
</tr>
</tbody>
</table>


A recent study by the Ministry of Justice has estimated the annual total estimated economic and social cost of reoffending at £18.1bn.115

Purposeful Activity

Prison education in England is in a poor state according to a cross-party committee of MPs. The House of Commons Education Committee’s inquiry found a long-term decline in both the quality of education and the number of prisoners participating in learning or training.116

In December 2020, Ofsted reported that nearly two-thirds of inspections showed poor management of the quality of education, skills and work. Only nine of the 32 institutions inspected were judged to be good or outstanding.117

There has been a marked decline in the number of adult prisoners in England participating in educational qualifications. In the 2017/18 academic year, 31,700 prisoners participated in level 2 courses (equivalent to GCSE), and just 200 participated in a level 3 course (equivalent to AS-levels and above). This was an 18% and 90% decrease, respectively, compared to the 2010/11 academic year.118

Resettlement

Nearly everyone in prison will be released at some point. Last year 47,014 people were released.119

Some people are entitled to receive a Subsistence Payment to help them on release. In August 2021 the government raised it from £46 to £76, the first increase since 1995.120 However, thousands of prisoners are ineligible, including those released from remand, fine defaulters and people serving less than 15 days.121

The government has published plans in its Prisons Strategy White Paper to spend £200m per year by 2024–25 supporting prison leavers to access employment, accommodation and substance misuse treatment post release. This includes plans to set up local employment boards in all resettlement prisons.122

116 House of Commons Education Committee (2022) Not just another brick in the wall: why prisoners need an education to climb the ladder of opportunity, London: HM Stationery Office
118 House of Commons Education Committee (2022) Not just another brick in the wall: why prisoners need an education to climb the ladder of opportunity, London: HM Stationery Office
120 House of Lords written question HL4485, 14 December 2021
Employment

For many, having a criminal conviction is a barrier to leading a law-abiding life on release. The Rehabilitation of Offenders Act 1974 gives people with spent convictions and cautions the legal right not to disclose them when applying for most jobs. The Police, Crime, Sentencing and Court Act contains measures that will reduce the time it takes for a conviction to be spent, including for some sentences of over 4 years.123

Just one in six (16%) of people are in employment six weeks after leaving prison. After six months, the figure rises to fewer than one in four (23%). Although both figures are low, they represent a rise from the previous year from 10% and 14%, respectively.124

However, more than 150 employers so far, including the entire Civil Service, have signed up to Ban the Box—removing the need to disclose convictions at the initial job application stage as a first step towards creating fairer employment opportunities for ex-offenders.125

Accommodation

Only slightly more than half (56%) of people released from prison between March 2020–21, 30,220 people, had settled accommodation on release. Around one in seven (14%) were homeless or sleeping rough. People serving sentences under 12 months and those aged between 40–49 were more likely to be released homeless.126

A report on accommodation and support for adults leaving prison found that between February 2019–20, 65% of those without settled accommodation had reoffended within 12 months compared with 44% of those with settled housing.127

The Homelessness Reduction Act 2017 means that prisons and probation providers are now required by law to refer people who might be at risk of becoming homeless to the local housing authority. Between October and December 2021, 1,840 people in England were referred under the scheme by probation services, and 410 people were referred by prisons.128

HMPPS has developed the Community Accommodation Service (CAS) intended to combine the existing Approved Premises (AP) and Bail Accommodation and Support Service (BASS), and provide additional transitional accommodation. In its first year the service is expected to support 3,000 people for up to 12 weeks of temporary accommodation, with additional support to get them into long-term settled accommodation.129

Financial exclusion

People cannot make a claim for Universal Credit until they have been released from prison. Concerns have been raised that this is placing people into unnecessary hardship on release. As part of the government’s response to Covid-19, the Department for Work and Pensions have established a helpline specifically for prison leavers, who are issued with information about the line as part of their discharge pack on leaving prison.130

125 Business in the Community website, accessed on 12 May 2022, available at www.bitc.org.uk/banthebox
127 HMI Probation (2020) Accommodation and support for adult offenders in the community and on release from prison in England: An inspection by HMI Probation, London: HMI Probation
128 House of Commons written question 7749, 12 September 2017, and
130 House of Commons written question 43639, 13 September 2021 and
130 House of Lords, written question HL10478, 18 November 2020