



Bromley Briefings Prison Factfile

Autumn 2015

These 'Bromley Briefings' are produced in memory of Keith Bromley, a valued friend of the Prison Reform Trust and allied groups concerned with prisons and human rights. His support for refugees from oppression, victims of torture and the falsely imprisoned made a difference to many people's lives. The Prison Reform Trust is grateful to the Bromley Trust for supporting the production of this briefing.

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Introduction

“Prison is a place where people are sent as a punishment, not for further punishments...Human beings whose lives have been reckoned so far in costs—to society, to the criminal justice system, to victims and to themselves—can become assets—citizens who can contribute and demonstrate the human capacity for redemption.”

Not the introduction to the latest Prison Reform Trust annual report, but the words of the incoming Secretary of State for Justice, Michael Gove, in July 2015, and a welcome reassertion of principles which should underpin any civilised penal system. So far so good. But he has inherited both a system that is deteriorating on internal and external measures, and a requirement to carve anything from 25% to 40% out of its budget over the next five years.

The prison service will be clinging to the hope that the worst is over, that after three years of drastic cuts prisons will slowly settle into diminished routines and staffing levels—a new impoverished normality. The evidence of this briefing gives little cause for optimism. Violence and disorder have risen sharply. Suicides continue to rise, and the reductions achieved through so much effort in the previous decade have been reversed. Levels of purposeful activity were judged unacceptable in three-quarters of prisons inspected.

Some individual prisons buck the trend. The Mount, Peterborough, Kirklevington Grange and others have received warm praise from inspections in 2015. Even HMP Oakwood, heavily criticised after its opening in 2013, was judged to have turned a corner. But the worst reports conjured up images of almost Dickensian squalor.

Longstanding structural flaws remain. More than a quarter of prisoners live in overcrowded prisons. One in four of the country's prisoners comes from an ethnic minority—compared to one in 10 of the general population. 82% of women are in prison for non-violent offences. 20% to 30% of prisoners have a learning disability or difficulty that interferes with their ability just to understand the criminal justice system. A staggering 12,000 prisoners do not even know when they will be released. During a period when crime has fallen sharply, average sentence length has increased by a third. We continue to use prisons in implausibly remote locations. The population of prisoners over 60 has tripled, while we build prisons designed (and priced) to contain the most determined escapee.

There are new threats. The introduction of a year's mandatory post release supervision for short sentences guarantees a higher turnover in the most overcrowded prisons as inadequately prepared ex-prisoners fail to keep to their licence conditions. In prisons struggling with staffing reductions and reduced regimes, the advent of new psychoactive substances could hardly have come at a worse time. Above all, the government's determination to reduce the national fiscal deficit will hit unprotected departments—including the Ministry of Justice—with disproportionate force.

That extraordinary challenge, however, represents an opportunity to rethink our approach both to the use of imprisonment and to the experience it should represent.

The answer to the dilemma lies in one of the few success stories of recent years. The number of children (under-18s) in custody has fallen by over two-thirds in the last seven years. Yet at the same time, the crime committed by children has also plummeted, with proven offences down by 72% from their peak in 2005–06. The number of young adults (18–20 year olds) sent to prison has also started to decline, as the conveyor belt from child offender to young adult prisoner has slowed. If we translate that determination to make imprisoning children genuinely a last resort into the adult sphere, and reverse the sentence inflation which accounts for two-thirds of the population growth of the last two decades, the possibility of making dramatic savings is real. A prison population at the level it was the last time there was a Conservative majority government would save its current successor around £1bn a year.

Increasing sentence lengths has been a comfort blanket for every government of the last 20 years. To make matters worse, prison is still seen as a free good so far as local communities are concerned—the trade off between money spent on prison officers rather than nurses or teachers remains invisible to the local taxpayer. The uncomfortable truth is that most of that expensive additional prison time is both unnecessary and wasted. The litany of frustration, depression and idleness described in this publication's statistics has its physical expression in underused facilities and long, pointless, hours behind cell doors. Reinvesting a fraction of the saving from closing prisons to create a custodial experience that is both purposeful and properly intense would be a practical legacy worthy of the new Secretary of State's visionary rhetoric.

England & Wales prison overview

Trends

On 23 October 2015, the prison population in England and Wales was 85,106.¹ Between 1993 and 2014 the prison population in England and Wales increased by more than 40,000 people, a 91% rise.² 25,555 people entered custody in the first three months of 2015.³

England and Wales have the highest imprisonment rate in Western Europe—locking up 148 people per 100,000 of the population.⁴

According to the National Audit Office, there is no consistent correlation between prison numbers and levels of crime.⁵ International comparisons also show there is no consistent link between the two.⁶

Prison has a poor record for reducing reoffending—45% of adults are reconvicted within one year of release. For those serving sentences of less than 12 months this increases to 58%. Over two-thirds (68%) of under 18 year olds are reconvicted within a year of release.⁷

Purposeful activity is currently at the lowest level inspectors have ever recorded—they were only good or reasonably good in around a quarter of prisons.⁸



Source: International Centre for Prison Studies

The prison system has been overcrowded every year since 1994.⁹ Overcrowding affects whether activities, staff and other resources are available to reduce risk of reoffending. People are also transferred to prisons far from home just to make space for new arrivals from court

At the end of September 2015, 70 of the 117 prisons in England and Wales were overcrowded.¹⁰

Prisons are getting bigger. 45% of prisoners are now held in prisons of 1,000 places or more.¹¹

Prison sentences are getting longer. The average prison sentence is now nearly four months longer than twenty years ago at 15.9 months. For more serious, indictable offences, the average is 53.6 months.¹²

Increasing numbers of people in prison don't know if, or when, they might be released. 12,053 people are in prison serving an indeterminate sentence.¹³ This compares with fewer than 4,000 in 1998 and 3,000 in 1992¹⁴, and is more than three times as many as France, Germany and Italy combined.¹⁵

60% of people entering prison on remand awaiting trial in 2014 were accused of non-violent offences—nearly 29,000 people.¹⁶

In the 12 months to March 2015, 57% of custodial sentences imposed were for six months or less.¹⁷

Short prison sentences are less effective than community sentences at reducing reoffending. People serving prison sentences of less than 12 months had a reoffending rate seven percentage points higher than similar offenders serving a community sentence—they also committed more crimes.¹⁸

However, use of community sentences has nearly halved (46%) since 2006.¹⁹

1 Ministry of Justice (2015) Population and Capacity briefing for 23 October 2015, London: Ministry of Justice

2 Table A1.2, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

3 Table 2.1, Ministry of Justice (2014) Offender management statistics quarterly, January to March 2015, London: Ministry of Justice

4 International Centre for Prison Studies website, accessed on 12 October, available at <http://www.prisonstudies.org/country/united-kingdom-england-wales>

5 National Audit Office (2012) Comparing International Criminal Justice Systems, London: National Audit Office

6 Lappi-Seppälä, T (2015) Why some countries cope with lesser use of imprisonment, available at <http://www.prisonreformtrust.org.uk/Portals/0/Documents/Tapio%20Lappi-Sepp%C3%A4%C3%A4%20London%202015.pdf>

7 Tables 16a, 17a and 16b, Ministry of Justice (2015) Proven reoffending statistics: July 2012 to June 2013, London: Ministry of Justice

8 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

9 Home Office (1999) Digest 4: Information on the criminal justice system in England and Wales, London: Home Office

10 Ministry of Justice (2015) Monthly population bulletin September 2015, London: Ministry of Justice

11 Ibid.

12 Table Q5.1b, Ministry of Justice (2015) Criminal justice statistics quarterly March 2015, London: Ministry of Justice and Table 2.3, Home Office (2007) Sentencing Statistics 2005, London: Home Office

13 Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

14 Table 1.8, Home Office (2003) Prison Statistics England and Wales 2002, London: The Stationery Office

15 Table 7, Aebi, M. and Delgrande, N. (2015) Council of Europe Annual Penal Statistics, Survey 2013, Strasbourg: Council of Europe

16 Table A2.2a, Ministry of Justice (2015) Offender management statistics quarterly, Prison receptions 2014, London: Ministry of Justice

17 Table Q5.4a, Ministry of Justice (2015) Criminal justice statistics quarterly March 2015, London: Ministry of Justice

18 Ministry of Justice (2013) 2013 Compendium of re-offending statistics and analysis, London: Ministry of Justice

19 Table Q5.1b, Ministry of Justice (2015) Criminal justice statistics quarterly update to March 2015, London: Ministry of Justice

Safety in custody

There are now fewer staff looking after more prisoners. The number of staff employed in the public prison estate has fallen by 30% in the last five years—13,730 fewer staff looking after nearly 1,200 more people.²⁰

In 2014 there were 243 deaths in custody, the highest number on record. Over a third were self-inflicted.²¹

Assaults are at the highest level they have ever been. There were nearly 16,200 recorded assaults in prison during 2014—over three-quarters were prisoner on prisoner.²²

Serious assaults in prison have risen by over a third (35%) in the last year.²³

Rates of self-harm have increased by 13% in the last two years. There were 25,775 self-harm incidents in 2014 with 1,749 requiring a hospital attendance.²⁴

Rates of self-harm amongst men have increased by more than a third (35%) over the last five years.²⁵

Women accounted for over a quarter (26%) of all self-harm incidents in 2014 despite representing just 5% of the total prison population. This has reduced significantly since 2011 when women accounted for nearly half of all incidents.²⁶

Costs and resources

At an average annual cost per prison place of £36,237,²⁷ the rise in the prison population since 1993 represents an estimated additional cost of £1.22bn annually.

Reoffending by all recent ex-prisoners costs the economy between £9.5 billion and £13 billion.²⁸

In 2013–14 the government spent £493.5m on privately run prisons, £66m more than the year before.²⁹

²⁰ Table 2, Ministry of Justice (2015) National Offender Management Service workforce statistics bulletin: June 2015, London: Ministry of Justice and Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

²¹ Table 1.1, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

²² Table 3.8, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

²³ Ibid.

²⁴ Table 2.1, Ibid.

²⁵ Ibid.

²⁶ Ibid. and Table A1.2, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

²⁷ Table 1, Ministry of Justice (2014) Costs per place and costs per prisoner by individual prison, NOMS annual report and accounts 2013–14: Management information addendum, London: Ministry of Justice and HM Prison Service (1993) Prison Service annual report and accounts April 1992–March 1993, London: HMSO

²⁸ National Audit Office (2010) Managing offenders on short custodial sentences, London: The Stationery Office

²⁹ Table 3, Ministry of Justice (2014) Costs per place and cost per prisoner by individual prison, London: Ministry of Justice and Table 3, Ministry of Justice (2013) Costs per place and cost per prisoner by individual prison establishment 2012–13, London: Ministry of Justice

Note: The unit costs of private and public prisons are not directly comparable because of different methods of financing and scope.

Over the last four years public sector prisons have delivered £334m savings.³⁰

Nearly £170m has also been saved through the closure and sale of “uneconomic” prisons and opening of new accommodation.³¹

Between 2010–11 and 2014–15 NOMS delivered cumulative savings of almost £900m, a reduction of nearly a quarter since 2010–11.³²

NOMS has a savings target of a further £91m for 2015–16.³³

England and Wales are the biggest users of electronic monitoring outside of the US. In 2011–12 there were around 105,000 new tags, with an average caseload of almost 25,000 people at a total cost of £117m.³⁴

Work to develop a new 2,100 place prison in Wrexham, North Wales has begun and is scheduled to be fully operational by late 2017.³⁵ It is expected to cost £212m to build.³⁶

People in prison

66% of women and 38% of men in prison report committing offences in order to get money to buy drugs.³⁷

26% of women and 16% of men said they had received treatment for a mental health problem in the year before custody.³⁸

20–30% of all offenders have learning disabilities or difficulties that interfere with their ability to cope with the criminal justice system.³⁹

47% of prisoners say they have no qualifications.⁴⁰

People aged 60 and over are the fastest growing age group in the prison estate. There are now nearly triple the number there were 15 years ago.⁴¹

³⁰ National Offender Management Service (2015) Annual Report and Accounts 2014/15, London: The Stationery Office

³¹ Ibid.

³² Ibid.

³³ Hansard HC, 7 July 2015, written question 5958

³⁴ Geoghegan, R. (2012) Future of Corrections: Exploring the use of electronic monitoring, London: Policy Exchange

³⁵ National Offender Management Service (2014) Annual Report and Accounts 2013/14, London: Ministry of Justice

³⁶ Croasdale, C. (2014) Category B inmates at Wrexham prison can't be ruled out, NewsNorthWales, available at <http://www.newsnorthwales.co.uk/news/134265/category-b-inmates-at-wrexham-prison-can-t-be-ruled-out.aspx>

³⁷ Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

³⁸ Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

³⁹ Loucks, N. (2007) No One Knows: Offenders with Learning Difficulties and Learning Disabilities. Review of prevalence and associated needs, London: Prison Reform Trust

⁴⁰ Ministry of Justice (2012) The pre-custody employment, training and education status of newly sentenced prisoners, London: Ministry of Justice

⁴¹ Table A1.6, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

People aged 50 and over currently make up 14% of the prison population. There are 11,980 people aged 50 and over in prison in England and Wales—4,109 are aged 60 and over.⁴²

Foreign nationals currently make up 12% of the prison population in England and Wales. On 30 June 2015 there were 10,512 held in prison.⁴³

26% of the prison population, 22,079 people, are from a minority ethnic group.⁴⁴ This compares to around one in 10 of the general population.⁴⁵

50% of the prison population are Christian, 15% are Muslim, 2% Buddhist and 30% report having no religion.⁴⁶

The number of veterans in prison is estimated to be 2,820. This is about 3.5% of the prison population.⁴⁷

Women in prison

The number of women in prison nearly trebled between 1993 and 2005. This has started to slowly reverse, but there are still over 2,000 more women in prison today than there were twenty years ago.⁴⁸

On 23 October 2015 there were 3,948 women in prison in England and Wales.⁴⁹ 9,051 women entered prison during 2014.⁵⁰

Most women entering prison serve very short sentences. In 2014, 58% of sentenced women entering prison were serving six months or less.⁵¹

Most women entering prison under sentence (82%) have committed a non-violent offence. 41% of women entering custody under sentence were there for theft and handling stolen goods in 2014.⁵²

45% of women are reconvicted within one year of leaving prison. This rises to 58% for sentences of less than 12 months and to 77% for women who have served more than 11 previous custodial sentences.⁵³

46% of women prisoners surveyed reported having attempted suicide at some point in their lives. This compares with 7% of women in the general population.⁵⁴

49% of women in prison suffer from anxiety and depression and 25% report symptoms indicative of psychosis.⁵⁵

Half of women in prison report having suffered domestic violence and one in three has experienced sexual abuse.⁵⁶

Children and young adults

The number of children (under-18s) in custody has fallen by over two-thirds in the last seven years.⁵⁷ Children are also committing fewer crimes—with proven offences down by 72% from their peak in 2005–06.⁵⁸

At the end of August 2015 there were 971 children in custody in England and Wales. 34 children were aged 14 or younger.⁵⁹

67% of children (10–17) released from custody go on to reoffend within a year.⁶⁰

Fewer than 1% of all children in England are in care⁶¹, but looked after children make up 33% of boys and 61% of girls in custody.⁶²

Children in care are 5 times more likely to be sanctioned for an offence than children in the general population.⁶³ The gap is widening; in 2010 it was over 2.5 times more likely.⁶⁴

Three-quarters (76%) of children in custody said they had an absent father and a third had an absent mother. 39% had been on the child protection register or had experienced neglect or abuse.⁶⁵

The educational background of children in custody is poor—almost nine out of 10 boys (88%) said they had been excluded from school.⁶⁶

21% of young people in custody reported that they had learning difficulties.⁶⁷

⁵⁵ Ibid.

⁵⁶ Corston, J. (2007) The Corston Report, London: Home Office

⁵⁷ Table 2.1, Youth Justice Board (2015) Monthly youth custody report—August 2015, London: Ministry of Justice

⁵⁸ Table 4.2, Ministry of Justice (2015) Youth justice statistics 2013/14, London: Ministry of Justice

⁵⁹ Table 2.1 and 2.8, Youth Justice Board (2015) Monthly youth custody report—August 2015, London: Ministry of Justice

⁶⁰ Table 18b, Ministry of Justice (2013) Proven re-offending quarterly October 2011 to September 2012, London: Ministry of Justice

⁶¹ Department for Education (2013) Children looked after in England year ending 31 March 2013, London: DfE, StatsWales website, and Office for National Statistics (2013) Population Estimates Total Persons for England and Wales and Regions - Mid-1971 to Mid-2012, London: ONS

⁶² Kennedy, E. (2013) Children and Young People in Custody 2012–13, London: HM Inspectorate of Prisons and Youth Justice Board

⁶³ Table 4, Department for Education (2015) Outcomes for children looked after by local authorities, as at 31 March 2014, London: DfE

⁶⁴ Table 7.1, Department for Education (2010) Outcomes for Children Looked After by Local Authorities in England, as at 31 March 2010, London: DfE

⁶⁵ Jacobson J. et al. (2010) Punishing Disadvantage: a profile of children in custody, London: Prison Reform Trust

⁶⁶ Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

⁶⁷ Gyateng, T., et al. (2013) Young People and the Secure Estate: Needs and Interventions, London: Youth Justice Board

⁴² Ibid.

⁴³ Table A1.8, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁴⁴ Table A1.8, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁴⁵ Table A3.5.2, Equality and Human Rights Commission (2010) How fair is Britain? Equality, Human Rights and Good Relations in 2010, London: Equality and Human Rights Commission

⁴⁶ Table A1.9, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁴⁷ Hansard HC, 3 July 2013, c652W

⁴⁸ Table A1.2, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁴⁹ Ministry of Justice (2015) Population and Capacity briefing for 23 October 2015, London: Ministry of Justice

⁵⁰ Table A2.1, Ministry of Justice (2015) Offender management statistics, Prison receptions 2014, London: Ministry of Justice

⁵¹ Ibid.

⁵² Table A2.2b, Ministry of Justice (2015) Offender management statistics annual tables 2014, London: Ministry of Justice

⁵³ Tables 8.9 and 8.10, Ministry of Justice (2014) Women and the criminal Justice system 2013, London: Ministry of Justice

⁵⁴ Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

The number of young adults (aged 18–20) in prison in England and Wales has fallen by 42% in the last six years. On 30 June 2015 there were 5,050 young adults in prison.⁶⁸

Despite this welcome reduction, the Inspectorate has cautioned that those who remain in custody are “some of the most vulnerable, troubled young adults with complex needs”.⁶⁹

More than two-fifths (43%) of young adults are in prison for violence against the person or robbery. However, a third are there for a theft or drug offence.⁷⁰

Resettlement

One in five people (20%) said they had no accommodation to go to on release— 15% reported being homeless shortly after release.⁷¹

Just over a quarter (27%) of people had a job on release from prison.⁷²

The majority of people in prison (97%) want to stop offending. When asked which factors would be important in stopping them from reoffending in the future, most stressed the importance of ‘having a job’ (68%) and ‘having a place to live’ (60%).⁷³

More than half (53%) of prisons inspected in 2013–14 were judged as requiring improvement or inadequate for learning and skills. In these prisons, education and training had little impact on supporting prisoners’ progression to sustained employment or training on release.⁷⁴

People are less likely to reoffend if they have qualifications. 45% were reconvicted within a year compared with 60% of prisoners who had no qualifications.⁷⁵

People are less likely to reoffend if they had a job before being sent to prison. 40% were reconvicted within a year compared with 65% of offenders who hadn’t had a job.⁷⁶

40% of prisoners and 64% of former prisoners believe that their debts had worsened during their sentence. Over half of prisoners’ families have had to borrow money since their relatives’ imprisonment.⁷⁷

68 Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

69 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

70 Table A1.3b, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

71 Brunton-Smith, I. and Hopkins, K. (2014) Prisoners’ experience of prison and outcomes on release: Waves 2 and 3 of SPCR, London: Ministry of Justice

72 Table 8, Ministry of Justice (2015) National Offender Management Service annual report 2014/15: Management Information Addendum, London: Ministry of Justice

73 Ministry of Justice (2010) Compendium of reoffending statistics, London: Ministry of Justice

74 Ofsted (2014) The report of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills 2013/14 Further education and skills, London: Ofsted

75 Ministry of Justice (2010) Compendium of reoffending statistics, London: Ministry of Justice

76 Ibid.

77 Bath, C. and Edgar, K., (2010) Time is Money: Financial responsibility after prison, London: Prison Reform Trust

Crime and public perceptions

Crime is at its lowest level since surveying began in 1981 and is nearly two-thirds (64%) lower than its peak in 1995.⁷⁸ Crime rates fell by 7% in the year ending March 2015.⁷⁹

Concern about crime is at an historic low— only 9% of people surveyed said it was one of the important issues facing Britain today.⁸⁰ This compares with nearly half of people (47%) in 2008.⁸¹

One in ten adults surveyed said they were worried about burglary. However, the likelihood was low, with only 3% saying they had been burgled in the last year.⁸²

11% of adults surveyed said they were worried about violent crime. However, less than 2% of people had been a victim in the last year, with half of incidents resulting in no injury.⁸³

Just over one in five people (22%) thought that prisons are effective at rehabilitating offenders who have been convicted of a crime.⁸⁴

An ICM survey for the Prison Reform Trust conducted one month after the riots in 2011, found that the vast majority of the public (94%) support opportunities for people who have committed offences such as theft or vandalism to do unpaid work in the community as part of their sentence, to pay back for what they have done.⁸⁵

A poll of victims of lower level crime showed that nearly two-thirds (63%) support community sentences as an alternative to prison for lower level offenders.⁸⁶

A YouGov poll commissioned by the Prison Reform Trust in 2012 revealed strong public support for effective community and public health measures to prevent crime and disorder. Treatment for drug addiction (67%), intensive supervision of community orders (63%), and mental health care (60%) were the top three solutions cited.⁸⁷

78 Table 1, Office for National Statistics (2015) Crime in England and Wales, Year ending March 2015, London: ONS

79 Ibid.

80 Economist/Ipsos MORI June 2015 Issues Index, accessed on 7 September 2015, available at <https://www.ipsos-mori.com/researchpublications/researcharchive/3593/EconomistIpsos-MORI-June-2015-Issues-Index.aspx>

81 Ipsos MORI (2008) Ipsos MORI Issues Index August 2008, London: Ipsos MORI

82 Table S34 and 11a, Office for National Statistics (2015) Crime in England and Wales, Year ending March 2015, London: ONS.

83 Table S34 and 4a, Ibid.

84 Table 1, Jansson, K. (2015) Public confidence in the Criminal Justice System—findings from the Crime Survey for England and Wales (2013/14), London: Ministry of Justice

85 Prison Reform Trust (2011) Public want offenders to make amends briefing paper, London: Prison Reform Trust

86 Victim Support and Make Justice Work (2012) Out in the open: What victims really think about community sentencing, London: Victim Support

87 Prison Reform Trust (2012) Public back community and health solutions to cutting crime, 18 December 2012

Scotland prison overview

Trends

On 16 October 2015 the total population of people in custody in Scotland stood at 7,649.⁸⁸ 33,851 people entered custody in 2012–13.⁸⁹

The prison population is falling—slowly. An average of 7,731 people were in custody during 2014–15, over 100 fewer people than the year before.⁹⁰

Over one-third of the adult male general population, and nearly one-tenth of adult women is likely to have at least one criminal conviction.⁹¹

The imprisonment rate for Scotland stands at 144 per 100,000. England and Wales have an imprisonment rate of 148 per 100,000, France 100 per 100,000 and Germany 78 per 100,000.⁹²

13% of people sentenced by the courts were given a custodial sentence in 2013–14.⁹³

Prison sentences are getting longer. The average length of a custodial sentence in 2013–14 was over nine months (292 days)—54 days longer than in 2004–05.⁹⁴

There is a statutory presumption against prison sentences of less than three months—unless a court considers that no other method of dealing with the person is appropriate.⁹⁵

However, they still accounted for three in 10 custodial sentences given in 2013–14.⁹⁶

The number of people on remand continues to rise. An average of 1,525 people were in prison on remand in 2014–15, compared with 1,476 the year before.⁹⁷

Just five custodial sentences were imposed on children under the age of 16 in 2013–14.⁹⁸

Costs

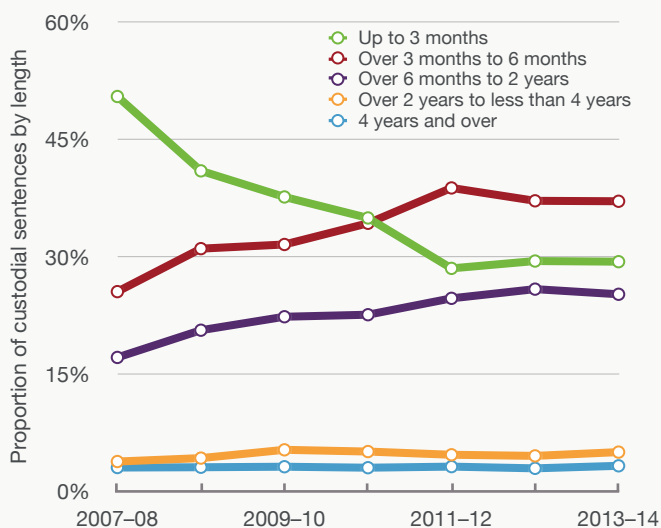
The cost of imprisonment continues to rise. It costs an average of £34,102 per prison place—an increase of nearly £2,200 in the last two years.⁹⁹

It cost an estimated £419m to deal with people sentenced in court in 2010–11.¹⁰⁰

The economic and social costs of reoffending are estimated to be £3bn a year. This is likely to be an under-estimate as it doesn't include costs to bodies outside the criminal justice system.¹⁰¹

Short custodial sentences in Scotland

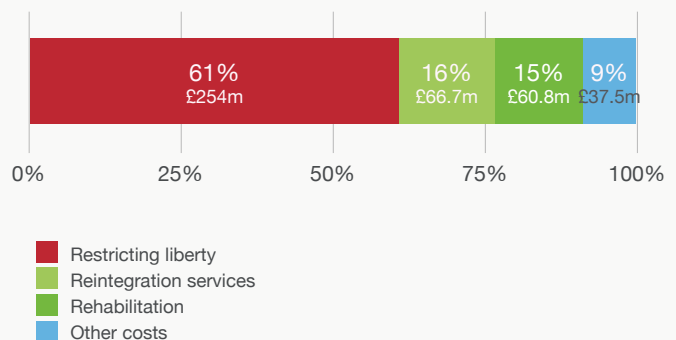
The decline of the three month sentence—and rise of the six



Source: Scottish Government, Criminal proceedings in Scotland

The cost of justice

Breakdown of spending on criminal justice in 2010–11



Source: Audit Scotland (2012) Reducing Reoffending in Scotland 2012

⁸⁸ Scottish Prison Service website, accessed on 26 October 2015, available at <http://www.sps.gov.uk/Corporate/Information/SPSPopulation.aspx>

⁸⁹ Table 8, The Scottish Government (2015) Prison statistics Scotland: 2012–13, Edinburgh: The Scottish Government

⁹⁰ Scottish Prison Service (2015) Annual Report and Accounts 2014–15, Edinburgh: SPS and Scottish Prison Service (2014) Annual Report and Accounts 2013–14, Edinburgh: SPS

⁹¹ The Scottish Government (2013) Discussion Paper on the Rehabilitation of Offenders Act 1974, Edinburgh: The Scottish Government

⁹² International Centre for Prison Studies website, accessed on 6 October 2015, available at <http://www.prisonstudies.org/map/europe>

⁹³ Table 7, The Scottish Government (2014) Criminal proceedings in Scotland 2013–14, Edinburgh: The Scottish Government

⁹⁴ Table 10(c), The Scottish Government (2014) Criminal proceedings in Scotland 2013–14, Edinburgh: The Scottish Government

⁹⁵ The Criminal Justice and Licensing (Scotland) Act 2010

⁹⁶ Table 10(a), The Scottish Government (2014) Criminal proceedings in Scotland 2013–14, Edinburgh: The Scottish Government

⁹⁷ Appendix 3, Scottish Prison Service (2015) Annual report and accounts 2014–15, Edinburgh: SPS and Scottish Prison Service (2014) Annual report and accounts 2013–14, Edinburgh: SPS

⁹⁸ Table 11, The Scottish Government (2014) Criminal proceedings in Scotland 2013–14, Edinburgh: The Scottish Government

⁹⁹ Scottish Prison Service (2015) Annual Report and Accounts 2014–15, Edinburgh: SPS and Scottish Prison Service (2013) Annual Report and Accounts 2012–13, Edinburgh: SPS

¹⁰⁰ Audit Scotland (2012) Reducing Reoffending in Scotland 2012, Edinburgh: Audit Scotland
¹⁰¹ Ibid.

There are currently 13 publicly managed prisons and two privately managed prisons, HMP Kilmarnock run by Serco and HMP Addiewell run by Sodexo.¹⁰²

Combined, the two private prisons held some 1,200 people in 2014–15, 15% of Scotland's prison population at a cost of nearly £33m.¹⁰³

HMP Grampian opened in March 2014—it cost £77.7m to construct.¹⁰⁴

The cost of keeping a child in a secure unit can be as high as £250k per annum.¹⁰⁵

It costs £126 per week to keep someone on Home Detention Curfew (HDC)—compared to a notional cost of £610 per week to keep them in prison.¹⁰⁶

Safety in prison

There have been 102 deaths in custody in the last five years—with nine so far in 2015. The causes of these nine are still under investigation.¹⁰⁷

There were 1,767 recorded prisoner on prisoner assaults in 2013–14, a 3% fall from the previous year. Serious assaults also fell by 20%.¹⁰⁸

There were 161 assaults on staff in 2014–15, almost identical to the year before. However the number of serious assaults rose from 2 to 9.¹⁰⁹

People in prison

Nearly half (45%) of people surveyed reported being drunk at the time of their offence. One in five said drinking affected their ability to hold down a job (21%) and over a third (35%) admitted it affected their relationship with their family.¹¹⁰

Two-fifths (39%) of people surveyed reported being under the influence of drugs at the time of their offence—16% reporting that they committed their offence to get money for drugs.¹¹¹

Nearly two-thirds (62%) reported using drugs in the 12 months prior to entering prison. Cannabis (78%), benzodiazepams (58%) and cocaine (51%) were the most commonly used drugs.¹¹²

A quarter of people reported that they had taken another prisoner's prescribed medication at some point.¹¹³

A quarter reported having a disability, an increase of six per cent from 2011 (19%)—only two-thirds (68%) said that staff knew. Just over a third (36%) of older prisoners said they had a disability.¹¹⁴

Children and young adults

Two-thirds (68%) of boys reported being drunk at the time of their offence.¹¹⁵

Eight in 10 (79%) boys reported that they had used drugs in the 12 months prior to entering prison—half (49%) were under the influence of drugs at the time of the offence.¹¹⁶

A quarter of boys said they had no qualifications. Over half (56%) said that they were 'often' excluded from school and four in 10 (37%) said that they had 'often' attended a Children's Panel.¹¹⁷

Prisoners' families

Almost two-thirds (63%) of people surveyed said they had children. Of these, two-fifths (42%) had one child and just under a third had two children (31%).¹¹⁸

A quarter (24%) of prisoners thought that they would not be caring for their children when they were released—17% did not know.¹¹⁹

85% of people were positive about arranging visits. However, 57% reported that their visitors experienced problems—particularly distance from home (61%) and travel costs (57%).¹²⁰

Older prisoners were twice as likely to report they had no regular contact with their family and friends than younger prisoners (18% compared with 9%).¹²¹

59% prisoners surveyed said they had been a lodger before prison, and a third (34%) were council tenants. Half of prisoners said that they lost their tenancy or accommodation when they went to prison (49%).¹²²

102 Scottish Prison Service (2015) Annual report and accounts 2014–15, Edinburgh: SPS

103 Ibid.

104 Scottish Prison Service (2014) Annual Report and Accounts 2013–14, Edinburgh: SPS

105 HM Chief Inspector of Prisons for Scotland (2010) Annual Report 2009–2010, Edinburgh: The Scottish Government

106 Armstrong, S. et al. (2011) Evaluating the Effectiveness of Home Detention Curfew and Open Prison in Scotland, Research Findings No.32/2011, Edinburgh: The Scottish Government

107 Scottish Prison Service website, Deaths in Prison Custody, available at <http://www.sps.gov.uk/Corporate/Information/PrisonerDeaths.aspx>

108 Scottish Prison Service (2015) Annual report and accounts 2014–15, Edinburgh: SPS

109 Ibid.

110 Scottish Prison Service (2013) Prisoner Survey 2013, Edinburgh: SPS

111 Ibid.

112 Ibid.

113 Ibid.

114 Ibid. and Scottish Prison Service (2013) Prisoner Survey 2013: Older prisoners, Edinburgh: SPS

115 Scottish Prison Service (2013) Prisoner Survey 2013: Male young offenders, Edinburgh: SPS

116 Ibid.

117 Ibid.

118 Scottish Prison Service (2013) Prisoner Survey 2013, Edinburgh: SPS

119 Ibid.

120 Ibid.

121 Scottish Prison Service (2013) Prisoner Survey 2013: Older prisoners, Edinburgh: SPS

122 Scottish Prison Service (2013) Prisoner Survey 2013, Edinburgh: SPS

Over half (56%) of women surveyed said they had witnessed violence between their parents/carers when they were children compared to four in 10 men (41%).¹²³

A quarter of prisoners said that they had been in care as a child (27%).¹²⁴

Women in prison

The women's prison population in Scotland increased by 46% in the 10 years since 2003–04.¹²⁵ There has been a slight decrease in the last year, with an average daily prison population of 425 women in 2014–15.¹²⁶

Women in prison are more likely to be there on remand than men (23% compared to 18%).¹²⁷ Only around 30% of women on remand go on to receive a custodial sentence.¹²⁸

1,814 women were received into custody on remand in 2012–13.¹²⁹

Women's prison sentences are getting longer. Women were sentenced to an average of 271 days in 2008–09, compared with 228 days in 1999–2000.¹³⁰

But there's no evidence of increasing participation in crime by women. Data from five police forces showed that the number of recorded crimes involving females remained relatively stable between 1999–2000 and 2009–10.¹³¹

The growth in the women's prison population can more likely be attributed to the increasing use of custodial sentences by courts than changes in the pattern of female offending.¹³²

A higher proportion of women report problems with alcohol, with half reporting being drunk at the time of their offence—an 8% increase on 2011.¹³³

Over half (53%) said that they would drink 10 or more drinks on a typical day when drinking—29% said they drank six or more drinks on a daily, or almost daily, basis.¹³⁴

A higher proportion of women commit 'crimes of dishonesty' than men. 15% of proven offences by women were for shoplifting, compared with 11% of men's.¹³⁵

A report by the Commission on Women Offenders, chaired by former Lord Advocate, Dame Elish Angiolini, stated that "Cornton Vale is not fit for purpose." It recommended that it is replaced with a smaller specialist prison for women serving long-term sentences and who present a significant risk to the public.¹³⁶

In March 2014, a 50-place regional unit opened at HMP Grampian for women from the north east of Scotland.¹³⁷

Plans for a new 350-place women's prison in Inverclyde to replace HMP Cornton Vale have been scrapped—saving an estimated £75m.¹³⁸

There will now be a new national unit built at HMP Cornton Vale and community units across Scotland.¹³⁹

Specialist services designed to meet the complex needs of women offenders can help them to tackle the causes of their offending. Women who used the services at the 218 Service in Glasgow identified significant decreases in drug and/or alcohol use (83%), improvements in their health and wellbeing (67%), access to stable accommodation and referrals to longer-term support services.¹⁴⁰

Rehabilitation and resettlement

Over a quarter (28%) of prisoners surveyed said that they had received help with their drug addiction during their sentence, an eight per cent drop since 2011.¹⁴¹

A third (34%) of prisoners surveyed said they didn't know where they would be living on release.¹⁴²

A quarter (26%) of prisoners had accessed services while in prison to help them prepare for release—down from a third (34%) in 2011. Of those who accessed services, 70% had sought advice about housing and 41% about employment.¹⁴³

¹²³ Scottish Prison Service (2013) Prisoner Survey 2013: Female offenders, Edinburgh: SPS

¹²⁴ Scottish Prison Service (2013) Prisoner Survey 2013, Edinburgh: SPS

¹²⁵ Table 1, The Scottish Government (2015) Prison statistics Scotland: 2012–13, Edinburgh: The Scottish Government

¹²⁶ Appendix 2, Scottish Prison Service (2015) Annual report and accounts 2014–15, Edinburgh: SPS and Appendix 2, Scottish Prison Service (2013) Annual Report and Accounts 2012–13, Edinburgh: SPS

¹²⁷ Table 1, The Scottish Government (2015) Prison statistics Scotland: 2012–13, Edinburgh: The Scottish Government

¹²⁸ Commission on Women Offenders (2012) Commission on Women Offenders Final Report: Edinburgh, The Scottish Government

¹²⁹ Table 8, The Scottish Government (2015) Prison statistics Scotland: 2012–13, Edinburgh: The Scottish Government

¹³⁰ McIvor, G. and Burman, M. (2011) Understanding the Drivers of Female Imprisonment in Scotland, Glasgow: The Scottish Centre for Crime and Justice Research

¹³¹ Ibid.

