



BROMLEY BRIEFINGS

PRISON FACTFILE

June 2009

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These 'Bromley Briefings' are being produced in memory of Keith Bromley, a valued friend of PRT and allied groups concerned with prisons and human rights. His support for refugees from oppression, victims of torture and the falsely imprisoned has 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 paper.

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Introduction

Weight of evidence, local public resistance and lack of cash may have put paid to government's grandiose plans to build five gigantic jails, but the obsession with increasing prison capacity remains, and is apparently shared by Justice Ministers, their Tory shadows and private contractors alike.

In the face of swingeing public service cuts and a forthcoming election, prison building continues ant-like, relentlessly filling every space and crevice within the existing estate. Accommodation blocks are being thrown up across the country without, in most instances, accompanying provision for constructive activity. Massive development on the Belmarsh site in south east London will result in three prisons holding in Belmarsh 900, Belmarsh West 900 and HMP Isis 624 respectively.

New prisons are still on the stocks. Each of these 'mini-titans' is scheduled to hold 1,500 men. The building programme will take the rate of imprisonment in England and Wales to 178 per 100,000 of the general population. This far exceeds incarceration rates of all our Western neighbours, including Germany at 88 and France 96 per 100,000 of their populations, and pushes us ahead of many Eastern European nations.

When Labour swept to power in May 1997 the prison population stood at a troubling 60,131. This already exceeded former Lord Chief Justice, Lord Woolf's, estimated 'unavoidable minimum' of 45,000 people. Today prison numbers top 83,000, including now almost 2,000 people, trapped beyond tariff by Kafkaesque indeterminate public protection sentences. Shaming levels of imprisonment was not an expected outcome from a government committed to social inclusion.

So where are the levers for reform? Strengthening sentencing guidelines could lead to greater proportionality and consistency in sentencing. The forthcoming Justice Select Committee report on justice re-investment will show how limited funds can be deployed across departments to better effect.

Government-commissioned reviews by Baroness Corston and Lord Bradley warn that misuse of imprisonment widens, rather than narrows, health and social inequalities. Their recommendations, if properly implemented, would reduce offending and improve public health. £15.6million, to develop the

Corston model of women's centres is a good start. Work on local solutions to crime is backed by new PSA targets. And Bradley should deliver assessments, reduce remand and divert people who are mentally ill and those with learning disabilities away from criminal justice into the health and social care they need.

Two recent Prison Reform Trust reports show how taking a commonsense, public health approach would pay off. In the first, *No One Knows: Prisoners' Voices*, over 170 prisoners give harrowing accounts of what it is like to go from police stations to courts to prison in a fog of anxiety and well-founded fear of bullying, not understanding or half-understanding what is happening to you. An estimated 7% of people in prison have an IQ of less than 70 and 20-30% have learning difficulties and disabilities that interfere with their ability to cope with the criminal justice system.

The second report, *Too Little Too Late*, draws on evidence from 57 independent monitoring boards. It reveals that very many people who should have been diverted into mental health or social care are entering prisons, ill equipped to meet their needs, and then being discharged back into the community without any support.

The chair of one board wrote:

An 80-year-old confused man [in this prison] is unable to look after himself. We do not yet know whether he was known to social services but it seems likely. He has a five-year sentence for indecent exposure which is not surprising since he continually takes his clothes off. [This man] should not be in prison.

Why do we lock up our most ill people in our most bleak institutions? Why do we tolerate a society in which black and minority ethnic groups are 40% more likely than white people to have to gain access to psychiatric treatment via a criminal justice gateway? Why waste time and public money building bigger and bigger prisons when it is clear that our jails are full of people in urgent need of proper mental health and social care?

In the end, if government fails to offer authoritative leadership, it may be hard-edged disability, equalities and corporate manslaughter legislation and tough spending constraints that drive through long-awaited reform.

Prison overview

Current situation

On 12 June 2009, the prison population in England and Wales was 83,001.¹

In France, with the same population, the figure is 59,655 and in Germany with over 20 million more people, 72,259.²

On 12 June 2009, the prison population in Scotland was 8,093.³ In 2007/08 the average daily population in Scottish prisons totalled 7,376, an increase of 3% on 2006/07, and the highest level ever recorded.⁴

The prison population in Northern Ireland on 12 June 2009 was 1,512.⁵ Since reaching a low point of 926 in 2001, the prison population in Northern Ireland has risen steadily.⁶

England and Wales has an imprisonment rate of 151 per 100,000 of the population and Scotland has an imprisonment rate of 155 per 100,000. France has an imprisonment rate of 96 per 100,000 and Germany has a rate of 88 per 100,000.⁷

A new building programme will take the rate of imprisonment in England and Wales to 178 per 100,000 of population – the highest in Western Europe. It would also be beyond Bulgaria (144), Slovakia (151), Romania (126) and Hungary (149).⁸

Trends

The number of prisoners in England and Wales has increased by 30% in the ten years from 1997 to 2007.⁹ When Labour

came to government in May 1997, the prison population was 60,131. Previously it took nearly four decades (1958-1995) for the prison population to rise by 25,000.

125,880 people entered prison in England and Wales in 2007.¹⁰

There were 93,730 first time entrants to the youth justice system during 2006-07.¹¹

The average age of those sentenced to custody in 2006 was 27. A quarter was aged 21 or under.¹²

The number of people found guilty by the courts has remained largely constant over recent years, it was 1,724,225 in 1996 and 1,771,378 in 2006 but custody rates have risen sharply. The number given custody at magistrates' courts has risen from 25,016 in 1993 to 53,431 in 2006. The number of people awarded custodial sentence at the crown court has risen from 33,722 in 1993 to 42,586 in 2006.¹³

The number of women in prison has increased by 60% over the past decade, compared to 28% for men.¹⁴ On 12 June 2009 the women's prison population stood at 4,269.¹⁵ In 1997 the mid-year female prison population was 2,672. In 2007, 11,847 women were received into prison.¹⁶

At the end of March 2009 there were 9,543 young adults aged 18-20 years old in prisons in England and Wales. There were 2,133 children aged 15-18 years old in prison.¹⁷

13,758 young adults (18-20) entered

1. NOMS, Prison Population and Accommodation Briefing for 15 May 2009

2. International Centre for Prison Studies, <http://www.kcl.ac.uk/schools/law/research/icps>

3. Scottish Prison Service, <http://www.sps.gov.uk/default.aspx?documentid=7811a7f1-6c61-4667-a12c-f102bbf5b808>

4. Scottish Executive (2008) Statistical Bulletin, Criminal Justice Series, Prison Statistics Scotland 2007/08

5. Northern Ireland Prison Service, <http://www.niprisonservice.gov.uk/module.cfm/opt/8/area/Population/page/population/wid/225>

6. Northern Ireland Prison Service, <http://www.niprisonservice.gov.uk/pop-arch.htm>

7. International Centre for Prison Studies, <http://www.kcl.ac.uk/schools/law/research/icps>

8. Ibid.

9. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

10. Ibid.

11. Hansard, House of Commons written answers, 8 January 2008: Col. 432W

12. Ibid.

13. Home Office, Sentencing Statistics 2003, and Ministry of Justice (2007) Sentencing Statistics 2006, London: The Stationery Office

14. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

15. NOMS, Prison Population and Accommodation Briefing for 15 May 2009

16. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

17. Ministry of Justice (2009), Population in custody monthly tables, March 2009, England and Wales

prison under sentence in 2007, 11,672 entered prison on remand. In 2007, 5,356 children (15-17) entered prison under sentence and 5,111 entered prison on remand.¹⁸

On 30 June 2008 27% of the prison population, 22,406 prisoners, was from a minority ethnic group.¹⁹ This compares to one in eleven of the general population.

52% of the total prison population are Christian (of whom 29% are Anglican, 17% Roman Catholic, 4% other Christian and 2% Free Church), 11% are Muslim, 2% are Buddhist and 32% report having no religion.²⁰

The prison system as a whole has been overcrowded in every year since 1994.²¹ Overcrowding pressures have led to worsening conditions and the 'churn' of sentenced prisoners from one establishment to another in order to hold those on remand close to the courts.²²

Research by the Prime Minister's Strategy Unit highlighted in the Carter report ('Managing Offenders, Reducing Crime', December 2003) says that a 22% increase in the prison population since 1997 is estimated to have reduced crime by around 5% during a period when overall crime fell by 30%. The report states: 'there is no convincing evidence that further increases in the use of custody would significantly reduce crime'.²³

Prison has a poor record for reducing reoffending - 47% of adults are reconvicted within one year of being released - for those serving sentences of

less than 12 months this increases to 60%. For those who have served more than ten previous custodial sentences the rate of reoffending rises to 76%.²⁴

7.5% of the male population born in 1953 had been given at least one custodial sentence before the age of 46. 33% of men born in 1953 had at least one conviction for a 'standard list' offence.²⁵

The number of indeterminate sentenced prisoners has increased considerably in recent years. There were 12,228 people serving indeterminate sentences at the end of March 2009, a rise of 12% on the year before.²⁶ This compares with fewer than 4,000 in 1998 and 3,000 in 1992.²⁷

On 24 April 2009, 1,711 (33%) of those sentenced to imprisonment for public protection were being held beyond their tariff expiry date.²⁸ On 12 February 2009, 568 people were past their tariff by 12 months or more.²⁹

By the end of June 2015 the demand for prison spaces is projected to increase to between 83,400 and 95,800.³⁰

Between April 2008 and February 2009 an average of 19,180 prisoners were doubled up in cells designed for one.³¹ This accounts for almost a quarter of the prison population.

It is estimated that there are 160,000 children with a parent in prison each year. This is around two and a half times the number of children in care, and over six times the number on the Child Protection Register.³²

18. Ministry of Justice (2008), Offender Management Caseload Statistics 2007, London: The Stationery Office

19. Ministry of Justice (2009), Statistics on Race and the Criminal Justice System 2007/08 London: Ministry of Justice

20. Ministry of Justice (2008), Offender Management Caseload Statistics 2007, London: The Stationery Office

21. Home Office, Digest 4: Information on the Criminal Justice System in England and Wales, 1999, London: Home Office

22. Ibid.

23. Carter, P. (2003) Managing Offenders, Reducing Crime, London: Strategy Unit

24. Ministry of Justice (2009), Re-offending of adults: results from the 2007 cohort, London: The Stationery Office

25. Home Office (2001) Criminal careers of those born between 1953 and 1978

26. Ministry of Justice (2009), Population in custody monthly tables, March 2009, England and Wales

27. Home Office (2003) Prison Statistics England and Wales 2002, London: Stationery Office

28. Hansard, House of Commons written answers, 16 June 2009: Col. 261W

29. Hansard, House of Commons written answers, 25 February 2009: Col. 845W

30. Ministry of Justice Statistical Bulletin (2008), Prison Population Projections, England and Wales, 2008-2015

31. Hansard, House of Commons written answers, 21 April 2009, Col.: 622W

32. Ministry of Justice and Department for Children, Schools and Families, Children of Offenders Review, June 2007

During their time at school 7% of children experience their father's imprisonment.³³ In 2006, more children were affected by the imprisonment of a parent than by divorce in the family.³⁴

Costs

Total prisons expenditure has increased from £2.843bn in 1995 to £4.325bn in 2006 (all at 2006 prices).³⁵

The overall average resource cost per prisoner in England and Wales in 2007-08 was £39,000.³⁶

The Youth Justice Board of England and Wales (YJB) has calculated that in 2007-08 the total cost of detaining young people under a court ordered secure remand was £19,218,653. The YJB has also estimated that the total cost of remands to custody in 2007-08 was £26,982,000.³⁷

Since Labour came to power in 1997, more than 20,000 additional prison places have been provided, an increase of 33%.