¹³² Ibid.

¹³³ Scottish Prison Service (2013) Prisoner Survey 2013: Female offenders, Edinburgh: SPS

¹³⁴ Ibid.

¹³⁵ Tables 6(a) and 6(b), The Scottish Government (2014) Criminal proceedings in Scotland 2013–14, Edinburgh: The Scottish Government

¹³⁶ Commission on Women Offenders (2012) Commission on Women Offenders Final Report: Edinburgh, The Scottish Government

¹³⁷ Scottish Prison Service (2014) Annual Report and Accounts 2013–14, Edinburgh: SPS

¹³⁸ Alderson, R., BBC News, 'New £75m women's prison scrapped, confirms Scottish minister', 26 January 2015, available at <http://www.bbc.co.uk/news/uk-scotland-scotland-politics-30958609>

¹³⁹ Scottish Prison Service (2015) Annual report and accounts 2014–15, Edinburgh: SPS

¹⁴⁰ Commission on Women Offenders (2012) Commission on Women Offenders Final Report: Edinburgh, The Scottish Government

¹⁴¹ Scottish Prison Service (2013) Prisoner Survey 2013, Edinburgh: SPS

¹⁴² Ibid.

¹⁴³ Ibid.

Prisoners spent more than seven million hours in purposeful activity in 2014–15—an average of 22 hours a week per person.¹⁴⁴

The Scottish Justice Committee has called for a national strategy on purposeful activity to ensure all prisoners in Scotland are offered equal access to opportunities such as work, education and rehabilitation programmes.¹⁴⁵

Over three-quarters of children (under-18) in prison cited that ‘getting a job’ (78%) was most likely to stop them offending in the future. Over half of those who responded said ‘staying off alcohol’ (57%), ‘having a partner’ (55%), or ‘getting a house/flat of my own’ (52%) would help.¹⁴⁶

Only four in 10 children in prison (38%) said they attended a learning centre in prison—compared to half of adults.¹⁴⁷

Outcomes

43% of people released from custody are reconvicted within a year—rising to 60% for men and 68% for women with more than 10 previous convictions.¹⁴⁸

Cabinet Secretary for Justice, Michael Matheson has said: “Short sentences do nothing to stop reoffending in our communities and only result in offenders going in and out of prison time and time again and reoffending upon release. In my view, we need to act on the evidence, be braver in our approach and take the bold action needed to tackle these ineffective sentences.”¹⁴⁹

The general reconviction rate of young people (under-21), which includes community sentences, is the highest amongst all age groups—a third were reconvicted within a year.¹⁵⁰

32% of people on a community sentence go on to reoffend within a year.¹⁵¹

710 people on average were held in prison in 2012–13 following recall from supervision or licence—more than double the number in 2004–05.¹⁵²

An average of 350 people were on Home Detention Curfew (HDC) during 2014–15, down slightly on the year before.¹⁵³

The most common reason for being recalled is for failure to comply with the technical conditions of the curfew rather than committing crimes while on HDC. Being out of curfew for more than six hours (38% of all recalls) and breach of licence conditions (24%) accounted for most recall activity. Offending while on licence appears only rarely to be the cause of recall (7% recalled for a new warrant served).¹⁵⁴

In 2014–15 there were three absconds from custody, and six people failed to return to custody.¹⁵⁵

Crime and public perceptions

The number of crimes reported in the Scottish Crime and Justice Survey has fallen by 22% since 2008–09.¹⁵⁶

The risk of being a victim of a crime has fallen from 20.4% in 2008–09 to 16.9% in 2012–13. The risk of crime is lower in Scotland than in England and Wales where the victimisation rate was 18.7% in 2012–13.¹⁵⁷

However, adults were more likely to think that they would experience crime than they actually were. Six times as many adults thought they were likely to have their home broken into than actually did (7% compared with the actual risk of 1.2%).¹⁵⁸

Two-thirds of adults surveyed agreed that community sentencing is an effective way of dealing with less serious crime. 48% agreed that learning new skills during community sentences stops low level offenders from committing more crimes.¹⁵⁹

67% surveyed agreed that drug users need treatment not prison.¹⁶⁰ In 74% of crimes where the victim thought that the offender(s) should have been prosecuted, the victim thought the offender(s) should have been given a sentence other than custody.¹⁶¹

144 Scottish Prison Service (2015) Annual report and accounts 2014–15, Edinburgh: SPS
145 Justice Committee's 5th Report 2013 (Session 4): Inquiry into purposeful activity in prisons (SP Paper 299)

146 Scottish Prison Service (2013) Prisoner Survey 2013: Male young offenders, Edinburgh: SPS

147 Ibid.

148 Table 8 and 10, The Scottish Government (2015) Reconviction rates in Scotland: 2012–13 offender cohort, Edinburgh: The Scottish Government

149 The Scottish Government website, accessed on 6 October 2015, available at <http://news.scotland.gov.uk/News/Proposals-for-bold-action-on-reoffending-1d98.aspx>

150 Table 3, The Scottish Government (2015) Reconviction rates in Scotland: 2012–13 offender cohort, Edinburgh: The Scottish Government

151 Table 7, Ibid.

152 Table 1, The Scottish Government (2015) Prison statistics Scotland: 2012–13, Edinburgh: The Scottish Government

153 Scottish Prison Service (2015) Annual report and accounts 2014–15, Edinburgh: SPS

154 Armstrong, S. et al. (2011) Evaluating the Effectiveness of Home Detention Curfew and Open Prison in Scotland, Research Findings No.32/2011, Edinburgh: The Scottish Government

155 Scottish Prison Service (2015) Annual report and accounts 2014–15, Edinburgh: SPS

156 The Scottish Government (2014) Scottish Crime and Justice Survey 2012/13, Edinburgh: The Scottish Government

157 Ibid.

158 Ibid.

159 The Scottish Government (2014) Scottish Crime and Justice Survey 2012/13, Edinburgh: The Scottish Government

160 The Scottish Government (2011) 2010/11 Scottish Crime And Justice Survey, Edinburgh: The Scottish Government

161 Ibid.

Northern Ireland prison overview

The Northern Ireland Prison Service (NIPS) has been under considerable scrutiny in the last decade. Since 2005 there have been over 20 external reviews and inspection reports, most of which have identified the pressing need for reform.

On 12 April 2010 policing and criminal justice powers were devolved from Westminster to the Northern Ireland Assembly.

Justice Minister David Ford announced a review of the conditions of detention, management and oversight of all prisons on 7 June 2010, led by Dame Anne Owers, former HM Chief Inspector of Prisons in England and Wales. The Prison Review Team published an interim report in February 2011 and their final report in October 2011.

The final report included 40 recommendations for fundamental reform of the Northern Ireland Prison Service. To date, the prison review oversight group, chaired by the Minister, has deemed 21 of the 40 recommendations complete. A further 16 have been referred for independent assessment to the Criminal Justice Inspection (CJI) and the Regulation and Quality Improvement Authority (RQIA). Bringing the number of recommendations that have been completed or referred to 37.

Trends

On 16 October 2015 the total prison population for Northern Ireland stood at 1,612—164 fewer people than the previous year.¹⁶²

4,917 people were received into custody during 2014. This has fallen sharply since 2012, primarily due to a drop in people entering prison for fine default following a successful Judicial Review.¹⁶³

The number of people entering prison for fine default is on the rise again. Between 2013–14 fine default committals plummeted to single figures. However, since the end of 2014 numbers have been rising, with 81 people entering prison from April to June this year.¹⁶⁴

The imprisonment rate for Northern Ireland is 88 per 100,000. England and Wales have an imprisonment rate of 148 per 100,000, France has a rate of 100 per 100,000 and Germany has a rate of 78 per 100,000.¹⁶⁵

The proportion of sentences resulting in custody is increasing. In 2010, 9% of people convicted were sentenced to custody, by 2014 this had risen to 13%. The proportion receiving suspended sentences has also risen from 11% to 16%.¹⁶⁶

People on sentence currently spend an average of six years in prison. Many spend considerably longer, with 14% of the sentenced population currently serving a sentence of eight years or more and a further 14% serving a life sentence.¹⁶⁷

17% of the sentenced prison population are serving sentences of 12 months or less.¹⁶⁸

Remand accounted for more than half (56%) of all receptions into prison in 2014, with 2,736 receptions in total.¹⁶⁹ 421 people on average were held in prison on remand—the third successive annual fall.¹⁷⁰

Northern Ireland continues to hold a high proportion of people in prison on remand compared with other countries. It currently holds nearly a quarter (23%) on remand compared with 14% in England and Wales, and 20% in Scotland.¹⁷¹

The average time spent in prison on remand has fallen by around month and a half over the last two years. People now spend an average of 132 days in custody on remand.¹⁷²

The capacity for Northern Ireland prisons is 1,953, with a current occupancy level of 93%.¹⁷³

¹⁶² Northern Ireland Prison Service, situation report for 16 October 2015, accessed on 26 October 2015, available at <https://www.dojni.gov.uk/articles/weekly-situation-reports-october-2015>

¹⁶³ Crone, E. (2015) The Northern Ireland prison population 2014 and 2014/15, Belfast: Department of Justice

¹⁶⁴ Northern Ireland Prison Service (2015) Analysis of NIPS Prison Population from 01/04/2014 to 30/06/2015, Belfast: Department of Justice, and Analysis of NIPS Prison Population from 01/01/2013 to 31/03/2014

¹⁶⁵ International Centre for Prison Studies website, accessed on 12 October 2015, available at http://www.prisonstudies.org/highest-to-lowest/prison_population_rate?field_region_taxonomy_tid=14

¹⁶⁶ Table 6c, Department of Justice (2015) Court Prosecutions, Convictions and Out of Court Disposals Statistics for Northern Ireland, 2014 (revised), Belfast: Department of Justice and Table 6c, Department of Justice (2014) Northern Ireland Conviction and Sentencing Statistics 2010-2012, Belfast: Department of Justice

¹⁶⁷ Northern Ireland Prison Service (2015) Analysis of NIPS Prison Population from 01/04/2014 to 30/06/2015, Belfast: Department of Justice

¹⁶⁸ Ibid.

¹⁶⁹ Department of Justice (2014) The Northern Ireland Prison Population: Receptions 2009-2012, Belfast: Department of Justice

¹⁷⁰ Crone, E. (2015) The Northern Ireland prison population 2014 and 2014/15, Belfast: Department of Justice

¹⁷¹ Crone, E. (2015) The Northern Ireland prison population 2014 and 2014/15, Belfast: Department of Justice; Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice; and Appendix 3, Scottish Prison Service (2015) Annual report and accounts 2014-15, Edinburgh: SPS

¹⁷² Northern Ireland Prison Service (2015) Analysis of NIPS Prison Population from 01/04/2014 to 30/06/2015, Belfast: Department of Justice, and Analysis of NIPS Prison Population from 01/01/2013 to 31/03/2014

¹⁷³ International Centre for Prison Studies website, accessed on 12 October 2015, available at <http://www.prisonstudies.org/country/united-kingdom-northern-ireland>

Despite being built originally to hold 432 people, HMP Maghaberry routinely holds in excess of 1,000 men. A new 360-cell block is planned for construction to relieve pressure on overcrowding, with around half of prisoners doubled up in cells meant for one.¹⁷⁴

Children and young adults

199 children (aged 10–17) entered custody in 2014–15, a small rise on the year before. On average 34 children were held in custody—the highest number since 2007–08.¹⁷⁵

The majority were boys. Only 30 girls entered custody in 2014–15—slightly higher than previous years.¹⁷⁶

Most children in custody are there on remand—accounting for nearly 60% of the population.¹⁷⁷

Use of remand for this age group is rising. It has risen by over a third (36%) in the last two years—accounting for more than half (54%) of transactions.¹⁷⁸

Two-fifths of young people in custody in 2014–15 were aged 17 to 18. Nearly a third (32%) were aged 16, and a fifth were aged 15. There were eight children aged 10 to 13—accounting for 4% of the children in custody.¹⁷⁹

A third of children in custody in 2014–15 were in care (18% subject to a care order and 16% voluntary accommodated).¹⁸⁰

Half (51%) of children entering custody under PACE (pre-charge) go on to be remanded or sentenced. They usually remain in custody for “at most, a few days” according to the Youth Justice Agency (YJA).¹⁸¹

There is a clear pattern of increased PACE admissions at weekends. YJA analysis found that twice as many PACE admissions occurred on Saturday or Sunday compared to any other individual day of the week.¹⁸²

54% of young people screened have a communication need. The YJA is working with the Royal College of Speech and Language Therapists in piloting e-learning and screening tools.¹⁸³

192 young adults (aged 18–20) entered custody in 2014—continuing the downward trend.¹⁸⁴

A new secure college for young adults at Hydebank Wood opened in April 2015. The college, for 18–21 year old young men, provides education, vocational training, mentoring and support programmes.¹⁸⁵

More than a third of young adults entering Hydebank Wood had literacy problems and over half had numeracy difficulties.¹⁸⁶

Costs

The average cost per prisoner place fell from £73,732 in 2010 to £62,898 in 2014. There is a target to reduce it by 21% to £60,800.¹⁸⁷

The cost of child custody is currently £1,004 per day.¹⁸⁸

The prison service has seen a 15% budget reduction in the last four years.¹⁸⁹

There are currently £200m worth of business cases approved for prison service capital projects. This includes work to improve blocks at Magilligan, and a new women’s prison. However, there is currently no assurance of funding beyond the 2015–16 financial year.¹⁹⁰

Inspectors have raised concerns that children are being inappropriately placed in custody at times of crisis when no alternative accommodation is available, at a cost of around £9.3m per year.¹⁹¹

For 2014–15 the prison service’s opening resource budget was £114m, with a further £17m for capital projects. £23.2m of savings were identified by NIPS, of these £19.4m related to savings from the staff exit scheme.¹⁹²

Despite 518 staff leaving through the voluntary early retirement scheme, none of this money has been reinvested back into the prison service.¹⁹³

174 Committee for Justice (2015) Prison Reform Programme and Northern Ireland Prison Estate Strategy: Northern Ireland Prison Service, Belfast: Northern Ireland Assembly and Committee for Justice (2014) Prison Reform Programme: Prison Governors’ Association, Belfast: Northern Ireland Assembly
175 O’Neill, N. (2015) Youth Justice Agency Annual Workload Statistics 2014/15, Belfast: Youth Justice Agency
176 Table 9, Ibid.
177 Ibid.
178 Table 2, Ibid.
179 Table 10, Ibid.
180 Table 12, Ibid.
181 Table 14, Ibid.
182 Ibid.
183 Criminal Justice Inspection Northern Ireland (2014) Monitoring of progress on

implementation of the youth justice review recommendations, Belfast: CJI Northern Ireland
184 Table 8, Department of Justice (2015) The Northern Ireland prison population 2014 and 2014/15, Belfast: Department of Justice
185 Department of Justice website, accessed on 6 August 2015, available at <http://www.northernireland.gov.uk/index/media-centre/news-departments/news-doj/news-doj-april-2015/news-doj-130415-new-prison-college.htm>
186 Ibid.
187 Committee for Justice (2014) Prison Service Reform and Management of Drugs Misuse: Northern Ireland Prison Service, Belfast: Northern Ireland Assembly
188 Criminal Justice Inspection Northern Ireland (2015) An announced inspection of Woodlands Juvenile Justice Centre, Belfast: CJI NI
189 Committee for Justice (2014) Prison Service Reform and Management of Drugs Misuse: Northern Ireland Prison Service, Belfast: Northern Ireland Assembly
190 Committee for Justice (2015) Prison Reform Programme and Northern Ireland Prison Estate Strategy: Northern Ireland Prison Service, Belfast: Northern Ireland Assembly
191 Criminal Justice Inspection Northern Ireland (2015) An announced inspection of Woodlands Juvenile Justice Centre, Belfast: CJI NI
192 Northern Ireland Prison Service (2014) Business Plan 2014–15, Belfast: Department of Justice
193 Committee for Justice (2014) Prison Service Reform and Management of Drugs Misuse: Northern Ireland Prison Service, Belfast: Northern Ireland Assembly

A £3m partnership with Belfast Metropolitan College and the North West Regional College has been created to give prisoners in Maghaberry, Magilligan and Hydebank Wood College new education and training opportunities.¹⁹⁴

People in prison

A total of 67% of all prisoners are on prescribed medication—80% at Maghaberry, 58% at Magilligan and 38% at Hydebank Wood Young Offender's Centre. The levels of prescribing reflect the fact that prisoners tend to have poorer physical and mental health than the general population.¹⁹⁵

Almost 40% of prisoners reported that they had a problem with drugs when they came into prison—31% with prescription drugs.¹⁹⁶

44% of prisoners reported having a problem with alcohol when they came into prison.¹⁹⁷

7% of the prison population are foreign nationals—57% are on remand and 91% are men.¹⁹⁸

The national and ethnic mix in prisons in Northern Ireland has changed considerably in recent years. The majority of foreign nationals are from eastern Europe, primarily Lithuania and Poland, or from China. Only around 1% of the prison population is Black or South Asian. Irish Travellers also account for about 1% of the population.¹⁹⁹

34% of prisoners entering prison have a literacy ability, and 51% have a numeracy ability, at a level broadly equated to that expected of a nine year old.²⁰⁰

Safety in custody

During 2014–15 there were three deaths in custody (one less than last year)—two were at Maghaberry prison and one was at Magilligan.²⁰¹

During 2013–14 there were a total of 96 assaults—a 10% rise on the previous year. 67 occurred at Maghaberry, 23 at Hydebank Wood and six at Magilligan. There was however a change in recording practices for assaults in 2013.²⁰²

Half of prisoners reported feeling unsafe at some time during their time in custody. 42% reported they had been bullied and of those that had, 19% reported the incident, 23% did not.²⁰³

Inspectors have raised concerns about the availability of drugs within prisons. “They have been responsible for a number of deaths in custody and other serious incidents, and are a cause of a significant proportion of the bullying which takes place. This is true both for illicit and prescription drugs”.²⁰⁴

Almost one in 10 prisoners (8%) reported they had developed a problem with drugs since coming into prison.²⁰⁵

Use of restraint on children in custody rose by 13% in the last year.²⁰⁶

Women in prison

On 16 October 2015 there were 50 women in prison in Northern Ireland.²⁰⁷

Women accounted for 6% of receptions into prison in 2014.²⁰⁸

81% of women entering prison to serve a sentence are there for non-violent offences. The majority are there for theft.²⁰⁹

A six-bedroom step-down facility for women is being built outside the perimeter of Hydebank Wood. It will provide places for women who are coming towards the end of their sentences or do not need conditions of security.²¹⁰

According to the Department of Justice, “most women offenders pose a low risk, or even no risk, to society as a whole.”²¹¹

64% of women were receiving some form of social security benefit before entering prison.²¹²

¹⁹⁴ Department of Justice website, accessed on 6 August 2015, available at <http://www.dojni.gov.uk/index/media-centre/news-archive/may-2015/ministers-announce-33-new-jobs-providing-learning-and-skills-in-prisons.htm>

¹⁹⁵ Criminal Justice Inspection Northern Ireland (2015) The Safety of Prisoners held by the Northern Ireland Prison Service, Belfast: CJINI

¹⁹⁶ Ibid.

¹⁹⁷ Ibid.

¹⁹⁸ Northern Ireland Prison Service (2015) Analysis of NIPS Prison Population from 01/01/2014 to 31/03/2015, Belfast: Department of Justice

¹⁹⁹ Prison Review Team (2011) Review of the Northern Ireland Prison Service Conditions, Management and Oversight of all Prisons: Final Report, Belfast: Prison Review Team

²⁰⁰ Northern Ireland Prison Service (2014) Building for the future - Northern Ireland Prison Service Estate Strategy, Belfast: Department of Justice

²⁰¹ The Prisoner Ombudsman for Northern Ireland (2015) Annual Report 2014–15, Belfast: The Prisoner Ombudsman for Northern Ireland

²⁰² Committee for Justice (2014) Prison Service Reform and Management of Drugs Misuse: Northern Ireland Prison Service, Belfast: Northern Ireland Assembly

²⁰³ Criminal Justice Inspection Northern Ireland (2015) The safety of prisoners held by the Northern Ireland Prison Service, Belfast: CJINI

²⁰⁴ Ibid.

²⁰⁵ Ibid.

²⁰⁶ Youth Justice Agency (2015) Youth Justice agency annual Report and accounts 2014–2015, Belfast: CDS

²⁰⁷ Northern Ireland Prison Service, situation report for 16 October 2015, accessed on 26 October, available at <https://www.dojni.gov.uk/articles/weekly-situation-reports-october-2015>

²⁰⁸ Table 8, Department of Justice (2015) The Northern Ireland prison population 2014 and 2014/15, Belfast: Department of Justice

²⁰⁹ Department of Justice (2014) The Northern Ireland Prison Population: Receptions 2009–2012, Belfast: Department of Justice

²¹⁰ Committee for Justice (2015) Prison Reform Programme and Northern Ireland Prison Estate Strategy: Northern Ireland Prison Service, Belfast: Northern Ireland Assembly

²¹¹ Department of Justice (2013) Reducing offending among women 2013–2016, Belfast: Department of Justice

²¹² Ibid.

45% of women in prison surveyed said they had children under the age of 18.²¹³ 52% said that it was difficult or very difficult for family and friends to visit.²¹⁴

Experiences of physical abuse and sexual abuse were recorded in most women's pre-sentence reports (74.5% physical abuse, 10.5% sexual abuse).²¹⁵

88% of women had experienced depression while in prison. 60% had been taking some form of medication prior to their imprisonment.²¹⁶

48% had experienced suicidal thoughts, 32% had self-harmed, and 32% had attempted to take their own lives.²¹⁷

Outcomes

46% of adults released from custody went on to reoffend within a year. More than half (55%) of those who reoffended had done so within the first three months of release; over three-quarters (78%) had within six months.²¹⁸

Of the 40 children released from custody, 34 committed a proven reoffence—23 reoffended within the first four months.²¹⁹

A total of £473,501 has been raised for the Victims of Crime Fund to improve support services to victims of crime since its introduction in June 2012. The fund is resourced by people who have been convicted of crimes.²²⁰

Treatment and conditions

Staff shortages at Maghaberry Prison were a serious problem during 2014–15. This led to unpredictable and restricted regimes, long periods spent in cells and limited purposeful activity.²²¹

There were an average of 56 partial lockdowns per month at Maghaberry in 2014.²²²

Inspectors reported that purposeful activity at Ash House, Northern Ireland's only women's prison, "was very poor and the paucity of opportunities had a negative affect on equipping women for release".²²³

213 National Preventive Mechanism (2013) Report on an announced inspection of Ash House, Hydebank Wood Women's Prison, Belfast: Criminal Justice Inspection Northern Ireland

214 Ibid.

215 Northern Ireland Office (2009) Addressing Offending by Women: a literature review, Belfast: Northern Ireland Office

216 Ibid.

217 Ibid.

218 Duncan, L. (2015) Adult and Youth Reoffending in Northern Ireland (2012/13 Cohort), Belfast: Department of Justice

219 Ibid.

220 Department of Justice website, accessed on 6 August 2015, available at <http://www.northernireland.gov.uk/index/media-centre/news-departments/news-doj/news-doj-june-2015/news-doj-090615-offenders-pay-to.htm>

221 Prisoner Ombudsman for Northern Ireland (2015) Annual Report 2014–15, Belfast: Prisoner Ombudsman for NI

222 Ibid.

223 Criminal Justice Inspection Northern Ireland (2014) Annual Report and Accounts 2013/14,

Most people at Hydebank Wood young offenders centre (aged 18–21) were found to spend too long locked in their cells. There were frequent and unpredictable lock-downs, and activities were often cancelled at short notice.²²⁴

Only 7% of prisoners at Hydebank Wood said they went out on exercise three or more times a week, and 15% said they went on association more than five times a week.²²⁵

Catholic prisoners are more negative about their experience in prison than Protestants. The Inspectorate has repeatedly called for prisons to do more to understand and address this.²²⁶

40% of people at Magilligan were unemployed. Much of the work that did exist was mundane and the range of training and education was limited, unrelated to the labour market, and offered only low level qualifications.²²⁷

The Prisoner Ombudsman for Northern Ireland received 1,429 eligible complaints in 2014–15, triple the number of the year before. Separated Republican prisoners in Maghaberry accounted for 81% of these complaints.²²⁸

Complaints to the Prisoner Ombudsman for Northern Ireland were upheld in 44% of cases during 2014–15.²²⁹ This compares to 39% in England and Wales.²³⁰

Foreign national prisoners made only 2% of all complaints received in 2013, despite comprising some 8% of the overall prison population. This is despite an interpretation service available to people who cannot speak English.²³¹

Prison Service performance

During 2013–14, absence in the Prison Service totalled 13.8 days per member of staff against the Department of Justice target of 9.7 days. This is down from 14.4 days in 2011–12.²³²

Belfast: CJI Northern Ireland

224 Criminal Justice Inspection Northern Ireland (2013) Report on an announced inspection of Hydebank Wood Young Offenders Centre, Belfast: CJI NI

225 Ibid.

226 Ibid., Criminal Justice Inspection Northern Ireland (2015) Report on an unannounced inspection of Magilligan Prison, Belfast: CJI NI and Criminal Justice Inspection Northern Ireland (2012) Report on an announced inspection of Maghaberry Prison, Belfast: CJI NI

227 Criminal Justice Inspection Northern Ireland (2014) Annual Report and Accounts 2013/14, Belfast: CJI Northern Ireland

228 Prisoner Ombudsman for Northern Ireland (2015) Annual Report 2014–15, Belfast: Prisoner Ombudsman for NI

229 Ibid.

230 Prisons and Probation Ombudsman (2015) Annual report 2014–15, London: PPO

231 Prisoner Ombudsman for Northern Ireland (2014) Corporate Plan 2014–2017, Belfast: Prisoner Ombudsman for Northern Ireland

232 Northern Ireland Assembly Debate, 10 June 2014, available at <http://www.theyworkforyou.com/ni/?id=2014-06-10.2.152#g2.153> and Northern Ireland Prison Service (2012) Annual Report and Accounts 2011–12, London: The Stationery Office

The sick leave rate at Woodlands Juvenile Justice Centre in 2013–14 was 11.72 days per member of staff—nine days less than the previous year.²³³

Staff sick leave was found to rise in line quickly with population increases and challenging behaviour by children. Staff morale was not good and some staff reported feeling burned out.²³⁴

Crime and public perceptions

The risk of becoming a victim of crime is lower in Northern Ireland (10%) than in England and Wales (17%).²³⁵

Crime has fallen by almost three-fifths (58.3%) since 2003–04, with 172,000 fewer crimes in 2013–14 than in 2003–04.²³⁶

Drugs (70%), alcohol (60%) and a lack of discipline from parents (57%) were the three factors most commonly identified by Northern Ireland Crime Survey (NICS) respondents as major causes of crime.²³⁷

Almost three-fifths (57%) of NICS 2013/14 respondents thought crime levels in Northern Ireland had increased in the preceding two years.²³⁸

However they continued to be more positive about crime in their local area—with only 27% believing that local crime levels had increased in the preceding two years.²³⁹

Community solutions

A youth conference is designed to give young offenders the opportunity to understand and make amends to their victims for the consequences of their offending, and to take steps to stop future crime.²⁴⁰

In 2012–13 the one year reoffending rate for a diversionary youth conference plan was 35%—community disposals such as youth conference order had a reoffending rate of 56%, and 62% for a supervision order.²⁴¹

Between 2008–09 and 2011–12 an average of 93% of agreed youth conference plans were successfully completed. During the same period, on average 77% of all referrals received resulted in a completed youth conference plan.²⁴²

Direct victim attendance at youth conferences was 49% for 2012–13. The previous figure was 78%, however this related to any victim, whereas the new measurement was solely ‘direct victims’. There was an upward trend in attendance rates.²⁴³

Direct victims “reported a satisfaction rate of between 90–100%”.²⁴⁴

Around 40% of referrals involved young people who were looked after in the care system. Many of the offences for which these young people were referred are directly linked to the care home environment involving damage or assaults on staff.²⁴⁵

Inspectors stated “it is unfair for young people in care home settings to be subject to a different threshold regarding their behaviour at ‘home’ as compared to other young people living with parents or guardians”.²⁴⁶

Youth Engagement Clinics have been established for children who commit low level offences. They divert children away from formal criminal proceedings into a diversionary disposal.²⁴⁷

²³³ Criminal Justice Inspection Northern Ireland (2015) An announced inspection of Woodlands Juvenile Justice Centre, Belfast: CJINI

²³⁴ Ibid.

²³⁵ Campbell, P. (2015) Experience of Crime: Findings from the 2013/14 Northern Ireland Crime Survey, Belfast: Department of Justice

²³⁶ Ibid.

²³⁷ Campbell, P. (2014) Perceptions of Crime: Findings from the 2013/14 Northern Ireland Crime Survey

²³⁸ Ibid.

²³⁹ Ibid.

²⁴⁰ Criminal Justice Inspection Northern Ireland (2015) The Effectiveness of Youth Conferencing, Belfast: CJINI

²⁴¹ Table 8, Duncan, L. (2014) Youth Reoffending in Northern Ireland (2012/13 Cohort), Belfast: Department of Justice

²⁴² Tables 26 and 27, Decodts, M. and O'Neill, N. (2014) Youth Justice Agency Annual Workload Statistics 2012/13, Belfast: Youth Justice Agency

²⁴³ Criminal Justice Inspection Northern Ireland (2014) Monitoring of progress on implementation of the youth justice review recommendations, Belfast: CJI Northern Ireland

²⁴⁴ Ibid.

²⁴⁵ Criminal Justice Inspection Northern Ireland (2015) The Effectiveness of Youth Conferencing, Belfast: CJINI

²⁴⁶ Ibid.

²⁴⁷ Youth Justice Agency (2015) Youth Justice agency annual Report and accounts 2014–2015, Belfast: CDS

Treatment and conditions

HM Inspectorate of Prisons found that assessed outcomes in prisons during 2014–15 fell sharply across all areas and were the worst seen for 10 years. However, the small number of women’s prisons and establishments holding children had not declined in the same way as adult men’s prisons.

Most adult male prisons implemented a new ‘core day’ during 2014–15. This was intended to provide predictability for prisoners and maximise their time out of cell. This scaled back ambitions, representing a significant decline in the quality of regime. People are spending longer in their cells, meaning less opportunity to contact families and interact with staff. Acute staff shortages and an overall lack of work and learning and skills activity places has meant that many prisons have been unable to implement even this reduced regime.

“Conditions in many cells were unacceptably poor. Many were filthy, covered in graffiti, some of which was offensive, and furniture was broken or missing. Toilets were filthy and inadequately screened. Windows were broken. We found cockroaches in cells on C wing.”

HM Inspectorate of Prisons report on HMP Wormwood Scrubs (2014)

The proportion of prisons whose performance is “of concern” or “of serious concern” almost doubled from 13% in 2012–13, to 24% in 2014–15.²⁴⁸

Three-quarters of prisoners told inspectors that staff treated them with respect. Good relationships between staff and prisoners have mitigated the worst effects of problems elsewhere.²⁴⁹

15 prisons were operating a restricted regime during May 2015. Prisons may implement restrictions as staffing levels become too low to run existing regimes safely. This limits time spent in purposeful activity and increases time in cell.²⁵⁰

One in five prisoners told inspectors that they spent less than two hours a day out of their cells during the week.²⁵¹

Only one in seven said they spent 10 hours or more out of their cell each day.²⁵²

In most closed prisons exercise in the fresh air is limited to 30 minutes a day.²⁵³ However, European Prison Rules state that everyone should have the opportunity of at least one hour of exercise a day in the open air, if the weather permits.

Most people are locked up for the night at 6.30pm—often even earlier during weekends. This meant some prisoners (especially those in full-time employment) were unable to shower every day. Some also struggled to telephone their families and friends.²⁵⁴

Inspectors found there was a deterioration in the already impoverished regimes at many segregation units—people could only use showers and telephones two or three times a week, and many were only unlocked for about 30 minutes a day (rather than an hour as previously).²⁵⁵

Both the Justice Committee and HM Chief Inspector of Prisons have stated that falling staff numbers have been a key factor behind deteriorating standards within prisons in recent years.²⁵⁶

If a person has a request or concern they can raise it through the application process. It is a means of dealing with routine issues before they escalate into formal complaints.

However, inspectors found that the applications process continued to be poor—only half of prisoners felt that their applications were dealt with fairly.²⁵⁷

In March 2010, 1,973 prison places did not have in-cell sanitation or open access to toilet facilities.²⁵⁸

The daily prison food budget within public sector prisons for 2014–15 was £2.02 per person.²⁵⁹

²⁴⁸ Ministry of Justice (2015) Prison Annual Performance Ratings 2014/15, London: Ministry of Justice and Prison performance digest 2012–13

²⁴⁹ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

²⁵⁰ Ministry of Justice (2015) Government Response to the Justice Committee’s Ninth Report of Session 2014–15 Prisons: Planning and Policies, London: The Stationery Office

²⁵¹ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

²⁵² Ibid.

²⁵³ Ibid.

²⁵⁴ Ibid.

²⁵⁵ Ibid.

²⁵⁶ House of Commons Justice Committee (2015) Prisons: Planning and Policies, London: The Stationery Office and HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

²⁵⁷ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

²⁵⁸ Hansard HC, 7 December 2010, c204W

²⁵⁹ Ministry of Justice (2015) Freedom of Information request FOI 96015, available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/438939/daily-food-allowance-per-prisoner.doc

Overcrowding and changes to the prison estate

Overcrowding

Prison overcrowding is defined by the prison service as a prison containing more prisoners than the establishment's Certified Normal Accommodation (CNA). CNA represents "the good, decent standard of accommodation that the [prison] service aspires to provide all prisoners."²⁶⁰

"Overcrowding is not simply an issue of how many prisoners can be crammed into the available cells but also affects whether the activities, staff and other resources are available to keep them purposefully occupied and reduce the likelihood they will reoffend. A prisoner who is unemployed because there is no activity available for him might spend 22 hours a day, and eat all his meals, with another prisoner in a small cell designed for one, perhaps eight foot by six foot, with an unscreened toilet."