The average cost of each prison place built between 2000 and 2004 is £99,839.³⁸

Prison service inquest costs since April 2004 total £6,080,000. Costs have risen from £901,000 in 2004-05 to £1,962,000 in 2007-08.³⁹

According to the government, the overall cost of the criminal justice system has risen from 2% of GDP to 2.5% over the

last ten years. That is a higher per capita level than the US or any EU country.⁴⁰

The Social Exclusion Unit has concluded that reoffending by ex-prisoners costs society at least £11 billion per year. Ex-prisoners are responsible for about one in five of all recorded crimes.⁴¹

To meet the 3% year-on-year efficiency savings, the Prison Service decided, with ministerial support, to reduce the core week for prisoners as from April 2008. Prisoners are now locked up for half a day more thus reducing constructive activity and time outside cells.⁴²

Imprisoning mothers for non-violent offences carries a cost to children and the state of more than £17 million over a ten-year period.⁴³

Performance and plans

Prison performance is formally monitored by the Prison Service against its strategic priorities of decency; diversity and equality; maintaining order and control; organizational effectiveness; public protection; reducing reoffending; and security.⁴⁴ Prisons are also monitored by HM Chief Inspector of Prisons using 'expectations' criteria: safety; respect, purposeful activity and resettlement.⁴⁵

In an analysis of prison characteristics that predict prisons being assessed as performing 'well', the size of the prison was the most influential factor. In most

33. Department for Education and Skills, (2003) Every Child Matters, London: Stationery Office

34. Action for Prisoners' Families, CLINKS, Prison Advice & Care Trust, Prison Reform Trust, The children and families of prisoners: recommendations for government, 5 December 2007

35. Carter, P. (2007) Lord Carter's Review of Prisons, Securing the Future, London: Ministry of Justice

36. Hansard, House of Commons written answers, 17 December 2008, Col.: 852W

37. Hansard, House of Commons written answers, 17 March 2009, Col.: 1125W

38. Hansard, House of Commons written answers, 30 June 2005: Col. 1671W

39. Hansard, House of Commons written answers, 13 March 2008: Col. 633W

40. Rt Hon Lord Falconer, the Today Programme, BBC Radio 4, 23 January 2007

41. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

42. Paul Tidball, Prison Governors' Association, Justice Select Committee, Oral evidence, Towards effective sentencing, 12 December 2007

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

44. HM Prison Service (2008) Annual report and accounts 2007-2008, London: The Stationery Office

45. HM Inspectorate of Prisons (2006) Expectations: Criteria for assessing the conditions in prisons and the treatment of prisoners: London, HM Inspectorate of Prisons

cases the largest prisons performed least well against the tests of safety and respect, and overall.⁴⁶

The average size of a prison's population is 591, ranging from 81 to 1,640. Following an extensive building programme on existing sites, 33 prisons now hold over 800 prisoners.⁴⁷

A prison with a population of 400 prisoners or under was four times more likely to perform 'well' than a prison with a population of over 800.⁴⁸

Public prisons were over five times more likely to perform well for safety than private prisons.⁴⁹

On 5 December 2007 in its response to Lord Carter's review of prisons the government announced an additional 10,500 places to be built by 2014. This is on top of the existing 9,500 capacity programme.⁵⁰

7,500 of these places will be delivered through five prisons each holding 1,500 offenders. Plans for two of these prisons are already underway and they will both be privately built and managed.⁵¹

Prison overcrowding in England and Wales (mid-year)

Year	Number of places(CNA)	Number of prisoners	Percentage occupation
1994	48,291	48,929	101%
1995	50,239	51,086	102%
1996	53,152	55,256	104%
1997	56,329	61,467	109%
1998	61,253	65,727	107%
1999	62,369	64,529	103%
2000	63,346	65,194	103%
2001	63,530	66,403	105%
2002	64,046	71,112	111%
2003	66,104	73,627	111%
2004	67,505	74,468	110%
2005	69,394	76,079	110%
2006	70,085	77,962	110%
2007	71,465	81,040	113%
2008	73,452	83,667	113%

46. HM Inspectorate of Prisons (2009) The prison characteristics that predict prisons being assessed as performing 'well': A thematic review by HM Chief Inspector of Prisons, London: HM Inspectorate of Prisons

47. NOMS Monthly Bulletin – April 2009

48. Ibid.

49. Ibid.

50. Jack Straw, Oral statement to the House of Commons, http://www.justice.gov.uk/news/announcement_051207a.htm

51. Jack Straw, Oral statement to the House of Commons, <http://www.justice.gov.uk/news/announcement270409a.htm>

Prison overcrowding

Prison overcrowding is defined by the Prison Service as a prison containing more prisoners than the establishment's Certified Normal Accommodation (CNA).

'CNA, or uncrowded capacity, is the Prison Service's own measure of accommodation. CNA represents the good, decent standard of accommodation that the service aspires to provide all prisoners.'⁵²

The limit to overcrowding in prison is called the Operational Capacity. The Prison Service defines it as: 'the total number of prisoners that an establishment can hold without serious risk to good order, security and the proper running of the planned regime.'⁵³ For the first time, recorded figures showed that on 22 February 2008, at 82,068 the prison population breached the Prison Service's own safe overcrowding limit.⁵⁴

The prison population was 111% of the 'in use CNA' (74,871) on 31 March 2009.⁵⁵

The ten most overcrowded prisons in England and Wales, April 2009

Prison	In use CNA	Operational Capacity	Population	% Overcrowded
Swansea	230	402	414	180%
Shrewsbury	177	332	309	175%
Usk	153	256	255	167%
Exeter	313	533	521	166%
Dorchester	137	259	226	165%
Leicester	210	392	346	165%
Altcourse	794	1,324	1,293	163%
Preston	453	842	724	160%
Durham	593	985	929	157%
Lincoln	436	738	682	156%

NOMS Monthly Bulletin - April 2009

52. The Prison Service, Prison Service Order 1900, Certified Prisoner Accommodation

53. Ibid.

54. http://www.hmprisonservice.gov.uk/assets/documents/100035D522022008_web_report.doc

55. Ministry of Justice (2009), Population in custody monthly tables, March 2009, England and Wales, London: Ministry of Justice

56. NOMS Monthly Bulletin – April 2009

57. Hansard, House of Commons written answers, 10 March 2008: Col. 157W and 18 March 2009: Col. 1218W

58. Hansard, House of Commons written answers, 21 April 2009, Col.: 622W

59. Ibid.

60. Carter, P. (2007) Lord Carter's Review of Prisons, Securing the future, London: Ministry of Justice

61. Hansard, House of Commons written answers, 26 March 2008: Col. 232W

62. Rt Hon Jack Straw, The Times, 12 July 2007

At the end of April 2009, 82 of the 140 prisons in England and Wales were overcrowded.⁵⁶

From April 2006 to December 2008 a total of £75,850,700 was spent on housing prisoners in police cells under Operation Safeguard. The average estimated cost of holding a prisoner in a police cell is £385 per night.⁵⁷

Between April 2008 and February 2009 an average of 19,180 prisoners were doubled up in cells designed for one. This accounts for 24.8% of the prison population.⁵⁸ The average number of people held two to a cell certified for one in 2007-08 was 19,054,⁵⁹ up from 9,498 in 1996-97.

Approximately 70% of the increase in demand for prison places between 1995 and 2005 is estimated to have arisen owing to changes in custody rate and sentence length.⁶⁰

On average there were more than 6,000 inter-prison transfers per month between April 2007 and February 2008.⁶¹

In an interview with The Times on 12 July 2007, Jack Straw, then incoming Secretary of State for Justice, stated that 'we cannot just build our way out of overcrowding'. He called for a 'national conversation' on the use of prison and said that he would still want this to take place even if he could 'magic an extra 10,000 places'.⁶²

Sentencing trends

The number of people found guilty by the courts has remained largely constant over recent years, it was 1,667,915 in 1997 and 1,778,813 in 2007.⁶³

Approximately 70% of the increase in demand for prison places between 1995 and 2005 is estimated to have arisen owing to changes in custody rate and sentence length.⁶⁴

The sentencing guidelines working group, when looking at sentences given for four different offences in the crown court, found that 71 out of these 222 sentences were above the guideline ranges for the relevant level of seriousness.⁶⁵

90,260 people entered prison under sentence in 2007, up 2% on the previous year and 12% higher than in 1997.⁶⁶

This rise was proportionally far greater for women (up 66%) than for men (up 8%). Among women there were large rises in theft and handling, and breaches of court orders.⁶⁷

In 2007, there were nearly 136,000 people sentenced to custody (immediate and suspended), the highest in a decade. This was an increase of 5% from 2006 and 40% from 1997.⁶⁸

There were 40,700 suspended sentences in 2007, an increase of 7,200 (21%) on 2006. The number of sentences of immediate custody, at 95,200, was the second lowest figure recorded in the last decade and 810 (1%) down on 2006.⁶⁹

Magistrates' courts accounted for 51,200 sentences of immediate custody (down 2,300 or 4.2% on 2006) and 25,500 suspended sentences (up 2,200 or 9.4%). The rate of immediate custody was 3.8% - one of the lower rates in the last decade. A further 1.9% were given suspended sentences.⁷⁰

At the crown court there were 44,000 sentences of immediate custody (up 1,400 or 3.4%) and 15,200 suspended sentences (up 5,000 or 48.7%) giving an immediate custody rate of 54% with a further 18.7% on suspended sentences.

The length of immediate custodial sentences averaged 12.4 months in 2007, the same as in 2006 and down from a peak of 12.9 months in 2004. However, this average excludes the growing number of indeterminate sentences given since the introduction of imprisonment for public protection sentences in April 2005. If these longer sentences were included, the average would be higher.⁷¹

At magistrates' courts, the average sentence length for sentences of immediate custody in 2007 was 2.5 months.⁷²

24,853 people entered prison in 2007 to serve sentences up to and including three months. This is up 12% from 1997.⁷³

Within this total, the number of adult women serving up to and including three months has increased by 68%.⁷⁴

63. Ministry of Justice (2008) Sentencing Statistics 2007, London: The Stationery Office

64. Carter, P. (2007) Lord Carter's Review of Prisons, Securing the future, London: Ministry of Justice

65. Hansard, Westminster Hall debate, 5 February 2009: Col. 328WH

66. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

67. Ibid.

68. Ministry of Justice (2008) Sentencing Statistics 2008, London: The Stationery Office

69. Ibid.

70. Ibid.

71. Ibid.

72. Ibid.

73. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

74. Ibid.

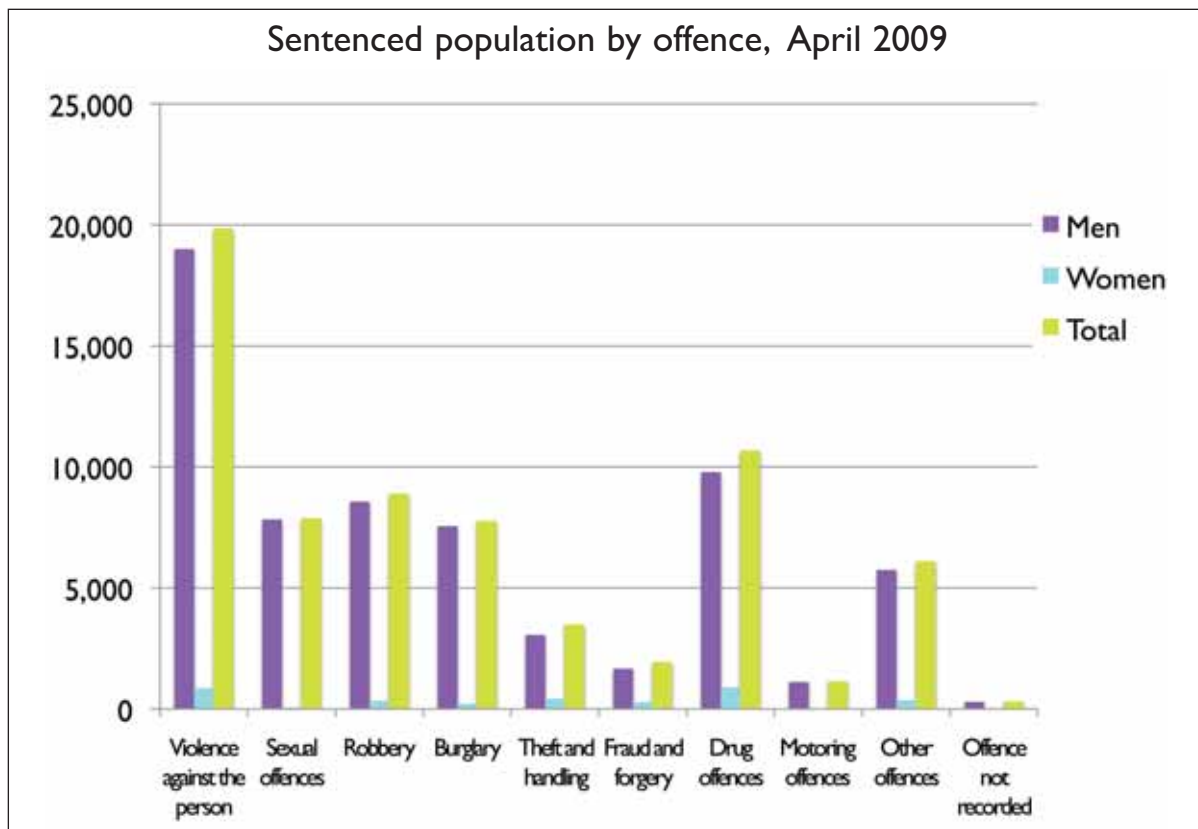
Women serve shorter prison sentences than men for less serious offences. While prisoners serving sentences of six months or under make up 6% of the total prison population, women serving these short sentences make up 11% of the female prison population.⁷⁵

Those serving sentences of six months or under made up over half of the 91,736 received into prison under sentence in 2007. Those serving a year or under make up 66% of those received to prison under sentence, up from 56% in 1996.⁷⁶

Of those in prison on short sentences of six months or under, 57% have eleven or more previous convictions, 16% between seven and ten, and only 5% have no previous convictions.⁷⁷

46% of adults given custodial sentences have already had at least three previous custodial sentences.⁷⁸

Reconviction rates for sentences of 12 months or less were almost twice those of offenders sentenced to carry out unpaid work – 70% compared to 38%.⁷⁹



Ministry of Justice, *Population in Custody, England and Wales, April 2009*

75. Ministry of Justice (2008) *Offender Management Caseload Statistics 2007*, London: The Stationery Office

76. Ibid., and House of Commons Justice Committee (2008) *Towards Effective Sentencing, Fifth Report of Session 2007-08, Vol I*, London: The Stationery Office

77. Ibid.

78. Hansard, Westminster Hall debate, 5 February 2009: Col. 302WH

79. House of Commons Justice Committee (2008) *Towards Effective Sentencing, Fifth Report of Session 2007-08, Vol I*, London: The Stationery Office

Prisoners serving life sentences and indeterminate sentences for public protection (IPP)

The number of life sentenced and IPP sentenced prisoners has increased considerably in recent years. There were 12,228 people serving indeterminate sentences at the end of March 2009, a rise of 12% on the year before.⁸⁰ This compares with fewer than 4,000 in 1998 and 3,000 in 1992.⁸¹

The number sentenced to life imprisonment a year has increased from 338 in 1996 to 492 in 2007.⁸²

At the end of 2006 there were 30 prisoners in England and Wales serving a ‘whole life’ tariff.⁸³

As at 1 September 2006, England and Wales had the highest number of life sentenced prisoners in Europe. It had more than Germany, France, Italy, the Russian Federation and Turkey combined.⁸⁴

On 24 April 2009, there were 5,246 prisoners serving IPP sentences. 409 were under 21 years of age and 145 were women.⁸⁵ 1,750 people were given an IPP sentence in 2007 and 1,270 in 2008.⁸⁶

On 24 April 2009, 1,711 (33%) of those sentenced to imprisonment for public protection were being held beyond their tariff expiry date.⁸⁷ On 12 February 2009, 568 people were past their tariff by 12 months or more.⁸⁸

Because, by definition, IPP sentences are indeterminate, they have a

disproportionate effect on the increase in size of the prison population.

Up to 30 April 2009, 60 offenders serving IPP sentences had been released from custody.⁸⁹

In 2008 the shortest tariff for those serving IPP sentences was 39 days. The longest tariff was 14 years and 235 days. The average tariff was three years and 140 days.⁹⁰ According to HM Chief Inspector of Prisons, many IPP prisoners remain unclear about the implications of their sentence. The Prison Service has not produced any information specifically for IPP prisoners.⁹¹

On 13 April 2007, 2,603 prisoners on life or indeterminate sentences were held in local prisons. The majority were waiting for transfer to first stage lifer prisons.⁹²

HM Chief Inspectors of Prisons and Probation have described those serving IPP sentences as ‘prisoners with many and complex needs, including mental health, learning disability and a risk of self-harm.’⁹³

Nearly one in five IPP prisoners have previously received psychiatric treatment, while one in ten is receiving mental health treatment in prison and one in five is receiving medication. One IPP prisoner in 20 is or has been a patient in a special hospital or regional secure unit.⁹⁴

80. Ministry of Justice (2009) Population in custody monthly tables, March 2009, England and Wales

81. Home Office (2003) Prison Statistics England and Wales 2002, London: Stationery Office

82. Ministry of Justice (2008) Sentencing Statistics 2008, London: The Stationery Office

83. Home Office, FOI release 4595, 27 October 2006

84. Aebi, M. (2008) Council of Europe Annual Penal Statistics, Survey 2006

85. Hansard, House of Commons written answers, 16 June 2009: Col. 727W

86. Hansard, House of Commons written answers, 5 March 2009: Col. 1788W

87. Hansard, House of Commons written answers, 16 June 2009: Col. 261W

88. Hansard, House of Commons written answers, 25 February 2009: Col. 845W

89. Hansard, House of Commons written answers, 16 June 2009: Col. 258W

90. Hansard, House of Commons written answers, 4 March 2009: Col. 1710W

91. HM Chief Inspector of Prisons for England and Wales (2008) Annual Report 2006/2007, London: HM Inspectorate of Prisons

92. Hansard, House of Commons written answers, 10 May 2007: Col. 433W

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

94. Sainsbury Centre for Mental Health (2008) In the dark: The mental health implications of Imprisonment for Public Protection, London: Sainsbury Centre for Mental Health

Data from the Prison Service's Safer Custody Group also confirm that IPP prisoners have a raised incidence of self-harm.⁹⁵

Prisoners serving indeterminate sentences are statistically over-represented in terms of self-inflicted deaths.⁹⁶ Of the total such deaths in 2007, 18 people or nearly 20% were serving life sentences, though they make up about 7% of the prison population. A further four people who committed suicide were amongst those serving IPP sentences.⁹⁷

Nearly 80% of IPP sentences for women surveyed by the Chief Inspectors of Prisons and Probation were for offences of arson, which could be an indicator of serious mental illness or self-harm.⁹⁸

There is a significant shortage of accredited offender behaviour programmes for IPP prisoners, especially in local prisons. Many IPP prisoners attend their Parole Board hearing with little or nothing to show for their time in prison.⁹⁹

Prisoners whom staff consider to be unsuitable to participate because of mental illness or emotional instability are often excluded from taking part in programmes entirely.¹⁰⁰

Research by the Prison Reform Trust has found that there are a significant number of prisoners who, because they have a learning disability or difficulty, are excluded from aspects of the prison regime including offending behaviour

programmes. A report by HM Chief Inspectors of Prison and Probation described this predicament – prisoners being unable to access the interventions they needed to secure their release as ‘kafkaesque’ on the same issue the Joint Committee on Human Rights noted that ‘people with learning disabilities may serve longer custodial sentences than others convicted of comparable crimes.’ The report went on to say that ‘this clearly breaches Article 5 ECHR (right to liberty) and Article 14 ECHR (enjoyment of ECHR rights without discrimination).¹⁰¹

According to HM Chief Inspectors of Prisons and Probation, ‘life-sentenced prisoners, too, were increasingly angry and frustrated as short-tariff IPP prisoners were prioritised for scarce courses and programmes.’¹⁰²

Changes have been made to the legislation, limiting the availability of IPP sentences to those with a minimum tariff of two years and over. This should reduce the numbers sentenced to an IPP by up to an estimated 30%. However, those sentenced to an indeterminate sentence are likely to stay well beyond tariff.¹⁰³

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

96. NOMS, Safer Custody News, Nov/Dec 2007

97. Ministry of Justice, Deaths in Prison Custody 2007, <http://www.justice.gov.uk/news/newsrelease010108a.htm>

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

99. Sainsbury Centre for Mental Health (2008) In the dark: The mental health implications of Imprisonment for Public Protection, London: Sainsbury Centre for Mental Health

100. Ibid.

101. Talbot, J. Written evidence submitted by Prison Reform Trust to the Joint Committee on Human Rights: The Human Rights of Adults with Learning Disabilities, 2007

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

103. Ibid.

People on remand

In 2007, 55,305 people were remanded into custody to await trial. In the same year 43,566 people were remanded into prison convicted but awaiting sentence.¹⁰⁴

The remand population in prison decreased by 1% to 12,987 in March 2009 compared to March 2008. Within this total, the untried population increased 1% to 8,446 and the convicted unsentenced population decreased 3% to 4,451.¹⁰⁵

In Scotland, the average daily remand population in 2007/08 was 1,560, very similar to the previous year.¹⁰⁶

One in five (19%) of men and 18% of women held on remand before trial in 2005 were acquitted.¹⁰⁷

Three quarters of under-18 year olds locked up on remand by magistrates or district judges are either acquitted or given a community sentence.¹⁰⁸

An acquitted defendant is not automatically entitled to compensation. It has been the exception rather than the rule for any compensation to be payable.¹⁰⁹

The average waiting time for those remanded into custody awaiting cases committed for trial at the crown court was 13 weeks.¹¹⁰

Of those people remanded into custody in 2007, 30% went on to receive a non-custodial sentence.¹¹¹

Just under two-thirds of people received into prison on remand awaiting trial are accused of non-violent offences. In 2007, 14% were remanded into custody for theft and handling of stolen goods.¹¹²

At the end of March 2009 there were 802 women on remand, nearly 20% of the female prison population.¹¹³ Just under two thirds of the women who entered prison in 2006 did so on remand.¹¹⁴

There has been a 40% increase in the number of women entering prison on remand awaiting trial between 1997 and 2007. This compares to an 11% decrease for men in the same period.¹¹⁵