*Nick Hardwick, HM Chief Inspector of Prisons*²⁶¹

At the end of September 2015, 70 of the 117 prisons in England and Wales were overcrowded—holding 8,495 people more than they were designed to.²⁶²

In 2014–15 an average of 21,765 prisoners were held in overcrowded accommodation, accounting for more than a quarter of the total prison population.²⁶³ The majority were doubling up in cells designed for one.²⁶⁴

Overcrowding remains a significant problem. Particularly in local and category C training prisons, where most prisoners are held.²⁶⁵

The rate of overcrowding in male local establishments is twice the national rate.²⁶⁶

Previously published overcrowding figures had to be corrected in 2015 due to historic under-reporting from some prisons.²⁶⁷

The Prisons and Probation Ombudsman (PPO) has highlighted the damaging, and potentially tragic, effects of prisoners being transferred on "overcrowding drafts". People are often moved from prisons that they know and are known in to other busy prisons where they may feel less safe.²⁶⁸

Estimates of future prison numbers vary widely. By the end of June 2020 the demand for prison spaces is projected to be between 81,400 and 98,900.²⁶⁹

During 2014–15 the prison population was higher than projected. In order to cope, two prisons had their role changed, closed wings were re-opened at two prisons, additional places were purchased within private prisons and there were higher levels of overcrowding in public sector prisons.²⁷⁰

Most overcrowded prisons in England and Wales

Prison	Overcrowded (%)
Kennet	78%
Leeds	76%
Wandsworth	67%
Exeter	66%
Swansea	66%
Durham	58%
Lincoln	58%
Preston	53%
Bedford	51%
Brixton	51%

²⁶⁰ HM Prison Service (2001) Prison Service Order 1900—Certified Prisoner Accommodation, London: HMPS

²⁶¹ HM Chief Inspector of Prisons (2013) Annual Report 2012–13, London: The Stationery Office

²⁶² Ministry of Justice (2015) Monthly population bulletin September 2015, London: Ministry of Justice

²⁶³ Table 13, Ministry of Justice (2015) National Offender Management Service Annual Report 2014/15: Management Information Addendum, London: Ministry of Justice

²⁶⁴ Hansard HC, 16 June 2015, HCWS36

²⁶⁵ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

²⁶⁶ Table 13, Ministry of Justice (2015) National Offender Management Service Annual Report 2014/15: Management Information Addendum, London: Ministry of Justice

²⁶⁷ Ministry of Justice (2015) National Offender Management Service Annual Report 2014/15: Management Information Addendum, London: Ministry of Justice

²⁶⁸ Prisons and Probation Ombudsman (2009) Annual Report 2008–2009, London: COI

²⁶⁹ Table A1, Ministry of Justice (2014) Prison Population Projections 2014–2020, London: Ministry of Justice

²⁷⁰ National Offender Management Service (2015) Annual Report and Accounts 2014/15, London: The Stationery Office

Changes to the prison estate

Seventeen prisons have closed since 2010 and a further two have transferred to the private sector.²⁷¹ Following the closure of four prisons announced in September 2013 NOMS has saved approximately £30m annually.²⁷²

New houseblocks at HMPs Thameside, The Mount, Parc and Peterborough opened in 2015, providing 1,250 extra prison places.²⁷³

Work to develop a new 2,100 place prison in Wrexham, North Wales has also begun and is scheduled to be fully operational by late 2017.²⁷⁴ It is expected to cost £212m to build.²⁷⁵

Prison closures in England and Wales

2011

Ashwell
Brockhill
Lancaster Castle
Latchmere House
Morton Hall

2012

Wellingborough

2013

Blundeston
Bullwood Hall
Camp Hill
Canterbury
Dorchester
Gloucester
Kingston
Northallerton
Reading
Shepton Mallet
Shrewsbury

2015*

Blantyre House
Downview

*Temporarily closed

HMPs Blantyre House and Downview are temporarily closed due to spare capacity within the open prison estate. There are currently no plans to re-open Downview.²⁷⁶

32 prisons now hold over 1,000 men—compared with only 12 a decade ago.²⁷⁷

£5.88m was spent developing plans to build a 300-place secure college for children—the plans have since been scrapped.²⁷⁸

The government will provide £25m from the aid budget to help fund the construction of a new 1500-place prison in Jamaica.²⁷⁹

Prison building in England and Wales

2015: Additional capacity

The Mount
Parc
Peterborough
Thameside

2017: New build

Wrexham

NewsNorthWales, available at <http://www.newsnorthwales.co.uk/news/134265/category-b-inmates-at-wrexham-prison-can-t-be-ruled-out.aspx>

276 Hansard HC, 07 July 2015, written question 5909 and Surrey Mirror (2015) Banstead prison due to be converted to hold male inmates to remain closed, available at <http://www.surreymirror.co.uk/Banstead-prison-converted-hold-male-inmates/story-27686233-detail/story.html#ixzz3kf62jYtl>

277 Ministry of Justice (2015) Monthly Population Bulletin September 2015, London: Ministry of Justice and Table 4, Home Office (2004) Monthly Prison Population data August 2004, London: Home Office

278 Hansard HC, 10 July 2015, written question 6553

279 Gov.uk website, accessed on 2 October 2015, available at <https://www.gov.uk/government/news/uk-signs-deal-to-send-jamaican-prisoners-home>

271 Figure 5, National Audit Office (2013) Managing the prison estate, London: The Stationery Office and Table 1.19, Ministry of Justice (2014) Safety in custody statistics quarterly Update to March 2014, London: Ministry of Justice

272 National Offender Management Service (2014) Annual Report and Accounts 2013/14, London: Ministry of Justice

273 Hansard HL, 8 July 2015, written question HL1213

274 National Offender Management Service (2014) Annual Report and Accounts 2013/14, London: Ministry of Justice

275 Croasdale, C. (2014) Category B inmates at Wrexham prison can't be ruled out,

Prison service resources and staffing

Resources

Between 2010–11 and 2014–15 NOMS delivered cumulative savings of almost £900m, a reduction of nearly a quarter since 2010–11.²⁸⁰

NOMS has a savings target of a further £91m for 2015–16.²⁸¹

Over the last four years public sector prisons have delivered £334m savings.²⁸²

By the end of 2014–15, the capacity management programme had delivered £170m in savings and closed over 7,000 places.²⁸³

Between 2009–10 and 2012–13 the cost of a prison place reduced in real terms by 13% with projected ongoing annual savings of £300m expected from 2015–16.²⁸⁴

Staffing

There are now fewer staff looking after more prisoners. The number of staff employed in the public prison estate has fallen by 30% in the last five years—13,730 fewer staff looking after nearly 1,200 more people.²⁸⁵

In 2000 there was on average one prison officer for every 2.9 prisoners, by the end of March 2014 this had increased to 5.3 prisoners.²⁸⁶

£56.5m was spent on severance payments to prison officers under the voluntary early departure scheme in 2013.²⁸⁷

Prisons are faced with high sickness levels amongst staff. In 2014–15 the average number of working days lost to sickness absence was 11.1 days, a rise from 9.8 days in 2011–12.²⁸⁸ This compares to an average of 4.4 days per worker in the labour market as a whole.²⁸⁹

Due to staff shortages and a rising prison population NOMS has established HM Prison Service Reserve, inviting 2,066 former officers to take up fixed term contracts.²⁹⁰

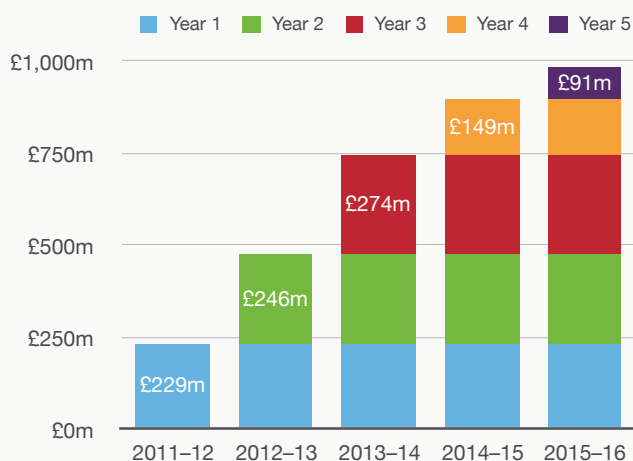
Staff shortages have required the use of detached duty. During March 2015, there were 210 people deployed to a different prison to ensure that there was a safe number of staff.²⁹¹

The average length of time that a governor spent in a particular post, in public sector prisons, between January 2008 and December 2013 was three years and four months.²⁹²

6.8% of staff in public prisons and NOMS headquarters are from a black or minority ethnic group.²⁹³

More with less

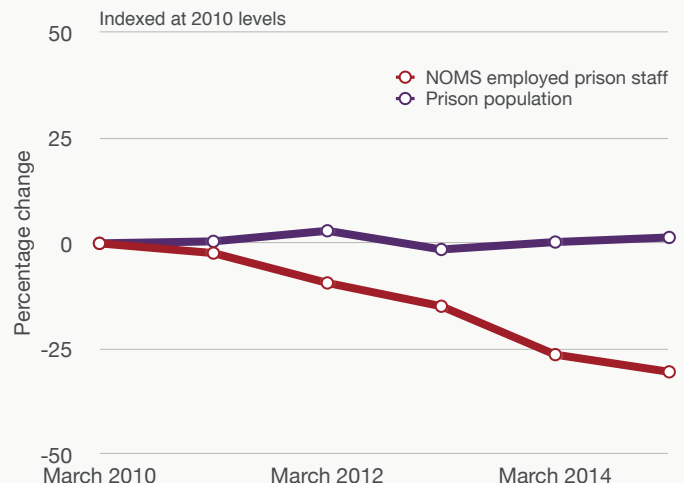
NOMS has seen nearly £1000m cut from its budget



Source: NOMS Business Plan 2014–15 and Annual Report 2014–15

Public sector prison staff

Numbers are falling—but the prison population isn't



Sources: Offender management statistics, Prison population 2015 and National Offender Management Service workforce statistics bulletin: June 2015

²⁸⁰ National Offender Management Service (2015) Annual Report and Accounts 2014/15, London: The Stationery Office

²⁸¹ Hansard HC, 7 July 2015, written question 5958

²⁸² National Offender Management Service (2015) Annual Report and Accounts 2014/15, London: The Stationery Office

²⁸³ National Offender Management Service (2014) Business Plan 2014–2015, London: NOMS

²⁸⁴ National Offender Management Service (2015) Annual Report and Accounts 2014/15, London: The Stationery Office

²⁸⁵ Table 2, Ministry of Justice (2015) National Offender Management Service workforce statistics bulletin: June 2015, London: Ministry of Justice and Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

²⁸⁶ Hansard HC, 23 July 2007, c785W and Ministry of Justice (2014) Deposited paper DEP2014-1341, London: House of Commons Library

²⁸⁷ Ministry of Justice (2015) Deposited paper DEP2015-0203, London: House of Commons Library

²⁸⁸ Table 14, Ministry of Justice (2015) National Offender Management Service Annual Report 2014/15: Management Information Addendum, London: Ministry of Justice and Table 18, Management Information Addendum 2011/12

²⁸⁹ Office for National Statistics (2014) Sickness Absence in the Labour Market, February 2014, London: ONS

²⁹⁰ Hansard HC, 14 July 2014, c491W

²⁹¹ Hansard HL, 8 July 2015, written question HL1214

²⁹² Hansard HC, 10 March 2014, c115W

²⁹³ Table 15, Ministry of Justice (2015) National Offender Management Service Annual Report 2014/15: Management Information Addendum, London: Ministry of Justice

Sentencing trends and legislation

The number of people sentenced by the courts has fallen by 19% over the last 10 years. 1.22m people were sentenced in the 12 months to March 2015, a small rise on the year before.²⁹⁴

7% of people sentenced by the courts were given a custodial sentence in the 12 months to March 2015.²⁹⁵

90,333 people were sentenced to immediate custody in the year to March 2015, a drop of 3% compared to the previous 12 months and the lowest figure in the last 10 years.²⁹⁶

However, the average prison sentence has been getting longer. It's now nearly four months longer than twenty years ago at 15.9 months. For more serious, indictable offences, the average is 53.6 months.²⁹⁷

Greater use of long custodial sentences accounted for two-thirds of the rise in the prison population between 1993 and 2012.²⁹⁸

Increasing numbers of people in prison don't know if, or when, they might be released. The proportion of sentenced prisoners serving an indeterminate sentence has almost doubled since 1993.²⁹⁹

In the 12 months to March 2015, 57% of custodial sentences imposed were for six months or less.³⁰⁰

Use of the Indeterminate Sentence for Public Protection (IPP) has all but ended following its abolition—with four people sentenced in the 12 months to March 2015.³⁰¹ However, there are currently still 4,614 people in prison still serving an IPP sentence, 3,532 of whom are beyond tariff.³⁰²

Use of very long determinate sentences has increased dramatically over the last 10 years. Nearly three times as many people were sentenced to 10 years or more in the 12 months to March 2015 than at the same time in 2005.³⁰³

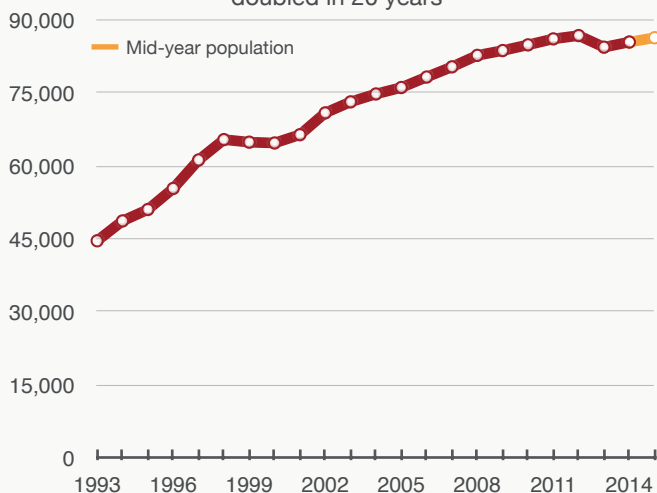
Most women entering prison serve very short sentences. In 2014, 58% of sentenced women entering prison were serving six months or less. In 1993 only a third of women entering custody were sentenced to six months or less.³⁰⁴

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.³⁰⁵

The government has estimated that around 13,000 people will be recalled or committed to custody as a result of these changes—requiring around 600 additional prison places, at a cost of £16m per year.³⁰⁶

A growing problem

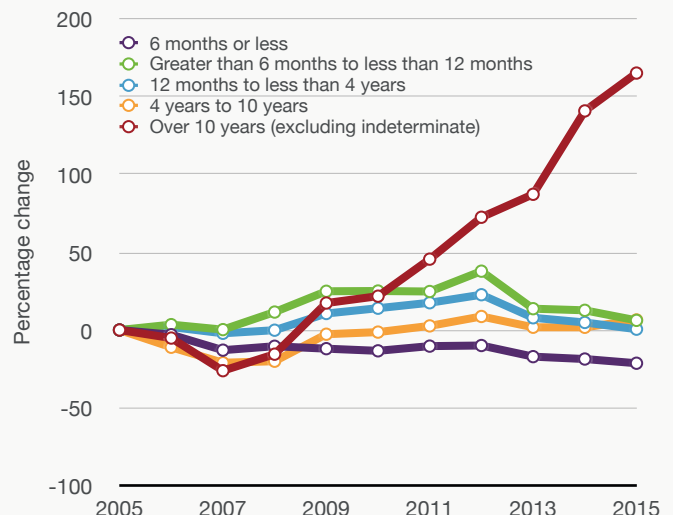
The prison population in England and Wales has nearly doubled in 20 years



Source: Offender management statistics, Prison population 2015

Determined to keep them locked up

The increase in long, determinate sentences



Source: Ministry of Justice (2015) Criminal justice statistics March 2015

²⁹⁴ Table Q5.1b, Ministry of Justice (2015) Criminal justice statistics quarterly March 2015, London: Ministry of Justice

²⁹⁵ Ibid.

²⁹⁶ Ibid.

²⁹⁷ Ibid. and Table 2.3, Home Office (2007) Sentencing Statistics 2005, London: Home Office

²⁹⁸ Ministry of Justice (2013) Story of the prison population: 1993–2012 England and Wales, London: Ministry of Justice

²⁹⁹ Table A1.1, Ministry of Justice (2014) Offender management statistics, Prison population 2014, London: Ministry of Justice and Ministry of Justice (2013) Story of the prison population: 1993–2012 England and Wales, London: Ministry of Justice

³⁰⁰ Table Q5.4a, Ministry of Justice (2015) Criminal justice statistics quarterly March 2015, London: Ministry of Justice

³⁰¹ Ibid.

³⁰² Table A1.13, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

³⁰³ Table Q5.4a, Ministry of Justice (2015) Criminal justice statistics quarterly March 2015, London: Ministry of Justice

³⁰⁴ Table A2.1, Ministry of Justice (2015) Offender management statistics, Prison receptions 2014, London: Ministry of Justice

³⁰⁵ Ministry of Justice (2013) Offender Rehabilitation Bill Impact Assessment, London: Ministry of Justice

³⁰⁶ Ministry of Justice (2013) Updated Impact Assessment for the Offender Rehabilitation Bill, London: Ministry of Justice

Life and indeterminate sentences

Increasing numbers of people in prison don't know if, or when, they might be released. 12,053 people are in prison serving an indeterminate sentence.³⁰⁷ This compares with fewer than 4,000 in 1998 and 3,000 in 1992.³⁰⁸

The proportion of the sentenced prison population serving a life or indeterminate sentence for public protection (IPP) has almost doubled since 1993 from 9% to 17% in 2014.³⁰⁹

England and Wales have more than three times as many people serving indeterminate sentences than France, Germany and Italy combined—the highest in Europe by a significant margin.³¹⁰

People must serve a minimum tariff in prison, set by the courts, before they can be considered for release.

The Parole Board, which is responsible for recommending the release of people serving indeterminate sentences, is under pressure following a 2013 Supreme Court judgement.

The number of cases requiring oral hearings each month has increased from 335 to 570 following the judgement.³¹¹

Despite reforms to increase the number of hearings there still remains a significant backlog of cases—potentially delaying people's release.³¹²

The backlog of Parole Board cases to be reviewed stood at 2,022 on 1 April 2014.³¹³ This grew further during 2014–15.³¹⁴

Life sentences

7,439 people are currently in prison serving a life sentence. Over half (53%) had a tariff of 10–20 years, a quarter had up to 10 years and 19% had 20 years or more.³¹⁵

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.

A third of people currently in prison on a life sentence have already served their minimum tariff.³¹⁶

There are currently 51 people serving a whole life sentence—they will never be released.³¹⁷ A further 543 people are serving a life sentence with a tariff of more than 25 years.³¹⁸

People serving mandatory life sentences are spending more of their sentence in prison. On average they spend 17 years in custody, up from 13 years in 2001.³¹⁹

Judges are also imposing longer tariff periods.³²⁰ The average minimum term imposed for murder rose from 12.5 years in 2003 to 21 years in 2013.³²¹

People coming towards the end of their sentence may be transferred to open conditions to help prepare them ahead of the release— following a recommendation from the Parole Board.

However, inspectors found that prisoners are often poorly prepared for the move from closed to open conditions and that as a result, many suffered a 'culture shock' on their arrival.³²²

Inspectors found it was often harder for men on life sentences to access courses, particularly sex offenders, as many were only run for determinate prisoners. Spaces were often taken by IPP prisoners who were treated as a higher priority especially if they were beyond tariff.³²³

Inspectors found that new arrangements for providing education within prisons had significantly reduced the available options for life sentenced prisoners.³²⁴

The vast majority of life sentenced prisoners are successfully integrated back into the community on release. 4.5% of those sentenced to a mandatory life sentence and 10% of those serving other life sentences reoffended on release, compared to 45% of the overall prison population.³²⁵

316 Ibid.

317 Ibid.

318 Ministry of Justice (2014) Freedom of Information request 89346, accessed on 30 September 2015, London: Ministry of Justice

319 Table A3.4, Ministry of Justice (2015) Offender management statistics annual tables 2014, London: Ministry of Justice and Table A3.4, Ministry of Justice (2014) Offender management statistics annual tables 2013, London: Ministry of Justice

320 Criminal Justice Joint Inspection (2013) A Joint Inspection of Life Sentenced Prisoners, London: HM Inspectorate of Probation

321 Ministry of Justice (2014) Freedom of Information request 89346, accessed on 30 September 2015, London: Ministry of Justice

322 Criminal Justice Joint Inspection (2013) A Joint Inspection of Life Sentenced Prisoners, London: HM Inspectorate of Probation

323 Ibid.

324 Ibid.

325 Table 17a, Ministry of Justice (2015) Proven reoffending statistics: October 2012 to September 2013, London: Ministry of Justice

307 Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

308 Table 1.8, Home Office (2003) Prison Statistics England and Wales 2002, London: The Stationery Office

309 Ministry of Justice (2013) Story of the prison population: 1993–2012 England and Wales, London: Ministry of Justice and Table A1.1, Ministry of Justice (2014) Offender management statistics, Prison population 2015, London: Ministry of Justice

310 Table 7, Aebi, M. and Delgrande, N. (2015) Council of Europe Annual Penal Statistics, Survey 2013, Strasbourg: Council of Europe

311 Parole Board (2015) Annual report and accounts 2014/15, London: The Stationery Office

312 Ibid.

313 Hansard HC, 22 July 2014, c1155W

314 Parole Board (2015) Annual report and accounts 2014/15, London: The Stationery Office

315 Table A1.13, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

Indeterminate Sentence for Public Protection

Use of the Indeterminate Sentence for Public Protection (IPP) has all but ended following its abolition—with four people sentenced in the 12 months to March 2015.³²⁶ However, there are currently still 4,614 people in prison still serving an IPP sentence, 3,532 of whom are beyond tariff.³²⁷

A new Extended Determinate Sentence (EDS) has been created whereby all people convicted of serious sexual and violent crimes are imprisoned for at least two-thirds of their sentence, with an extended period of licence on release of up to five years for violent offences, and eight for sexual offences.³²⁸

Rates of release for IPP prisoners have slowed in the past year despite changes to help more IPP prisoners work towards their legitimate release.³²⁹ In 2014 for every 1,000 people serving an IPP sentence only 73 were released, down from 77 in 2013.³³⁰

17% of people currently serving an IPP have a tariff of less than two years, and 44% have a tariff of between two and four years.³³¹

As of 31 March 2014, there were 740 people still in prison two to four years after their tariff expiry date, 587 were between four and six years, 136 were between six and eight years, and three people were still in prison more than eight years beyond their tariff expiry.³³²

Inspectors have described those serving IPP sentences as “prisoners with many and complex needs, including mental health, learning disability and a risk of self-harm.”³³³

A 2012 report by the Ministry of Justice showed that Parole Board members felt that access to suitable programmes, lack of approved premises places, resource constraints and delays in the system continue to be barriers to the release of IPP prisoners on parole.³³⁴

Some Parole Board members expressed concerns that prisoners with mental health problems and learning disabilities or difficulties might not be able to benefit from the traditional programme group-facilitation method, and instead would benefit from one-to-one work.³³⁵

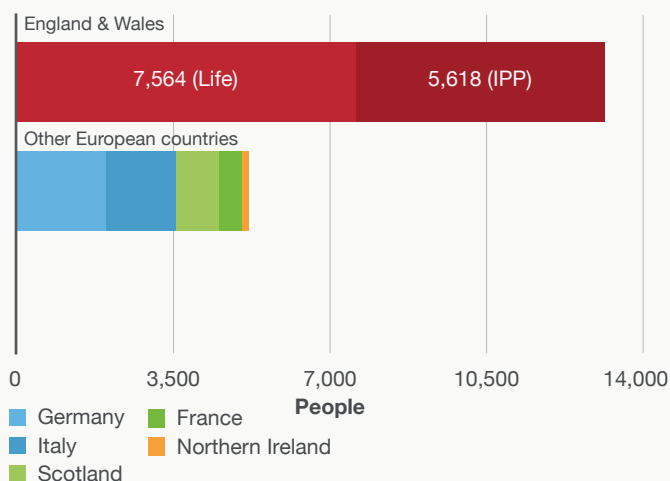
The Lord Chancellor has the power to change the release test for IPP prisoners—but this power has yet to be used.³³⁶

“[T]he time has now come, indeed has long since passed, for the Lord Chancellor to exercise the power he has been given...If these prisoners were being sentenced today they would be given a determinate sentence...at the end of which they would be released...those serving these sentences should, so far as possible, be brought into line with what would be lawful now.”³³⁷

Lord Lloyd, former law lord

Indefinitely maybe?

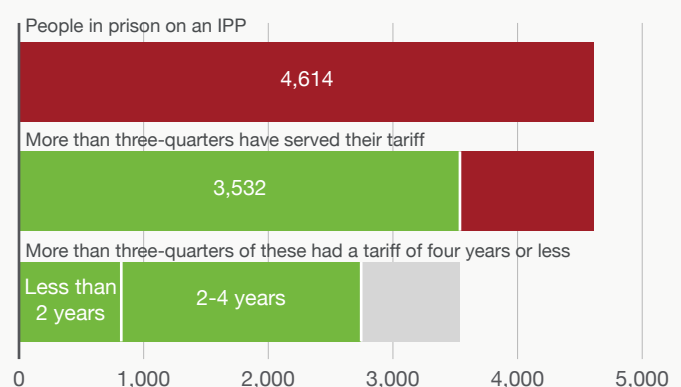
Use of indeterminate prison sentences in Europe, 2013



Source: Council of Europe Annual Penal Statistics, Survey 2013

The legacy of the IPP

More than three-quarters stuck in prison beyond tariff



Source: Ministry of Justice (2015) Offender management statistics, Prison population 2015

³²⁶ Table Q5.4a, Ministry of Justice (2015) Criminal justice statistics quarterly March 2015, London: Ministry of Justice

³²⁷ Table A1.13, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

³²⁸ Legal Aid, Sentencing and Punishment of Offenders Act 2012

³²⁹ NOMS (2012) Prison Service Instruction 41/2012, London: Ministry of Justice

³³⁰ Table A3.3, Ministry of Justice (2015) Offender management statistics annual tables

2014, London: Ministry of Justice and Table A1.12, Ministry of Justice (2014) Offender management statistics, Prison population 2014, London: Ministry of Justice

³³¹ Table A1.13, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

³³² Ministry of Justice (2014) Freedom of Information request 90756, accessed on 16 October 2014, available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/322328/indeterminate-sentences-public-protection-uk-annex-a.xls

³³³ HM Chief Inspector of Prisons and HM Chief Inspector of Probation (2008) The indeterminate sentence for public protection: A thematic review, London: HM Inspectorate of Prisons

³³⁴ Ministry of Justice (2012) Research Summary 1/12 The decision making process at parole reviews (Indefinite Imprisonment for Public Protection sentences), London: Ministry of Justice

³³⁵ Ibid.

³³⁶ Legal Aid, Sentencing and Punishment of Offenders Act 2012, Section 128

³³⁷ Lloyd, A. (2014) Speech to the Bingham Centre for the Rule of Law, 4 March 2014, available at http://www.bicl.org/files/6855_speech_delivered_by_lord_lloyd_of_berwick_4_mar_2014.pdf

People on remand

11,785 people are currently held in prison on remand—accounting for 14% of the prison population.³³⁸

People remanded to custody to await trial are innocent until proven guilty. 49,304 people were sent to custody ahead of their trial in 2014.³³⁹

People may also be remanded to custody after they have been found guilty, but are yet to be sentenced. 32,011 people were remanded into prison awaiting sentence in 2014.³⁴⁰

The majority of people currently in prison on remand are awaiting trial (70%), whilst the rest await sentencing. The proportion awaiting trial has been steadily rising over the past 10 years.³⁴¹

60% of people entering prison on remand awaiting trial were accused of non-violent offences. 13% were remanded into custody for theft and handling offences, and 9% for drug offences.³⁴²

One in 10 people remanded in custody were subsequently acquitted in 2014. A further 15% went on to be given a non-custodial sentence.³⁴³

People spend an average of just over 10 weeks in custody whilst on remand.³⁴⁴ However, some may be held considerably longer.

626 women are currently in prison on remand—accounting for 16% of the female prison population.³⁴⁵

The number of women entering prison on remand awaiting trial is falling. 3,489 women were sent to custody ahead of their trial in 2014—a drop of more than a quarter since 2009.³⁴⁶

Remand prisoners receive no financial help from the Prison Service at the point of release.³⁴⁷ Those acquitted receive no compensation.

Children on remand

The number of children held in custody on remand has fallen by 60% in the last seven years. An average of 260 children were on remand during 2013–14.³⁴⁸

A quarter of children remanded in custody were subsequently acquitted in 2013–14. Nearly two-fifths (37%) were given a non-custodial sentence.³⁴⁹

The total number of nights spent on remanding children in custody has fallen by over a quarter (27%) following the devolution of remand budgets in April 2013. However, performance is mixed, with use of remand increasing in two-fifths (41%) of local authorities.³⁵⁰

Treatment and conditions

21% of self-inflicted deaths were by prisoners held on remand.³⁵¹

Remand prisoners reported feeling less safe than sentenced prisoners.³⁵²

Over a third (35%) of remand prisoners report having a drug problem and over a quarter (27%) an alcohol problem. Two-thirds of those who reported substance misuse problems said they had received some treatment or help, although fewer than half (48%) said they knew who could help to put them in contact with services in the community.³⁵³

In prison inspectorate surveys, just under half (47%) of remand prisoners concerned about bail said they had found it difficult to get bail information.³⁵⁴

High rates of both unconvicted (40%) and convicted unsentenced (37%) prisoners reported to inspectors that they were not involved in any purposeful activity.³⁵⁵

³³⁸ Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

³³⁹ Table A2.1, Ministry of Justice (2015) Offender management statistics annual tables 2014, London: Ministry of Justice

³⁴⁰ Ibid.

³⁴¹ Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

³⁴² Table A2.2a, Ministry of Justice (2015) Offender management statistics, Prison receptions 2014, London: Ministry of Justice

³⁴³ Table Q4.4, Ministry of Justice (2015) Criminal justice statistics 2014, London: Ministry of Justice

³⁴⁴ Ministry of Justice (2015) Deposited paper DEP2015-0181, London: House of Commons Library

³⁴⁵ Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice.

³⁴⁶ Table A2.1, Ministry of Justice (2015) Offender management statistics, Prison receptions 2014, London: Ministry of Justice

³⁴⁷ Citizens Advice (2007) Locked Out: CAB evidence on prisoners and ex-offenders, London: Citizens Advice

³⁴⁸ Table 6.2, Ministry of Justice (2015) Youth justice statistics 2013/14, London: Ministry of Justice

³⁴⁹ Table 6.5, Ibid.

³⁵⁰ Hansard HL, 5 October 2015, written question HL2263

³⁵¹ Table 1.8, Ministry of Justice (2015) Safety in custody statistics, quarterly update to March 2015, London: Ministry of Justice

³⁵² HM Inspectorate of Prisons (2012) Remand prisoners, a thematic review, London: The Stationery Office

³⁵³ Ibid.

³⁵⁴ Ibid.

³⁵⁵ Ibid.

Releases from and recalls to prison

72,386 people were released from prison in the 12 months to March 2015. The majority (42%) had a sentence of six months or less, and a third were sentenced to between one and four years.³⁵⁶

The number of people released for compassionate reasons is very low—between 2009 and 2013, just 45 people were released.³⁵⁷

70 prisons across England and Wales are designated as resettlement prisons. The intention is that the vast majority of prisoners are released from prisons in, or close to, the area they will live.³⁵⁸

Release on Temporary Licence (ROTL)

8,807 people were granted ROTL in 2014—a 21% drop on the year before.³⁵⁹

The drop follows the introduction of a new ROTL policy after a small number of high profile escapes and absconds.

Despite this, ROTL is extremely successful, with a failure rate of 0.05%. Out of 452,677 releases in 2014 there were 238 failures, most for failure to return, late to return, or other breach of licence.³⁶⁰

Only 26 failures involved an arrest on suspicion of committing a further offence in 2012.³⁶¹

Home Detention Curfew (HDC)

HDC allows people to live outside of prison, providing they do not breach strict conditions, to help prepare them for life on release. Only people serving sentences of between three months and under four years are eligible.

Only 19% of eligible people were released in 2014—nearly half the level in 2002.³⁶²

Out of 8,614 releases on HDC there were 842 recalls in 2014—11% were for a suspected further offence.³⁶³

Recall

People can be recalled to custody if they breach the conditions of their licence whilst under supervision on release.

³⁵⁶ Table 3.1, Ministry of Justice (2015) Offender management statistics quarterly, January to March 2015, London: Ministry of Justice

³⁵⁷ HC Hansard, 10 February 2014, c488W

³⁵⁸ Ministry of Justice (2013) 70 resettlement prisons announced for England and Wales. Ministry of Justice website available at <https://www.gov.uk/government/news/70-resettlement-prisons-announced-for-england-and-wales>

³⁵⁹ Table A3.6(r), Ministry of Justice (2015) Offender management statistics, Prison releases 2014, London: Ministry of Justice

³⁶⁰ Ibid.

³⁶¹ Ministry of Justice (2014) Statistical Notice: Releases on temporary licence, 2012, London: Ministry of Justice

³⁶² Table A3.4, Ministry of Justice (2015) Offender management statistics, Prison releases 2014, London: Ministry of Justice

³⁶³ Table A3.4 and A3.5, Ibid.

Recalled prisoners currently make up 7% of the population—6,176 people.³⁶⁴

17,701 people were recalled in the year to March 2015.³⁶⁵

The recall population grew rapidly between 1993 and 2012, increasing by 13%. Recall numbers rose due to changes in the law making it easier to recall people to custody and an increase in licence periods.³⁶⁶

Licence and supervision

Community sentences include a mandatory punitive element, unless there are exceptional circumstances. Breach of these requirements can lead to people being sent to prison.

3,996 people went to prison in 2009 for breach of a community sentence.³⁶⁷ Data on the number of people sent to prison for breach is not routinely published.

Anyone leaving custody who has served two days or more is now required to serve a mandatory minimum of 12 months under supervision in the community.³⁶⁸

13,000 people a year are estimated to be recalled to custody as a result of these changes.³⁶⁹

It will cost an estimated £25m per year for breach of licence and supervision conditions for short sentenced offenders.³⁷⁰

The additional burden on police is expected to cost £5m per year.³⁷¹

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.

People serving an indeterminate sentence for public protection can apply to the Parole Board to have their licence cancelled after 10 years (and if unsuccessful at yearly intervals thereafter).³⁷²

³⁶⁴ Table 1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

³⁶⁵ Table 5.1, Ministry of Justice (2014) Offender management statistics quarterly, January to March 2014, London: Ministry of Justice and Offender management statistics quarterly, January to March 2013

³⁶⁶ Ministry of Justice (2013) Story of the prison population: 1993 - 2012 England and Wales, London: Ministry of Justice

³⁶⁷ Table 6.9, Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: Ministry of Justice

³⁶⁸ Offender Rehabilitation Act 2014, Section 2

³⁶⁹ Ministry of Justice (2013) Updated Impact Assessment for the Offender Rehabilitation Bill, London: Ministry of Justice

³⁷⁰ Ibid.

³⁷¹ Ibid.

³⁷² Ministry of Justice website, accessed 14 August, available at <http://www.justice.gov.uk/offenders/types-of-offender/life>

Reoffending³⁷³

Prison has a poor record for reducing reoffending—45% of adults are reconvicted within a year of release. For those serving sentences of less than 12 months this increases to 59%.³⁷⁴

45% of women are reconvicted within a year of leaving prison. This rises to 58% for sentences of less than 12 months and to 77% for women who have served more than 11 previous custodial sentences.³⁷⁵

Over two-thirds (67%) of children (10–17) released from custody were reconvicted within a year of release.³⁷⁶

Just half (52%) of prisoners surveyed thought they had done something, or that something had happened while in prison, that would make them less likely to reoffend.³⁷⁷

Short prison sentences are less effective than community sentences at reducing reoffending. People serving prison sentences of less than 12 months had a reoffending rate seven percentage points higher than similar offenders serving a community sentence—they also committed more crimes.³⁷⁸

Nearly all prisoners (97%) said they wanted to stop offending. When asked what would be important in stopping them, most said a job (68%) and a place to live (60%).

40% of prisoners said that support from their family, and 36% said seeing their children, would help them stop reoffending.³⁷⁹

People who got P45 employment in the year after release were less likely to reoffend. Rates were 9% lower for those with sentences under a year, and 6% lower for those with longer sentences.³⁸⁰

People are more likely to reoffend if they have claimed benefits before being sent to prison. 58% were reconvicted within a year compared with 41% who did not report having claimed benefits.

Almost two-thirds (64%) said they had claimed benefits during the 12 months before they went to prison.

³⁷³ Unless otherwise stated, statistics in this section are taken from Ministry of Justice (2010) Compendium of reoffending statistics, London: Ministry of Justice

³⁷⁴ Table 16a, Ministry of Justice (2015) Proven reoffending statistics quarterly: October 2012 to September 2013, London: Ministry of Justice

³⁷⁵ Tables 8.9 and 8.10, Ministry of Justice (2014) Women and the criminal Justice system 2013, London: Ministry of Justice

³⁷⁶ Table 16b, Ministry of Justice (2015) Proven reoffending statistics quarterly: October 2012 to September 2013, London: Ministry of Justice

³⁷⁷ HM Chief Inspector of Prisons (2012) Annual Report 2011–12, London: The Stationery Office

³⁷⁸ Ministry of Justice (2013) 2013 Compendium of re-offending statistics and analysis, London: Ministry of Justice

³⁷⁹ Ministry of Justice (2012) Prisoners' childhood and family backgrounds: Results from the Surveying Prisoner Crime Reduction (SPCR) longitudinal cohort study of prisoners, London: Ministry of Justice

³⁸⁰ Ministry of Justice (2013) Analysis of the impact of employment on re-offending following release from custody, using propensity score matching, London: Ministry of Justice

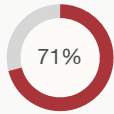
Some factors affecting reoffending

Before custody

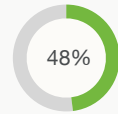
Polydrug users have a higher reconviction rate

1 in 3

prisoners was a polydrug user in the month before custody



Polydrug users

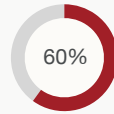


Class B and/or C users

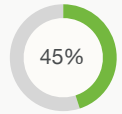
53%

of prisoners said they had at least one qualification

People are less likely to reoffend if they have qualifications



Had no qualifications

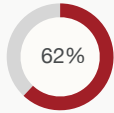


Had qualifications

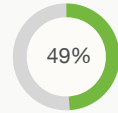
Daily drinkers have a higher reconviction rate

1 in 5

prisoners drank alcohol every day in the month before custody



Daily drinkers

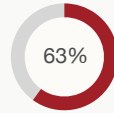


Non-daily drinkers

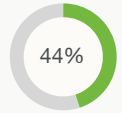
2 in 5

prisoners said they had been expelled or permanently excluded from school

People are more likely to reoffend if they were excluded or expelled



Excluded or expelled

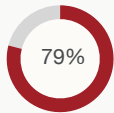


Not excluded or expelled

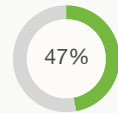
People who were previously homeless have a higher reconviction rate

15%

of prisoners were homeless before entering custody



Previously homeless

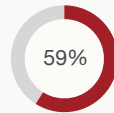


Previously had accommodation

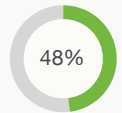
37%

of prisoners said a family member had been found guilty of a criminal offence

People are more likely to reoffend if they have a family member who has been convicted



Family offending history

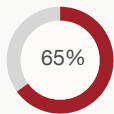


No family offending history

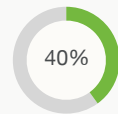
People are less likely to reoffend if they had a job before being sent to prison

Half

of prisoners had been in employment the year before custody



Unemployed

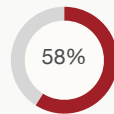


Employed

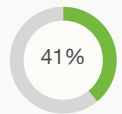
64%

of prisoners said they had claimed benefits the year before custody

People are more likely to reoffend if they claimed benefits before being sent to prison



Claimed benefits



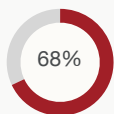
Did not claim benefits

On release

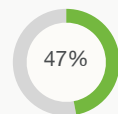
People are less likely to reoffend if they receive family visits whilst in prison

69%

of prisoners said they had received visits from family whilst in prison



No visits

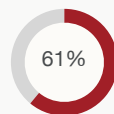


Visits

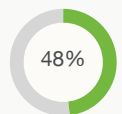
57%

said they were living with their immediate family on release

People are less likely to reoffend if they live with their immediate family on release



Not living with family

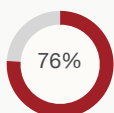


Living with family

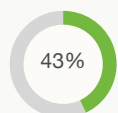
People are more likely to reoffend if they use class A drugs on release

1 in 3

said they had used class A drugs since leaving custody



Used class A drugs

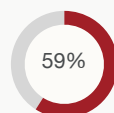


Did not use class A drugs

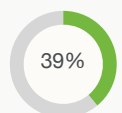
28%

of prisoners had been in employment the year after custody

People are less likely to reoffend if they secure a job after their release



Unemployed



Employed

Social characteristics of adult prisoners

Characteristic	Prison population	General population
Taken into care as a child	24% (31% for women, 24% for men)	2%
Experienced abuse as a child	29% (53% for women, 27% for men)	20%
Observed violence in the home as a child	41% (50% for women, 40% for men)	14%
Regularly truant from school	59%	5.2% (England) and 4.8% (Wales)
Expelled or permanently excluded from school	42% (32% for women, 43% for men)	In 2005 >1% of school pupils were permanently excluded (England)
No qualifications	47%	15% of working age population
Unemployed in the four weeks before custody	68% (81% for women, 67% for men)	7.7% of the economically active population are unemployed
Never had a job	13%	3.9%
Homeless before entering custody	15%	4% have been homeless or in temporary accommodation
Have children under the age of 18	54%	Approximately 27% of the over 18 population*
Are young fathers (aged 18–20)	19%	4%
Have symptoms indicative of psychosis	16% (25% for women, 15% for men)	4%
Identified as suffering from both anxiety and depression	25% (49% for women, 23% for men)	15%
Have attempted suicide at some point	46% for women, 21% for men	6%
Have ever used Class A drugs	64%	13%
Drank alcohol every day in the four weeks before custody	22%	16% of men and 10% of women reported drinking on a daily basis

Prison population data taken from Results from the Ministry of Justice Surveying Prisoner Crime Reduction (SPCR) survey published in:

Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

Ministry of Justice (2012) The pre-custody employment, training and education status of newly sentenced prisoners, London: Ministry of Justice

Ministry of Justice (2012) Accommodation, homelessness and reoffending of prisoners, London: Ministry of Justice

Ministry of Justice (2012) Estimating the prevalence of disability amongst prisoners, London: Ministry of Justice

Ministry of Justice (2010) Compendium of reoffending statistics, London: Ministry of Justice

General population data taken from:

Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

Harker, L. et al. (2013) How safe are our children, London: NSPCC

Department for Education (2013) Pupil absence in schools in England, including pupil characteristics, London: DfE

Welsh Government (2013) Absenteeism by Pupil Characteristics 2011/12, Cardiff: Welsh Government

Ministry of Justice (2012) The pre-custody employment, training and education status of newly sentenced prisoners, London: Ministry of Justice

Office for National Statistics (2013) Labour Market Statistics, September 2013, London: ONS

Table KS611EW, Office for National Statistics (2012) 2011 Census, London: ONS

Ministry of Justice (2012) Accommodation, homelessness and reoffending of prisoners, London: Ministry of Justice

Wiles, N. et al. (2006) Self-reported psychotic symptoms in the general population, The British Journal of Psychiatry, 188: 519-526

Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

*This figure has been extrapolated using data from Table 1, ONS (2013) Families and Households, 2012 and Table 1 (Reference Tables), ONS (2013) Population Estimates for UK, England and Wales, Scotland and Northern Ireland - Mid 2012.

Prisoners' families

No-one routinely monitors the parental status of prisoners in the UK or systematically identifies children of prisoners, where they live or which services they are accessing. Where this information is collected, it is patchy and not always shared.

Approximately 200,000 children in England and Wales had a parent in prison at some point in 2009.³⁸¹ This is over three times the number of children in care (65,565), and over five times the number of children on the Child Protection Register (36,610).³⁸²

More than double the number of children were affected by the imprisonment of a parent than by divorce in 2009.³⁸³

It is estimated that more than 17,240 children were separated from their mother by imprisonment in 2010.³⁸⁴

Over half (54%) of newly sentenced prisoners said they had children under the age of 18.³⁸⁵

61% of prisoners reported being single when entering custody.³⁸⁶

Three-quarters (74%) said they were close to their family—the vast majority felt that they had let their family down by being sent to prison (82%).³⁸⁷

At least a fifth of mothers are lone parents before imprisonment, compared to around 9% of the general population.³⁸⁸

19% of young adults (18–20 years old) surveyed said they had children under 18 years old. This compares to 4% of the general population who are young fathers.³⁸⁹

More than one in ten (11%) children in young offender institutions told inspectors that they had children themselves.³⁹⁰

Family contact

Family and friends are the most important factor in enabling successful resettlement on release. Despite this, inspectors found no evidence that families were involved in sentence planning, even when a person said they were relying on them for support after release.³⁹¹

40% of people surveyed said that support from their family, and 36% said that seeing their children, would help them to stop reoffending. Women (51%) were more likely than men (39%) to say that getting support from their family would help them.³⁹²

Only around a third of prisoners said they had been helped by staff to maintain family ties. Inspectors found that “support for rebuilding and maintaining family ties remained inconsistent and in many cases limited to visits, letters and telephone calls”.³⁹³

Most prisoners were in contact with their family while in custody—either by letter (91%), telephone (88%) or through visits (70%).³⁹⁴

Nearly half (48%) of men said they had problems sending or receiving mail, and nearly a third (30%) had problems accessing telephones.³⁹⁵

Reoffending rates were 21 percentage points higher for people who said they had not received family visits whilst in prison compared to those who had.³⁹⁶

Only half of the women who had lived, or were in contact with, their children prior to imprisonment had received a visit since going to prison.³⁹⁷

Maintaining contact with children is made more difficult by the distance that many prisoners are held from their home area; in 2009 the average distance for men was 50 miles.³⁹⁸

381 Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

382 Table A1, Department for Education (2012) Children looked after by local authorities in England, London: Department for Education; StatsWales website, <https://stats.wales.gov.uk/v/Lh2> accessed on 18 October 2013; NSPCC child protection register statistics, http://www.nspcc.org.uk/Inform/research/statistics/child_protection_register_statistics_wda48723.html

383 Office for National Statistics (2011) Divorces in England and Wales 2009, Fareham: Office for National Statistics

384 Wilks-Wiffen, S. (2011) Voice of a Child, London: Howard League for Penal Reform

385 Williams, K. et al. (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

386 Williams, K. et al. (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

387 Ibid.

388 Social Exclusion Unit (2002) Reducing reoffending by ex-prisoners, London: Social Exclusion Unit

389 Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

390 Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

391 Criminal Justice Joint Inspection (2014) Resettlement provision for adult offenders: Accommodation and education, training and employment, London: HM Inspectorate of Prisons

392 Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

393 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

394 Brunton-Smith, I. and Hopkins, K. (2014) Prisoners' experience of prison and outcomes on release: Waves 2 and 3 of SPCR, London: Ministry of Justice

395 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

396 Brunton-Smith, I. and Hopkins, K. (2014) Prisoners' experience of prison and outcomes on release: Waves 2 and 3 of SPCR, London: Ministry of Justice

397 Social Exclusion Unit (2002) Reducing reoffending by ex-prisoners, London: Social Exclusion Unit

398 Hansard HC, 7 January 2010, c548W

Women are held on average, 60 miles away from their home or court address.³⁹⁹ At HMP Send women's prison the average is 76 miles; at Askham Grange the average distance from home is 78 miles; for Drake Hall it is 83 miles; and East Sutton Park 91 miles.⁴⁰⁰ At Low Newton a third of the women were over 100 miles from their homes.⁴⁰¹ In Eastwood Park prison, where many of the women sent to prison by courts in Wales are sent, 20% of women are over 150 miles from home.⁴⁰²

Black, minority ethnic and foreign national women were less likely to report that they had been visited within their first week in prison compared with white and British women.⁴⁰³

Inspectors have reported continued difficulties across prisons for Gypsy, Romany or Traveller prisoners in maintaining family ties.⁴⁰⁴

Prison governors receive no specific funding to meet the costs of family support work, parenting courses, family visitor centres or supervised play areas. This means any family provision must come from a governor's already stretched and shrinking general prison budget.⁴⁰⁵

Inspectors found "a greater awareness in women's prisons of the need to ask about care for dependants, but little awareness in men's prisons that men may have similar concerns."⁴⁰⁶

All women's prisons inspected in 2014–15 had been allocated funding to recruit at least one family support worker "who provided excellent broad-based and individual support".⁴⁰⁷

Impact of imprisonment

Imprisoning mothers for non-violent offences has a damaging impact on children and carries a cost to the state of more than £17m over a 10 year period. The main social cost incurred by the children of imprisoned mothers—and by the state—results from the increased likelihood of them becoming 'NEET' (Not in Education, Employment or Training).⁴⁰⁸

Only 9% of children whose mothers are in prison are cared for by their fathers in their mothers' absence.⁴⁰⁹

61% of women interviewed at HMP Styal had partners; however a third of these partners were currently also in prison. The same study showed that children had been taken away from 70% of the mothers, and that the remainder were with family.⁴¹⁰

Parental imprisonment approximately trebles the risk for antisocial/delinquent behaviour of children.⁴¹¹

Adult children of imprisoned mothers are more likely to be convicted of an offence than adult children from imprisoned fathers.⁴¹²

Over a third (37%) of prisoners surveyed said that someone in their family (other than themselves) had been found guilty of a non-motoring criminal offence. Of these convicted family members, 84% had been in prison, a young offender institution or borstal.⁴¹³

Imprisonment carries costs to families and wider society. The full cost per family over six months, including the cost to agencies and the cost of support provided by family and relatives, is estimated to average £5,860.⁴¹⁴

Prisoners' families are vulnerable to financial instability, poverty, debt and potential housing disruption. In 2007 it was estimated that the average personal cost to relatives is £175 per month, although these figures are likely to be higher today.⁴¹⁵

A government review found that "children of offenders are an 'invisible' group: there is no shared, robust information on who they are, little awareness of their needs and no systematic support."⁴¹⁶

15% of prisoners stated that they needed help with problems related to family or children—8% required a lot of help. Women (27%) were more likely than men (13%) to report being in need of help with a problem concerning family or children.⁴¹⁷

399 Women in Prison (2013) State of the Estate: Women in Prison's report on the women's custodial estate 2011–12, London: WIP

400 Ministry of Justice, Freedom of Information request 75412, available at <http://webarchive.nationalarchives.gov.uk/20120705035936/http://www.justice.gov.uk/downloads/information-access-rights/foi-disclosure-log/prison-probation/foi-75412-data.xls>

401 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

402 HMP/YOI Eastwood Park Independent Monitoring Board (2011) Annual Report 2010–11, Ministry of Justice: London

403 HM Chief Inspector of Prisons (2009) Race relations in prisons: responding to adult women from black and minority ethnic backgrounds, London: The Stationery Office

404 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

405 Centre for Social Justice (2009) Locked up potential: A strategy for reforming prisons and rehabilitating prisoners, London: Centre for Social Justice

406 HM Chief Inspector of Prisons (2010) Annual Report 2008–09, London: The Stationery Office

407 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

408 new economic foundation (2008) Unlocking value: How we all benefit from investing in alternatives to prison for women offenders, London: new economics foundation

409 Baroness Corston (2007) A Review of Women with Particular Vulnerabilities in the Criminal Justice System, London: Home Office

410 Hamilton, S. and Fitzpatrick, R. (2006) Working with Complexity: Meeting the Resettlement Needs of Women at HMP Styal, London: Revolving Doors Agency

411 Murray, J., & Farrington, D. P. (2008) 'The effects of parental imprisonment on children'. In M. Tonry (Ed.), Crime and justice: A review of research (Vol. 37, pp. 133–206). Chicago: University of Chicago Press.

412 Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

413 Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

414 Smith, R et al. (2007) Poverty and disadvantage among prisoners' families, York: Joseph Rowntree Foundation

415 Ibid.

416 Ministry of Justice and Department for Children, Schools and Families (2007) Children of Offenders Review, London: MoJ

417 Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry

73% of people surveyed thought that mothers of young children should not be sent to prison for non-violent crime.⁴¹⁸

Children and young adults

The welcome reduction in custody places for children has meant that many are now held further from their home, affecting their ability to maintain family contact.⁴¹⁹

82% of boys said they could use the telephone every day, however, two-fifths (40%) said they had problems sending letters or parcels.⁴²⁰

However, just over a third (35%) of boys said it was easy for their family and friends to visit them.⁴²¹

More black and minority ethnic boys reported problems sending or receiving letters or parcels than white boys (47% compared with 35%).

They were also less likely to say they could use the phone every day.⁴²²

Muslim children reported a similar experience, with more than half (52%) reporting problems sending or receiving letters or parcels, compared with 38% of non-Muslims—only three-quarters could use the phone every day.⁴²³

Births in prison

Between April 2005 and December 2008, 382 children were born to women prisoners. This is a rate of almost two births a week in England and Wales.⁴²⁴ However, information on the number of women who have given birth in prison is no longer collected centrally.⁴²⁵

Between April 2006 and March 2009, seven girls aged 16 and 17 years old in secure training centres and one in a secure children's home gave birth.⁴²⁶

The average number of women in prison with babies on a Mother and Baby Unit from June 2010 to May 2012 was 49.⁴²⁷

Women with babies in prison may be unable to claim benefits they're entitled to for their children.⁴²⁸

of Justice

418 SmartJustice (2007) Public say: stop locking up so many women, London: Prison Reform Trust

419 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

420 Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

421 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

422 Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

423 Ibid.

424 Hansard HC, 26 January 2009, c202W

425 Hansard HC, 10 May 2011, c1072W

426 Hansard HC, 29 April 2009, c1332W

427 Hansard HC, 5 July 2012, c790W

428 Citizens Advice (2007) Locked Out, CAB evidence on prisoners and ex-offenders, London: Citizens Advice Bureau

Women in prison

Women offenders are a minority within the criminal justice system, accounting for around 15% of the probation caseload and 5% of the prison population. They differ significantly from their male counterparts and often have more complex needs.

A series of inquiries and reports in recent decades, most notably the 2000 report of the Prison Reform Trust's Committee on Women's Imprisonment (the Wedderburn Report), the 2007 Review of Women with Particular Vulnerabilities in the Criminal Justice System (the Corston Report), the 2011 report of the Women's Justice Taskforce (Reforming Women's Justice), and the Scottish Government's Commission on Women's Offenders in 2012, have all concluded that prison is rarely a necessary, appropriate or proportionate response to women who get caught up in the criminal justice system.

The Justice Select Committee, following its inquiry into women offenders, concluded that "prison is an expensive and ineffective way of dealing with many women offenders who do not pose a significant risk of harm to public safety" and called for "a significant increase in residential alternatives to custody as well as the maintenance of the network of women's centres" seen as "more effective, and cheaper...than short custodial sentences".

Ministers in England, Wales and Scotland have all recently committed to reducing women's imprisonment.

The report Transforming Lives: Reducing women's imprisonment maps both good practice and gaps in provision for women in the criminal justice system across the UK.

The number of women in prison nearly trebled between 1993 and 2005. This has started to slowly reverse, but there are still over 2,000 more women in prison today than there were twenty years ago.⁴²⁹

On 23 October 2015 there were 3,948 women in prison in England and Wales.⁴³⁰

The rise in the female prison population can partly be explained by an increase in the severity of sentences. In 1996, 10% of women sentenced for an indictable offence were sent to prison; in 2014, 16% were.⁴³¹

2,137 women entered custody between January and March 2015, 7% fewer than the previous year.⁴³²

Most women entering prison serve very short sentences. In 2014, 58% of sentenced women entering prison were serving six months or less. In 1993 only a third of women entering custody were sentenced to six months or less.⁴³³

Women on remand make up around one in six of the female prison population. On 30 June 2015 there were 626 women in prison on remand, awaiting trial or sentencing.⁴³⁴ They spend an average of four to six weeks in prison.⁴³⁵

Less than half of women remanded by magistrates' courts and subsequently found guilty are given a prison sentence.⁴³⁶

Most women entering prison under sentence (82%) have committed a non-violent offence. In 2014, 41% of women entering custody under sentence for theft and handling stolen goods.⁴³⁷

More women were sent to prison to serve a sentence for theft and handling than for violence against the person, robbery, sexual offences, burglary, fraud and forgery, drugs, and motoring offences combined.⁴³⁸

On 30 June 2015 there were 742 women in prison serving a sentence for theft and handling offences—an increase of 5% on the previous year.⁴³⁹

⁴²⁹ Table A1.2, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁴³⁰ Ministry of Justice (2015) Population and Capacity briefing for 23 October 2015, London: Ministry of Justice

⁴³¹ Sentencing data tool, Ministry of Justice (2015) Criminal justice statistics quarterly to December 2014, London: Ministry of Justice and Table 1.8, Ministry of Justice (2007) Sentencing Statistics 2006, London: Ministry of Justice

⁴³² Table 2.1, Ministry of Justice (2014) Offender management statistics quarterly, January to March 2015, London: Ministry of Justice

⁴³³ Table A2.1, Ministry of Justice (2015) Offender management statistics, Prison receptions 2014, London: Ministry of Justice

⁴³⁴ Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁴³⁵ Department of Health (2009) The Bradley Report, Lord Bradley's review of people with mental health problems or learning disabilities in the criminal justice system, London: Department of Health

⁴³⁶ Ministry of Justice (2014) Criminal justice statistics quarterly December 2014, Prosecutions, convictions and remands data tool, London: Ministry of Justice

⁴³⁷ Table A2.2b, Ministry of Justice (2015) Offender management statistics annual tables 2014, London: Ministry of Justice

⁴³⁸ Ibid.

⁴³⁹ Table 1.2b, Ministry of Justice (2015) Offender management statistics quarterly, January to March 2015, London: Ministry of Justice

A Cabinet Office study found that 28% of women's crimes were financially motivated, compared to 20% of men's.⁴⁴⁰

A survey of prisoners found that nearly half of all women (48%), compared to just over one-fifth of men (22%), reported having committed offences to support someone else's drug use.⁴⁴¹

Between 2009–2014 the number of women sentenced for theft offences decreased by 6% whilst the number sentenced to custody increased by 20%.⁴⁴²

Theft offences accounted for nearly half of (49%) of all custodial sentences given to women. Most received sentences of three months or less.⁴⁴³

12% of women in prison, are foreign nationals. Some are known to have been coerced or trafficked into offending.⁴⁴⁴

There are 81 different nationalities amongst the foreign national women in prison, with the majority from Romania, Poland, Republic of Ireland, Jamaica, and Nigeria.⁴⁴⁵

33% of women in prison are aged 40 and over.⁴⁴⁷

45% of women are reconvicted within one year of leaving prison. This rises to 58% for sentences of less than 12 months and to 77% for women who have served more than 11 previous custodial sentences.⁴⁴⁸

Women released from prison are more likely to reoffend, and reoffend earlier, than those serving community sentences.⁴⁴⁹

Family contact can help reduce the risk of reoffending on release.⁴⁵⁰ Keeping in touch with loved ones is often made more difficult by being held in prison, many miles away from home. The average distance for women is 60 miles⁴⁵¹, but is often significantly more.⁴⁵²

440 Cabinet Office Social Exclusion Task Force (2009) Short Study on Women Offenders, London: Cabinet Office

441 Light, M. et al. (2013) Gender differences in substance misuse and mental health amongst prisoners – Results from the Surveying Prisoner Crime Reduction (SPCR) longitudinal cohort study of prisoners, London: Ministry of Justice

442 Ministry of Justice (2014) Criminal justice statistics quarterly December 2014, Sentencing data tool, London: Ministry of Justice

443 Ibid.

444 Table A1.8, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

445 Hales, L. and Gelsthorpe, L. (2012) The criminalisation of migrant women, Cambridge: University of Cambridge

446 Table 1.7, Ministry of Justice (2015) Offender management statistics quarterly, January to March 2015, London: Ministry of Justice

447 Table A1.6, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

448 Tables 8.9 and 8.10, Ministry of Justice (2014) Women and the criminal Justice system 2013, London: Ministry of Justice

449 Hedderman, C. and Jolliffe, D. (2015) The Impact of Prison for Women on the Edge: Paying the Price for Wrong Decisions, Victims & Offenders: An International Journal of Evidence-based Research, Policy, and Practice. 10 (2), 152–178

450 Criminal Justice Joint Inspection (2014) Resettlement provision for adult offenders: Accommodation and education, training and employment, London: HM Inspectorate of Prisons

451 Women in Prison (2013) State of the Estate: Women in Prison's report on the women's custodial estate 2011–12, London: WIP

452 Ministry of Justice, Freedom of Information request 75412, available at <http://webarchive.>

It is estimated that more than 17,240 children were separated from their mother in 2010 by imprisonment.⁴⁵³

Between 2010–2014, 31 women gave birth whilst serving a prison sentence in Scotland. Data for England and Wales is not centrally collected.⁴⁵⁴

Health

Women entering prison often have very poor physical, psychological and social health—worse than those within the general population who have the poorest health.⁴⁵⁵

52% of women surveyed said that they had used heroin, crack, or cocaine powder in the four weeks prior to custody, compared to 40% of men. However, practitioners report that women may hide or underplay substance misuse through fear of losing their children.⁴⁵⁶

Substance abuse treatment programmes, particularly when delivered in prison, can reduce women's offending.⁴⁵⁷ However the number of women starting and completing substance misuse programmes fell by 92% and 89% respectively between 2009–10 and 2014–15.⁴⁵⁸

More than half (59%) of women in prison who drank in the four weeks before custody thought they had a problem with alcohol. 52% thought their drinking was out of control, and 41% wished they could stop.⁴⁵⁹

46% of women in prison have attempted suicide at some point in their lifetime.⁴⁶⁰

93 women haven taken their own lives whilst in prison in the last 20 years.⁴⁶¹

Women account for 26% of all incidents of self-harm despite representing just 5% of the total prison population. The rates of women harming themselves continue to be much higher than for men but has fallen in recent years.⁴⁶²

nationalarchives.gov.uk/20120705035936/http://www.justice.gov.uk/downloads/information-access-rights/foi-disclosure-log/prison-probation/foi-75412-data.xls

453 Wilks-Wiffen, S. (2011) Voice of a Child, London: Howard League for Penal Reform

454 Scottish Prison Service (2015) Freedom of Information request HQ15020, Edinburgh: SPS

455 Plugge, E. et al. (2006) The Health of Women in Prison, Oxford: Department of Public Health, University of Oxford.

456 Stewart, D. (2008) The problems and needs of newly sentenced prisoners: results from a national survey, London: Ministry of Justice

457 Stewart, L. (2015) Effective interventions for Women offenders: A Rapid Evidence Assessment, London: National Offender Management Service

458 Tables 2.7 and 2.8, Ministry of Justice (2015) Accredited programmes bulletin 2014–15, London: Ministry of Justice

459 Tables A28, A24 and A27, Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

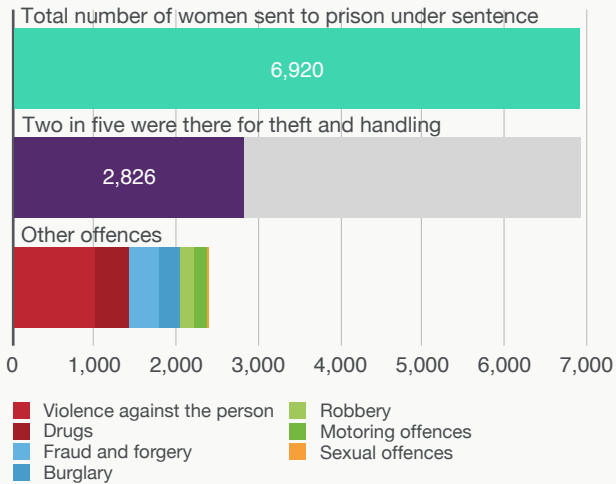
460 Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

461 Table 1.2, Ministry of Justice (2013) Safety in custody statistics England and Wales, quarterly update to March 2015, London: Ministry of Justice

462 Table 2.1, Ibid.

Majority of women commit non-violent crimes

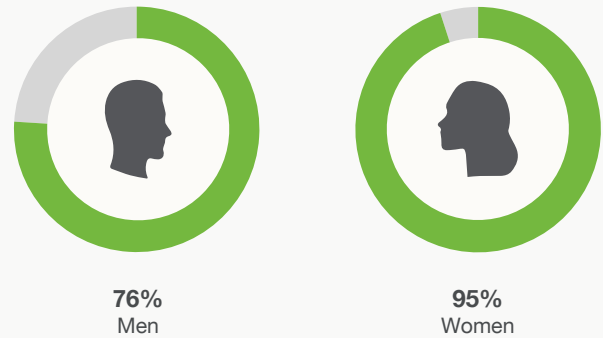
Women sent to prison under sentence, 2014



Source: Offender management statistics annual tables 2014

Community success

Women more likely to successfully complete their community order or licence period supervision



Source: National Offender Management Service Offender Equalities Annual Report 2013/14

Social characteristics of male and female prisoners

Characteristic	Men	Women
Have experienced emotional, physical or sexual abuse	27%	53%
Committed their offence in order to support the drug use of someone else	22%	48%
Serving a prison sentence for a non-violent offence	71%	81%
Have no previous convictions	12%	26%
Have spent time in local authority care	24%	31%
Have symptoms indicative of psychosis	15%	25%
Have attempted suicide at some point	21%	46%

Sources:

Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice
 Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice
 Table 2.2b, Ministry of Justice (2013) Offender management statistics quarterly, January to March 2013, London: Ministry of Justice
 Tables A1.28 and A1.29, Ministry of Justice (2012) Offender Management Caseload Statistics 2011, London: Ministry of Justice
 Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice
 Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice
 Ibid.

There are 76 women in prison serving an indeterminate sentence for public protection (IPP)—less than 2% of the total IPP population.⁴⁶³

31% of women in prison report having spent time in local authority care. This compares to 24% of men.⁴⁶⁴

53% of women in prison reported having experienced emotional, physical or sexual abuse as a child, compared to 27% of men.⁴⁶⁵

46% of women in prison report having suffered a history of domestic abuse.⁴⁶⁶

Treatment and conditions

Women in prison are subject to higher rates of disciplinary proceedings than men. In 2014 there were 137 proven offences punished per 100 women in prison compared to 105 per 100 men.⁴⁶⁷

According to the Ministry of Justice, “women may be less able (due for example to mental health issues) to conform to prison rules.”⁴⁶⁸

Women in prison are also less likely to complain—accounting for only 2% of all complaints to the Ombudsman.⁴⁶⁹

Outcomes

Women prisoners are often inadequately prepared for release. Just 8.5% of women leaving prison entered employment. For men the proportion was 26.2%.⁴⁷⁰

Women are more likely to successfully complete their community sentence or licence period on release than men—95% of women compared with 76% of men.⁴⁷¹

Alternatives to custody

A 2010 ICM poll showed that 80% of 1,000 adults surveyed strongly agreed that local women’s centres, where women address the root causes of their crime and do compulsory work in the community, should be available.⁴⁷²

Women receiving support from women’s centres demonstrated a one-year reduction in reoffending of between 1–9% compared with a matched control group of women.⁴⁷³

A YouGov poll in November 2012 found strong support for public health measures to tackle women’s offending, with treatment for drug addiction considered the most effective at reducing the risk of reoffending by nearly seven in 10 (69%) respondents.⁴⁷⁴

The new economics foundation has found that for every pound invested in support-focused alternatives to prison, £14 worth of social value is generated to women and their children, victims and society generally over 10 years.⁴⁷⁵

If alternatives to prison were to achieve an additional reduction of just 6% in reoffending, the state would recoup the investment required to achieve this in just one year.⁴⁷⁶ The long-run value of these benefits is in excess of £100m over 10 years.⁴⁷⁷

On 21 December 2010 the UN General Assembly approved the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (known as the ‘Bangkok Rules’).⁴⁷⁸ The Rules guide signatory states to adopt gender-sensitive prisoner classification and security risk assessments, gender-specific healthcare services, treatment of children living with their mothers in prison, the particular safety concerns of women prisoners, and the development of pre and post-release programmes that take into account the stigmatisation and discrimination that women face once released from prison.⁴⁷⁹

⁴⁶³ Table A1.14, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁴⁶⁴ Ministry of Justice (2012) Prisoners’ childhood and family backgrounds, London: Ministry of Justice

⁴⁶⁵ Ibid.

⁴⁶⁶ Baroness Corston (2007) A Review of Women with Particular Vulnerabilities in the Criminal Justice System, London: Home Office

⁴⁶⁷ Table A5.2, Ministry of Justice (2015) Offender management statistics, Adjudication tables 2014, London: Ministry of Justice

⁴⁶⁸ Ministry of Justice (2010) Statistics on Women and the Criminal Justice System, London: Ministry of Justice

⁴⁶⁹ Prisons and Probation Ombudsman (2015) Why do women and young people in custody not make formal complaints? London: PPO

⁴⁷⁰ Table 2, Ministry of Justice (2013) NOMS Offender equalities annual report 2012–13, London: Ministry of Justice

⁴⁷¹ Ministry of Justice (2014) National Offender Management Service offender equalities annual report 2013/14, London: Ministry of Justice

⁴⁷² ICM Opinion Poll for the Corston Coalition, (26–28 November 2010). Sample of 1000 adults 18+ in GB, by telephone omnibus

⁴⁷³ Ministry of Justice (2015) Justice Data Lab Re-offending Analysis: Women’s Centres throughout England, London: Ministry of Justice

⁴⁷⁴ Prison Reform Trust (2012) Public say top three solutions to women’s offending lie in health not criminal justice – press release 26 November 2012, London: Prison Reform Trust

⁴⁷⁵ new economics foundation (2008) Unlocking value: How we all benefit from investing in alternatives to prison for women offenders, London: new economics foundation

⁴⁷⁶ Ibid.

⁴⁷⁷ Ibid.

⁴⁷⁸ Penal Reform International (2011) Briefing on the UN rules for the treatment of women prisoners and non-custodial measures for women offenders (‘Bangkok rules’), London: Penal Reform International

⁴⁷⁹ <http://www.un.org/News/Press/docs/2010/gashc3980.doc.htm>

Minority ethnic prisoners

26% of the prison population, 22,079 people, are from a minority ethnic group.⁴⁸⁰ This compares to around one in 10 of the general population.⁴⁸¹

One in 10 British prisoners are black and 6% are Asian.⁴⁸² For black Britons this is significantly higher than the 2.8% of the general population they represent.⁴⁸³

Black people account for nearly half (48%) of all minority ethnic prisoners.⁴⁸⁴

The number of people in prison of mixed ethnicity has risen by 88% since 2004—there's also been an 82% increase in Asian prisoners. The number of white prisoners increased by a quarter.⁴⁸⁵

More than a quarter (26%) of minority ethnic prisoners are foreign nationals.⁴⁸⁶

According to the Equality and Human Rights Commission, there is greater disproportionality in the number of black people in prisons in the UK than in the United States.⁴⁸⁷

The number of Muslim prisoners has more than doubled over the past 12 years. In 2002 there were 5,502 Muslims in prison, but by 2015 this had risen to 12,534.⁴⁸⁸

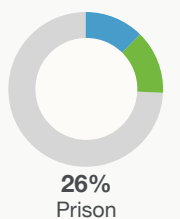
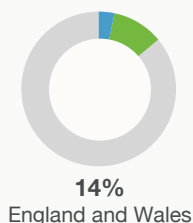
Muslims in prison are far from being a homogeneous group. Some were born into Muslim families, and others have converted. In 2013, 41% were Asian, 31% were black, 14% were white and 8% were mixed.⁴⁸⁹

Fewer than one per cent of Muslims in prison were there for terrorism related offences according to analysis by HM Inspectorate of Prisons in 2010.⁴⁹⁰

A higher proportion of people in BAME groups were sentenced to immediate custody for indictable offences than white people. In the 12 months to March 2014, 28% of black people sentenced at court were given custody, compared with 30% for Asian and 42% for 'other'. 27% of sentences for white people were custodial.⁴⁹¹ This may in part be due to differences in plea between ethnic groups.

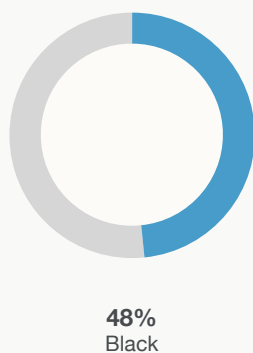
Disproportionality in prisons

Black and minority ethnic people make up:



● Black
● Other minority ethnic group
● Other

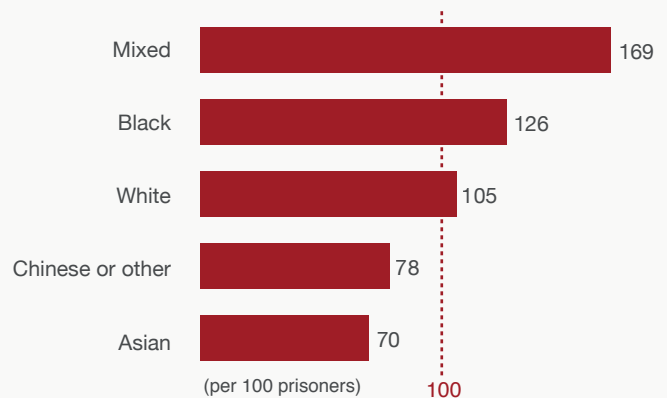
Of the BME prison population



Source: Offender management statistics, Prison population 2015 and 2011 Census

Unequal treatment?

Proven adjudications in prison by ethnicity, 2014



Source: Table A5.1 and A1.8, Ministry of Justice (2015) Offender management statistics annual tables 2014

⁴⁸⁰ Table A1.8, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁴⁸¹ Table A3.5.2, Equality and Human Rights Commission (2010) How fair is Britain? Equality, Human Rights and Good Relations in 2010, London: Equality and Human Rights Commission

⁴⁸² Table A1.8, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁴⁸³ Table 4, Office for National Statistics (2011) Population Estimates by Ethnic Group 2002–2009, London: Office for National Statistics

⁴⁸⁴ Table A1.8, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁴⁸⁵ Ibid.

⁴⁸⁶ Ibid.

⁴⁸⁷ Equality and Human Rights Commission (2010) How fair is Britain? London: Equality and Human Rights Commission

⁴⁸⁸ Table A1.8, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁴⁸⁹ Table A1.12, Ministry of Justice (2014) Offender management statistics annual tables 2013, London: Ministry of Justice

⁴⁹⁰ HM Chief Inspector of Prisons (2010) Muslim prisoners' experiences: a thematic review, London: HMIP

⁴⁹¹ Table Q5.8, Ministry of Justice (2014) Criminal justice statistics quarterly, March 2014, London: Ministry of Justice

In the 12 months to March 2014, the highest average custodial sentence length for those given determinate sentences for indictable offences was recorded for the 'other' group, at 24.6 months. This was followed by the Black and Asian groups with averages of 22.9 months and 21.7 months respectively. The lowest was recorded for the white group at 16.5 months.⁴⁹²

Black and minority ethnic prisoners continue to report more negatively about their experience in prison and relationships with staff. Fewer said they felt safe on their first night or at the time of the inspectorate's survey; fewer had a member of staff they could turn to for help, and more said they had been victimised by staff.⁴⁹³

While 70% of white young adults in prison said that staff treated them with respect, this was true of 55% of black young adult prisoners and 45% of young adult Asian prisoners.⁴⁹⁴ This is also reflected more generally across the prison estate, with 71% of BME prisoners saying that staff treated them with respect, compared with 78% of white prisoners.⁴⁹⁵

Black women also reported more negatively, with only 60% saying that staff treated them with respect, compared with 75% of white women.⁴⁹⁶

Black and minority ethnic prisoners still have more negative perceptions of the fairness and effectiveness of complaints systems. 28% who said that they had made a complaint felt they were dealt with fairly compared with 41% of white prisoners, and 22% reported being prevented from making a complaint, compared with 15% of white prisoners.⁴⁹⁷

HM Inspectorate of Prisons found that outcomes for black and minority ethnic prisoners were often poorer, particularly in the application of disciplinary procedures and, in open prisons, in access to release on temporary licence.⁴⁹⁸

Black and minority ethnic prisoners were less likely to say that they had 10 hours a day or more out of their cell. They were also less likely to have a job, but more likely to be in education.⁴⁹⁹

Black and mixed ethnicity prisoners are subject to higher rates of adjudications than average. Adjudications are the formal discipline system in prisons.