One fifth of children in custody in England and Wales are locked up on remand – approximately 600 at any one time. The number of children imprisoned on remand has increased by 41% since 2000.¹¹⁶

Use of the important alternative to custodial remand – remand to non-secure local authority accommodation – has declined by 43% in the last four years. In most areas of England and Wales there is no specialist accommodation for under-18 year olds on bail or remand to non-secure local authority accommodation.¹¹⁷

According to research by the Office for National Statistics, more than a quarter of men on remand have attempted suicide at some stage in their life. For women remand prisoners the figure is even higher. More than 40% have attempted suicide before entering prison.¹¹⁸

104. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office. NB, the same person can be remanded before and after trial, so counting twice. 105. Ministry of Justice (2009) Population in custody monthly tables, March 2009, England and Wales

106. Scottish Executive Statistical Bulletin, Criminal Justice Series, Prison Statistics Scotland, 2007/08

107. Home Office (2005) Offender Management Caseload Statistics, 2005, London: The Stationery Office

108. Gibbs, P. and Hickson, S (2009) Children: Innocent until proven guilty? London: Prison Reform Trust

109. Broadbridge, S. (2009) Compensation for acquitted defendants, London: House of Commons Library

110. Cabinet Office Social Exclusion Task Force (2009) Short Study on Women Offenders, London: Cabinet Office

111. Hansard, House of Commons written answers, 21 April 2009: Col. 623W

112. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

113. Ministry of Justice (2009) Population in custody monthly tables, March 2009, England and Wales

114. Ministry of Justice (2007) Offender Management Caseload Statistics 2006, London: The Stationery Office

115. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

116. Gibbs, P. and Hickson, S (2009) Children: Innocent until proven guilty? London: Prison Reform Trust 117. Ibid.

118. Singleton, N et al (1998) Psychiatric Morbidity among Prisoners in England and Wales, London: Office for National Statistics

Remand prisoners suffer from a range of mental health problems. According to the Office for National Statistics more than three-quarters of men on remand suffer from a personality disorder. One in ten have a functional psychosis and more than half experience depression. For women on remand, nearly two-thirds suffer from depression. Once again these figures are higher than for sentenced prisoners. Research has found that 9% of remand prisoners require immediate transfer to the NHS.¹¹⁹

On 30 June 2005 there were 1,900 people on remand awaiting trial for over three months – 23% of the total.¹²⁰

A significant proportion of those held on remand have been in prison previously. One study found that 65% of respondents had been remanded into custody before.¹²¹

Remand prisoners, 16% of the prison population, accounted for 43% of self-inflicted deaths in 2008.¹²²

Remand prisoners are more likely than sentenced prisoners to have a history of living in unstable or unsuitable accommodation. Research by the National Association for the Care and Resettlement of Offenders (nacro) has suggested they are five times more likely to have lived in a hostel prior to imprisonment.¹²³

Remand prisoners receive no financial help from the Prison Service at the point of release. They are also not eligible for practical support with resettlement from the Probation Service, even though they can be held

on remand for as long as 12 months.¹²⁴

More than two in three of all prisoners are unemployed when they go to jail. But research by nacro has found that remand prisoners are less likely than sentenced prisoners to have had a job before prison. The minority of remand prisoners who do have jobs are very likely to lose them whilst in prison.¹²⁵

One in four men and half of all women on remand receive no visits from their family.¹²⁶

Research by the Prison Reform Trust has found that prisons are failing to equip remand prisoners to prepare for trial. The study found that only 48% of prison libraries in jails holding remand prisoners stocked the standard legal texts that under Prison Service regulations they must provide.¹²⁷

Remand population by offence type
March 2009¹²⁸

Offence group	Total
Violence against the person	3,195
Drugs offences	1,878
Other	1,812
Burglary	1,458
Robbery	1,358
Theft and Handling	1,009
Sexual offences	905
Not recorded	739
Fraud and Forgery	581
Motoring offences	138

119. Singleton, N et al (1998) Psychiatric Morbidity among Prisoners in England and Wales, London: Office for National Statistics

120. Home Office (2005) Offender Management Caseload Statistics, 2005, London: The Stationery Office

121. Nacro (2000) Prisoner Resettlement Surveys, Unpublished

122. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: Stationery Office. Note: the reporting year runs from September 2007 to August 2008

123. nacro (2000) Prisoner Resettlement Surveys, unpublished

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

125. Ibid.

126. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

127. Ruthven, D and Seward, E (2002) Restricted Access: Legal Information for Remand Prisoners, London: Prison Reform Trust.

128. Ministry of Justice (2009) Population in custody monthly tables, March 2009, England and Wales

Recalls to prison

In the five years to 2007, there has been a 350% increase in the number of offenders recalled to prison for apparent breach of their conditions.¹²⁹ This is despite the fact that the number of ex-prisoners on licence in the community has increased by less than 15%. Rates of recall for those technically eligible rose from 53% in 2000, to 86% in 2004.¹³⁰

Recalled prisoners make up nearly 11% of the population of local prisons.¹³¹

In 2007-08, 11,756 determinate sentence offenders were recalled, an increase of 5% on 2006-07.¹³²

During the last year the prison recall population has increased by 28% to 5,000 as at 30 March 2007 due to an increase in the number of offenders being recalled and the fact that prisoners sentenced to determinate sentences under the provisions of the Criminal Justice Act 2003 are liable to spend longer in custody if recalled.¹³³

Between April and June 2005, 2,100 people were recalled on a breach of their licence. Of these the largest proportion, 30%, were 'out of touch', 18% were breached for problems with their behaviour, 8% for breaking their residency conditions and 18% for 'other reasons'. Only a quarter were recalled to face a further charge.¹³⁴

The average daily population of prisoners in Scotland recalled from supervision or licence has risen

substantially, increasing by 18% to 614 in 2007-08, from 519 in 2006-07.¹³⁵

In 2007, 11,428 people were released on home detention curfew (HDC). This was 46% lower than in 2003. One of the main reasons associated with this fall were assessors becoming more risk aware.¹³⁶ On 12 June 2009, 2,585 people were on HDC.¹³⁷

In 2007 there were 1,654 decisions to recall from HDC, representing a decrease of 24% on 2006.¹³⁸

Under the provisions of the Criminal Justice Act 2003, the time served under licence is increasing markedly. Those serving long sentences will be under supervision for the whole sentence, instead of until the three-quarters point and the new public protection sentences includes long periods on licence.¹³⁹

129. Hansard, Westminster Hall debate, 5 February 2009: Col. 31 IWH

130. HM Inspectorate of Prisons (2005) Recalled prisoners, London: HM Inspectorate of Prisons

131. Ibid.

132. Ministry of Justice (2008) Offender management caseload statistics 2007, London: The Stationery Office

133. Ibid.

134. NOMS Recall newsletter edition 7, annex A

135. Scottish Executive, Statistical Bulletin, Criminal Justice Series, Prison Statistics Scotland 2007/08

136. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

137. NOMS, Prison Population and Accommodation Briefing for 12 June 2009

138. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

139. Prison Reform Trust (2005) Recycling offenders through prison, London: Prison Reform Trust

Social characteristics of prisoners

Characteristic	General population	Prison population
Ran away from home as a child	11%	47% of male and 50% of female sentenced prisoners
Taken into care as a child	2%	27%
Regularly truanted from school	3%	30%
Excluded from school	2%	49% of male and 33% of female sentenced prisoners
No qualifications	15%	52% of men and 71% of women
Numeracy at or below Level 1 (level expected of 11 year-olds)	23%	65%
Reading ability at or below Level 1	21-23%	48%
Unemployed before imprisonment	5%	67%
Homeless	0.9%	32%
Suffer from two or more mental disorders	5% men and 2% women	72% of male and 70% of female sentenced prisoners
Psychotic disorder	0.5% men and 0.6% women	7% of male and 14% of female sentenced prisoners
Drug use in the previous year	13% men and 8% women	66% of male and 55% of female sentenced prisoners
Hazardous drinking	38% men and 15% women	63% of male and 39% of female sentenced prisoners

Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

Mothers and fathers in custody, prisoners' children

Home Office research has found that 66% of women and 59% of men in prison have dependant children under 18. Of

those women, 34% had children under five, a further 40% children aged from five to ten.¹⁴⁰

Each year it is estimated that more than 17,700 children are separated from their mother by imprisonment.

Just 5% of women prisoners' children remain in their own home once their mother has been sentenced.¹⁴¹

At least a third of mothers are lone parents before imprisonment.¹⁴² Black and ethnic minority women are particularly likely to be single mothers, as more than half of black African and black Caribbean families in the UK are headed by a lone parent, compared with less than a quarter of white families and just over a tenth of Asian families.¹⁴³

Black, minority ethnic and foreign national women reported more problems ensuring dependants were looked after than white and British women.¹⁴⁴

Only 9% of children whose mothers are in prison are cared for by their fathers in their mothers' absence.¹⁴⁵

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.¹⁴⁶

One Home Office study showed that for 85% of mothers, prison was the first time they had been separated from their

children for any significant length of time. It also showed that 65% of mothers in prison were receiving their first custodial sentence.¹⁴⁷

An ICM public opinion poll, commissioned by SmartJustice in March 2007, found that, of 1,006 respondents, 73% thought that mothers of young children should not be sent to prison for non-violent crime.¹⁴⁸

Imprisoning mothers for non-violent offences has a damaging impact on children and carries a cost to the state of more than £17 million over a ten-year period.¹⁴⁹

The main social cost incurred by the children of imprisoned mothers – and by the state in relation to these children – results from the increased likelihood of their becoming 'NEET' (Not in Education, Employment or Training).¹⁵⁰

Additional savings can be made with non-custodial sentences because of the reduced likelihood of children becoming problem drug users, or becoming involved in crime, if their mothers avoid prison.¹⁵¹

There are eight mother and baby units located within prisons and secure training centres in England providing accommodation for up to 75 women and their babies at any one time.¹⁵² There is no automatic eligibility for a place within a mother and baby unit.¹⁵³

Between April 2005 and July 2008, 283

140. Home Office Research Study 208, and Hansard, House of Commons, 28 April 2003

141. Prison Reform Trust (2000) Justice for Women: The Need for Reform, London: Prison Reform Trust

142. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

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

144. Ibid.

145. The government's response to the report by Baroness Corston of a Review of Women with Particular Vulnerabilities in the Criminal Justice System, December 2007

146. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

147. Home Office Research Study 162 (1997), Imprisoned Women and Mothers, Home Office: London

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

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

150. Ibid.

151. Ibid.

152. 11 Million (2008) Prison Mother and Baby Units – do they meet the best interests of the child? London

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

children were born to women prisoners.

This is a rate of almost two births a week in England and Wales.¹⁵⁴

However, between April 2008 and June 2008, 49 women in prison gave birth, at a rate of nearly four a week.¹⁵⁵

23 births were to mothers aged 18 and 19.¹⁵⁶

Seven young women aged 16 and 17 years old in secure training centres gave birth and one in a secure children's home gave birth between April 2006 and March 2009.¹⁵⁷

There are no women's prisons in Wales, and Welsh mothers and babies serve their sentences within units in England.¹⁵⁸

Women with babies in prison may be unable to claim benefits for their children.¹⁵⁹

25% of young men in young offender institutions are, or are shortly to become, fathers.¹⁶⁰

According to a Prisons Inspectorate and Youth Justice Board survey, 10% of young men and 9% of young women, aged between 15 and 18 years old had children themselves.¹⁶¹

In 2004, for the first time the government announced that a record will be kept of prisoners' children. Information will be recorded on the National Offender Management Information System. This commitment has yet to be implemented and will not be mandatory once in place.¹⁶²

A government review of the children of offenders carried out in 2007 stated 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.'¹⁶³

55% of men described themselves as living with a partner before imprisonment¹⁶⁴ and a third of women described themselves as living with a husband or partner before imprisonment.¹⁶⁵

It is estimated that there are 160,000 children with a parent in prison each year. This is around two and a half times the number of children in care, and over six times the number of children on the Child Protection Register. Based on the projected prison population growth, this group could rise to around 200,000 within the next five years.¹⁶⁶

In 2006, more children were affected by the imprisonment of a parent than by divorce in the family.¹⁶⁷

During their time at school 7% of children experience their father's imprisonment.¹⁶⁸

Prisoners' families, including their children, often experience increased financial, housing, emotional and health problems during a sentence. Children of prisoners have about three times the risk of mental health problems and the risk of anti-social/delinquent behaviour compared to their peers.¹⁶⁹

154. <http://www.libdems.org.uk/home/200-babies-due-to-be-born-to-prisoners-this-year-howarth-37047303;show>

157. Hansard, House of Commons written answers, 29 April 2009: Col. 1332W

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

160. Ministry of Justice and Department for Children, Schools and Families, Children of Offenders Review, June 2007

161. Parke, S., (2009) HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2006-2008, an analysis of the experiences of 15-18-year-olds in prison, London: HM Inspectorate of Prisons

162. Hansard, House of Commons written answers, 12 September 2004

163. Ministry of Justice and Department for Children, Schools and Families, Children of Offenders Review, June 2007

164. Home Office (2001) Criminality Survey: Drugs Follow-Up, London: Home Office

165. Hamlyn, B. and Lewis, D. (2000) Women prisoners: a survey of their work and training experiences in custody and on release, London: Home Office

166. Ministry of Justice and Department for Children, Schools and Families, Children of Offenders Review, June 2007

167. Action for Prisoners' Families, CLINKS, Prison Advice & Care Trust, Prison Reform Trust (2007) The children and families of prisoners, London: Prison Reform Trust

168. Department for Education and Skills, (2003) Every Child Matters, London: Stationery Office

169. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit, and Murry, J. and Farrington D. P.

(forthcoming) Effects of Parental Imprisonment on Children. Cited in Reaching Out: Think Family, Analysis and themes from the Families at Risk Review, Cabinet Office, January 2008

155. Ibid. 156. Ibid.

158. Ibid.

65% of boys with a convicted parent go on to offend.¹⁷⁰

During their sentence 45% of people lose contact with their families and many separate from their partners.¹⁷¹

Home Office research has found that maintaining family contact is associated with successful resettlement. It found that prisoners who had at least one visit from family or partners were twice as likely to have an employment, education or training place arranged on release and three times more likely to have accommodation arranged as those who did not receive any visits. The frequency of visits also increased the likelihood of having a job or accommodation. The research report concluded that 'opportunities for involving families in the resettlement of prisoners should be increased'.¹⁷²

Charles Clarke, when Home Secretary, stressed the importance of family. 'As we consider the practical steps intended to equip offenders with the means to avoid reoffending we also need to remember the vital role of family, friends and community. I believe that we sometimes fail to give enough emphasis to the powerful impact of supportive relationships to prisoners – to realise that offenders often care deeply about letting down those closest to them, and want to show that they can change, but somehow just never get there. An offender is much less likely to reoffend if he feels part of a family and community, from which he receives support as well as owes obligations.'¹⁷³

Those prisoners who were visited in

prison by a partner or family member have a significantly lower reoffending rate (52%) than those who were not visited (70%).¹⁷⁴

However, many prisoners are still held a long way from their homes. In 2007, the average distance adult women in prison were held from their home or committal court address was 57 miles. Men were held an average of 49 miles from their home or committal court address. Young people between 18 and 21 were held an average of 50 miles away. Around 10,100 adult men, 800 adult women and 1,300 young offenders were held over 100 miles away.¹⁷⁵

In recent years the number of prison visits has fallen despite an increasing prison population.¹⁷⁶

Fewer than half the young people in surveys conducted by HM Prisons Inspectorate said that they had two or more visits a month.¹⁷⁷ 27% of young women and 16% of young men did not get any visits.¹⁷⁸

Just a third of children and young people said that it was easy or very easy for a loved one to visit them.¹⁷⁹

Black, minority ethnic and foreign national women were more likely to report that they had not had a visit within their first week in prison compared with white and British women.¹⁸⁰

In a survey of visitors' centres commissioned by the Prison Service,

170. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

171. nacro (2000) The forgotten majority, London: nacro

172. Niven, S. and Stewart, D. (2005) Resettlement outcomes on release from prison, Home Office Findings 248, London: Home Office

173. Prison Reform Trust Annual Lecture 2005, Rt Hon Charles Clark MP

174. Ministry of Justice (2008), Factors linked to reoffending: a one-year follow-up of prisoners who took part in the Resettlement Surveys 2001, 2003 and 2004, London: Ministry of Justice

175. A prisoner's home area is defined as their home address on their reception into prison. For prisoners with no address, the address of the relevant committal court is used as the home address. Hansard, House of Commons written answers, 31 January 2008

176. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

177. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: The Stationery Office

178. Parke, S., (2009) HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2006-2008, an analysis of the experiences of 15-18-year-olds in prison, London: HM Inspectorate of Prisons

179. Ibid.

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

Action for Prisoners' Families found that 65% of respondents would like to book visits via the internet or email. One third expressed their frustration at problems in getting through on the phone to book visits.

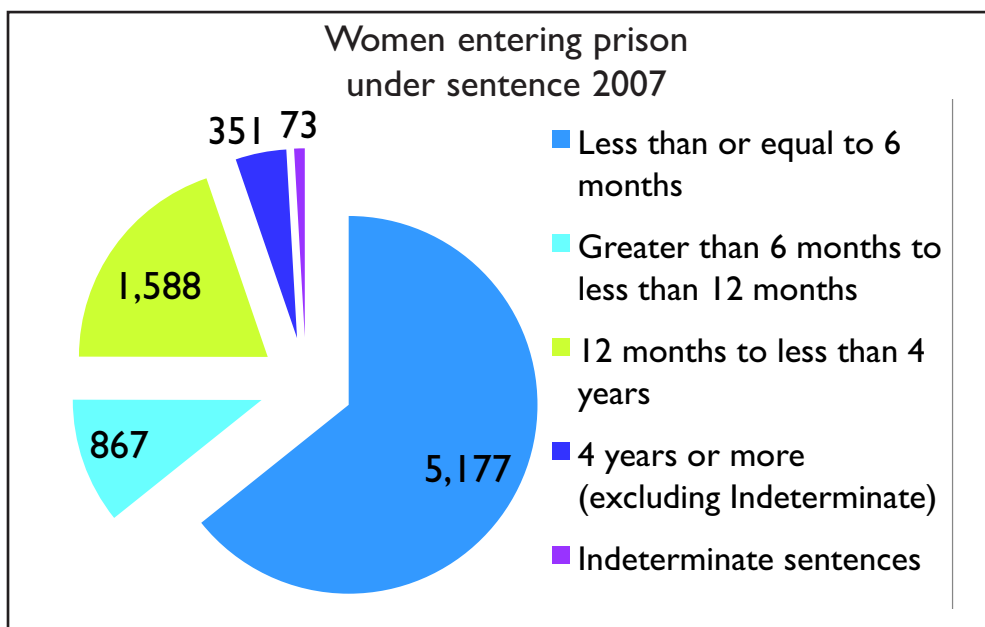
The number of incidents where visitors are found to be in possession of drugs has decreased significantly in the last five years. The number of drug related incidents involving visitors has declined from 831 in 2002-03 to 680 in 2006-07. The total number of attempted smuggling incidents was 3,488 (which include prison staff, prisoners and other means of entry such as throwing substances over prison walls and sending them by post).¹⁸¹

Only 50% of young men and 23% of young women (15-18) in prison have reported being able to use the phone everyday to speak to their families.¹⁸²

30% of young men and 33% of young women (15-18) said they had problems sending and receiving mail.¹⁸³

On 2 April 2009, BT reduced the prohibitively high cost of calls from prison payphones in England and Wales following a successful super-complaint issued by the National Consumer Council, now Consumer Focus, and the Prison Reform Trust to the regulator Ofcom. Prison payphone calls to landlines have only dropped from 11 pence per minute to 10 pence per minute. Costs of calls to mobiles during the day on weekdays were reduced from 63 pence per minute to 37.5 pence per minute.¹⁸⁴

Between April 2008 and March 2009, a total of 4,132 illicit mobile phones were found in prisons in England and Wales.¹⁸⁵



Ministry of Justice (2008), *Offender Management Caseload Statistics 2007*, London: The Stationery Office

181. Hansard, House of Commons written answers, 21 January 2008: Col. 1678W

182. Parke, S., (2009) HM Inspector of Prisons and Youth Justice Board, *Children and Young People in Custody 2006-2008, an analysis of the experiences of 15-18-year-olds in prison*, London: HM Inspectorate of Prisons

183. Ibid.

184. <http://www.prisonreformtrust.org.uk/standard.asp?id=1735>

185. Hansard, House of Commons written answers, 23 April 2009: Col. 780W

Women in prison

On 12 June 2009 the number of women in prison in England and Wales stood at 4,269, 236 fewer than a year before.¹⁸⁶ In the last decade the women's prison population has gone up by 60%. In 1997 the mid-year female prison population was 2,672. In 2000 it stood at 3,355 and in 2007 it was 4,283. A total of 11,847 women were received into prison in 2007.¹⁸⁷

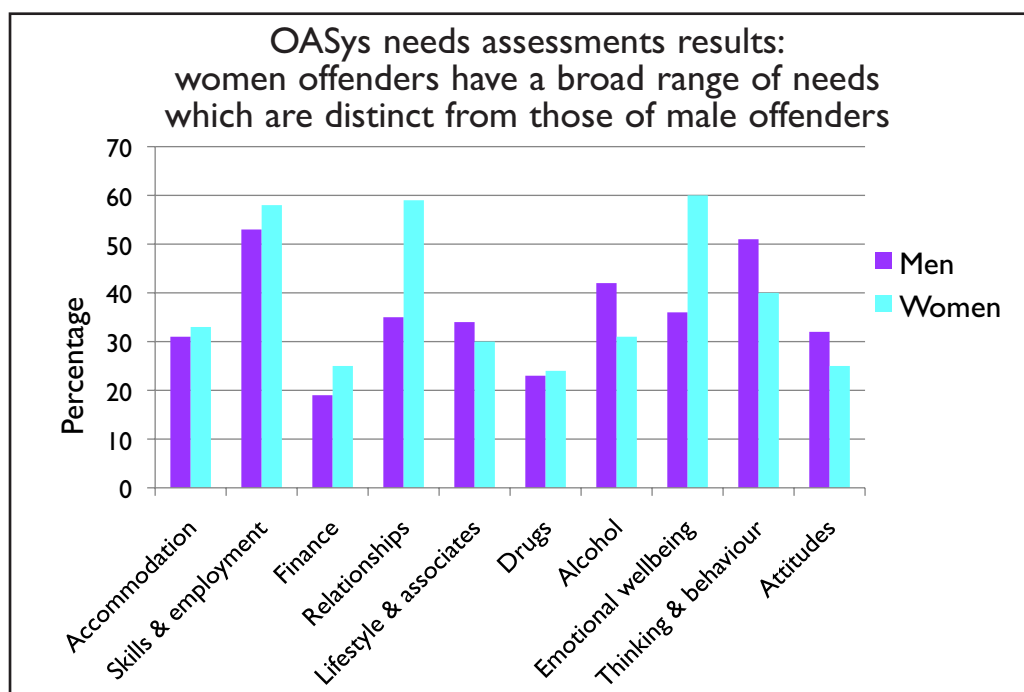
Over the ten year period, 1998-99 to 2007-08, the average daily female prison population in Scotland has increased by 87%. The 2007/08 female prison population was 371, an increase from 353 in 2006-07.¹⁸⁸