Mixed ethnicity prisoners have the highest proven adjudication rates of all prisoners, with 169 proven adjudications per 100 prisoners and for black prisoners it was 126 per 100. This compares with 105 for white prisoners.⁵⁰⁰

Black or minority ethnic prisoners, Muslim prisoners and those under the age of 21 are more likely to report having spent time in the segregation or care and separation unit in the last six months.⁵⁰¹

Research undertaken by the Prison Reform Trust found that 49 of 71 prisoners interviewed said that they had experienced racism in the previous six months in the prison. Almost two-thirds of those prisoners said that they did not submit a complaint about it.⁵⁰²

HM Chief Inspector of Prisons has said that Gypsy, Roma and Traveller prisoners are a significant but often unrecognised minority in many prisons.⁵⁰³

4% of prisoners say they are Gypsy, Romany or Traveller.⁵⁰⁴ However, "there is evidence of a possible reluctance by many prisoners to identify themselves as such."⁵⁰⁵

A study of Irish Travellers in prison found that Irish Travellers represent between 0.6% and 1% of the entire prison population and between 2.5% and 4% of the minority ethnic population in prison. The survey report notes that this number "must be seen as a minimum."⁵⁰⁶

The population of Irish Travellers in England is estimated to be between 55,000 and 123,000, accounting for between 0.1-0.2% of the population.⁵⁰⁷

492 Ibid.

493 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

494 Table 4, HM Inspectorate of Prisons (2014) Report of a review of the implementation of the Zahid Mubarek Inquiry recommendations, London: HMIP

495 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

496 Table 4, HM Inspectorate of Prisons (2014) Report of a review of the implementation of the Zahid Mubarek Inquiry recommendations, London: HMIP

497 HM Inspectorate of Prisons (2014) Report of a review of the implementation of the Zahid Mubarek Inquiry recommendations, London: HMIP

498 HM Chief Inspector of Prisons (2013) Annual Report 2012–13, London: The Stationery Office

499 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

500 Table A5.1 and A1.8, Ministry of Justice (2015) Offender management statistics annual tables 2014, London: Ministry of Justice

501 HM Chief Inspector of Prisons (2012) Annual Report 2011–12, London: The Stationery Office

502 Edgar, K. (2010) A Fair Response: developing responses to racist incidents that earn the confidence of black and minority ethnic prisoners, London: Prison Reform Trust

503 HM Chief Inspector of Prisons (2013) Annual Report 2012–13, London: The Stationery Office

504 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

505 Department for Communities and Local Government (2012), Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers, London: CLG

506 Conn MacGabhann (2011) Voices Unheard: A study of Irish travellers in prison, London: Irish Chaplaincy in Britain

507 Irish Traveller Movement in Britain (2013) Gypsy and Traveller population in England and the 2011 Census, London: ITMB and Office for National Statistics (2013) Annual Mid-year Population Estimates, 2011 and 2012, London: ONS

Foreign national prisoners

The term 'foreign national prisoner' encompasses many different people. People may have come to the UK as children with parents, or are second generation: often from former colonies, asylum seekers or people who have been given indefinite leave to remain as refugees, European and European Economic Area nationals or Irish nationals, trafficked persons or people who would be persecuted if they returned to their country of origin, people who were entering or leaving the UK, on false documents, and were arrested at port of entry/exit, those who have entered the UK illegally or were in the UK as students, visitors or workers who have got involved in the criminal justice system.

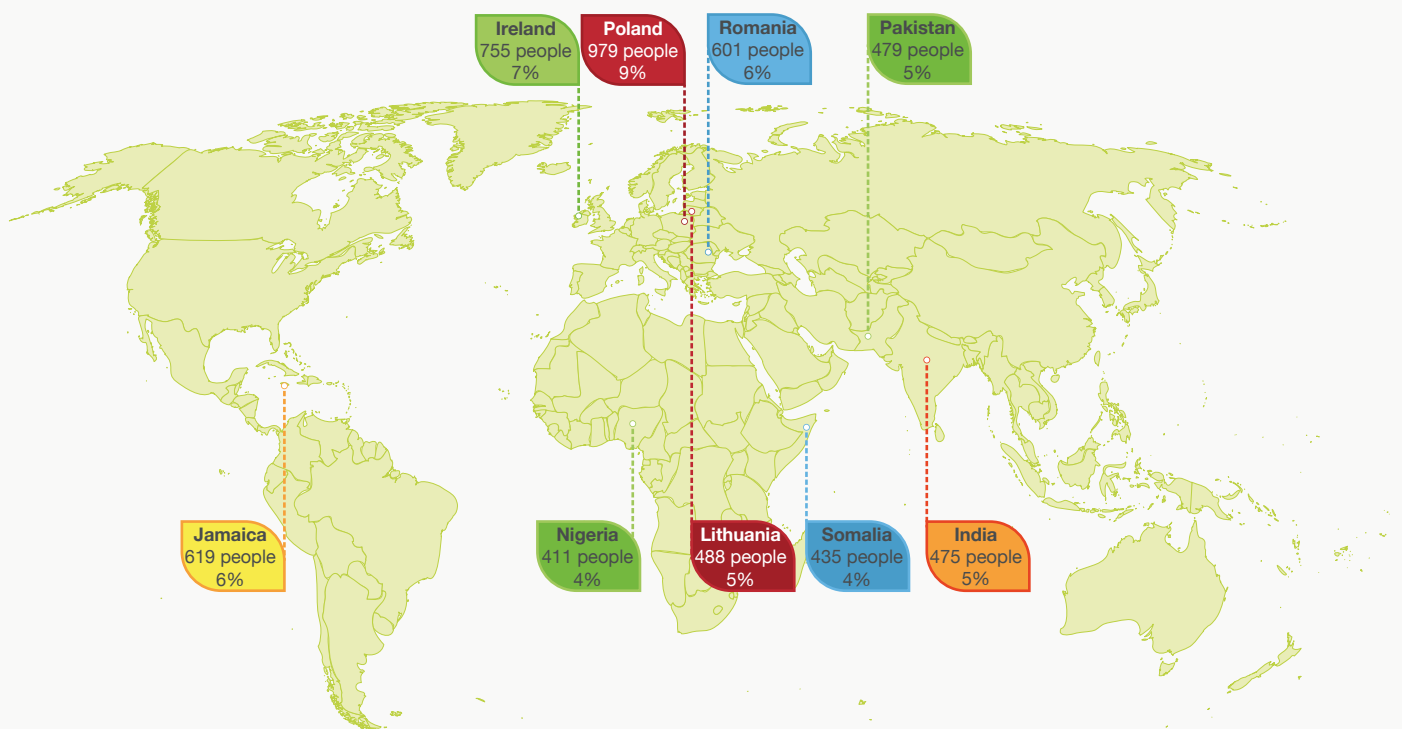
All foreign national prisoners who have been sentenced to a period of imprisonment of 12 months or more are subject to automatic deportation from the UK unless they fall within defined exceptions. People contesting their deportation because they have family in the UK are no longer entitled to legal aid.

The United Kingdom has prisoner transfer arrangements with over 100 countries and territories. The majority of arrangements however are voluntary agreements which require the consent of both states involved, as well as that of the prisoner concerned, before transfer can take place. However transfers within the EU, and to Nigeria and Albania can take place without the consent of the prisoner. The government signed a transfer agreement with Jamaica in September 2015 and will provide £25m from the aid budget to help fund the construction of a new 1500-place prison.

People who have served their sentence but are not UK nationals can be held in prison after their sentence has finished, released or moved to an immigration detention centre.

The Legal Aid, Sentencing and Punishment of Offenders Act introduced a new Tariff Expired Removal Scheme (TERS) for indeterminate foreign national prisoners. The scheme allows indeterminate foreign national prisoners, who are confirmed by UK Visas and Immigration to be liable for removal from the UK, to be removed from prison and the country upon, or any date after, the expiry of their tariff without reference to the Parole Board. TERS is mandatory; all indeterminate foreign national prisoners who are liable must be considered for removal under the scheme.

Foreign national prisoners in England & Wales, 30 June 2015 by country of origin



Percentages are the proportion of the total foreign national population in prisons in England and Wales
Source: Table A1.11i, Ministry of Justice (2015) Offender management statistics, Prison population 2015

Foreign nationals currently make up 12% of the prison population in England and Wales. On 30 June 2015 there were 10,512 held in prison. There were also 520 people in prison whose nationality was not recorded.⁵⁰⁸

Foreign national prisoners come from 158 countries, but over half are from nine countries (Poland, Republic of Ireland, Jamaica, Romania, Lithuania, Albania, Pakistan, India, and Somalia).⁵⁰⁹

There was a rapid increase in foreign national prisoners between 2002–08. Numbers rose by nearly 50%, compared with a 13% increase in British nationals. Since then, number have very steadily fallen.⁵¹⁰

12% of women in prison are foreign nationals.⁵¹¹ Some are known to have been coerced or trafficked into offending.⁵¹²

It is difficult to identify trafficked people in prison. A report by the University of Cambridge examined the case management of 103 migrant women in the criminal justice and immigration systems, including the identification of trafficked women. In only one of the 43 cases of human trafficking identified by the researchers did victim disclosures result in a full police investigation.⁵¹³

The Modern Slavery Act contains a statutory defence for many offences committed under duress as a result of being trafficked or whilst under the control of a trafficker.⁵¹⁴

Nearly one in three (31%) foreign national women in prison are serving a sentence for drug offences, compared to 12% of women of British nationality.⁵¹⁵

In 2011–12, 41% of women on the Hibiscus Female Prisoners Welfare Project caseload were charged with offences such as deception and fraud, in relation to their immigration status and related paperwork. The average sentences for false documents were 8.5 months and for deception 12 months.⁵¹⁶

Foreign national prisoners reported feeling less safe and fewer said that they were treated with respect by staff than British prisoners.⁵¹⁷

Removal and deportation

1,237 people are not serving criminal sentences but are held administratively under Immigration Act powers in Immigration Removal Centres.⁵¹⁸

More than 23,000 foreign national offenders have been removed from the UK since 2010.⁵¹⁹

The average number of days taken to remove a foreign national offender is currently 139 days— however many people are detained for considerably longer.⁵²⁰

153 people are still in detention after more than a year, awaiting deportation.⁵²¹

Immigration detainees

374 people were still held in prison at the end of March 2015 under immigration powers, despite having completed their custodial sentence.⁵²²

Immigration Removal Centres allow access to mobile phones, the internet, legal advice and additional safeguards.⁵²³

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, has stated that holding immigration detainees in prison is “fundamentally flawed”.⁵²⁴ A 2013 inspection of HMP Pentonville found that it was not a suitable environment to hold immigration detainees.⁵²⁵

An inspection of HMP Wormwood Scrubs found a man still in prison 18 months after completing his sentence.⁵²⁶ In HMP Lincoln in 2012 a man was still in prison nine years after the end of the sentence.⁵²⁷

£6.2m has been awarded in compensation for the unlawful detention of 229 foreign national prisoners since April 2012—an average of over £27,000 each.⁵²⁸

⁵¹⁷ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

⁵¹⁸ Table A1.12, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁵¹⁹ Hansard HC, 12 March 2015, written question 227471

⁵²⁰ Table FNO_12, Home Office (2015) Immigration Enforcement data: May 2015, London: Home Office

⁵²¹ Table FNO_6, Ibid.

⁵²² HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

⁵²³ Ibid.

⁵²⁴ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2013) CPT Standards, Strasbourg: Council of Europe

⁵²⁵ HM Inspectorate of Prisons (2013) Report on a full unannounced inspection of HMP Pentonville, London: HMIP

⁵²⁶ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

⁵²⁷ HM Inspectorate of Prisons (2012) Report on a full unannounced inspection of HMP Lincoln, London: HMIP

⁵²⁸ House of Commons Public Accounts Committee (2015) Managing and removing foreign national offenders, London: The Stationery Office

⁵⁰⁸ Table A1.8, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁵⁰⁹ Table A1.11i, Ibid.

⁵¹⁰ Table A1.8, Ibid.

⁵¹¹ Ibid.

⁵¹² Hales, L. and Gelsthorpe, L. (2012) The criminalisation of migrant women, Cambridge: University of Cambridge

⁵¹³ Ibid.

⁵¹⁴ Modern Slavery Act 2015, Section 45

⁵¹⁵ Table A1.9, Ministry of Justice (2014) Offender management statistics annual tables 2013, London: Ministry of Justice

⁵¹⁶ Prison Reform Trust and Hibiscus (2012) No Way Out: a briefing paper on foreign national women in prison in England and Wales, London: Prison Reform Trust

Children in prison

The number of children (under-18s) in custody has fallen by over two-thirds in the last seven years.⁵²⁹ Children are also committing fewer crimes—with proven offences down by 72% from their peak in 2005–06.⁵³⁰

At the end of August 2015 there were 971 children in custody in England and Wales. 34 children were aged 14 or younger.⁵³¹

More than two-fifths (41%) of children in custody are from a black or minority ethnic background. The drop in youth custody has not been as significant for black or minority ethnic children—in 2008 they accounted for a quarter (26%).⁵³²

22% of children held in young offender institutions identified themselves as Muslim, 4% said that they were foreign nationals and 6% Gypsy, Romany or Traveller.⁵³³

Boys account for 97% of the children in custody, during August 2015 there were only 32 girls.⁵³⁴

1,307 children aged between 15 and 17 entered prison under sentence in 2014. Over two-fifths (42%) were sentenced to six months or less.⁵³⁵

Over a third of children in custody in 2013–14 were there for non-violent crimes.⁵³⁶

The number of children held in custody on remand has fallen by 60% in the last seven years. An average of 260 children were on remand during 2013–14.⁵³⁷

A quarter of children remanded in custody were subsequently acquitted in 2013–14. Nearly two-fifths (37%) were given a non-custodial sentence.⁵³⁸

Costs

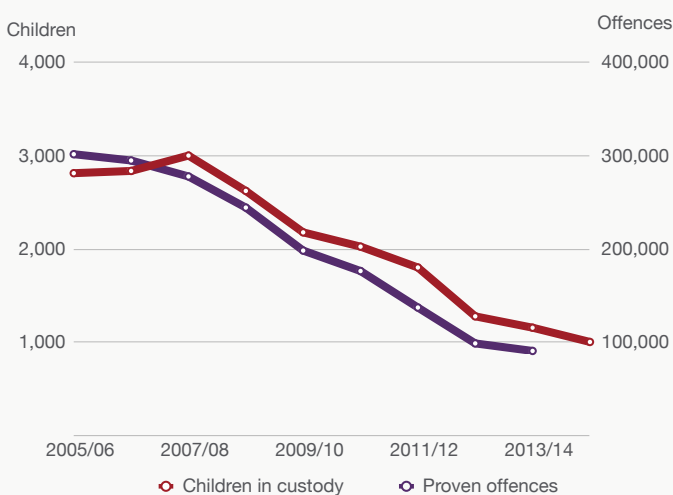
The Youth Justice Board has saved £319m cumulatively since 2009 as a result of the reduction in numbers of children custody.⁵³⁹

£53m of these savings were achieved in 2014–15, mainly through decommissioning 360 places in the youth estate. A further 905 places had been decommissioned the year before.⁵⁴⁰

£142.2m was spent on the provision of secure accommodation for children in 2014–15.⁵⁴¹

Prison works?

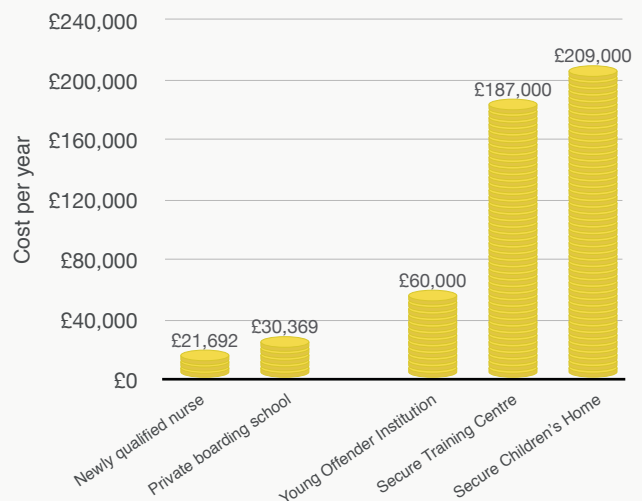
Child custody has dropped significantly—and so has offending



Sources: Youth Justice Board Monthly youth custody report March 2015 and Youth Justice Statistics 2013–14

Imprisonment at what cost?

The costs of youth custody—a comparison



Source: NHS website, Killik Private Education Index and Hansard HC, 27 June 2013, c368W

⁵²⁹ Table 2.1, Youth Justice Board (2015) Monthly youth custody report—August 2015, London: Ministry of Justice

⁵³⁰ Table 4.2, Ministry of Justice (2015) Youth justice statistics 2013/14, London: Ministry of Justice

⁵³¹ Table 2.1 and 2.8, Youth Justice Board (2015) Monthly youth custody report—August 2015, London: Ministry of Justice

⁵³² Table 2.1 and 2.6, Ibid.

⁵³³ Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

⁵³⁴ Table 2.1 and 2.7, Youth Justice Board (2015) Monthly youth custody report—August 2015, London: Ministry of Justice

⁵³⁵ Table A2.1 Ministry of Justice (2015) Offender management statistics, Prison receptions 2014, London: Ministry of Justice

⁵³⁶ Table 7.5a, Ministry of Justice (2015) Youth justice statistics 2013/14, London: Ministry of Justice

⁵³⁷ Table 6.2, Ministry of Justice (2015) Youth justice statistics 2013/14, London: Ministry of Justice

⁵³⁸ Table 6.5, Ibid.

⁵³⁹ Youth Justice Board (2015) Annual Report and Accounts 2015/15, London: Youth Justice Board

⁵⁴⁰ Youth Justice Board (2015) Annual Report and Accounts 2015/15, London: Youth Justice Board and Youth Justice Board (2014) Annual Report and Accounts 2013/14, London: Youth Justice Board

⁵⁴¹ Youth Justice Board (2015) Annual Report and Accounts 2015/15, London: Youth Justice Board

Outcomes

67% of children (10–17) released from custody go on to reoffend within a year.⁵⁴²

Less than half (47%) of sentenced boys felt they had done something to make it less likely they would offend on release.⁵⁴³

Getting a job was what boys overwhelmingly said would help prevent them offending in future.⁵⁴⁴

However, it was also the biggest problem they thought they'd have on release, with over half (52%) telling inspectors this.⁵⁴⁵

Treatment and conditions

Almost three-quarters (73%) of boys said they had daily association—but only 57% said they could exercise outside daily.⁵⁴⁶

Almost a quarter of boys (23%) said they had an emotional or mental health problem—over two-thirds of these (69%) said they were receiving help.⁵⁴⁷

Children in STCs were much more likely than children in YOIs to report that most staff treated them with respect. Almost all children in STCs (93%) said this, compared with 68% of children in YOIs.⁵⁴⁸

Rates were lower for black and minority ethnic boys (63%) and Muslim boys (58%).⁵⁴⁹

Children held in YOIs are more likely to report being victimised by staff. A quarter reported this to inspectors, compared with 12% in STCs.⁵⁵⁰

Children held in STCs and YOIs report similar levels of victimisation from other children—19% and 22% respectively.⁵⁵¹

Children often won't report this to staff. In STCs only half of children (51%) said they would tell a member of staff, in YOIs just over a quarter (27%) said they would.⁵⁵²

Safety in custody

11% of children in prison have attempted suicide at some point during their life.⁵⁵³

32 children have died in penal custody since 1990, almost all by self-inflicted death, but two were homicide.⁵⁵⁴

Rates of self-harm amongst children in custody are rising. There were 6.6 incidents of self harm per 100 children during 2013–14, a rise of a quarter on the year before. On average there were 110 incidents of self-harm per month, involving 64 young people.⁵⁵⁵

Rates of self-harm are higher for girls. Girls account for 15.1 incidents of self-harm per 100 children, compared with 6.1 for boys.⁵⁵⁶

Rates of self-harm are higher for white children. They account for 9.5 incidents of self-harm per 100 children, compared with 2 for black and minority ethnic children.⁵⁵⁷

Three in 10 boys (29%) in YOIs said they have felt unsafe at some point whilst in custody.⁵⁵⁸

Assault rates amongst children in custody are rising. In 2013–14 there were 15 assaults per 100 children in custody, up from 9 in 2009–10.⁵⁵⁹

Use of restraint on children is increasing. In 2013–14 there were 28 incidents of restraint per 100 children in custody, up from 18 in 2009–10.⁵⁶⁰

Over a third (36%) of children said that they had been physically restrained. Black and minority ethnic boys reported higher rates of restraint (45%) compared to white boys (34%).⁵⁶¹

Nick Hardwick, HM Chief Inspector of Prisons, has said that “HMI Prisons does not accept that pain-compliance techniques should ever be used.”⁵⁶²

542 Table 18b, Ministry of Justice (2013) Proven re-offending quarterly October 2011 to September 2012, London: Ministry of Justice

543 Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

544 Ibid.

545 Ibid.

546 Ibid.

547 Ibid.

548 Ibid.

549 Ibid.

550 Ibid.

551 Ibid.

552 Ibid.

553 Jacobson J. et al. (2010) Punishing Disadvantage: a profile of children in custody, London: Prison Reform Trust

554 Table 1.3, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

555 Table 8.9 and 8.10, Ministry of Justice (2015) Youth justice statistics 2013/14, London: Ministry of Justice

556 Table 8.10, Ibid.

557 Ibid.

558 Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

559 Table 8.3, Youth Justice Board (2015) Youth Justice Statistics 2013–14 England and Wales, London: Ministry of Justice

560 Ibid.

561 Kennedy, E. (2013) Children and Young People in Custody 2012–13, London: HM Inspectorate of Prisons and Youth Justice Board

562 Owen, J. and Brady, B. (2011), Restraint used on young offenders is 'too harsh', Independent Online, available at <http://www.independent.co.uk/news/uk/crime/restraint-used-on-young-offenders-is-too-harsh-2293213.html>

Drugs and alcohol

37% of boys said they had a drug problem on arrival into custody— 60% said they had received help for this and 8% said they had a current drug problem.⁵⁶³

Black and minority ethnic children were less likely to report having a drug addiction before entering custody— 17% compared with half of white boys.⁵⁶⁴

8% of boys said they had an alcohol problem on arrival into custody— just over half (55%) said they had received help for this.⁵⁶⁵

16% of boys said it was easy to get illegal drugs in their YOI.⁵⁶⁶

Family

Fewer than 1% of all children in England are in care,⁵⁶⁷ but looked after children make up 33% of boys and 61% of girls in custody.⁵⁶⁸

Boys who reported that they have been in care are more likely to report problems with drugs (47%) and having emotional or mental health problems (35%) than boys who hadn't been.⁵⁶⁹

Children in care were 5 times more likely to be sanctioned for an offence than children in the general population in 2013.⁵⁷⁰ The gap is widening; in 2010 it was more than 2.5 times more likely.⁵⁷¹

42% of Muslim children didn't know where they would be living on release compared with a quarter of non-Muslims.⁵⁷²

Three-quarters of children in prison had an absent father, one-third had an absent mother. Two-fifths had been on the child protection register or had experienced neglect or abuse.⁵⁷³

Only 37% of boys said it was easy for their friends and family to visit them— 21% said they didn't receive visits from friends and family at all.⁵⁷⁴

⁵⁶³ Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

⁵⁶⁴ Ibid.

⁵⁶⁵ Ibid.

⁵⁶⁶ Ibid.

⁵⁶⁷ Department for Education (2013) Children looked after in England year ending 31 March 2013, London: DfE, StatsWales website, and Office for National Statistics (2013) Population Estimates Total Persons for England and Wales and Regions - Mid-1971 to Mid-2012, London: ONS

⁵⁶⁸ Kennedy, E. (2013) Children and Young People in Custody 2012–13, London: HM Inspectorate of Prisons and Youth Justice Board

⁵⁶⁹ Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

⁵⁷⁰ Table 4, Department for Education (2015) Outcomes for children looked after by local authorities, as at 31 March 2014, London: DfE

⁵⁷¹ Table 7.1, Department for Education (2010) Outcomes for Children Looked After by Local Authorities in England, as at 31 March 2010, London: DfE

⁵⁷² Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

⁵⁷³ Jacobson J. et al (2010) Punishing Disadvantage: a profile of children in custody, London: Prison Reform Trust

⁵⁷⁴ Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

Education and skills

The educational background of children in custody is poor— almost nine out of 10 boys (88%) said they had been excluded from school.⁵⁷⁵

Almost two-fifths (38%) said that they were aged 14 or younger when they were last at school.⁵⁷⁶

75% of boys said they were taking part in education, 30% a job, 20% said they were in offending behaviour programmes and 14% that they were taking part in vocational or skills training.⁵⁷⁷

New education contracts in YOIs began in March 2015 with the aim of providing 30 hours of education per week for all young people.⁵⁷⁸

21% of young people in custody surveyed for the Youth Justice Board reported that they had learning difficulties.⁵⁷⁹

⁵⁷⁵ Ibid.

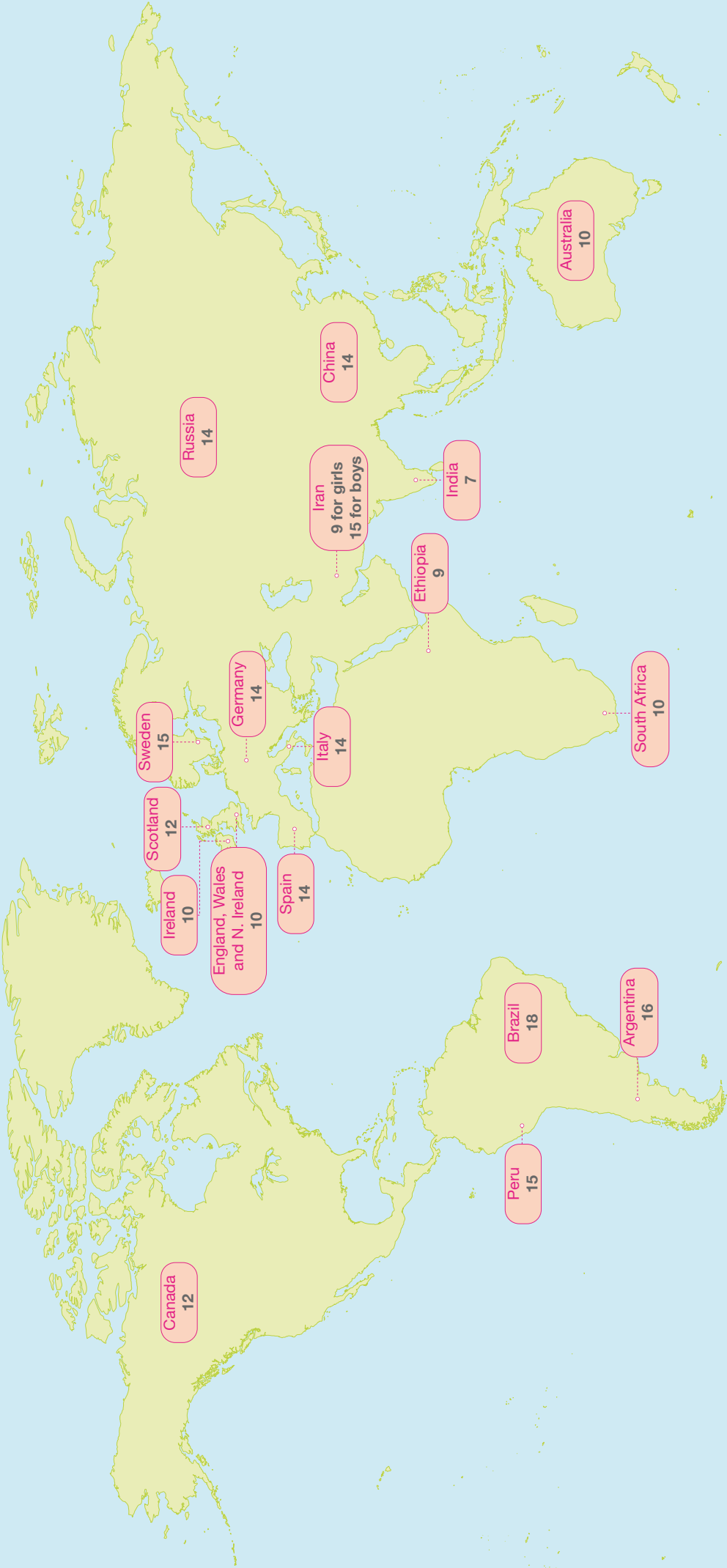
⁵⁷⁶ Ibid.

⁵⁷⁷ Ibid.

⁵⁷⁸ Youth Justice Board (2015) Annual Report and Accounts 2015/15, London: Youth Justice Board

⁵⁷⁹ Gyateng, T., et al. (2013) Young People and the Secure Estate: Needs and Interventions, London: Youth Justice Board

Youngest age at which a person may be prosecuted in a criminal trial



Other approaches to children’s criminal responsibility

Sweden

No sanction can be imposed for a crime committed before the age of 15. Imprisonment may only be imposed on under 18s if there are extraordinary reasons for it.

Algeria

Before the age of 18, children have their cases dealt with by the Court for Minors. It cannot impose criminal sanctions on children under 13 but can impose measures of protection or re-education. Criminal sanctions are available for children aged 13-18, but are at a reduced level to adults.

France

Whilst 13 is the youngest age someone can be subject to criminal sanctions, France has a graduated system of penalties. This includes educative sanctions for children aged 10-13. Criminal sanctions for 13-15 year olds are half that of adults, with full criminal sanctions available from age 16.

China (exc. Hong Kong & Macau)

14 is the age of criminal responsibility for serious offences such as homicide, rape, robbery and drug trafficking. However, for other less serious offences criminal responsibility begins at 16. Less severe punishments are given to those under 18.

Young adults in prison (18–20 year olds)

The Transition to Adulthood (T2A) Alliance, of which the Prison Reform Trust is a member, provides evidence to and promotes “the need for a distinct and radically different approach to young adults [and young people] in the criminal justice system; an approach that is proportionate to their maturity and responsive to their specific needs.”

In recent years there has been a move to hold young adults in prisons with adult prisoners, particularly in London and South East England, following the decision to no longer hold remanded young adults in Feltham YOI. These changes were put on hold pending the findings and recommendations of the independent review into self-inflicted deaths in custody of young adult men aged 18 to 24 led by Lord Harris.

Lord Harris’ review concluded that, “given the overwhelming evidence, it is wrong to assume that maturity will necessarily have been reached by the age of 18. The Criminal Justice System needs to recognise that young adults who are 18–24 years are still developing, and their behaviour and ability to cope with custody will depend on the level of maturity they have attained.”

It also called for a “legal recognition of the concept of ‘maturity’. As well as chronological age, maturity should be a primary consideration in making decisions relating to diversion, sentencing and, where a custodial sentence must be given, how and where a young adult (18–24) should be accommodated.”

Inspectors found that outcomes for young adults were generally worse in prisons which had integrated adults and young adults. A lack of maturity amongst young adults sometimes led to poor behaviour with increased levels of violence, use of force and segregation. Although maturity is increasingly recognised by the prison service as an important factor to be taken into account in the commissioning of services, inspectors have been critical that many prisons have no strategy to manage this distinct group.

The number of young adults (aged 18–20) in prison in England and Wales has fallen by 42% in the last six years. On 30 June 2015 there were 5,050 young adults in prison.⁵⁸⁰

The number of young adults sent to prison under sentence is falling. 7,308 young adults entered prison in 2014, nearly half the number in 2009.⁵⁸¹

And so is the number sent to prison to await trial. 4,783 entered prison in 2014, a drop of 42% since 2009.⁵⁸²

Despite this welcome reduction, the Inspectorate has cautioned that those who remain in custody are “some of the most vulnerable, troubled young adults with complex needs”.⁵⁸³

More than two-fifths (43%) of young adults are in prison for violence against the person or robbery. One third are there for a theft or drug offence.⁵⁸⁴

There are 114 young adults currently in prison serving an indeterminate sentence. The majority (91) are mandatory lifers.⁵⁸⁵

Treatment and conditions

There are now 53 dual-designated prisons which are allowed to hold young adults together with adults (aged 21+).⁵⁸⁶

Two-thirds of young adults think most staff treat them with respect—compared with three-quarters of adults (77%).⁵⁸⁷

Young adults have the least time out of cell of all prisoners. 36% said that they had less than two hours out of their cell on a weekday, and only 6% said they had over 10 hours.⁵⁸⁸

Purposeful activity within young adult prisons needs improvement. None of those inspected this year received a positive rating.⁵⁸⁹

None of the young adult prisons inspected this year was assessed positively against all four of the Inspectorate’s healthy prison tests. None received the highest rating of ‘good’ in any of the four areas.⁵⁹⁰

⁵⁸⁰ Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁵⁸¹ Table A2.1, Ministry of Justice (2015) Offender management statistics, Prison receptions 2014, London: Ministry of Justice

⁵⁸² Ibid.

⁵⁸³ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

⁵⁸⁴ Table A1.3b, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁵⁸⁵ Table A1.13, Ibid.

⁵⁸⁶ Hansard HC, 9 July 2014, c326W

⁵⁸⁷ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

⁵⁸⁸ Ibid.

⁵⁸⁹ Ibid.

⁵⁹⁰ Ibid.

Safety in custody

There have been 52 self-inflicted deaths of young adults in custody in the last 10 years—six were in 2014, all of them young men.⁵⁹¹

Young adults account for 13% of all self-harm incidents although they represent 7% of the population in custody.⁵⁹²

Two-fifths of young adults reported feeling unsafe at some point whilst in custody.⁵⁹³

More than one in 10 young adults (13%) surveyed said they had experienced some form of physical abuse from other prisoners.⁵⁹⁴

A similar proportion (10%) said staff had physically abused them—more than a third said they had been victimised by staff.⁵⁹⁵

Inspectors found that local prisons in particular have struggled to cope with the introduction of young adults, who are over-represented in violent incidents and the use of force by staff.⁵⁹⁶

However, safety is generally worse in dedicated young adult prisons than integrated ones. Fewer people said they felt safe and they had higher levels of violence.⁵⁹⁷

Only a third of young adult men (35%) said that, if they wanted to, they were able to speak to a Listener at any time—compared with half of adult men (52%).⁵⁹⁸

Drugs and alcohol

One in three young adults reported having a drug problem when they arrived into prison.⁵⁹⁹

15% of young adults reported arriving into prison with an alcohol problem—however these figures almost certainly underestimate the scale of the problem, as many of those with alcohol problems will fail to recognise or acknowledge them.⁶⁰⁰

19% of young adults said they had children themselves. This compares to 4% of the general population who are young fathers.⁶⁰¹

16–24 year-olds are more likely than any other age group to become a victim of crime.⁶⁰²

Young people who are not in education or employment are twenty times more likely to commit a crime. 47% of young people aged 17–24 were in education, training or employment at the time of their arrest.⁶⁰³

⁵⁹¹ Table 1.6, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

⁵⁹² Table 2.3, Ministry of Justice (2014) Safety in Custody Statistics Update to March 2014 - Self harm in prison custody 2004 to 2013, London: Ministry of Justice and Table A1.1, Ministry of Justice (2014) Offender management statistics, Prison Population 2014, London: Ministry of Justice

⁵⁹³ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

⁵⁹⁴ Ibid.

⁵⁹⁵ Ibid.

⁵⁹⁶ Ibid.

⁵⁹⁷ Ibid.

⁵⁹⁸ Ibid.

⁵⁹⁹ Ibid.

⁶⁰⁰ Ibid.

⁶⁰¹ Ministry of Justice (2012) Prisoners' childhood and family backgrounds, London: Ministry of Justice

⁶⁰² Table D1, Office for National Statistics (2014) Annual Trend and Demographic Tables - Crime in England and Wales, Year Ending March 2014, London: ONS

⁶⁰³ Young People in Focus (2009) Young Adults Today: Education, Training and Employment, London: Young People in Focus

Older people in prison

Older prisoners can be split into four main profiles, each with different needs:

Repeat prisoners. People in and out of prison for less serious offences and have returned to prison at an older age.

Grown old in prison. People sentenced for a long sentence prior to the age of 50 and have grown old in prison.

Short-term, first-time prisoners. People sentenced to prison for the first time for a short sentence.

Long-term, first-time prisoners. People sentenced to prison for the first time for a long sentence, possibly for historic sexual or violent offences.