Nearly a third of all women in prison had no previous convictions – more than double the figure for men.¹⁸⁹

12% of women serving sentences of under six months had no previous convictions, compared with only 5% of men.¹⁹⁰

Just under two thirds of the women who entered prison in 2006 did so on remand.¹⁹¹ At the end of March 2009 there were 802 women on remand, nearly 20% of all women in prison.¹⁹²

There was a 39% increase in the number of women remanded into custody between 1997 and 2007, from 5,124 to 7,136.¹⁹³ These women spend an average of four to six weeks in prison and nearly 60% do not go on to receive a custodial sentence.¹⁹⁴



*Cabinet Office Social Exclusion Task Force (2009) Short Study on Women Offenders, London: Cabinet Office.
Note: evidence from analysis of Offender Assessment System data*

186. NOMS, Prison Population and Accommodation Briefing for 15 May 2009

187. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

188. Scottish Executive Statistical Bulletin, Criminal Justice Series, Prison Statistics Scotland, 2007/08

189. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

190. Ibid.

191. Ministry of Justice (2007) Offender Management Caseload Statistics 2006, London: The Stationery office

192. Ministry of Justice (2009) Population in custody monthly tables, March 2009, England and Wales

193. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

194. 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

64.3% of women released from prison in 2004 were reconvicted within two years of release.¹⁹⁵ This compares to fewer than four out of ten (38%) ten years ago.¹⁹⁶

At the end of March 2009 there were 816 foreign national women in prison, 19% of the female population.¹⁹⁷

68% of women are in prison for non-violent offences, compared with 47% of men.¹⁹⁸ At the end of March 2009 the largest group, 27%, were held for drug offences.¹⁹⁹

More women were sent to prison in 2007 for shoplifting offences than any other crime. They accounted for 26% of all women sentenced to immediate custody in 2007.²⁰⁰

28% of women offenders' crimes were financially motivated, compared to 20% of men.²⁰¹

Breach of license or of a community penalty comprised 60% of offences within the 'other offences' category received for women, and 42% for men.²⁰²

Most women serve very short sentences. In 2007 64% were sentenced to custody for six months or less.²⁰³

Most of the rise in the female prison population can be explained by a significant increase in the severity of sentences. In 1996, 10% of women convicted of an indictable offence were sent to prison, in 2006 15% were.²⁰⁴

There are 14 women's prisons in England

and none in Wales. Women represent 5% of the overall prison population.²⁰⁵

The average distance adult women in prison were held from their home or committal court address is 57 miles. In 2007, around 800 women were held over 100 miles away.²⁰⁶

A University of Oxford report on the health of 500 women prisoners, showed that: 'women in custody are five times from likely to have a mental health concern than women in the general population, with 78% exhibiting some level of psychological disturbance when measured on reception to prison, compared with a figure of 15% for the general adult female population'. 58% of women had used drugs daily in the six months before prison and 75% of women prisoners had taken an illicit drug in those six months. Crack cocaine, heroine, cannabis and benzodiazepines were the most widely used drugs. The Oxford researchers also found that women coming into prison had very poor physical, psychological and social health, worse than that of women in social class V, the group within the general population who have the poorest health.²⁰⁷

Of all the women who are sent to prison, 37% say they have attempted suicide at some time in their life.²⁰⁸

There were 51 self-inflicted deaths of women prisoners between 2002 and 2007. Though they accounted for 6% of the prison population, women accounted for 46% of all self-harm incidents in 2007.²⁰⁹

195. Home Office Statistical Bulletin, Re-offending of adults: results from the 2004 cohort

196. Home Office (2003) Offender Management Caseload Statistics, London: The Stationery Office

197. Ministry of Justice (2009) Population in custody monthly tables, March 2009, England and Wales

198. Cabinet Office Social Exclusion Task Force (2009) Short Study on Women Offenders, London: Cabinet Office 199. Ibid.

200. Hansard, House of Commons written answers, 5 March 2009: Col. 1790W

201. Cabinet Office Social Exclusion Task Force (2009) Short Study on Women Offenders, London: Cabinet Office. Note: evidence from analysis of Offender Assessment System data

202. Ministry of Justice (2009) Statistics on Women and the Criminal Justice System, London: Ministry of Justice

203. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

204. Ministry of Justice (2007) Sentencing Statistics 2006, London: The Stationery Office

205. NOMS, Prison Population and Accommodation Briefing, 22 May 2009

206. A prisoner's home area is defined as their home address on their reception into prison. For prisoners with no address, the address of the relevant committal court is used as the home address. Hansard, House of Commons written answers, 31 January 2008, and 18 March 2009: Col. 1222W

207. <http://www.admin.ox.ac.uk/po/070213%20prison.shtml>

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

209. Ministry of Justice (2009), Statistics on Women and the Criminal Justice System, London: Ministry of Justice

One in four women in prison has spent time in local authority care as a child.

Nearly 40% of women in prison left school before the age of 16 years, almost one in ten were aged 13 or younger.²¹⁰

Over half the women in prison say they have suffered domestic violence and one in three has experienced sexual abuse.²¹¹

Women prisoners are subject to higher rates of disciplinary proceedings than men. In 2007 there were 189 proven breaches against discipline per 100 women in prison compared to 133 per 100 men. According to the Ministry of Justice, 'women may be less able (due for example to mental health issues) to conform to prison rules.'²¹²

The proportion of women prisoners aged 40 and over has risen from 18% in 2002 to 25% in 2007.²¹³

Around one-third of women prisoners lose their homes, and often their possessions, whilst in prison.²¹⁴

Women prisoners are often inadequately prepared for release. According to the Social Exclusion Unit report only 24% of women with a prior skill had the chance to put their skills into practice through prison work. Just 11% of women received help with housing matters whilst in prison. Home Office research has found that 41% of women in prison did not have accommodation arranged on release. Only a third of women prisoners who wanted help and advice about benefits and debt received it.²¹⁵

In March 2007, the Corston review of

vulnerable women in the criminal justice system, commissioned by the Home Secretary following the deaths of six women at Styal prison, stated: 'community solutions for non-violent women offenders should be the norm', and; 'There must be a strong consistent message right from the top of government, with full reasons given, in support of its stated policy that prison is not the right place for women offenders who pose no risk to the public.'²¹⁶

An ICM public opinion poll commissioned by SmartJustice in March 2007 found that, of 1,006 respondents, 86% supported the development of local centres for women to address the causes of their offending. Over two thirds (67%) said that prison was not likely to reduce offending.²¹⁷

In 2007 a higher proportion of women than men completed their community sentence successfully or had their sentences terminated for good progress on both community orders and suspended sentence orders.²¹⁸

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 ten years.²¹⁹

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.²²⁰ The long-run value of these benefits is in excess of £100 million over a ten-year period.²²¹

210. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

211. Ibid.

212. Ministry of Justice (2009) Statistics on Women and the Criminal Justice System, London: Ministry of Justice

213. Ibid.

214. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

215. Ibid.

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

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

218. Ministry of Justice (2009) Statistics on Women and the Criminal Justice System, London: Ministry of Justice

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

220. Ibid.

221. Ibid.

Black and minority ethnic prisoners

On 30 June 2008 27% of the prison population, 22,406 prisoners, was from a minority ethnic group.²²² This compares to one in eleven of the general population.

In the 12 months to March 2008, 21% of sentenced offenders received into custody were from a minority ethnic group.²²³

Overall black prisoners account for the largest number of minority ethnic prisoners (56%) and their numbers are rising.²²⁴ Between 1999 and 2002 the total prison population grew by just over 12% but the number of black prisoners increased by 51%.²²⁵

At the end of June 2008, 38% of minority ethnic prisoners were foreign nationals.²²⁶

Out of the British national prison population, 11% are black and 5% are Asian.²²⁷ For black Britons this is significantly higher than the 2% of the general population they represent.²²⁸

At the end of June 2008, all minority ethnic groups had a higher proportion of prisoners on remand awaiting trial than those from white backgrounds.²²⁹

At the end of June 2008, 22% of black prisoners and 28% of Chinese or other prisoners were serving a sentence for drug offences. Those from mixed and Asian groups registered violence against the person as their main offence.²³⁰

In 2002 there were more African Caribbean entrants to prison (over 11,500) than there were to UK universities (around 8,000).²³¹

According to a prisons inspectorate survey, Asian and mixed-race prisoners reported more negatively across most areas of prison life than white or black prisoners, particularly in relation to safety and victimization by other prisoners.²³²

In a survey of prisoners conducted by the prisons inspectorate, 14% of prisoners from visible minorities felt they had been victimised by staff on grounds of race, as compared to 2% of white prisoners.²³³

73% of white adult male prisoners said they felt respected by staff members, as compared to 60% of black and 64% of Asian prisoners.²³⁴

White men were twice as likely as black men to agree that complaints are sorted out fairly in their prison.²³⁵

26% of black and minority ethnic women in prison reported having been victimized by staff, compared to 16% of white women. 63% of black and ethnic minority women felt respected by staff, compared to 77% of white women.²³⁶

In prisons only 42% of Muslims are Asian (compared to 74% in the general population), with 34% being black (compared to 6%). Nearly 14% are white.²³⁷

Just under a quarter of Muslim prisoners said they felt unsafe, and over a third said they had been victimized by staff: both significantly higher than the findings for non-Muslims.²³⁸

222. Ministry of Justice (2009) Statistics on Race and the Criminal Justice System 2007/08, London: Ministry of Justice 223. Ibid. 224. Ibid.

225. HM Prison Service and Commission for Racial Equality (2003) Implementing Race Equality in Prisons - a shared agenda for change, London: HM Prison Service

226. Ministry of Justice (2009) Statistics on Race and the Criminal Justice System 2007/08, London: Ministry of Justice 227. Ibid.

228. <http://www.statistics.gov.uk/cci/nugget.asp?id=273>

229. Ministry of Justice (2009) Statistics on Race and the Criminal Justice System 2007/08, London: Ministry of Justice 230. Ibid.