Many experience chronic health problems prior to or during imprisonment as a result of poverty, poor diet, inadequate access to healthcare, alcoholism, smoking and other substance abuse. The psychological strains of prison life can further accelerate the ageing process.

The Prison Reform Trust, along with HMCIP, Age UK and other organisations has called for a national strategy for work with older people in prison, something the Justice Committee agreed with and has stated: “It is inconsistent for the Ministry of Justice to recognise both the growth in the older prisoner population and the severity of their needs and not to articulate a strategy to properly account for this.”

The Care Act means that local authorities now have a duty to assess and give care and support to people who meet the threshold for care and are in prisons and probation hostels in their area. However inspectors found that in many prisons too little had been done to prepare and plan for these new arrangements.

People aged 60 and over are the fastest growing age group in the prison estate. There are now nearly triple the number there were 15 years ago.⁶⁰⁴

People aged 50 and over currently make up 14% of the prison population. There are 11,980 people aged 50 and over in prison in England and Wales—4,109 are aged 60 and over.⁶⁰⁵

On 31 March 2014 there were 102 people in prison aged 80 and over. Five people in prison were 90 or older.⁶⁰⁶

42% 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 (11%).⁶⁰⁷

On 30 June 2015 there were 2,177 people aged 50 and over serving life sentences—of these 1,305 were mandatory sentences. 814 people were serving IPP sentences.⁶⁰⁸

Treatment and conditions

People aged 50 or older are more likely to say they had been victimised because of their disability, medication, age or the nature of their offence. However they are more positive than younger people about most aspects of prison life.⁶⁰⁹

⁶⁰⁴ Table A1.6, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁶⁰⁵ Ibid.

⁶⁰⁶ Hansard HC, 21 July 2014, c850W

⁶⁰⁷ Table A1.4, Ministry of Justice (2014) Offender management statistics annual tables 2013, London: Ministry of Justice

⁶⁰⁸ Table A1.15, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

⁶⁰⁹ HM Chief Inspector of Prisons (2015) Annual Report 2014-15, London: The Stationery

At HMP Winchester the inspectorate found two older, severely disabled men who spent all day together in a small dark cell, who had not been able to shower for months, and who faced problems that staff were unaware of.⁶¹⁰

Health

As the prison population ages, more prisoners will die of natural causes while in prison. In 2014, 107 people aged 50 or over died of natural causes whilst in prison, an increase of nearly 50% in the last decade.⁶¹¹

People can apply for compassionate release if they have a life expectancy of less than three months, are bedridden or severely incapacitated.

The number of people released for compassionate reasons is low—between 2009 and 2013, 45 people were released.⁶¹²

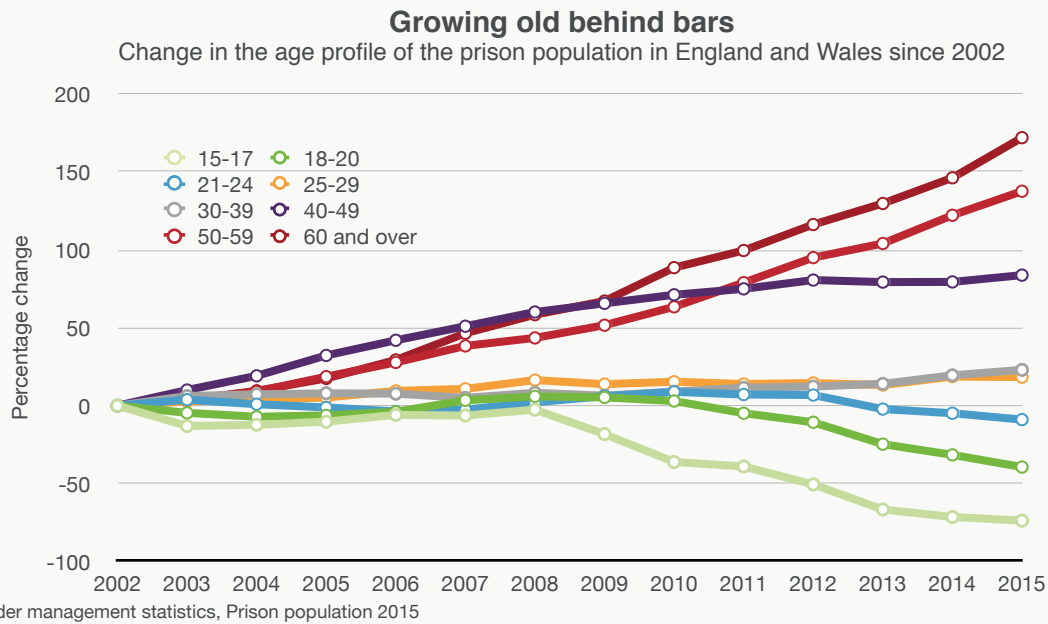
A study conducted in HMP Stafford that found that 51% of 50–59 year olds and 42% of those over 60 had at least one diagnosable psychiatric disorder.⁶¹³

⁶¹⁰ Office
HM Chief Inspector of Prisons (2014) Annual Report 2013-14, London: The Stationery Office

⁶¹¹ Table 1.3, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

⁶¹² HC Hansard, 10 February 2014, c488W

⁶¹³ Table 6, Le Mesurier, N., Kinston, P., Heath, L., Wardle, S. (2010) A Critical Analysis of the Mental Health Needs of Older Prisoners: Final Report, South Staffordshire Primary Care Trust and Staffordshire University



Six out of 10 older prisoners (59%) report having a longstanding illness or disability. This compares with just over a quarter (27%) of younger prisoners.⁶¹⁴

Three-quarters of older prisoners were currently taking medication.⁶¹⁵

Older prisoners interviewed on entering prison for the first time often suffered from 'entry shock'. This was made worse by a lack of information and an unfamiliarity with prison regimes and expectations. Delays in accessing health care and receiving medication were a particular cause of concern.⁶¹⁶

The number of healthcare 'older prisoner leads' has increased in recent years but they do not all appear always to be active in their roles, nor in receipt of specialist training. Nearly half (44%) of establishments do not have an older prisoner policy, against Department of Health guidance.⁶¹⁷

Resettlement

Our 2010 report, Doing Time found that 59 out of 92 prisons had nothing specific in place to support the resettlement needs of this group.⁶¹⁸

A National Institute for Health Research study found that release planning for older prisoners was frequently non-existent. The lack of information received by prisoners in preparation for their release caused high levels of anxiety. Many reported minimal or no contact from probation workers or offender managers.⁶¹⁹

The likelihood of having accommodation on release from custody decreases the older a prisoner is. In 2010–11 the proportion of positive accommodation outcomes on release from custody were lower for those aged 50–59 (81%) and 60 and over (79%) than the average of 86%.⁶²⁰

⁶¹⁴ Omolade, S. (2014) The needs and characteristics of older prisoners: Results from the Surveying Prisoner Crime Reduction (SPCR) survey, London: Ministry of Justice

⁶¹⁵ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

⁶¹⁶ Senior, J., et al (2013) Health and social care services for older male adults in prison: the identification of current service provision and piloting of an assessment and care planning model, London: The Stationery Office

⁶¹⁷ Ibid.

⁶¹⁸ Cooney, F. and Braggins, J. (2010) Doing Time: Good practice with older people in prison – the views of prison staff, London: Prison Reform Trust

⁶¹⁹ Senior, J., et al (2013) Health and social care services for older male adults in prison: the identification of current service provision and piloting of an assessment and care planning model, London: The Stationery Office

⁶²⁰ Prison Reform Trust, information from NOMS Equality Group, 9 November 2011

Prisoners with learning disabilities and difficulties

Prisoners with learning disabilities or difficulties are discriminated against personally, systemically and routinely as they enter and travel through the criminal justice system. They are frequently excluded from elements of the prison regime including opportunities to address their offending behaviour.⁶²¹

Offending behaviour programmes are not generally accessible for people with an IQ below 80. There is a mismatch between the literacy demands of programmes and the skill level of many people in prison, which is particularly significant for speaking and listening skills.⁶²²

A joint inspection of the treatment of offenders with learning disabilities, published in 2015, found that improvements to services for this group have been limited and slow to implement; there was evidence that many prisons and probation trusts were either unaware of or unwilling to implement National Offender Management Service instructions and the Equality Act 2010, with probation and prison leaders often unaware of their statutory duty to make reasonable adjustments to services for people with a disability.

The Care Act 2014 places a duty on local authorities to assess the social care needs of prisoners and people living in probation hostels and, where eligible needs are identified, to provide the necessary care and support. In many areas, however, too little has been done to prepare for these new arrangements.

20–30% of people in prison are estimated to have learning disabilities or difficulties that interfere with their ability to cope with the criminal justice system.⁶²³ However, a recent joint inspectorate report found that the criminal justice system is currently failing to identify people with learning disabilities and difficulties adequately.⁶²⁴

7% of prisoners have an IQ of less than 70 and a further 25% have an IQ between 70–79.⁶²⁵

23% of children in custody have very low IQs of below 70, and a further 36% have an IQ between 70–80).⁶²⁶

60% of children who offend have difficulties with speech, language and communication, and half of this group have poor or very poor communication skills.⁶²⁷

25% of children in the youth justice system have identified special educational needs, 46% are rated as underachieving at school and 29% have difficulties with literacy and numeracy.⁶²⁸

21% of young people in custody surveyed for the Youth Justice Board reported that they had learning difficulties.⁶²⁹

621 Talbot, J. (2008) Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties, London: Prison Reform Trust

622 Home Office (2004) An evaluation of the literacy demands of general offending behaviour programmes, London: Home Office

623 Loucks, N. (2007) No One Knows: Offenders with Learning Difficulties and Learning Disabilities. Review of prevalence and associated needs, London: Prison Reform Trust

624 Criminal Justice Joint Inspection (2015) A joint inspection of the treatment of offenders with learning disabilities within the criminal justice system—phase two in custody and the community, London: HM Inspectorate of Probation

625 Mottram, P. G. (2007) HMP Liverpool, Styal and Hindley Study Report. Liverpool: University of Liverpool

626 Harrington, R., and Bailey, S. (2005) Mental health needs and effectiveness of provision for young offenders in custody and in the community. London: Youth Justice Board

627 Bryan, K. and Mackenzie, J. (2008) Meeting the speech, language and communication needs of vulnerable young children, London: RCSLT

628 Youth Justice Board (2006) Barriers to engaging in education, training and employment, London: YJB

629 Gyateng, T., et al. (2013) Young People and the Secure Estate: Needs and Interventions,

Dyslexia is three to four times more common amongst prisoners than the general population.⁶³⁰

The Youth Justice Board (YJB) and the Department of Health have jointly developed a Comprehensive Health Assessment Tool. The tool, which screens for learning disabilities, specific learning difficulties, communication difficulties, ADHD and autistic spectrum disorder, also has a section on neuro-disability.

While it is hoped that all Youth Offending Teams will adopt the new tool, the YJB is unable to mandate its use.⁶³¹

Most youth offending team staff believe that children with learning disabilities, communication difficulties, mental health problems, ADHD, and low levels of literacy who offend are more likely than children without such impairments to receive a custodial sentence.⁶³²

Youth offending team staff report that children with impairments and difficulties have problems understanding the consequences of failing to comply with court orders and what they need to do to successfully complete an intervention.⁶³³

London: Youth Justice Board

630 Rack, J. (2005) The Incidence of Hidden Disabilities in the Prison Population, Surrey: Dyslexia Institute

631 Provided by Youth Justice Board

632 Talbot, J. (2010) Seen and Heard: supporting vulnerable children in the youth justice system, London: Prison Reform Trust

633 Ibid.

Over 80% of prison staff say that information accompanying people into prison is unlikely to show that the presence of learning disabilities had been identified prior to their arrival. Once in prison there is no routine or systematic procedure for identifying prisoners with learning disabilities. Consequently the particular needs of such prisoners are rarely recognised or met.⁶³⁴

A learning disability screening tool, the LDSQ, was piloted in four prisons under the auspices of the Department of Health. The results, reported in March 2010, established that it was an effective tool for use in prisons. The tool has still not been made routinely available.⁶³⁵

HM Chief Inspector of Prisons has noted during inspections that a few prisons, including Rye Hill, had introduced the Learning Disability Screening Questionnaire (LDSQ), which was good practice.⁶³⁶

Over half of prison staff believe that prisoners with learning disabilities or difficulties are more likely to be victimised and bullied than other prisoners.⁶³⁷ Over half of such prisoners say they had been scared while in prison and almost half say they have been bullied or that people have been nasty to them.⁶³⁸

Many prisoners with learning disabilities or difficulties find it hard to access prison information; over two-thirds have problems reading prison information—this rises to four-fifths for prisoners with learning disabilities.⁶³⁹

Over two-thirds of prisoners with learning disabilities or difficulties have problems filling in prison forms—this rises to three-quarters for prisoners with learning disabilities. Consequently many miss out on things such as family visits and going to the gym, or get the wrong things delivered such as canteen goods.⁶⁴⁰

Over half of prisoners with learning disabilities or difficulties say they have problems making themselves understood in prison—this rises to more than two-thirds for those with learning disabilities. Over two-thirds experience problems in verbal comprehension skills, including difficulties understanding certain words and in expressing themselves.⁶⁴¹

Prisoners with learning disabilities or difficulties are more likely than other prisoners to have broken a prison rule, are five times as likely to have been subject to control and restraint techniques and over three times as likely to have spent time in segregation.⁶⁴²

Prisoners with learning disabilities or difficulties are more than three times as likely as prisoners without such impairments to have clinically significant depression or anxiety.⁶⁴³

Over half of prison staff are not confident that their prison has the skills and expertise to support this group of prisoners.⁶⁴⁴

Prison staff would like greater strategic and operational direction to assist their work with this group of prisoners.⁶⁴⁵

Lord Bradley's independent review of people with mental health problems or learning disabilities in the criminal justice system, The Bradley Report, was published in 2009.⁶⁴⁶

The report calls for all police custody suites and criminal courts to have access to liaison and diversion services. These services would work with criminal justice staff to identify people with mental health problems, learning disabilities and other support needs. Information gathered by liaison and diversion services will help inform disposal options including, where appropriate, diversion away from criminal justice into treatment and care.⁶⁴⁷

By April 2015 the government had invested £75m in liaison and diversion services at police stations and criminal courts, leading to 53% population coverage across England. Subject to successful evaluation, full roll out of services will be completed in 2017.⁶⁴⁸

To ensure the government's proposals for a national roll-out of liaison and diversion services across England are fully implemented, the Prison Reform Trust and the National Federation of Women's Institutes formed the *Care not Custody* coalition. As of September 2015 the coalition comprises 34 allied professional groups and charities representing almost two million people across the health, social care and justice sectors and wider civic society.

634 Talbot, J. (2007) No One Knows: Identifying and supporting prisoners with learning difficulties and learning disabilities: the views of prison staff, London: Prison Reform Trust

635 Department of Health (2010) LDSQ pilot evaluation report, London: Department of Health

636 HM Chief Inspector of Prisons (2012) Annual Report 2011-12, London: The Stationery Office

637 Talbot, J. (2007) No One Knows: Identifying and supporting prisoners with learning difficulties and learning disabilities: the views of prison staff, London: Prison Reform Trust

638 Talbot, J. (2008) Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties, London: Prison Reform Trust

639 Ibid.

640 Ibid.

641 Ibid.

An independent review found that “Significant progress has been made towards achieving the vision laid out in The Bradley Report. The Crisis Care Concordat, the National Liaison and Diversion Development Programme...and Street Triage pilots are considerable achievements”.⁶⁴⁹

However, it repeated Lord Bradley’s call for mental health and learning disability awareness training for all frontline criminal justice and health staff, which should be regularly updated.⁶⁵⁰

The Joint Committee on Human Rights noted that “people with learning disabilities may serve longer custodial sentences than others convicted of comparable crimes.” Responding to evidence submitted by the Prison Reform Trust, the committee went on to say that “this clearly [breaches] Article 5 ECHR (right to liberty) and Article 14 ECHR (enjoyment of ECHR rights without discrimination).”⁶⁵¹

In February 2010, a prisoner with learning disabilities who had served over twice his tariff was awarded a case for breach of the Disability Discrimination Act and for breach by the Secretary of State for Justice, for failing in his duties to take steps to enable the prisoner in question to undertake some type of offending behaviour work.⁶⁵²

Care not Custody coalition members

Action for Prisoners’ Families	NHS Confederation, Mental Health Network
The Advocacy Training Council	National Appropriate Adult Network
Association of Directors of Adult Social Services	National Federation of Women’s Institutes
Association of Members of Independent Monitoring Boards	Police Federation of England and Wales
Bar Council	Police Foundation
British Association for Counselling & Psychotherapy	POPS (Partners of Prisoners and Families Support Group)
Centre for Mental Health	Prison Governors Association
Office of the Children’s Commissioner	Prison Officers Association
Clinks	Prison Reform Trust
Criminal Bar Association	Rethink Mental Illness
Criminal Justice Alliance	Revolving Doors Agency
The Howard League for Penal Reform	Royal College of Nursing
KeyRing Living Support Networks	Royal College of Psychiatrists
The Law Society	Together: For Mental Wellbeing
Magistrates’ Association	Victim Support
Mencap	Women’s Breakout
Mind	Women in Prison

⁶⁴⁹ Durcan, G., et al. (2014) The Bradley report five years on: an independent review of progress to date and priorities for further development, London: Centre for Mental Health
⁶⁵⁰ Ibid.

⁶⁵¹ Joint Committee on Human Rights (2007-08) A life like any other? Human rights of adults with learning disabilities, London: The Stationery Office
⁶⁵² Gill v Secretary of State for Justice, available at <http://www.bailii.org/ew/cases/EWHC/Admin/2010/364.html>

Mental health

“Prison has become, to far too large an extent, the default setting for those with a wide range of mental and emotional disorders.”

Anne Owers, former HM Chief Inspector of Prisons

On 30 April 2009, Lord Bradley, a former Minister of State at the Home Office, published the findings of his independent review of people with mental health problems or learning disabilities in the criminal justice system, The Bradley Report.

According to the report there is insufficient data to identify how many individuals are remanded in custody pending a psychiatric report, how many are assessed as having a mental health problem, and how many are so unwell that they require transferring out of custody for treatment.

Lord Bradley called for adequate community alternatives to prison for vulnerable offenders, where appropriate. Lord Bradley’s review heard evidence that 2,000 prison places per year could be saved if a proportion of eligible, short-term prisoners who committed offences while experiencing mental health problems were given appropriate community sentences.

Lord Bradley further called for all police custody suites and criminal courts to have access to liaison and diversion services. These services will work with criminal justice staff to identify people with mental health problems, learning disabilities and other support needs, and help to ensure the necessary treatment and support for people as they pass through the justice system including, where appropriate, diversion into treatment and care. By April 2015 the government had invested £74m in liaison and diversion services, leading to 53% population coverage across England. Subject to successful evaluation, full roll out of services will be completed in 2017.

25% of women and 15% of men in prison reported symptoms indicative of psychosis.⁶⁵³
The rate among the general public is about 4%.⁶⁵⁴

10% of men and 30% of women have had a previous psychiatric admission before they entered prison.⁶⁵⁵

26% of women and 16% of men said they had received treatment for a mental health problem in the year before custody.⁶⁵⁶

58% of women entering prison and 35% of men said they had emotional well-being or mental health issues.⁶⁵⁷

Personality disorders are particularly prevalent among people in prison. 62% of male and 57% of female sentenced prisoners have a personality disorder.⁶⁵⁸

49% of women and 23% of male prisoners in a Ministry of Justice study were assessed as suffering from anxiety and depression. This compares with 16% of the general UK population (12% of men and 19% of women).⁶⁵⁹

⁶⁵³ Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice.

⁶⁵⁴ Wiles, N., et al. (2006) Self-reported psychotic symptoms in the general population, The British Journal of Psychiatry, 188: 519-526

⁶⁵⁵ Department of Health, Conference Report, Sharing Good Practice in Prison Health, 4/5 June 2007

⁶⁵⁶ Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

⁶⁵⁷ HM Chief Inspector of Prisons (2015) Annual Report 2014-15, London: The Stationery Office

⁶⁵⁸ Stewart, D. (2008) The problems and needs of newly sentenced prisoners: results from a national survey, London: Ministry of Justice

⁶⁵⁹ Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst

46% of women prisoners report having attempted suicide at some point in their lives. This is more than twice the rate of male prisoners (21%) and higher than in the general UK population (6%).⁶⁶⁰

According to the Department of Health, youth justice screening tools have tended to overlook the physical health problems and underestimate the rate of mental health problems of children who offend.⁶⁶¹

In 2011, 953 prisoners were transferred to National Health Service secure services.⁶⁶² The majority of transfers are to medium secure care.⁶⁶³

HM Chief Inspector of Prisons has noted that transfer times for patients accessing secure NHS facilities continued to improve over 2011–12 but in certain areas of the country, including London, they remain problematic. At the time of the inspection of Brixton, for example, 14 patients were awaiting transfer to NHS mental health beds, one of whom had been waiting over six months.⁶⁶⁴

prisoners, London: Ministry of Justice

⁶⁶⁰ Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

⁶⁶¹ HM Government (2009) Healthy Children, Safer Communities, London: Department of Health

⁶⁶² Hansard HL, 22 October 2012 cWA39

⁶⁶³ Hansard HL, 4 November 2010, c445W

⁶⁶⁴ HM Chief Inspector of Prisons (2012) Annual Report 2011-12, London: The Stationery Office

The Bradley Report recommended that the Department of Health introduce a new 14 day maximum wait to transfer prisoners with acute, severe mental illnesses to an appropriate health setting.⁶⁶⁵ Whilst there has been some progress in improving access to hospital care for prisoners requiring specialist treatment, the 14 day target has not been implemented and reform continues to be vital.⁶⁶⁶

An analysis of over 21,000 custody records in four police stations in cities in the East Midlands showed that an appropriate adult was used in only 38 instances (0.016%). Based on the most conservative extract of the rates of mental illness in the population, there should have been about 400 instances (1.9%), and on the more generous estimate 3,000 (14%).⁶⁶⁷ The Bradley Commission has since called for funding arrangements for Appropriate Adult schemes to be clarified.⁶⁶⁸

Only 30% of mental health in-reach team records looked at in 2009 by the Prisons Inspectorate recorded ethnicity, even though this is a minimum requirement within the NHS dataset.⁶⁶⁹

Black and minority ethnic groups are 40% more likely than average to access mental health services via a criminal justice system gateway.⁶⁷⁰

According to a Ministry of Justice self-report study amongst those who had been abused as a child, 28% reported having been treated/ counselled for a mental health/emotional problem in the year prior to custody compared with 12% of those who had not experienced abuse.⁶⁷¹

A study by University College London found that 40% of child sexual exploitation victims were involved in offending behaviour. 50% of the offending group had committed their first offence by 14 and 75% by 15, and that 70% of offenders reoffended, with one quarter committing 10 or more offences.⁶⁷²

HM Chief Inspector of Prisons has noted that patients with more complex mental health problems have good access to mental health staff, but services for patients with common mental health problems were less developed. In some prisons daytime therapeutic support services and access to counselling were limited.⁶⁷³

In 2014, the Bradley Commission repeated Lord Bradley's call for mental health and learning disability awareness training for all frontline criminal justice and health staff, which should be regularly updated.⁶⁷⁴

HM Inspectorate of Prisons found that the number of staff who had received mental health awareness training ranged from almost 90% to less than 10% of uniformed officers.⁶⁷⁵

In 2014–15 inspectors found that many prisons had gaps in primary mental health care, in particular, an absence of counselling services, as well as problems in transferring patients to mental health units within the current Department of Health guideline of 14 days.⁶⁷⁶

Prisoners considered to be experiencing anxiety and depression were more likely to be reconvicted than those who were not (59% compared with 50%) in the year after release from custody.⁶⁷⁷

In 2008, delegates at the National Federation of Women's Institutes annual conference voted overwhelmingly for a resolution to call a halt to the inappropriate imprisonment of people who are mentally ill.⁶⁷⁸

Following a three year campaign led by the National Federation of Women's Institutes, in partnership with the Prison Reform Trust, the government announced plans to establish a national service for the diversion of people who are mentally ill away from the justice system and into treatment and care. By April 2015 the government had invested £75m in liaison and diversion services at police stations and criminal courts, leading to 53% population coverage across England. Subject to successful evaluation, full roll out of services will be completed in 2017.⁶⁷⁹

665 Department of Health (2009) The Bradley Report, Lord Bradley's report on people with mental health problems or learning disabilities in the criminal justice system, London: Department of Health

666 Durcan, G., et al. (2014) The Bradley Report five years on: An independent review of progress to date and priorities for further development, London: Centre for Mental Health

667 Department of Health (2009) The Bradley Report, Lord Bradley's report on people with mental health problems or learning disabilities in the criminal justice system, London: Department of Health

668 Durcan, G., et al. (2014) The Bradley Report five years on: An independent review of progress to date and priorities for further development, London: Centre for Mental Health

669 HM Chief Inspector of Prisons (2009) Race relations in prison: responding to adult women from black and minority ethnic backgrounds, London: The Stationery Office

670 Department of Health (2009) The Bradley Report, Lord Bradley's report of people with mental health problems or learning disabilities in the criminal justice system, London: Department of Health

671 Ministry of Justice (2010) Compendium of reoffending statistics and analysis, London: Ministry of Justice

672 Cockbain, E. and Brayley, H. (2011) Briefing Document: CSE and Youth Offending, Jill Dando Institute of Security and Crime Science, London: UCL

673 HM Chief Inspector of Prisons (2012) Annual Report 2011-12, London: The Stationery Office

674 Durcan, G., et al. (2014) The Bradley Report five years on: An independent review of progress to date and priorities for further development, London: Centre for Mental Health

675 HM Inspectorate of Prisons (2014) Report of a review of the implementation of the Zahid Mubarek Inquiry recommendations, London: HMIP

676 HM Chief Inspector of Prisons (2015) Annual Report 2014-15, London: The Stationery Office

677 Ministry of Justice (2012) Estimating the prevalence of disability amongst prisoners: results from the Surveying Prisoner Crime Reduction (SPCR) survey, London: Ministry of Justice

678 The WI website, accessed on 16 October 2014, <http://www.thewi.org.uk/campaigns/current-campaigns-and-initiatives/care-not-custody/campaign-overview>

679 Department of Health website, accessed on 21 April 2015, <https://www.gov.uk/government/news/extra-funding-for-mental-health-nurses-to-be-based-at-police-stations-and-courts-across-the-country>

Safety in custody

There have been 2,731 deaths in prison custody between 2000 and 2014. Four in 10 were self-inflicted, over half were natural causes (55%) and there were 23 homicides.⁶⁸⁰

There were 243 deaths in custody in 2014, the highest number on record. Over a third were self-inflicted.⁶⁸¹

People in prison are more likely to die in prison than five years ago. More prisoners were murdered, killed themselves, self-harmed and were victims of assaults. There were more serious assaults and the number of assaults and serious assaults against staff also rose.⁶⁸²

Safety within adult male prisons were not good enough in more than half the prisons inspected in 2014–15. Around four in 10 men (42%) said they felt unsafe at some point whilst in custody.⁶⁸³

Inspectors have warned that the growing use of new and largely non-detectable psychoactive substances (NPS) is leading to problems such as violence, bullying, debt and medical emergencies requiring hospitalisation.⁶⁸⁴

Self-harm

Rates of self-harm have increased by 13% in the last two years. There were 25,775 self-harm incidents in 2014 with 1,749 requiring a hospital attendance.⁶⁸⁵

More than a quarter (28%) of self-harm incidents occurred within the first month of arriving in a prison—10% were during the first week.⁶⁸⁶

Women accounted for 26% of all self-harm incidents in 2014 despite representing just 5% of the total prison population. This has fallen sharply since 2011 when women accounted for nearly half of all incidents, and reflects rising incidents amongst men.⁶⁸⁷

Rates of self-harm amongst men have increased by more than a third (35%) over the last five years. Whilst rates for women have fallen over the last three years, they still remain significantly higher than for men.⁶⁸⁸

680 Table 1.1, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

681 Ibid.

682 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

683 Ibid.

684 Ibid.

685 Table 2.1, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

686 Table 2.5, Ibid.

687 Table 2.1, Ibid. and Table A1.2, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

688 Table 2.1, Ministry of Justice (2015) Safety in custody statistics quarterly update to March

An average week in prisons in England and Wales

- Four to five prisoners died.
- One or two of those deaths was self-inflicted—most using a ligature fixed to a bed or window.
- There were almost 500 self-harm incidents.
- There were over 300 assaults and more than 40 of them were serious. A blunt instrument or blade were the most common weapons.
- There were about 70 assaults on staff and nine of them were serious.

Source: HM Chief Inspector of Prisons (2015) Annual Report 2014–15

Many incidents reflect prolific self-harm by the same women. 6% of women self-harmed more than 20 times compared with 1% of men.⁶⁸⁹

Self-inflicted deaths

There were 84 self-inflicted deaths in prisons in England and Wales in 2014, the highest number since 2007.⁶⁹⁰ Three were women, and six were young adults aged 18–20.⁶⁹¹

The Prisons and Probation Ombudsman (PPO) has said “this reflects a rising toll of despair among some prisoners.”⁶⁹²

The rate of self-inflicted deaths amongst the prison population is 100 per 100,000 people—amongst the general population it’s 11.9 per 100,000 people.⁶⁹³

Most are white, single men and remand prisoners are also over-represented.⁶⁹⁴

21% of self-inflicted deaths in 2014 were by people held on remand, despite their comprising 14% of the prison population.⁶⁹⁵ Despite this, they are not currently defined as a group at particular risk by the National Offender Management Service.⁶⁹⁶

15% of self-inflicted deaths occurred within the first seven days in prison in 2014.⁶⁹⁷

2015, London: Ministry of Justice

689 Table 2.12, Ibid.

690 Table 1.1, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

691 Table 1.2 and 1.3, Ibid.

692 Prisons and Probation Ombudsman (2014) Annual report 2013–14, London: PPO

693 Table 1.1, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice and Office for National Statistics (2015) Suicides in the United Kingdom, 2013 Registrations, Newport: Office for National Statistics

694 Prisons and Probation Ombudsman (2014) Learning from PPO investigations: Risk factors in self-inflicted deaths in prisons, London: Prisons and Probation Ombudsman

695 Table 1.8, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice and Table A1.1, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

696 Prisons and Probation Ombudsman (2014) Learning from PPO investigations: Risk factors in self-inflicted deaths in prisons, London: Prisons and Probation Ombudsman

697 Table 1.7, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

People on the basic level of the Incentives and Earned Privileges (IEP) scheme account for a disproportionate number of self-inflicted deaths. They accounted for 8% of self-inflicted deaths in prison between 2007 and 2012 but represent only 2% of the prison population.⁶⁹⁸

Assessment, Care in Custody and Teamwork (ACCT) is a Prison Service-wide process for supporting and monitoring prisoners thought to be at risk of harming themselves.

Just a quarter (24%) were being monitored on an ACCT at the time of their death—indicating how few were recognised to be at risk.⁶⁹⁹

Five men took their own lives in segregation units during 2014–15—one was on an ACCT at the time.⁷⁰⁰

13% had attempted suicide in the prison in which they later died. Over a third (38%) were known to have either self-harmed or previously attempted suicide while in prison.⁷⁰¹

32 children have died in penal custody since 1990, only two were not self-inflicted.⁷⁰²

196 young adults (18–20) died in prison between 1990 and 2014—182 were self-inflicted.⁷⁰³

A fifth (20%) of 18–24 year olds were recorded as having experienced bullying from other prisoners in the month before their death—compared with 13% of other prisoners.⁷⁰⁴

A fifth (20%) of 18–24 year olds had moved cells in their last 72 hours. A move between wings can mean losing the support of a friendly cell mate or familiar faces on the wing.⁷⁰⁵

Two-thirds of 18–24 year olds had mental health needs, and 27% had previously been admitted for psychiatric care.⁷⁰⁶

Incidents in prison

The National Tactical Response Group, a specialist unit assisting in safely managing and resolving serious incidents in prisons responded to over 400 incidents in 2014–15.⁷⁰⁷

⁶⁹⁸ Prisons and Probation Ombudsman (2013) Learning Lessons Bulletin: Fatal incidents investigations issue 4, London: Prisons and Probation Ombudsman

⁶⁹⁹ Prisons and Probation Ombudsman (2014) Learning from PPO investigations: Risk factors in self-inflicted deaths in prisons, London: Prisons and Probation Ombudsman

⁷⁰⁰ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

⁷⁰¹ Ibid.

⁷⁰² Table 1.3, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

⁷⁰³ Ibid.

⁷⁰⁴ Prisons and Probation Ombudsman (2014) Learning lessons bulletin: Fatal incident investigations—Young adult prisoners, London: Prisons and Probation Ombudsman

⁷⁰⁵ Ibid.

⁷⁰⁶ Ibid.

⁷⁰⁷ National Offender Management Service (2015) Annual report and accounts 2014–2015,

Tornado teams, which provide emergency response to major incidents within prisons, were deployed on 15 occasions during 2014. Teams responded twice at Northumberland and Channings Wood.⁷⁰⁸

There were 2,025 incidents at height between April 2012 and March 2014. The majority took place within prison buildings, however 242 were external, i.e. on a prison roof.⁷⁰⁹

There were 205 prisoner-on-prisoner hostage incidents between January 2010 and May 2014. Hostage incidents have become more common, with a sharp rise in 2013.⁷¹⁰

There were 605 fire incidents in prison during the first six months of 2014.⁷¹¹

14 people were hospitalised following use of force by staff in 2014.⁷¹²

Assaults

Assaults are at the highest level they have ever been. There were nearly 16,200 assaults in prison during 2014—over three-quarters were prisoner on prisoner.⁷¹³

There has been a 35% increase in serious assaults in the last year alone. They now make up 13% of all assaults, the highest level recorded.⁷¹⁴

Around half of people (53%) who reported being physically assaulted by another prisoner did not report it to staff.⁷¹⁵

Death by natural causes

The number of deaths from natural causes has more than doubled since 2000. There were 141 deaths from natural causes in 2014—10 more than the year before and the highest rate since records began.⁷¹⁶

The average age of people dying from natural causes in prison between 2007 and 2010 was 56 years old—the youngest was aged 19 and the oldest 88. A large number people died aged between 35 and 54 (39% of all deaths).⁷¹⁷

London: Ministry of Justice

⁷⁰⁸ Ministry of Justice (2015) Deposited paper DEP2015-0350, London: House of Commons Library

⁷⁰⁹ Ministry of Justice (2015) Deposited paper DEP2015-0383, London: House of Commons Library

⁷¹⁰ Ibid.

⁷¹¹ Ministry of Justice (2015) Deposited paper DEP2015-0108, London: House of Commons Library

⁷¹² Ministry of Justice (2015) Deposited paper DEP2015-0435, London: House of Commons Library

⁷¹³ Table 3.8, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

⁷¹⁴ Ibid.

⁷¹⁵ Bruntton-Smith, I. and Hopkins, K. (2014) Prisoners' experience of prison and outcomes on release: Waves 2 and 3 of SPCR, London: Ministry of Justice

⁷¹⁶ Table 1.1, Ministry of Justice (2015) Safety in custody statistics quarterly update to March 2015, London: Ministry of Justice

⁷¹⁷ Prisons and Probation Ombudsman (2012) Learning from PPO investigations: Natural cause deaths in prison custody 2007–2010, London: Prisons and Probation Ombudsman

Disability and health

Disability and mobility needs within the prison population are both severe and commonplace. The House of Commons Justice Committee found that prisoners risk being isolated by a physical environment and regime which they cannot access. They recommended that older and disabled prisoners should no longer be held in institutions which are not able to meet their needs, or are unsuitable environments.

HM Inspectorate of Prisons found that prisoners with a disability continue to report reduced access to the prison regime—including education or vocational training, access to the library, gym, exercise and association—compared to prisoners without a disability.

The inspectorate also found that sometimes questionable security imperatives got in the way of making reasonable adjustments required by the Equality Act 2010. Concerns have also been raised that many disability liaison officers in prison lack sufficient time to develop work with people with a disability.

Since April 2013, NHS England became responsible for commissioning of all health services. Responsibility for commissioning offender health services lies with ten of the 27 area teams of NHS England. A National Partnership Agreement between NHS England and NOMS sets out a commitment and strategy for joint working. Healthcare is a devolved responsibility in Wales.

The Care Act means that local authorities now have a duty to assess and give care and support to people who meet the threshold for care and are in prisons and probation hostels in their area. However inspectors found that in many prisons too little had been done to prepare and plan for these new arrangements.

Disability

36% of prisoners are estimated to have a physical or mental disability—compared with 19% of the general population.⁷¹⁸

11% have a physical disability, 18% have a mental disability and 7% have both.⁷¹⁹

However, inspectors regularly found that disabled prisoners are not reliably identified.⁷²⁰

Over half of people with a disability said they felt ‘extremely alone’ during their first days in prison (55%)—compared with around a third (36%) of people without a disability.⁷²¹

They also felt more ‘worried and confused’ when they arrived (60%)—compared with 42% of people without a disability.⁷²²

Prisoners with disabilities are more negative about many key aspects of prison life.⁷²³

More than half of prisoners with a disability report feeling unsafe (55%)—46% said they’d been victimised by other prisoners.⁷²⁴

Two-fifths prisoners with a disability said they had been victimised by staff—a fifth said they were threatened or intimidated by staff (19%).⁷²⁵

One in ten prisoners with a disability reported being restrained by staff in the last six months.⁷²⁶

The needs of many requiring help or reasonable adjustments are not being met. The removal of Disability Liaison Officers in many prisons has also affected care.⁷²⁷

Prisoners with a disability are more likely to need help with a medical problem (35%)—compared with 10% of people without a disability.⁷²⁸

Prisoners with a disability are more likely to say they need help with a mental health or emotional problem (40%)—compared with 9% of people without a disability.⁷²⁹

A quarter of prisoners with a disability said they had harmed themselves at some point during their life (24%)—compared with 9% of people without a disability.⁷³⁰

40% of prisoners with a disability said they had attempted suicide at some point during their life—compared with 15% of people without a disability.⁷³¹

718 Ministry of Justice (2012) Estimating the prevalence of disability amongst prisoners: results from the Surveying Prisoner Crime Reduction (SPCR) survey, London: Ministry of Justice

719 Ibid.

720 HM Chief Inspector of Prisons (2015) Annual Report 2014-15, London: The Stationery Office

721 Ministry of Justice (2012) Estimating the prevalence of disability amongst prisoners: results from the Surveying Prisoner Crime Reduction (SPCR) survey, London: Ministry of Justice

722 Ibid.

723 HM Chief Inspector of Prisons (2015) Annual Report 2014-15, London: The Stationery Office

724 Ibid.

725 Ibid.

726 Ibid.

727 Ibid.

728 Ministry of Justice (2012) Estimating the prevalence of disability amongst prisoners: results from the Surveying Prisoner Crime Reduction (SPCR) survey, London: Ministry of Justice

729 Ibid.

730 Ibid.

731 Ibid.

People who said they had previously been in the armed forces were more likely to say they had a disability (36%)—compared with 21% who hadn't.⁷³²

Veterans were also more likely to say they were currently on medication—60% compared with 48%.⁷³³

Some prisons inspected in 2012–13 had made significant adaptations to their accommodation, and prisoners were used as paid carers and wheelchair pushers.⁷³⁴

15% of children held in Young Offender Institutions said they had a disability.⁷³⁵

Boys with disabilities were more likely to say they'd been victimised by other boys and felt unsafe at some time, including on their first night.⁷³⁶

Health

HM Inspectorate of Prisons found more good practice in health care than in other areas of prison life. However, improvements are undermined by restrictions to prison regimes and the unavailability of custody staff to provide supervision.⁷³⁷

More than three-quarters of women were on medication (77%) when they entered prison, compared with half of men.⁷³⁸

Only a quarter of men (27%) said it was easy to see a doctor.⁷³⁹

Approximately four times as many people in prisons smoke than in the general population.⁷⁴⁰

Smoking will be banned in all prisons in Wales from January 2016 and at four early adopter sites in England (HMPs Exeter, Channings Wood, Dartmoor and Erlestoke) from March.⁷⁴¹

Many more prisons have developed approaches to palliative care and the care of lifelong incapacitating illnesses. Inspectors saw good and caring practices in several prisons to ease the suffering of terminally ill patients and their relatives.⁷⁴²

⁷³² Ibid.

⁷³³ Ibid.

⁷³⁴ HM Chief Inspector of Prisons (2013) Annual Report 2012–13, London: The Stationery Office

⁷³⁵ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

⁷³⁶ Ibid.

⁷³⁷ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

⁷³⁸ Ibid.

⁷³⁹ Ibid.

⁷⁴⁰ Public Health England (2015) Health & justice report 2014, London: PHE

⁷⁴¹ Ministry of Justice website, accessed on 2 October 2015, available at <https://www.gov.uk/government/speeches/smoking-in-prisons>

⁷⁴² HM Chief Inspector of Prisons (2012) Annual Report 2011–12, London: The Stationery

However the Prisons and Probation Ombudsman found that care is not universally good. Over a quarter of prisoners in their sample of foreseeable deaths had no palliative care plan, support for families was variable, and greater efforts could have been made to obtain temporary or compassionate release to allow prisoners to die with dignity in the community.⁷⁴³

Only 28% of prisoners said they went to the gym three or more times a week. In some prisons, sessions were often cancelled because of staff shortages.

82% of boys (15–18) reported visiting the gym once or more a week.⁷⁴⁴

11% of men were assessed as malnourished at HMP Pentonville when they were admitted to the prison.⁷⁴⁵

A recent study in England found that 60% of young people in custody reported experiencing a traumatic brain injury—a finding consistent with others from around the world. It's estimated to affect around 8.5% of the population during their lifetime.⁷⁴⁶

Office

⁷⁴³ Prisons and Probation Ombudsman (2013) Learning from PPO Investigations: End of life care, London: Prisons and Probation Ombudsman

⁷⁴⁴ Figure 32, Kennedy, E (2013) Children and Young People in Custody 2012–13, London: HM Inspectorate of Prisons.

⁷⁴⁵ HM Chief Inspector of Prisons (2014) Report on an unannounced inspection of HMP Pentonville, London: HMIP

⁷⁴⁶ Williams, H. (2012) Repairing shattered lives: Brain injury and its implications for criminal justice, London: Barrow Cadbury Trust

Drugs and alcohol

Drugs

14% of men and women in prison were serving sentences for drug offences. The majority were trafficking offences, however nearly 400 people were there for possession.⁷⁴⁷

66% of women and 38% of men in prison report committing offences in order to get money to buy drugs. 48% of women prisoners said they committed their offence to support the drug use of someone else, compared to 22% of men.⁷⁴⁸

Two-thirds (64%) of prisoners reported having used drugs in the four weeks before custody.⁷⁴⁹

Half of women (49%) and 29% of men in prison reported needing help with a drug problem when entering prison.⁷⁵⁰

Rates of heroin, cocaine or crack use were higher (44% to 35%) for prisoners sentenced to less than one year than those serving longer terms.⁷⁵¹

People who had been taken into care as a child were more likely to have used drugs in the past year (84%)—compared with 67% of people not taken into care.⁷⁵²

Prisoners were also more likely to have taken drugs in the past year if they had experienced abuse as a child (80%)—compared with 67% of people who hadn't.⁷⁵³

More than a third (36%) of men reported that it was easy to get drugs in their prison.⁷⁵⁴

Almost one in five (19%) people who had ever used heroin reported first using it in prison.⁷⁵⁵

Incidents where a visitor was arrested on suspicion of smuggling drugs into prisons fell by 37% between 2008–09 and 2013–14.⁷⁵⁶

All prisoners are subject to random mandatory drug tests (MDTs). In 2014–15, 7% of the prison population tested positive from random mandatory drug tests.⁷⁵⁷

747 Table A1.4i, Ministry of Justice (2015) Offender management statistics, Prison population 2015, London: Ministry of Justice

748 Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

749 Ibid.

750 Ibid.

751 Stewart, D. (2008) The problems and needs of newly sentenced prisoners: results from a national survey, London: Ministry of Justice

752 Ministry of Justice (2010) Compendium of reoffending statistics and analysis, London: Ministry of Justice

753 Ibid.

754 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

755 Ministry of Justice (2010) Compendium of reoffending statistics and analysis, London: Ministry of Justice

756 Hansard HC, 3 May 2011, c628W and Hansard HC, 7 January 2015, written question 219262

757 Ministry of Justice (2015) National Offender Management Service Annual Report 2014/15:

Inspectors have said that MDT is a poor indicator of illicit drug use as it doesn't detect new psychoactive substances (NPS) or most commonly abused prescription medicines.⁷⁵⁸

Diverted prescription medication is reported in the majority of prisons inspected. It can result in drug debts, bullying, unknown interactions with other prescribed drugs and the risk of overdose.⁷⁵⁹

An average of 7% of adult prisoners said they had developed a problem with diverted medication in their current prison.⁷⁶⁰

Inspectors have warned that growing use of NPS is leading to bullying, debt and medical emergencies requiring hospitalisation.⁷⁶¹

There have been reports of prisoners, including at least one case where a man died, being given 'spiked' cigarettes by others who wanted to test new batches as a way of gauging the effect before taking it themselves.⁷⁶²

Use of new psychoactive substances is not as widespread in women's prisons as men's.⁷⁶³

37% of women and 25% of men reported attending an accredited drugs programme whilst in prison—52% of women and 33% of men reported receiving some form of addiction treatment whilst in prison.⁷⁶⁴

31% of people in prison receiving treatment for opioid addiction were on a detox programme. Many people are not eligible to complete a structured drug treatment programme as their time in custody is not long enough.⁷⁶⁵

Men are 29 times more likely to die during the week following release than the general population, while women are 69 times more likely to die. 59% of deaths were found to be drug related.⁷⁶⁶

Reconviction rates more than double for people who reported using drugs in the four weeks before custody compared with people who had never used drugs (62% compared with 30%).⁷⁶⁷

Management Information Addendum, London: Ministry of Justice

758 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

759 HM Chief Inspector of Prisons (2012) Annual Report 2011–12, London: The Stationery Office

760 HM Chief Inspector of Prisons (2013) Annual Report 2012–13, London: The Stationery Office

761 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

762 Prisons and Probation Ombudsman (2015) Learning lessons bulletin: New psychoactive substances, London: PPO

763 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

764 Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

765 Hansard HC, 5 January 2015, written question 219264

766 Farrell, M. and Marsden, J. (2005) Drug-related mortality among newly released offenders 1998 to 2000, Home Office online report 40/05, London: Home Office

767 Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst

Drug treatment programmes in prison were associated with a 26% reduction in criminal behaviour.⁷⁶⁸

Longer-sentenced prisoners on an accredited programme to address offending behaviour and reduce drug or alcohol use were more likely to be in employment shortly after release—34% compared with 25% who were not.⁷⁶⁹

People receiving residential drug treatment are 43% less likely to reoffend on release than comparable people sent to prison.⁷⁷⁰

Men who return to live with their partners are less likely to relapse or reoffend.⁷⁷¹ But the opposite is true for women—they are more likely to be in relationships with partners who use drugs, commit crime and trigger relapse and reoffending.⁷⁷²

Alcohol

In more than half (53%) of all violent crimes the victim believed the offender or offenders to be under the influence of alcohol.⁷⁷³

70% said they had been drinking when they committed the offence for which they were in prison. 38% of people surveyed in prison believed that their drinking was a big problem.⁷⁷⁴

Considerably higher proportions of women than men said they had a problem with alcohol (30% against 19%) on arrival into prison.⁷⁷⁵

Of prisoners who reported drinking in the last year, more men (87%) reported drinking alcohol in the four weeks before custody than women (75%).⁷⁷⁶

A third (32%) of those who reported drinking in the four weeks before custody, said they drank on a daily basis⁷⁷⁷—compared with 16% of men and 10% of women in the general population.⁷⁷⁸

Men and women prisoners who reported drinking daily, drank an average of 20 units per day.⁷⁷⁹ This is equivalent to drinking two bottles of wine or 10 pints of beer in a single day.⁷⁸⁰

54% of surveyed prisoners with alcohol problems also reported a problem with drugs.⁷⁸¹

44% said they had emotional or mental health issues in addition to their alcohol problems—this was especially pronounced among women surveyed.⁷⁸²

Almost a third (32%) of the prisoners who said that they had a family member with an alcohol problem drank every day in the four weeks prior to custody.⁷⁸³

Inspectors found that services for alcohol users are very limited, particularly for those who do not also use illicit drugs.⁷⁸⁴

58% of people surveyed said they had been offered support for their alcohol problems inside prison. However, only 22% found this support ‘very helpful’.⁷⁸⁵

Women were less aware of support for their alcohol problems. 27% of women had no knowledge of support available compared to 23% of men and fewer reported being offered help (42% of women compared with 60% of men).⁷⁸⁶

Only 40% of people surveyed were informed of help available for their drinking problems on release.⁷⁸⁷

People who drank daily before custody are more likely to be reconvicted within a year (62%)—compared with people who drank less (49%).⁷⁸⁸

According to the Home Office, in 2009 misuse of alcohol and irresponsible drinking results in economic and social costs in the region of £12–18 billion per year.⁷⁸⁹

Children who have begun binge drinking by the age of 16 are 90% more likely to have criminal convictions by the age of 30.⁷⁹⁰

prisoners, London: Ministry of Justice

768 National Offender Management Service (2010) What works with offenders who misuse drugs?, London: Ministry of Justice

769 Table 4.9, Brunton-Smith, I. and Hopkins, K. (2014) The impact of experience in prison on the employment status of longer-sentenced prisoners after release, London: Ministry of Justice

770 Matrix Knowledge Group (2007) The economic case for and against prison, London: Matrix Knowledge Group

771 Walitzer, K. and Dearing, R. (2006) Gender differences in alcohol and substance misuse relapse. Clinical Psychology Review, 26, cited in Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

772 Hollin, C. R. and Palmer, E. J. (2006) Criminogenic need and women offenders: a critique of literature. Legal and Criminological Psychology, 11, and, Hser, Y. I., Huang, D., Teruya, C. and Anglin, M. D. (2003) Gender comparisons of drug abuse treatment outcomes and predictors. Drug and Alcohol Dependence, 72(3), cited in Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

773 Table 3.10, Office for National Statistics (2015) Crime Statistics, Focus on Violent Crime and Sexual Offences, 2013/14—Violence, London: Home Office

774 Alcohol and Crime Commission (2014) The Alcohol and Crime Commission Report, London: Addaction

775 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

776 Light, M., et al. (2013) Gender differences in substance misuse and mental health amongst prisoners, London: Ministry of Justice

777 Ibid.

778 Ibid.

779 Ibid.

780 NHS website, accessed on 28 August 2015, available at <http://www.nhs.uk/Livewell/alcohol/Pages/alcohol-units.aspx>

781 HM Chief Inspector of Prisons (2010) Alcohol services in prisons: an unmet need, London: The Stationery Office

782 Ibid.

783 Ministry of Justice (2010) Compendium of reoffending statistics and analysis, London: Ministry of Justice

784 Ibid.

785 Alcohol and Crime Commission (2014) The Alcohol and Crime Commission Report, London: Addaction

786 Ibid.

787 Ibid.

788 Ministry of Justice (2010) Compendium of reoffending statistics and analysis, London: Ministry of Justice

789 Home Office (2009) Home Office Departmental Report 2009, London: The Stationery Office

790 Viner, R. M. and Taylor, B. (2007) Adult outcomes of binge drinking in adolescence: findings from a UK national birth cohort, J Epidemiol Community Health 2007; 61

Housing and employment

Entitlement to housing benefit stops for all sentenced prisoners expected to be in prison for more than 13 weeks. This means that many prisoners have very little chance of keeping their tenancy open until the end of their sentence and lose their housing.

Local authorities have a statutory duty to assist homeless and vulnerable ex-offenders in some circumstances. However, changes introduced by the Localism Act 2011 mean that authorities have more discretion to exclude certain applicants from their housing registers.

All people leaving prison are required to declare their criminal convictions, when asked, for a set period of time determined by the length of their sentence. Anyone who has served a sentence of more than four years has to declare this for the rest of their lives.

For many people, having a criminal conviction is a barrier to leading a successful 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 Legal Aid, Sentencing and Punishment of Offenders Act 2012 reformed the ROA 1974. Previously, only custodial sentences of up to 30 months were allowed to become ‘spent’ following a rehabilitation period, this is now up to four years. The length of time that fines, community orders and short custodial sentences become ‘spent’ was also significantly reduced.

An independent group was established to review the Rehabilitation of Offenders Act. Its 2002 report *Breaking the Circle* recommended that consideration be given to the development of criteria to identify young offenders convicted of minor and non-persistent crime so that their records may be wiped clean for the purposes of employment at age 18—however this was never developed further.

Housing

15% of newly sentenced prisoners reported being homeless before custody—9% were sleeping rough.⁷⁹¹

12% of prisoners depend on housing benefit to help with their rent before they enter custody.⁷⁹²

37% of prisoners said they needed help with their accommodation on release—only 22% reported getting it.⁷⁹³

11% of people released from custody in 2014–15 had no settled accommodation.⁷⁹⁴ However, inspectors have said that figures collated by prisons are “misleading” as “they do not take into account the suitability or sustainability of the accommodation.”⁷⁹⁵

One in five people (20%) said they had no accommodation to go to on release—15% reported being homeless shortly after release.⁷⁹⁶

57% of people reported living with immediate family shortly after release.⁷⁹⁷

People who lived with family were less likely to reoffend within one year (48% compared with 61%).⁷⁹⁸

People reporting they would be homeless or living in temporary accommodation had a higher chance of reoffending. Two-thirds went on to reoffend, compared with around half (51%) who were not.⁷⁹⁹

60% of people said that having a place to live would help them stop reoffending.⁸⁰⁰

People who had been in their accommodation for less than a year were also more likely to be reconvicted than those who had been in their accommodation longer—52% compared to 43% in the first year and 67% compared to 57% in the second year after release.⁸⁰¹

Nearly half (46%) of homeless people surveyed said they had been in prison or a young offender institution.⁸⁰²

⁷⁹¹ Ministry of Justice (2012) Accommodation, homelessness and reoffending of prisoners, London: Ministry of Justice

⁷⁹² Stewart, D. (2008) The problems and needs of newly sentenced prisoners: results from a national survey, London: Ministry of Justice

⁷⁹³ Brunton-Smith, I. and Hopkins, K. (2014) Prisoners' experience of prison and outcomes on release: Waves 2 and 3 of SPCR, London: Ministry of Justice

⁷⁹⁴ Table 15, Ministry of Justice (2014) NOMS Annual Report 2013/14: Management Information Addendum, London: Ministry of Justice

⁷⁹⁵ Criminal Justice Joint Inspection (2014) Resettlement provision for adult offenders: Accommodation and education, training and employment, London: HMIP

⁷⁹⁶ Brunton-Smith, I. and Hopkins, K. (2014) Prisoners' experience of prison and outcomes on release: Waves 2 and 3 of SPCR, London: Ministry of Justice

⁷⁹⁷ Brunton-Smith, I. and Hopkins, K. (2014) The factors associated with proven re-offending following release from prison: findings from Waves 1 to 3 of SPCR, London: Ministry of Justice

⁷⁹⁸ Ibid.

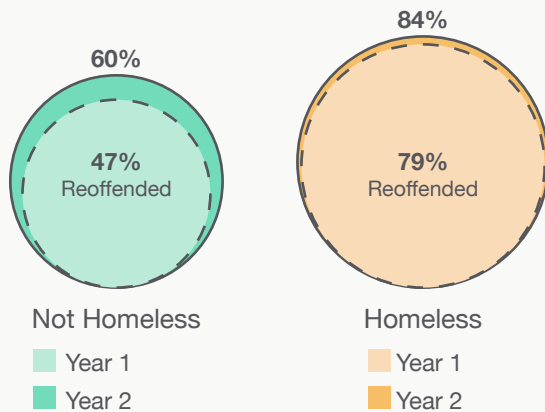
⁷⁹⁹ Ibid.

⁸⁰⁰ Ministry of Justice (2012) Research Summary 3/12, Accommodation, homelessness and reoffending of prisoners, London: Ministry of Justice

⁸⁰¹ Ibid.

⁸⁰² Fitzpatrick, S. et al. (2010) Multiple exclusion homelessness across the UK: A quantitative survey, London: Heriot-Watt University

Homelessness significantly increases the risk of reoffending on release



Source: MoJ Accommodation, homelessness and reoffending of prisoners

A lack of accommodation can severely hinder former prisoners' chances of finding employment. Almost a quarter of employers would not consider employing a homeless person.⁸⁰³

Getting people into stable housing can act as a gateway to effective resettlement. People who have accommodation arranged on release are four times more likely to have employment, education or training arranged than those who don't.⁸⁰⁴

Employment

A third (32%) of people reported being in paid employment in the four weeks before custody – 13% reported never having had a job.⁸⁰⁵

Nearly two-fifths (37%) didn't expect to return to their job upon release.⁸⁰⁶

People who reported being employed at some point in the year before custody were less likely to be reconvicted in the year after release than those who weren't (40% compared with 65%).⁸⁰⁷

People who got P45 employment during the year after release were less likely to reoffend. Rates were 9% lower for those with sentences under a year, and 6% lower for those with longer sentences.⁸⁰⁸

Fewer than three in 10 people (29%) said they would have a job to go to on release.⁸⁰⁹

48% of prisoners reported needing help with finding a job on release, with 34% reporting needing a lot of help.⁸¹⁰

Just over a quarter (27%) of people had a job on release from prison.⁸¹¹

However women are often inadequately prepared for release from prison. Just 8.5% of women leaving prison entered employment. For men the proportion was 26.2%.⁸¹²

68% of prisoners thought that 'having a job' was important in stopping reoffending.⁸¹³

Relatively few prisoners knew who to contact for help in finding a job. With the exception of open prisons, between 43% and 52% of prisoners believed they would have problems finding a job on release.⁸¹⁴

Only 12% of employers surveyed said that they had employed somebody with a criminal record in the past three years.⁸¹⁵

One in five employers (19%) said they excluded or were likely to exclude them from the recruitment process.⁸¹⁶

Fewer fathers were employed on release (34%) compared to before prison (55%) – their income had also fallen by over £100 per week.⁸¹⁷

Nearly 80% of people released from prison in 2010–11 made at least one benefit claim during that period. They were most likely to claim Jobseeker's Allowance, with 62% making at least one claim at some point.⁸¹⁸

Just 13% of people leaving prison and referred to the Work Programme have found a job which they have held for six months or more.⁸¹⁹ Of these, more than one in five has subsequently gone back to Jobcentre Plus.⁸²⁰

803 Citizens Advice (2007) Locked Out: CAB evidence on prisoners and ex-offenders, London: Citizens Advice

804 Niven, S. and Stewart, D. (2005) Resettlement outcomes on release from prison, Home Office Findings 248, London: Home Office; Home Office (2001) Jobs and Homes – a survey of prisoners nearing release, Findings 173, London: Home Office

805 Ministry of Justice (2012) The pre-custody employment, training and education status of newly sentenced prisoners, London: Ministry of Justice

806 Ibid.

807 Ministry of Justice (2012) The pre-custody employment, training and education status of newly sentenced prisoners, London: Ministry of Justice

808 Ministry of Justice (2013) Analysis of the impact of employment on re-offending following release from custody, using propensity score matching, London: Ministry of Justice

809 Brunton-Smith, I. and Hopkins, K. (2014) Prisoners' experience of prison and outcomes on release: Waves 2 and 3 of SPCR, London: Ministry of Justice

810 Ministry of Justice (2012) The pre-custody employment, training and education status of newly sentenced prisoners, London: Ministry of Justice

811 Table 8, Ministry of Justice (2015) National Offender Management Service annual report 2014/15: Management Information Addendum, London: Ministry of Justice

812 Table 2, Ministry of Justice (2013) NOMS Offender equalities annual report 2012–13, London: Ministry of Justice

813 Ministry of Justice (2012) The pre-custody employment, training and education status of newly sentenced prisoners, London: Ministry of Justice

814 HM Chief Inspector of Prisons (2011) Annual Report 2010–11, London: The Stationery Office

815 Chartered Institute of Personnel and Development (2010) Disadvantaged Groups in the Labour Market, London: CIPD

816 Ibid.

817 Losel, F. et al. (2012) Risk and protective factors in the resettlement of imprisoned fathers with their families, Cambridge: University of Cambridge and Ormiston

818 Ministry of Justice (2014) Experimental statistics from the 2013 MoJ/DWP/HMRC data share: Linking data on offenders with benefit, employment and income data, London: Ministry of Justice

819 Table 2.8, Department for Work and Pensions (2015) Work Programme official statistics to March 2015, London: DWP

820 Department for Work and Pensions Tabulation Tool, accessed on 29 April 2015, available

Education and skills

Nearly half (47%) of prisoners report having no qualifications. This compares to 15% of the working age general population.⁸²¹

One in five prisoners report needing help with reading and writing or numeracy. Around two in five need help with education and improving work-related skills.⁸²²

People in prison have similar levels of GCSE grades A–C to the general population—however this may be due to people undertaking education whilst in prison. Around 5% are educated to a level higher than A-levels, and approximately 3% have university degrees.⁸²³

42% of people in prison said they had been expelled or permanently excluded from school.⁸²⁴

Purposeful activity includes education, work and other activities to aid rehabilitation whilst in prison.

However, purposeful activity outcomes are at the lowest level inspectors have ever recorded—they were only good or reasonably good in around a quarter of prisons.⁸²⁵

Only 16 of the 42 men's prisons inspected in 2014–15 had sufficient activity places for their population. Those that were available were often badly used due to a combination of staff shortages, poor allocation processes and the failure of staff to challenge non-attendance.⁸²⁶

Ofsted inspectors found improved teaching, learning and assessment in every type of education provider, apart from in prisons, in the 2013–14 academic year.⁸²⁷

Offenders' Learning and Skills Service

The total Offenders' Learning and Skills Service (OLASS) budget for prisons in England in 2014–15 was £145.7m—this includes £14m for the National Careers Service.⁸²⁸

95,300 people began an OLASS funded course whilst in prison during 2013–14. 79,700 achieved at least one qualification—17% higher than the year before.⁸²⁹

at http://tabulation-tool.dwp.gov.uk/WorkProg/wp_cuml_jo/payment_group/completed/a_cnjo_r_payment_group_c_completed_mar15.html

821 Ministry of Justice (2012) The pre-custody employment, training and education status of newly sentenced prisoners, London: Ministry of Justice

822 Ibid.

823 Ibid.

824 Ministry of Justice (2010) Compendium of reoffending statistics and analysis, London: Ministry of Justice

825 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

826 Ibid.

827 Ofsted (2014) The report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2013/14 Further education and skills, London: Ofsted

828 Department for Business, Innovation and Skills (2015) Freedom of Information request: Prisoner education, 24 February 2015, London: BIS

829 Table 7.1 and 7.2, Skills Funding Agency (2015) Further education and skills: learner

The government has introduced mandatory assessment of maths and English attainment for all prisoners entering prison.⁸³⁰

Nearly a third (31%) of people who were assessed said they had a learning difficulty or disability in the first nine months of the 2014–15 academic year.⁸³¹

The number of people achieving an entry level English or Maths qualification in prison increased by 52% and 22% respectively between the 2011–12 and 2013–14 academic years.⁸³²

However, the number of people achieving level 1 or 2 qualifications (GCSE level) during the same period has plummeted—falling by 39% in English and 33% in Maths.⁸³³

Only 600 people achieved a level 3 qualification (AS and A Level) in the 2013–14 academic year, just over half the number the year before.⁸³⁴

Prisoners are now required to take out, and then repay, Tuition Fee loans if they want to take part in Higher Education courses.⁸³⁵ People aged over 24 also no longer have access to free education at level 3 or above.

Lifers serve many years before becoming eligible to take out a loan. Prisoners are only eligible to take out a loan if their earliest release date is within six years of the start of their course, with the sentence tariff determining that point for lifers.⁸³⁶

Many people are studying for qualifications below what they already have. 43% of prisoners with a previous degree and 41% of prisoners with A-levels took level 1 qualifications whilst there, whilst 70% with a previous degree and 68% with A-levels took qualifications at level 2.⁸³⁷

The number of prisoners studying for an Open University degree has fallen by 37% since 2010.⁸³⁸

participation, outcomes and level of highest qualification data tables, London: SFA
830 National Offender Management Service (2014) Annual Report and Accounts 2013/14, London: Ministry of Justice and HC Hansard, 6 May 2014, c84W

831 Skills Funding Agency (2015) OLASS English and maths assessments: participation 2014/15, London: SFA

832 Skills Funding Agency (2015) OLASS: participation and achievement by equality and diversity & English and maths Level: 2010/11 to 2013/14, London: SFA

833 Ibid.

834 Table 7.2, Skills Funding Agency (2015) Further education and skills: learner participation, outcomes and level of highest qualification data tables, London: SFA

835 Department for Business, Innovation and Skills (2015) Freedom of Information request: Prisoner education, 24 February 2015, London: BIS

836 HM Prison Service (2012) PSI 32/2012 Open University, Higher Education and Distance Learning, London: Ministry of Justice

837 Taylor, C (2014) Brain Cells: Third Edition, Surrey: Prisoners' Education Trust

838 Allison, E. and Sloan, A. (2015), Prison education still at the back of the class, as Gove takes new course, Guardian online, available at <http://www.theguardian.com/education/2015/aug/04/michael-gove-prison-education-justice-secretary-jail>

More than half (53%) of prisons reported on in 2013–14 were judged as requiring improvement or inadequate for leadership and management of learning and skills and work activities. In these prisons, education and training had little impact on supporting prisoners' progression to sustained employment or training on release.⁸³⁹

Ofsted found that “very few prisoners are getting the opportunity to develop the skills and behaviours they need for work.”⁸⁴⁰

Ofsted said “the most effective provision was vocational training where the prison worked in close partnership with employers.”⁸⁴¹

Inspectors have raised concerns that opportunities for life sentenced prisoners have significantly reduced—with an emphasis on providing vocational training within the last two years of any sentence.⁸⁴²

Over 100 prisons in England & Wales have Virtual Campus, a secure IT platform which provides education, training and employment resources to people in prison.⁸⁴³ However, most people surveyed said that access and support was poor; 83% said it is not easily accessible within their prison and 87% said that prison staff did not support and encourage prisoners to use it.⁸⁴⁴

Nearly three-quarters (74%) of prison governors and managers surveyed agreed that prisoners should have access to the internet.⁸⁴⁵

72% of prisoners surveyed said that their learning would've been easier with better access to a computer for word processing. 71% said that access to e-learning for online courses and resources would have helped.⁸⁴⁶

Outcomes

Reoffending rates are higher for people expelled or permanently excluded from school—with 63% reconvicted within a year compared with 44% for those who weren't.⁸⁴⁷

People are less likely to reoffend if they have a qualification—45% were reconvicted within a year compared with 60% with no qualifications.⁸⁴⁸

Prisoners' Education Trust provide grants to fund educational courses or learning materials. The Ministry of Justice found that one year reoffending rates were a quarter lower (six to eight percentage points) for people who were awarded grants than those in a matched group who did not.⁸⁴⁹

People who had vocational training in prison were more likely to get a job shortly after release.⁸⁵⁰

Fewer than one in six people (16%) released from prison went into education and training.⁸⁵¹

Children and young adults

The educational background of children in custody is poor—almost nine out of 10 boys (88%) said they had been excluded from school.⁸⁵²

Almost two-fifths (38%) of children in custody said that they were aged 14 or younger when they were last at school.⁸⁵³

New education contracts in YOIs began in March 2015 with the aim of providing 30 hours of education per week.⁸⁵⁴ The government acknowledged in 2013 that they spend on average just 12 hours a week in education.⁸⁵⁵

75% of boys said they were taking part in education, 30% a job, 20% said they were in offending behaviour programmes and 14% that they were taking part in vocational or skills training.⁸⁵⁶

21% of children in custody surveyed for the Youth Justice Board reported that they had learning difficulties.⁸⁵⁷

newly sentenced prisoners, London: Ministry of Justice

849 Ministry of Justice (2013) Justice Data Lab Re-offending Analysis: Prisoners' Education Trust, London: Ministry of Justice

850 Brunton-Smith, I. and Hopkins, K (2014) The impact of experience in prison on the employment status of longer-sentenced prisoners after release, London: Ministry of Justice

851 Table 11, Ministry of Justice (2015) National Offender Management Service annual report 2014-15: Management information addendum, London: Ministry of Justice

852 Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

853 Ibid.

854 Youth Justice Board (2015) Annual Report and Accounts 2015/15, London: Youth Justice Board

855 Hansard HL, 10 December 2013, 110WA and Ministry of Justice website, accessed on 26 August 2014, <https://www.gov.uk/government/news/young-criminals-must-be-punished-but-education-is-the-cure>

856 Prime, R. (2014) Children in Custody 2013–14, London: HM Inspectorate of Prisons and Youth Justice Board

857 Gyateng, T., et al. (2013) Young People and the Secure Estate: Needs and Interventions, London: Youth Justice Board

839 Ofsted (2014) The report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2013/14 Further education and skills, London: Ofsted

840 Ofsted (2013) The report of Her Majesty's Chief Inspector of Education, Children's Services and Skills: Further education and Skills 2012/13, London: Ofsted

841 Ibid.

842 Criminal Justice Joint Inspection (2013) A Joint Inspection of Life Sentenced Prisoners, London: HM Inspectorate of Probation

843 Champion, N. and Edgar, K. (2013) Through the Gateway: How computers can transform rehabilitation, London: Prison Reform Trust

844 Taylor, C (2014) Brain Cells: Third Edition, Surrey: Prisoners' Education Trust

845 Champion, N. and Edgar, K. (2013) Through the Gateway: How computers can transform rehabilitation, London: Prison Reform Trust.

846 Taylor, C (2014) Brain Cells: Third Edition, Surrey: Prisoners' Education Trust

847 Ministry of Justice (2010) Compendium of reoffending statistics and analysis, London: Ministry of Justice

848 Ministry of Justice (2012) The pre-custody employment, training and education status of

Financial exclusion

In order to develop skills and prepare people for their release, a few prisoners are employed in industrial workshops across the prison estate, engaged in a wide range of activity from printing to commercial laundry, textile production, manufacturing and distribution. Some prisoners are also employed in support of the prison, including in the kitchens and doing domestic work.

Some prisoners, subject to a full risk assessment, are able to prepare for their release by going to work or volunteer in the community whilst on release on temporary licence. The Prisoners' Earnings Act 1996 enables prison governors to impose a levy of up to 40% on wages over £20 per week (after tax, national insurance, any court ordered payments and any child support payments) of prisoners working in the community. Amounts raised by the levy are currently directed to Victim Support.

Some organisations provide training and apprenticeship opportunities to people in prison which aim to give them real work experience and skills to assist them in getting a job on release.

In 2011 the Prison Reform Trust published *Time Well Spent*, which examined what opportunities were already available and what else could be done to enable prisoners to take greater responsibility whilst in prison. It concluded that there was considerable scope to develop more opportunities for peer-support.

This includes acting as prisoner representatives; helping people to learn to read and write; listening and providing support to people who are struggling in prison; and helping with accommodation and resettlement needs. These types of active citizenship allow people in prison to take greater responsibility and learn new skills which will assist them on release.

In prison

A Cabinet Office study found that 28% of women offenders' crimes were financially motivated, compared to 20% of men's.⁸⁵⁸

Although less than a third of prisoners were unsure about managing their money, more than half were unsure, or very unsure, about dealing with banks.⁸⁵⁹

A third of prisoners reported that they did not have a bank account; of whom 31% had never had one.⁸⁶⁰

UNLOCK has helped to set up 74 prison banking programmes, with 114 prisons having links with a high-street bank.⁸⁶¹

Almost three-quarters (72%) of people interviewed said they had not been asked about their finances whilst in prison.⁸⁶²

Only 5% of people said they had been asked how their families would cope financially while in prison.⁸⁶³

Two-thirds of families said their debts had increased since the imprisonment of their relative. The same proportion of former prisoners felt that their debts had worsened during their sentence.⁸⁶⁴

More than half of people in prison said that they had been rejected for a bank loan and 8% said they had tried to borrow from a loan shark (a rate over 10 times higher than the average UK household).⁸⁶⁵

On release

Almost three-quarters of prisoners surveyed said finance, benefits and debt were a very significant need on release—second only to accommodation.⁸⁶⁶

Main debts included social fund loans, court fines, debts to families and friends, catalogue or mobile phone companies, and rent. Debts were often made worse by time in prison, for example when direct debts were not stopped or when tenancies were not closed.⁸⁶⁷

Between one-fifth and one-third of prisoners surveyed by inspectors believed they would experience difficulties with their finances and claiming benefits after release.⁸⁶⁸

⁸⁵⁸ Cabinet Office Social Exclusion Task Force (2009) *Short Study on Women Offenders*, London: Cabinet Office

⁸⁵⁹ Bath, C. and Edgar, K. (2010) *Time is Money: Financial responsibility after prison*, London: Prison Reform Trust

⁸⁶⁰ Ibid.

⁸⁶¹ UNLOCK (2014) *Unlocking Banking: Developing effective, efficient & secure access to banking for people in prison before release*, Kent: Unlock

⁸⁶² Bath, C. and Edgar, K. (2010) *Time is Money: Financial responsibility after prison*, London: Prison Reform Trust

⁸⁶³ Ibid.

⁸⁶⁴ Ibid.

⁸⁶⁵ Ibid.

⁸⁶⁶ Figure C.5, Meadows, L. et al (2010) *Investigating the Prisoner Finance Gap across four prisons in the North East*, London: DWP

⁸⁶⁷ Ibid.