231. HM Prison Service and Commission for Racial Equality (2003) Implementing Race Equality in Prisons - a shared agenda for change, London: HM Prison Service

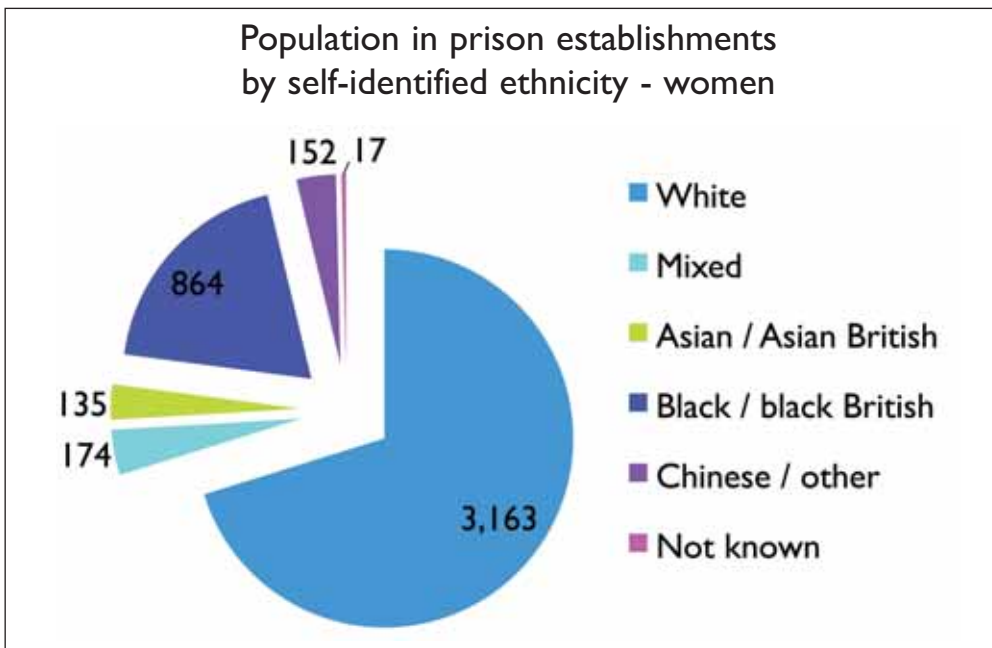
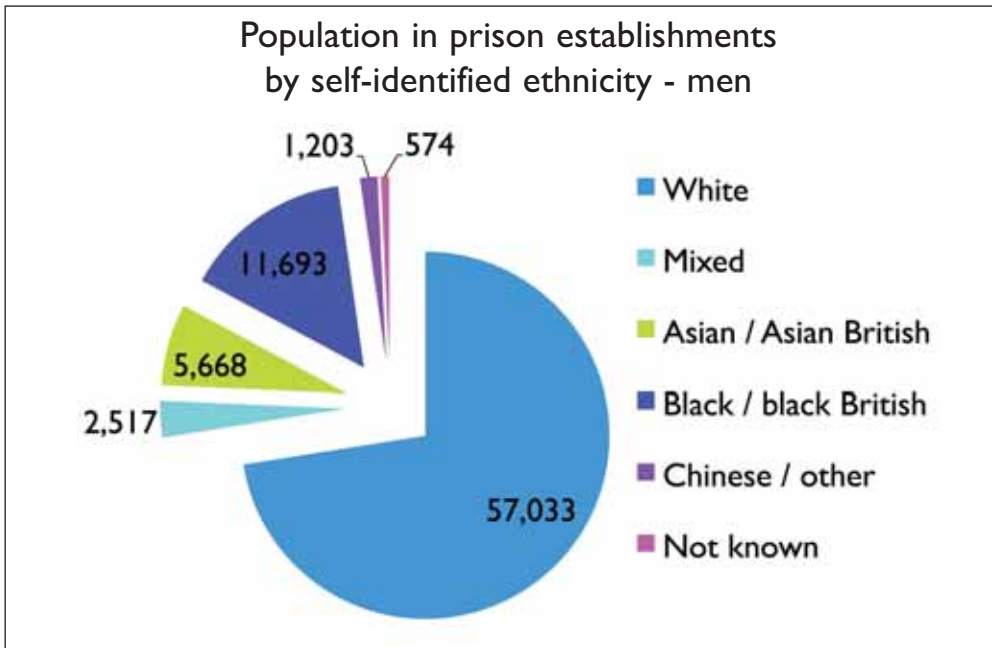
232. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: The Stationery Office

233. HM Chief Inspector of Prisons (2005) Parallel Worlds: a thematic review of race relations in prisons, London: The Stationery Office 234. Ibid.

235. Ibid. 236. HM Chief Inspector of Prisons (2009) Race relations in prisons: responding to adult women from black and minority ethnic backgrounds, London: The Stationery Office

237. Ministry of Justice (2008) Race Review 2008. Implementing Race Equality in Prisons – Five Years On, London: Ministry of Justice

238. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: The Stationery Office



Ministry of Justice (2009), *Statistics on Race and the Criminal Justice System 2007/08* London: Ministry of Justice

Foreign national prisoners

At the end of March 2009 there were 11,283 foreign national prisoners (defined as non-UK passport holders), 14% of the overall prison population.²³⁹

These prisoners come from 169 countries, but just under half are from ten countries (Jamaica, Nigeria, Republic of Ireland, Poland, Somalia, China, Vietnam, Pakistan, India and Lithuania).²⁴⁰

In February 2007, approximately 1,300 foreign nationals were held in prison or immigration detention beyond the length of their sentence.²⁴¹

Nearly one in five women in prison, 816, are foreign nationals.²⁴²

58% of foreign national women in prison are serving a custodial sentence for drug offences, compared to 24% of women of British nationality. 32% of foreign national men are serving a custodial sentence for drug offences, while the most common offence for British men is violence against the person at 28%.²⁴³

The number of foreign national women imprisoned for fraud and forgery offences (usually possession of false documents) has risen dramatically. In 1994, 229 foreign national prisoners were charged with such offences, but by 2005 it had risen to 1,995.²⁴⁴

In a Prisons Inspectorate survey, 73% of foreign national women stated that this was their first time in prison, compared with 43% of British nationals.²⁴⁵

In 2007 there was a 17% increase in the number of untried foreign national receptions, from 9,220 in 2006 to 10,740. Over the longer term the number of untried foreign national receptions has increased 158% (from 4,160 in 1997 to 10,740 in 2007). In comparison, untried receptions of British nationals were down 11% between 1997 and 2007.²⁴⁶

The number of foreign nationals in prison has increased by 144% between 1997 and 2007. This compares to a 20% increase in British nationals.²⁴⁷

In 15 prisons, foreign national prisoners make up a quarter or more of the population. In 2006, two prisons, Canterbury and Bullwood Hall were reserved for an entirely foreign national population.²⁴⁸

A Prison Service survey found that nearly 90% of prisons holding foreign national prisoners are not making regular use of the translation service available.

16% of self-inflicted deaths in 2008 were of foreign national prisoners.²⁴⁹

239. Ministry of Justice (2009) Population in Custody, England and Wales, March 2009, London: Ministry of Justice

240. Ibid.

241. Letter from Lin Homer of the IND to the Home Affairs Committee, 19 Feb 2007

242. Ministry of Justice (2009) Population in Custody, England and Wales, March 2009, London: Ministry of Justice

243. Ministry of Justice (2009) Statistics on Women and the Criminal Justice System, London: Ministry of Justice

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

245. Ibid.

246. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

247. Ibid.

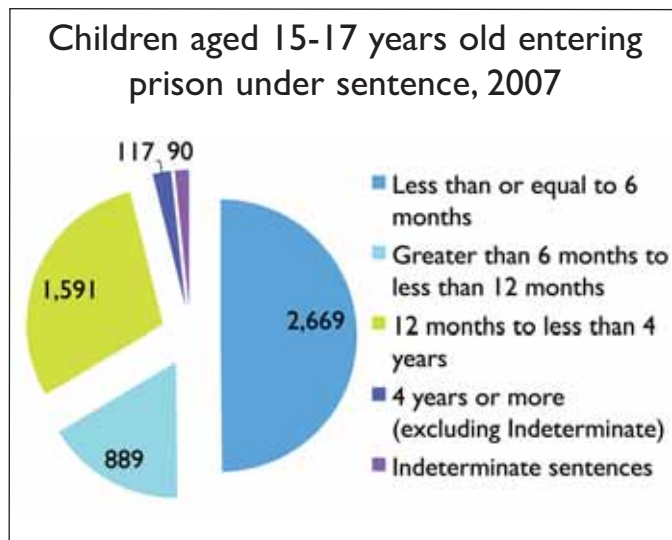
248. Ministry of Justice, Population in Custody, England and Wales, December 2007 and March 2008

249. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: The Stationery Office

Children in prison

In March 2009 there were 2,133 15-17 year olds in prison and 255 12-15 year olds in privately run secure training centres in England and Wales. There were 198 children in local authority secure children's homes.²⁵⁰

In 2008, 5,165 children aged between 15 and 17 entered prison. 2,560 of those entering prison were to serve sentences up to and including six months.²⁵¹



Ministry of Justice (2008), Offender Management Caseload Statistics 2007, London: The Stationery Office

In September 2008, there were 156 children aged 14 and under in the secure estate in England and Wales. 28 were aged 13 and five were aged 12.²⁵²

The number of girls aged 10-17 sentenced to custody at magistrates' court has increased by 181% from 1996 to 2006.²⁵³

During the period 1 April 2008 to 31

March 2009, 671 young people under 18 were remanded into custody for a period of seven days or less; and 173 were remanded for a period of seven days or less to the care of a local authority with a requirement that they be accommodated in secure conditions.²⁵⁴

In 2007, 24% of juveniles remanded in custody were subsequently acquitted in magistrates' courts and 51% received a non-custodial sentence.²⁵⁵

Incarceration of children is very expensive and uses up two thirds of the Youth Justice Board (YJB) budget. The YJB spends over ten times more on custody than on crime prevention programmes.²⁵⁶

In 1992 only 100 children under 15 were sentenced to penal custody, sentences were all awarded under the 'grave crimes' provision (Section 53 of the 1933 Children and Young Persons Act) for children who had committed serious offences such as robbery or violent offences. In 2005 - 2006, 824 children under 15 were incarcerated but only 48 of these came into the same grave crimes sentencing framework (now Section 90/91 of the Powers of Criminal Courts (Sentencing) Act 2000).²⁵⁷

In February 2008, Scottish Justice Secretary, Kenny MacAskill announced a decision to end the use of custodial remand for children under the age of 16. In a statement he said, 'I don't believe that in the long run Scotland will be well served by jailing children. Lock up a youth alongside hardened criminals, and there's a risk you'll lock them into

250. Ministry of Justice (2009) Population in custody, England and Wales, March 2009, England and Wales, London: Ministry of Justice

251. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

252. Youth Justice Board Custody Figures: <http://www.yjb.gov.uk/NR/rdonlyres/3823FB26-8FD4-47E1-86E4-CFAA4D4EF9FC/0/September2008Monthlysecureestatepopulationsummary.pdf>

253. Hansard, House of Commons written answers, 26 February 2008: Col. 1520W

254. Hansard, House of Commons written answers, 28 April 2009: Col. 1263W

255. Gibbs, P. and Hickson, S (2009) Children: Innocent until proven guilty? London: Prison Reform Trust

256. Youth Justice Board (2007) Annual Report 2006/7, London: Youth Justice Board

257. Youth Justice Board (2006) Annual Statistics 2005/6, London: Youth Justice Board

a life of crime. That's why I want to scrap unruly certificates and also why, where it might benefit the child, we will allow more to remain in secure care rather than transferring them to the prison estate as soon as they reach 16.²⁵⁸

HM Chief Inspector of Prisons for Scotland states in his latest annual report that 'prison is no place for a child.'²⁵⁹

60% of young men and 62% of young women said that they had been in custody more than once, with 6% of young men and 9% of young women having been in custody more than five times.²⁶⁰

According to a Prisons Inspectorate and Youth Justice Board survey 71% of young men and 76% of young women (15-18 years old) in prison said they wanted to stop offending.²⁶¹

However, only 42% of the young men and 32% of the young women said that they had done or experienced anything in prison that they thought would make them less likely to offend in the future.²⁶²

In 2007, 219 children (15-17 years old) in England and Wales entered prison for motoring offences, 105 for disorderly behaviour, 70 for criminal damage, 35 for fraud and forgery and three for drunkenness.²⁶³

In 2007, 474 children (15-17 years old) were imprisoned for breaching a community sentence and 49 for breaching their bail conditions.²⁶⁴

15% of children (15-17 years old) in prison had no previous convictions.²⁶⁵

At the end of March 2009 more children were in prison for robbery than any other offence.²⁶⁶

Seven young women aged 16 and 17 years old in secure training centres gave birth, and one gave birth in a secure children's home between April 2006 and March 2009.²⁶⁷

Between 1 April 2007 and 31 January 2008, there were 1,683 'restrictive physical interventions' in secure children's homes and 2,921 in young offender institutions. There were a total of 4,604 'restrictive physical interventions' across the under-18 secure estate.²⁶⁸

Twenty-nine children have died in penal custody since 1990 most by self inflicted death but one following restraint.²⁶⁹

In August 2004, 14 year old Adam Rickwood became the youngest child to die in penal custody in recent years.