⁸⁶⁸ HM Chief Inspector of Prisons (2011) *Annual Report 2010-11*, London: The Stationery Office

The discharge grant has remained fixed at £46 since 1997. Thousands of prisoners are ineligible, including those released from remand, fine defaulters and people serving less than 15 days.⁸⁶⁹

Just over a quarter (27%) of people had a job on release from prison.⁸⁷⁰ All prison leavers claiming jobseeker's allowance (JSA) must be referred to the Work Programme. Prisoners are entitled to submit a claim for JSA up to five weeks before release.

Just 8.5% of women leaving prison entered employment. For men the proportion was 26.2%.⁸⁷¹

42% of people are still claiming benefits two years after release.⁸⁷²

Almost two-thirds of prisoners surveyed (64%) said they had claimed benefits in the 12 months before they went to prison. They were more likely to be reconvicted (58%) than those who hadn't (41%).⁸⁷³

Non-disclosure of an unspent criminal conviction when applying for insurance is illegal—doing so will invalidate a policy and can lead to prosecution.⁸⁷⁴

More than four in five former prisoners surveyed said their conviction made it harder to get insurance. When they did get insurance, four-fifths said they were charged more.⁸⁷⁵

The inability to obtain insurance can prevent people getting mortgages and many forms of employment or self-employment.⁸⁷⁶

869 National Offender Management Service (2011) Prison Service Instruction 72/2011 Discharge, Annex B, London: NOMS

870 Table 8, Ministry of Justice (2015) National Offender Management Service annual report 2014/15: Management Information Addendum, London: Ministry of Justice

871 Table 2, Ministry of Justice (2013) NOMS Offender equalities annual report 2012–13, London: Ministry of Justice

872 Ministry of Justice (2014) Experimental statistics from the 2013 MoJ /DWP /HMRC data share: Linking data on offenders with benefit, employment and income data, London: Ministry of Justice

873 Ministry of Justice (2010) Compendium of reoffending statistics and analysis, London: Ministry of Justice

874 UNLOCK (2008) Unlocking Insurance, issues and evidence, Kent: UNLOCK. See also, Bath, C. (2008) Time served: unlocking insurance to help reintegrate offenders into society, The Chartered Insurance Institute

875 Bath, C. and Edgar, K. (2010) Time is Money: Financial responsibility after prison, London: Prison Reform Trust

876 Ibid.

Prison work and peer-support

Purposeful activity outcomes are currently at the lowest level inspectors have ever recorded—they were only good or reasonably good in around a quarter of prisons.⁸⁷⁷

“One in five prisoners told us that they spent less than two hours a day out of their cells during the week and only one in seven said they spent 10 hours or more out of their cell each day. We found a number of prisons where 50% of prisoners were locked in their cells during the working day.”⁸⁷⁸

Employment

Around 8,700 prisoners are working across the public prison estate. In 2014–15 they worked a total of 12.4 million hours, an increase from 12.2 million hours the year before.⁸⁷⁹

A further 2,700 prisoners are working in the private prison estate. In 2014–15 they worked a total of 2.5 million hours.⁸⁸⁰

The National Offender Management Service aims to increase the number of employed prisoners to at least 18,000 by 2021.⁸⁸¹ Even at that higher number, only around 20% of the prison population would be employed.

A Ministry of Justice survey of prisoners found that only 53% reported having had paid work in prison. Nearly one in three worked as cleaners.⁸⁸²

During 2014–15, there were a total of 1,273 people, on average 368 per month, working out of the prison on licence and subject to the Prisoners’ Earnings Act levy.⁸⁸³

People subject to the levy paid on average £246 per month—the equivalent of nearly 30% of net earnings.⁸⁸⁴

Prisoners contributed £1.1m during 2014–15 and have raised over £3.3m since it’s introduction. People earned £591 per month on average after deduction of the levy.⁸⁸⁵

A one-off survey of prisoner pay was conducted in 2007 and found that the average rate of pay for activity inside prisons was £9.60 per week.⁸⁸⁶ The government does not record average earnings of people in prison centrally.⁸⁸⁷

Training

National Grid offender training and employment programme works with people coming to the end of their sentences and provides training and a job on release for those selected. The Programme is linked with over 20 prisons and over 2,000 prisoners have completed the scheme which has a reoffending rate of less than 7%.⁸⁸⁸

Timpson actively recruit ex-offenders to work for them. It has set up a full-time training facility at HMP Liverpool and the women’s prison HMP New Hall. It runs a scheme at Forest Bank for shoe repairs and Thorn Cross for DVD transfers. It also employs prisoners on release on temporary licence (ROTL) who work in the day and return to prison in the evening.⁸⁸⁹

The Clink Charity operates restaurants, which are open to the public, at HMPs High Down, Cardiff, Brixton, and the women’s prison HMP Styal, in partnership with the prison service. It offers prisoners the chance to gain experience and qualifications in the food and hospitality industry, with mentoring and guidance to find full-time employment, and provide resettlement support upon release. It aims to have 10 training facilities and projects in operation across the prison estate by the end of 2017.⁸⁹⁰

Lendlease, through their charitable trust Be Onsite, work with London prisons to provide training and employment opportunities in the construction industry. Be Onsite works with people whilst on ROTL and after completing their prison sentence. People are employed directly by Be Onsite in order to help overcome the difficulty that many construction workers are self employed.

Halfords, in response to the increasing popularity of cycling has opened a bike repair workshop at HMP Onley. The workshop provides training to prisoners before they can progress to ROTL with the aim of full time employment on release. This has proved sufficiently successful that there are plans to open a second workshop at HMP Drake Hall.

877 HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

878 Ibid.

879 Table 17, Ministry of Justice (2015) National Offender Management Service annual report 2014/15: Management information addendum, London: Ministry of Justice

880 Table 18, Ibid.

881 Ministry of Justice (2012) National Offender Management Service Annual Report 2011/12: Management Information Addendum, London: Ministry of Justice

882 Hopkins, K., and Brunton-Smith, I. (2014) Prisoners’ experience of prison and outcomes on release: Waves 2 and 3 of SPCR, London: Ministry of Justice

883 Table 19 and 20, Ministry of Justice (2015) National Offender Management Service annual report 2014/15: Management information addendum, London: Ministry of Justice

884 Ibid.

885 Ibid.

886 Hansard HC, 21 November 2011, c175W

887 Hansard HC, 7 May 2014, c205W

888 National Grid website, accessed on 2 September 2015, <http://www2.nationalgrid.com/UK/Young-Offender-Programme/>

889 Inside Time, December 2012, available at <http://www.insidetime.co.uk/backissues/December%202012.pdf>

890 The Clink Charity website, accessed on 2 September 2015, <http://theclinkcharity.org/>

Peer-support

There has been an increase in the use of peer mentors during 2014–15. Inspectors noted “Prisoners often prefer support from their peers to other formal or professional sources of support, and peers are often easier to access, making them a more readily available source of support.”⁸⁹¹

A 2011 study found that nearly all prisons surveyed (96%) had prisoner diversity representatives, most of whom contribute directly to staff meetings.⁸⁹²

The same study found that 84% of prisons have prison-wide consultations in the form of committees or a prison council.⁸⁹³

St Giles Trust offers training and a recognised qualification to prisoners who deliver housing advice in a number of prisons. 246 people started to train as peer advisors, and 1,302 people were supported on release from prisons in 2014.⁸⁹⁴

The Toe by Toe reading plan run by the Shannon Trust enable prisoners to act as peer mentors to support other prisoners who are learning to read. 85% of learners surveyed felt their reading skills were improving.⁸⁹⁵

47% of male local prisons and 75% of open prisons surveyed said they provide opportunities for peer drug support. Only one of the seven prisons for women which responded said they provided this.⁸⁹⁶

The Samaritans’ Listener Scheme is active in almost every prison across the UK. In 2014 there were around 1,600 active Listeners in place. Listeners play an invaluable role in making prisons safer by being there for other prisoners who might be struggling to cope; helping them to talk about their worries and try to find a positive way forward. Listeners were contacted more than 86,000 times during 2014.⁸⁹⁷

In 2011 there were at least 245 voluntary and community sector organisations, social enterprises and charities which support the rehabilitation of offenders in prisons, and 79 private sector organisations supporting rehabilitation activities in prison.⁸⁹⁸

⁸⁹¹ HM Chief Inspector of Prisons (2015) Annual Report 2014–15, London: The Stationery Office

⁸⁹² Clinks (2011) Service User Involvement: A Review of service user involvement in prisons and probation trusts, London: Clinks

⁸⁹³ Ibid.

⁸⁹⁴ St Giles Trust (2015) Impact report 2014, London: St Giles Trust

⁸⁹⁵ Shannon Trust website, accessed on 13 May 2015, <http://www.shannontrust.org.uk/our-work/our-achievements/>

⁸⁹⁶ Clinks (2011) Service User Involvement: A Review of service user involvement in prisons and probation trusts, London: Clinks

⁸⁹⁷ Statistics provided by Samaritans

⁸⁹⁸ Hansard HC, 4 July 2011 c1021W

Ministry of Justice compliance

In March 2004 in a case brought by life sentenced prisoner, John Hirst, the European Court of Human Rights (ECtHR) ruled that the ban on sentenced prisoners voting violated Article Three of the European Convention on Human Rights. Following an appeal by the UK Government in 2005, the Grand Chamber of the ECtHR ruled that there had been a violation of Article 3 of Protocol No. 1. The Prison Reform Trust lodged several formal complaints with the Council of Europe about the UK Government's non-compliance with these rulings.

The cross-party Voting Eligibility (Prisoners) Draft Bill Committee's final report recommended prisoners serving sentences of less than 12 months and those in the last six months of their sentence should be allowed to take part in elections. Despite a commitment by the government to respond in early 2014, no response was published.⁸⁹⁹

On 12 August 2014, the ECtHR in the case of *Firth and Others v. the UK* upheld its earlier ruling that a blanket ban was in breach of their human rights. The Court did not however award compensation.⁹⁰⁰

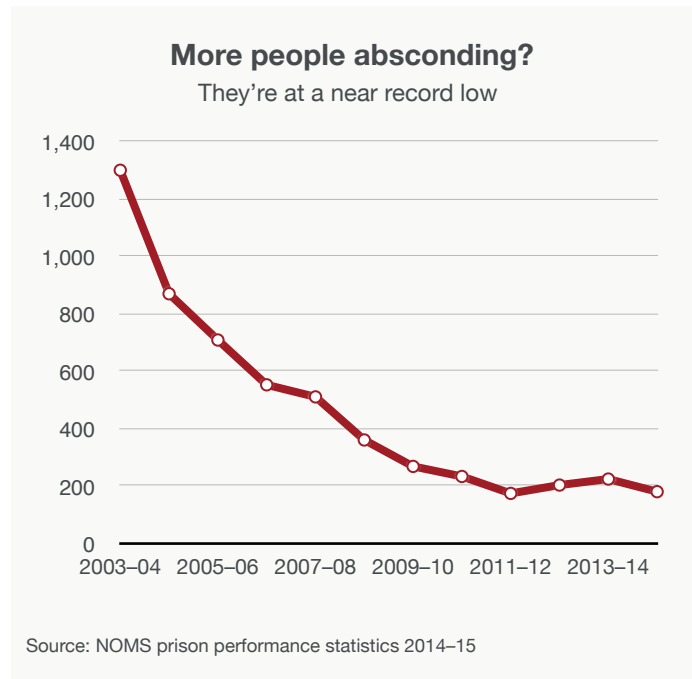
Prisoners with learning disabilities and difficulties are discriminated against personally, systemically and routinely as they enter and travel through the criminal justice system.⁹⁰¹ Criminal justice staff and those responsible for providing services are failing in their duty to promote equality of opportunity and to eliminate discrimination. As such they are not complying with the requirements of the Disability Discrimination Act and the Disability Equality Duty in particular.

On 1 September 2011 the Corporate Manslaughter and Corporate Homicide Act was extended to include prisoners. The Act set out a new offence for convicting an organisation where a gross failure in the way activities were managed or organised results in a person's death in custody.

In 2012 a total of 7,301 mobile phones or SIM cards were found in prisons and sent to the Ministry of Justice Central Interrogation Unit.⁹⁰²

In 2014–15 there were no escapes from prison and just one escape from a prisoner escort.⁹⁰³

There were 181 absconds from prison in 2014–15.⁹⁰⁴ Numbers have fallen significantly from 1,300 in 2003–04.⁹⁰⁵



⁸⁹⁹ Joint Committee on the Draft Voting Eligibility (Prisoners) Bill (2013) Draft Voting Eligibility (Prisoners) Bill Report, London: The Stationery Office and 'Prisoners serving less than a year should get the vote', BBC News Online, 18 December 2013

⁹⁰⁰ European Court of Human Rights (2014), accessed on 16 October 2014, <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-146101>

⁹⁰¹ Loucks, N. (2007) No One Knows: Offenders with Learning Difficulties and Learning Disabilities. Review of prevalence and associated needs, London: Prison Reform Trust, and Jacobson, J. (2008) No One Knows: Police responses to suspects with learning disabilities and learning difficulties: a review of policy and practice, London: Prison Reform Trust

⁹⁰² Ministry of Justice, Freedom of Information request 89962 available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/329255/recording-incidents-mobile-phones.doc

⁹⁰³ Table 1, Ministry of Justice (2015) National Offender Management Service annual report 2014/15: Management information addendum, London: Ministry of Justice

⁹⁰⁴ Table 3, Ibid.

⁹⁰⁵ Ministry of Justice (2014) Prison and Probation Trusts performance statistics 2013-14: Prison performance digest 2013-14, London: Ministry of Justice

Voting rights of sentenced prisoners in Council of Europe countries

- Full or partial voting rights
- Legal or *de facto* ban



Private prisons

The UK has the most privatised prison system in Europe. In England and Wales there were 15,446 prisoners (18% of the prisoner population) held in private prisons as at 25 September 2015.⁹⁰⁶

There are a total of 14 private prisons in England and Wales.⁹⁰⁷

Contracts

In 2012–13 the government spent £428m on privately run prisons.⁹⁰⁸

Private prison contracts are currently shared between just three companies

Provider	Prison
G4S	Altcourse, Birmingham, Oakwood, Parc, and Rye Hill
Serco	Ashfield, Doncaster, Dovegate, Lowdham Grange, and Thameside
Sodexo	Bronzefield, Forest Bank, Northumberland and Peterborough

In England and Wales 10 prisons are currently financed, designed, built and operated by the private sector on contracts of 25 years or more. Contracts for Doncaster, Birmingham, Oakwood and Northumberland are for 15 years each.⁹⁰⁹

In 2011, HMP Birmingham became the first existing publicly run prison to be contracted out to the private sector. The value over the 15 year life of the contract is £453m.⁹¹⁰

The management of HMP Wolds transferred from G4S to the prison service in 2013. Wolds had been privately run since opening in 1992.⁹¹¹

Sodexo has run HMP Northumberland since December 2013.⁹¹² The prison is run under a management contract valued at £250m.⁹¹³

The government has estimated that the privatisation of HMPs Birmingham and Oakwood will deliver savings of £36m over the comprehensive spending review period (2011–2015).⁹¹⁴

⁹⁰⁶ Ministry of Justice (2015) Prison Population Monthly Bulletin September 2015, London: Ministry of Justice

⁹⁰⁷ National Offender Management Service (2015) Prison and probation performance statistics 2014 to 2015, Management information addendum dataset, London: Ministry of Justice

⁹⁰⁸ Whitehead, S. (2014) Justice for sale - the privatisation of offender management services, London: TUC

⁹⁰⁹ Hansard HC, 4 December 2013, c719W

⁹¹⁰ Hansard HC, 4 December 2013, c719W

⁹¹¹ Ibid.

⁹¹² HM Prison Service website, accessed on 3 September 2014, <http://www.justice.gov.uk/contacts/prison-finder/northumberland>

⁹¹³ Contracts Finder website, accessed on 3 September 2014, <http://bit.ly/1xaG1lj>

⁹¹⁴ Hansard HC, 17 October 2011, c668W (Note: HMP Oakwood was originally named Featherstone II)

Serco is forecasting a potential loss of £18.8m following the re-role of HMP Ashfield, from a Young Offender Institution to an adult male prison for sex offenders. Serco is in dispute with the Ministry of Justice over revised payment levels.⁹¹⁵

The National Offender Management Service (NOMS) hopes to deliver ongoing annual savings of £306m (15%) in public sector prisons through contracting works and facilities management services in public prisons.⁹¹⁶ Five year contracts totalling nearly £470m have been awarded to Carillion and Amey.⁹¹⁷

Costs

In 2013–14 the overall resource expenditure of private prisons was £493.5m, £66m more than the year before.⁹¹⁸

Prison	Overall resource expenditure (£m)	Cost per place (£)
Altcourse	48.6	61,270
Ashfield	23.7	57,594
Birmingham	35.8	32,719
Bronzefield	32	60,802
Doncaster	24.4	33,095
Dovegate	40.8	38,315
Lowdham Grange	31	34,457
Northumberland*	29.1	32,201
Oakwood	30.1	18,762
Parc	62.2	53,122
Peterborough	37.6	44,725
Rye Hill	22	36,526
Thameside	35	58,296
Total	493.5	

* Northumberland became a private prison in December 2013, therefore only four months of expenditure was as a private prison.

Between February and June 2014, the Ministry of Justice purchased 412 additional prison places at private prisons at a total cost of £2,146,841.⁹¹⁹

⁹¹⁵ Serco (2015) Annual report and accounts 2014, Hook: Serco

⁹¹⁶ National Offender Management Service (2014) Business Plan 2014–2015, London: Ministry of Justice

⁹¹⁷ Gov.uk Contract finder website, accessed on 16 September 2015, available at <https://www.contractsfinder.service.gov.uk/Search>

⁹¹⁸ Table 3, Ministry of Justice (2014) Costs per place and cost per prisoner by individual prison, London: Ministry of Justice and Table 3, Ministry of Justice (2013) Costs per place and cost per prisoner by individual prison establishment 2012–13, London: Ministry of Justice

Note: The unit costs of private and public prisons are not directly comparable because of different methods of financing and scope.

⁹¹⁹ Hansard HC, 1 September 2014, c178W

Performance

National Offender Management System prison ratings 2014–15⁹²⁰

Prison	Rating
Altcourse	3
Ashfield	4
Birmingham	3
Bronzefield	3
Doncaster	2
Dovegate	2
Forest Bank	4
Lowdham Grange	3
Northumberland	3
Oakwood	3
Parc	4
Peterborough (Female)	3
Peterborough (Male)	3
Rye Hill	3
Thameside	3

Rating 4 = Exceptional performance

Rating 3 = Meeting the majority of targets

Rating 2 = Overall performance is of concern

As of September 2015, HMP Doncaster was overcrowded by 42%—the most overcrowded privately-run prison.⁹²¹

Overcrowded privately run prisons

Prison	% Overcrowded
Doncaster	42%
Forest Bank	37%
Birmingham	33%
Altcourse	30%
Thameside	27%
Peterborough	8%
Parc	6%
Dovegate	3%
Rye Hill	3%
Lowdham Grange	2%

Private prisons held a higher percentage of their prisoners in overcrowded accommodation than public sector prisons every year for the past 17 years. Over a third of people in private prisons were held in overcrowded accommodation in 2014–15.⁹²²

The government has initiated pilot programmes at Peterborough and Doncaster prisons to reduce reoffending. Under the programme, investors will see a return on their investment according to their results.

Analysis from the first cohort of the Peterborough pilot found that there had been an 8.39% reduction in the frequency of further offending against the target for the whole pilot of 7.5%. Final figures from cohort 2 (which will determine whether payment can be made under the payment by results mechanism) will not be available until next year.⁹²³

Latest interim figures show that there has been virtually no change in the frequency of offending. There are an average of 83 reconvictions per 100 offenders compared to a national rate of 85 reconvictions.⁹²⁴

The Doncaster pilot could also miss its target. Latest interim figures show that the reoffending rate rose by nearly 3% on the previous year and was higher than the national comparison.⁹²⁵

Private prisons tend to be larger than those in the public sector. The average capacity of a privately managed prison is 1,045 people compared to an average capacity of 706 across public prisons in England and Wales.⁹²⁶

Of the 10 largest prisons in England and Wales, five are privately run.⁹²⁷

Work to develop a new 2,100 place prison in Wrexham, North Wales has also begun and is scheduled to be fully operational by late 2017.⁹²⁸ It is expected to cost £212m to build and will be the largest prison in the UK.⁹²⁹

Inspectors were extremely critical of the performance of newest 1,600 place private prison HMP Oakwood following its first inspection, which “resulted in unacceptable risks and very poor outcomes for the prisoners held at that time”. Inspectors believe that the prison has turned a corner following their significant criticism, but that there remained much to do.⁹³⁰

⁹²³ Jolliffe, D and Hedderman, C. (2014) Peterborough Social Impact Bond: Final Report on Cohort 1 Analysis, Leicester: University of Leicester

⁹²⁴ Table 1, Ministry of Justice (2015) Proven reoffending statistics quarterly: October 2012 to September 2013, Interim reconviction figures for Peterborough Payment by Results pilots, London: Ministry of Justice

⁹²⁵ Table 2, Ministry of Justice (2015) Proven reoffending statistics: July 2012 to June 2013, Interim re-conviction figures for Peterborough and Doncaster Payment by Results pilots, London: Ministry of Justice

⁹²⁶ Whitehead, S. (2014) Justice for sale—The privatisation of offender management services, London: TUC

⁹²⁷ National Offender Management Service (2014) Population Bulletin – Monthly July 2014, London: Ministry of Justice

⁹²⁸ National Offender Management Service (2014) Annual Report and Accounts 2013/14, London: Ministry of Justice

⁹²⁹ Croasdale, C. (2014) Category B inmates at Wrexham prison can't be ruled out, NewsNorthWales, available at <http://www.newsnorthwales.co.uk/news/134265/category-b-inmates-at-wrexham-prison-can-t-be-ruled-out.aspx>

⁹³⁰ HM Inspectorate of Prisons (2015) Report on an announced inspection of HMP Oakwood, London: HMIP

⁹²⁰ National Offender Management Service (2015) Prison annual performance ratings 2014/15, London: Ministry of Justice

⁹²¹ Ministry of Justice (2014) Prison Population Monthly Bulletin September 2015, London: Ministry of Justice

⁹²² Ministry of Justice (2015) Prison and probation performance statistics 2014/15: Prison performance digest, London: Ministry of Justice

Community solutions

The government is currently taking forward the most significant changes to the probation service since the establishment of probation committees under the 1925 Criminal Justice Act. The Transforming Rehabilitation reforms have created a new National Probation Service (NPS), which sits within the National Offender Management Service (NOMS), and awarded contracts for 21 Community Rehabilitation Companies (CRCs) to a range of providers from the private, voluntary and social sectors.

The Crime and Courts Act 2013 introduced a new mandatory punitive element for all community sentences, unless there are exceptional circumstances. This is despite Ministry of Justice research showing that adding a punitive requirement to a supervision requirement had no impact on the reoffending rate when this was measured over a period of two years.

A suspended prison sentence is carried out in the community. People are required to meet certain conditions during the life of the order and can be sent to prison if they break them. The Criminal Justice Act 2003 and Legal Aid, Sentencing and Punishment of Offenders Act 2012 has made Suspended Sentence Orders more readily available, with custodial sentences of up to two years being able to be suspended.

Out of court disposals are also available for low level offending and people with limited or no previous convictions. They require an admission of guilt and give police an effective means of holding a person to account for their actions when they have broken the law, providing an opportunity to divert them away from future crime and offending.

Court Orders (Community Orders and Suspended Sentence Orders) are more effective (by nearly seven percentage points) at reducing one-year proven reoffending rates than custodial sentences of less than 12 months for similar offenders.⁹³¹

The cost of six-weeks in prison is, on average, £4,500 and during that time many people undertake no education or rehabilitative work. The cost of a high-intensity two-year community order, containing 80 hours of unpaid work and mandatory accredited programmes was £4,200. Shorter community sentences cost much less.⁹³²

However, use of community sentences has nearly halved (46%) since 2006.⁹³³

But use of suspended sentences has increased year on year since 2005—with over 53,500 people sentenced in the 12 months to March 2015.⁹³⁴

The average length of a Community Order is 14.6 months, and 18.1 months for a Suspended Sentence Order. The two most frequently used requirements are unpaid work and supervision, accounting for 29% and 10% of Community Orders respectively, and 21% and 10% of Suspended Sentence Orders.⁹³⁵

Nearly half of Community Orders had one requirement (49%), and over a third (35%) had two.⁹³⁶

The majority of Suspended Sentence Orders had two requirements (42%), and 38% had one.⁹³⁷

78% of unpaid work requirements were successfully completed from April to December 2014—the highest proportion to date.⁹³⁸

A higher proportion of women than men completed their community sentence successfully or had it terminated for good progress. 71% of community orders and 73% of suspended sentence orders by women were successful compared with 67% of orders for men.⁹³⁹

Use of mental health treatment requirements (MHTR) continues to be low. 960 requirements were issued during 2014, accounting for less than 0.4% of all community sentence requirements.⁹⁴⁰

There have been a number of barriers to its effective use, including uncertainty as to who should receive an MHTR, how breaches of the order are managed and the need for a formal psychiatric report.⁹⁴¹

931 Table A1, Ministry of Justice (2013) 2013 Compendium of reoffending statistics and analysis, London: Ministry of Justice

932 National Audit Office (2010) Managing offenders on short custodial sentences, London: National Audit Office

933 Table Q5.1b, Ministry of Justice (2015) Criminal justice statistics quarterly update to March 2015, London: Ministry of Justice

934 Table Q5.1b, Ministry of Justice (2015) Criminal justice statistics quarterly update to March 2015, London: Ministry of Justice

935 Table A4.14 and A4.10, Ministry of Justice (2015) Offender management statistics, Probation 2014 annual tables, London: Ministry of Justice

936 Table A4.8, Ibid.

937 Ibid.

938 Ministry of Justice (2015) National Offender Management Service annual report 2014/15: Management information addendum, London: Ministry of Justice

939 Table A4.23, Ministry of Justice (2015) Offender management statistics, Probation 2014 annual tables, London: Ministry of Justice

940 Table A4.9, Ibid.

941 Scott, G. and Moffatt, S. (2012) The Mental Health Treatment Requirement: Realising a better future, London: Centre for Mental Health

Recently, improvements have been made—particularly at liaison and diversion service trial sites. In Milton Keynes only one MHTR was made in 2012–13, however since the launch of the trial in April 2014, 110 have been made.

Some estimates show that at least 39% of offenders supervised by probation services have mental health problems, and that around 60% have substance abuse problems.⁹⁴²

Nearly all of those surveyed (96%) agreed that they had tried hard to do all the things in their Community Order. 77% agreed that the Community Order made them less likely to commit crime, and 64% agreed that it had given them an opportunity to give something back to society.⁹⁴³

83% of offenders who said staff had involved them in deciding the aims of the plan agreed that the Community Order made them less likely to reoffend. The equivalent figure for those who said they were not involved was 65%.⁹⁴⁴

When people serving community sentences were asked what would help them stop offending, 62% said having a job, and 50% said having a place to live.⁹⁴⁵

Use of out of court disposals has dropped by 61% since 2007.⁹⁴⁶

Reoffending rates for adults given a caution remains low, with only 17% reoffending within 12 months.⁹⁴⁷

942 Brooker, C. et al. (2012) Probation and mental illness. *Journal of Forensic Psychiatry and Psychology*, 23(4): 522–537

943 Ministry of Justice (2013) Results from the Offender Management Community Cohort Study: Assessment and sentence planning, London: Ministry of Justice

944 Ibid.

945 Table 4.6, Ibid.

946 Ministry of Justice (2015) Criminal justice statistics quarterly March 2015, London: Ministry of Justice

947 Table 16a, Ministry of Justice (2015) Proven reoffending statistics: October 2012 to September 2013, London: Ministry of Justice

Restorative justice

Restorative justice is about victims and offenders communicating within a controlled environment to talk about the harm that has been caused and finding a way to repair that harm.

It gives victims the chance to meet or communicate with their offenders to explain the real impact of the crime. It also holds people to account for what they have done and helps them to take responsibility and make amends.

For offenders, the experience can be very challenging as it confronts them with the personal impact of their crime. For victims, meeting the person who has harmed them can be a huge step in moving forward and recovering from the crime.

For any kind of communication to take place, the offender must have admitted to the crime, and both victim and offender must be willing to participate.

Restorative justice can be used for any type of crime and at any stage of the criminal justice system, including alongside a prison sentence.

The Crime and Courts Act 2013 allows courts to defer at the pre-sentence stage in order for the victim and offender to be offered restorative justice at the earliest opportunity.

The government funded a £7m seven year research programme into restorative justice.

85% of victims and 80% of offenders surveyed were either 'very' or 'quite' satisfied with their restorative conference.⁹⁴⁸

27% fewer crimes were committed by those who had experienced restorative conferencing, compared with those who had not.⁹⁴⁹

98% of conferences ended with the participants reaching an agreement—this was usually focused on what the offender would do next to repair the harm, address their problems and reorientate their life away from crime.⁹⁵⁰

Victim satisfaction levels were higher for those who met face-to-face, rather than through an intermediary.⁹⁵¹

Restorative justice approaches are cost-effective. As a result of reductions in the frequency of offending restorative justice projects saved nine times what they cost to deliver.⁹⁵²

Guidelines for the use of restorative justice state: "Victim-offender conferencing is likely to deliver the best outcomes when targeted to those who have committed violence or

acquisitive offences, where there is a clear victim, and where the offender is medium or high likelihood of reoffending".⁹⁵³

Another evaluation found that young girls involved in a final warning restorative scheme were significantly less likely to reoffend than the control group (118 fewer arrests per 100 offenders compared to 47 fewer for the control group).⁹⁵⁴

Northern Ireland's well established Youth Conference Service has a significant proportion of victims taking part in conferences, with 90–100% expressing satisfaction with the outcome.⁹⁵⁵ In 2012–13 the one year reoffending rate for a diversionary youth conference plan was 35%—community disposals such as youth conference order had a reoffending rate of 56%, and 62% for a supervision order.⁹⁵⁶

93% of agreed youth conference plans were successfully completed between 2008–09 and 2011–12 on average—77% of all referrals received result in a completed youth conference plan.⁹⁵⁷

More than three-quarters (77%) of the public surveyed thought that victims should have the right to meet the offender. 69% agreed that 'offenders need to see the real impact of their crime and face the people they've harmed'.⁹⁵⁸

948 Shapland, J et al (2007) Restorative Justice: the views of victims. The third report from the evaluation of three schemes, Ministry of Justice Research Series 3/07, London: Ministry of Justice

949 Restorative Justice Council (2011) What does the Ministry of Justice RJ research tell us? London: RJC

950 Shapland, J et al (2007) Restorative Justice: the views of victims. The third report from the evaluation of three schemes. Ministry of Justice Research Series 3/07. London: Ministry of Justice

951 Ibid.

952 Ibid.

953 National Offender Management Service (2012) Better outcomes through Victim-Offender Conferencing (Restorative Justice), London: NOMS

954 Sherman, L. and Strang, H. (2007) Restorative Justice: the evidence, London: The Smith Institute

955 Criminal Justice Inspection Northern Ireland (2014) Monitoring of progress on implementation of the youth justice review recommendations, Belfast: CJI Northern Ireland

956 Table 8, Duncan, L. (2014) Youth Reoffending in Northern Ireland (2012/13 Cohort), Belfast: Department of Justice

957 Tables 26 and 27, Decodts, M. and O'Neill, N. (2014) Youth Justice Agency Annual Workload Statistics 2012/13, Belfast: Youth Justice Agency

958 Restorative Justice Council (2015) Ipsos MORI poll summary, London: RJC

Crime and public perceptions

Crime

£29.9 billion was spent on public order and safety by the government in 2014–15.⁹⁵⁹

Crime is at its lowest level since surveying began in 1981 and is nearly two-thirds (64%) lower than its peak in 1995.⁹⁶⁰ Crime rates fell by 7% in the year ending March 2015.⁹⁶¹

16–24 year-olds are more likely than any other age group to become a victim of crime.⁹⁶²

Nearly three in five people (57%) thought that crime in England and Wales had gone up ‘a little’ or ‘a lot’ in the past few years.⁹⁶³

People have more positive perceptions of crime locally than nationally—just 29% said they thought crime in their local area had increased.⁹⁶⁴

One in ten adults surveyed said they were worried about burglary. However, the likelihood of being burgled was low, with only 3% saying they had been burgled in the last year.⁹⁶⁵

11% of adults surveyed said they were worried about violent crime. However, less than 2% of people had been a victim in the last year, half of which resulted in no injury.⁹⁶⁶

Concern about crime is at an historic low—only 9% of people surveyed said it was one of the important issues facing Britain today.⁹⁶⁷ Compared with nearly half of people (47%) in 2008.⁹⁶⁸

Public perceptions

A survey found that: “while the public may ‘talk tough’ in response to opinion polls which ask whether sentencing is harsh enough, when considering specific criminal cases and individual circumstances, there is considerable support for mitigating punishments”.⁹⁶⁹

Most people surveyed underestimated the severity of sentencing and thought that the courts were too lenient. However they were relatively lenient when sentencing for a specific (hypothetical) case.⁹⁷⁰

⁹⁵⁹ Table 4.2, HM Treasury (2014) Public Expenditure Statistical Analyses 2014, London: HM Treasury

⁹⁶⁰ Table 1, Office for National Statistics (2015) Crime in England and Wales, Year ending March 2015, London: ONS

⁹⁶¹ Ibid.

⁹⁶² Table D1, Ibid.

⁹⁶³ Table S29, Ibid.

⁹⁶⁴ Ibid.

⁹⁶⁵ Table S34 and 11a, Ibid.

⁹⁶⁶ Table S34 and 4a, Ibid.

⁹⁶⁷ Economist/Ipsos MORI June 2015 Issues Index, accessed on 7 September 2015, available at <https://www.ipsos-mori.com/researchpublications/researcharchive/3593/EconomistIpsos-MORI-June-2015-Issues-Index.aspx>

⁹⁶⁸ Ipsos MORI (2008) Ipsos MORI Issues Index August 2008, London: Ipsos MORI

⁹⁶⁹ Roberts, J. and Hough, M. (2011) Custody or community? Exploring the boundaries of public punitiveness in England and Wales, *Criminology & Criminal Justice* 11(2) pp181–197, Norwich: Page Bros

⁹⁷⁰ Hough, M. et al. (2013) Attitudes to Sentencing and Trust in Justice: Exploring Trends from

Just over one in five people (22%) thought that prisons are effective at rehabilitating offenders who have been convicted of a crime.⁹⁷¹

A poll of victims of lower level crime showed that nearly two-thirds (63%) support community sentences as an alternative to prison for lower level offenders.⁹⁷²

A poll commissioned by the Prison Reform Trust in 2012 revealed strong public support for effective community and public health measures to prevent crime and disorder. Treatment for drug addiction (67%), intensive supervision of community orders (63%), and mental health care (60%) were the top three solutions. Stopping binge drinking and imprisonment tied fourth.⁹⁷³

80% of people surveyed strongly agreed that local women’s centres where women address the root causes of their crime and do compulsory work in the community to payback should be available.⁹⁷⁴

A survey for the Prison Reform Trust conducted one month after the riots in 2011, found that the vast majority of the public (94%) support opportunities for people who have committed offences such as theft or vandalism to do unpaid work in the community as part of their sentence, to pay back for what they have done.⁹⁷⁵

Nearly nine out of 10 people (88%) agree that victims of theft and vandalism should be given the opportunity to inform offenders of the harm and distress they have caused.⁹⁷⁶

Almost three-quarters (71%) believe victims should have a say in how the offender can best make amends for the harm they have caused.⁹⁷⁷

Most people (84%) consider that better supervision of young people by parents would be effective in preventing crime and disorder.⁹⁷⁸

Nearly two-thirds of people surveyed said they don’t want to see children in prison until at least the age of 12, rising to 14 for young people convicted of a non-violent crime.⁹⁷⁹

the Crime Survey for England and Wales, London: Ministry of Justice

⁹⁷¹ Table 1, Jansson, K. (2015) Public confidence in the Criminal Justice System—findings from the Crime Survey for England and Wales (2013/14), London: Ministry of Justice

⁹⁷² Victim Support and Make Justice Work (2012) Out in the open: What victims really think about community sentencing, London: Victim Support

⁹⁷³ Prison Reform Trust (2012) Public back community and health solutions to cutting crime, 18 December 2012

⁹⁷⁴ ICM opinion poll for the Corston Coalition, 26–28 November 2010. Sample of 1000 adults 18+ in GB, by telephone omnibus

⁹⁷⁵ Prison Reform Trust (2011) Public want offenders to make amends briefing paper, London: Prison Reform Trust

⁹⁷⁶ Ibid.

⁹⁷⁷ Ibid.

⁹⁷⁸ Ibid.

⁹⁷⁹ Prison Reform Trust (2010) YouGov poll for Out of Trouble, London: Prison Reform Trust

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