11% of prisoners involved in assaults classified as serious are children, despite being only 3% of the prison population.²⁷⁰

According to a Prisons Inspectorate and Youth Justice Board survey, only around half of young men (15-18 years old) said they had daily access to a shower.²⁷¹

In September 2008, 46% of 15 year olds, 41% of 16 year olds and 41% of 17 year

258. Scottish Government press release, 21 February 2008, <http://openscotland.gov.uk/News/Releases/2008/02/21081302>

259. HM Chief Inspector of Prisons for Scotland (2009) Annual Report 2008-09, Edinburgh: The Scottish Government

260. Parke, S., (2009) HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2006-2008, an analysis of the experiences of 15-18-year-olds in prison, London: HM Inspectorate of Prisons

261. Ibid.

262. Ibid.

263. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

264. Ibid.

265. Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

266. Ministry of Justice (2009) Prison population monthly tables, March 2009, England and Wales

267. Hansard, House of Commons written answers, 29 April 2009: Col. 1332W

268. Hansard, House of Commons written answers, 2 April 2008: Col. 1072W

269. <http://www.inquest.org.uk/>

270. NOMS, Safer Custody News, Jan/Feb 2007

271. Parke, S., (2009) HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2006-2008, an analysis of the experiences of 15-18-year-olds in prison, London: HM Inspectorate of Prisons

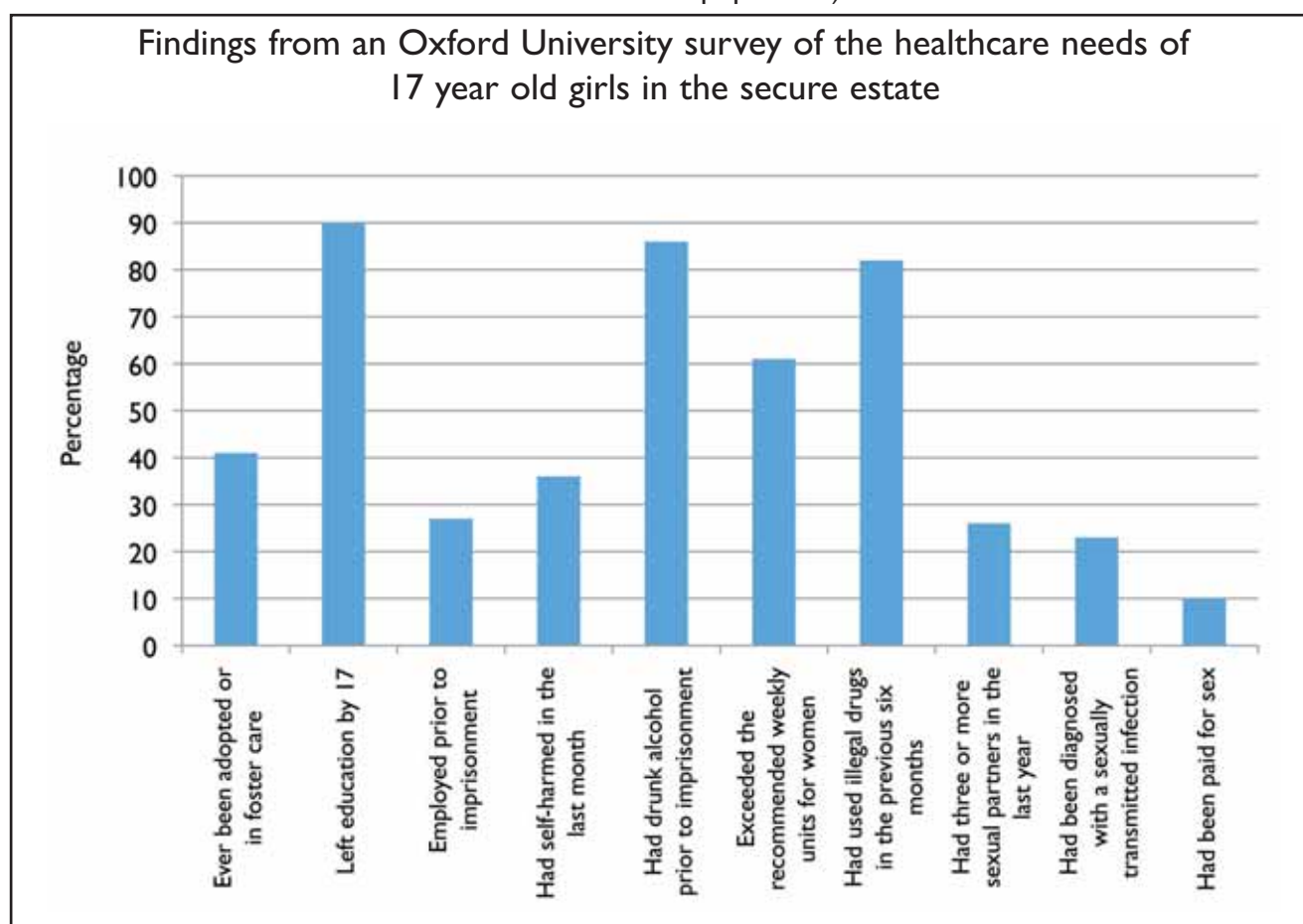
olds in prison were held over 50 miles from their home address.²⁷²

Reconviction rates are very high for children, 75% of those released from custody in 2007 reoffended within a year.²⁷³

Many children in prison have a background of severe social exclusion. Of those in custody of school age, over a quarter have literacy and numeracy levels of an average seven-year old.²⁷⁴

86% of young men and 79% of young women aged between 15 and 18 years old had been excluded from school. Around a third were under 14 years old when they last attended school.²⁷⁵

71% of children in custody have been involved with, or in the care of, social services before entering custody. 75% of children in custody have lived with someone other than a parent at some time (compared with only 1.5% of children in the general population).²⁷⁶



Cited in: Cabinet Office Social Exclusion Task Force (2009) *Short Study on Women Offenders*, London: Cabinet Office

272. Hansard, House of Commons written answers, 18 March 2009: Col. 1228W

273. Ministry of Justice (2009) *Re-offending of juveniles: results from the 2007 cohort*, England and Wales, London: The Stationery Office

274. Youth Justice Board Information, 2003

275. Parke, S., (2009) HM Inspector of Prisons and Youth Justice Board, *Children and Young People in Custody 2006-2008, an analysis of the experiences of 15-18-year-olds in prison*, London: HM Inspectorate of Prisons

276. Youth Justice Board, *Accommodation needs and experiences, 2007*, as cited in *Legal Action*, February 2008

1% of Scottish children have been in care; 50% of Scottish prisoners have been in care; 80% of Scottish prisoners convicted of violence have been in care.²⁷⁷

40% of children in custody have previously been homeless.²⁷⁸

Two out of five girls and one out of four boys in custody report suffering violence at home. One in three girls and one in 20 boys in prison report sexual abuse.²⁷⁹ One in ten girls in custody has been paid for sex.²⁸⁰

Just over a third of boys and girls have felt unsafe at some time in custody. One in ten boys and girls in prison say they have been hit, kicked or assaulted by a member of staff.²⁸¹

HM Prisons Inspectorate found that two new units for girls that are small, purpose-built units that can engage individually with the very damaged young women in them, recorded very positive outcomes.²⁸²

Young people (15-18 years old) held in dedicated sites, rather than split sites, reported more positively on a range of issues including: experiences of reception and the first few days in custody; healthcare; respectful treatment by staff; victimization by staff; safety; and resettlement. Those in split sites reported better experiences of education.²⁸³

Behavioural and mental health problems are particularly prevalent amongst children in prison. 85% of children in prison show signs of a personality

disorder. One in ten show signs of a psychotic illness.²⁸⁴

Young women under 18 are twice as likely to injure themselves as adult women. In 2007, 89% of girls under 18 had self-harmed.²⁸⁵

Children in prison are 18 times more prone to commit suicide than children of the same age in the community.²⁸⁶

Drug and alcohol abuse are major problems. Of prisoners aged 16-20 years old, over half reported dependence on a drug in the year prior to imprisonment. Over half the young women and two-thirds of the young male prisoners had a hazardous drinking habit prior to entering custody.²⁸⁷

The number of children assessed as vulnerable in custody was 1,148 in 2007, a rise of 12% on 2006, which rose by 12% on 2005.²⁸⁸

The National Audit Office has highlighted the high number of movements of children between jails to make way for new arrivals, disrupting education and training courses and leading to inconsistent support and supervision. The NAO reports that there were 2,400 movements between April 2002 and January 2003.²⁸⁹

277. HM Chief Inspector of Prisons for Scotland (2009) Annual Report 2008-09, Edinburgh: The Scottish Government 278. Ibid. 279. Ibid.

280. Youth Justice Board, Female health needs in young offender institutions, 2006, as cited in Legal Action, February 2008

281. HM Inspectorate of Prisons and Youth Justice Board, Juveniles in Custody, 2003-2004, London

282. HM Chief Inspector of Prisons for England and Wales (2008) Annual Report 2006/2007, London: HM Inspectorate of Prisons

283. Parke, S., (2009) HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2006-2008, an analysis of the experiences of 15-18-year-olds in prison, London: HM Inspectorate of Prisons

284. Children's Rights Alliance for England, Rethinking child imprisonment, 2002, as cited in Legal Action, February 2008

285. HM Chief Inspector of Prisons for England and Wales (2008) Annual Report 2006/2007, London: HM Inspectorate of Prisons

286. Frühwald, S., and Frottier, P., Suicide in prison, The Lancet, vol 366, issue 9493, 8 October 2005, as cited in Legal Action, February 2008

287. HM Chief Inspector of Prisons for England and Wales (2008) Annual Report 2006/2007, London: HM Inspectorate of Prisons

288. Hansard, House of Commons written answers, 28 March 2007: Col. 1652W

289. National Audit Office (2004) Youth Offending: The delivery of community and custodial sentences, London: Stationery Office

Young people in prison (18-20 year olds)

On 31 March 2009 there were 9,543 young people aged 18-20 years old in prison in England and Wales, up slightly from 9,513 the previous year. At the end of March 2009 more young people were in prison for the offence of violence against the person than any other offence.²⁹⁰

Young offender direct sentenced receptions in Scotland increased by 3% to 2,359 in 2007/08 from 2,286 in 2006/07.²⁹¹

HM Chief Inspector of Prisons has commented that: ‘Young adults remain a group whose needs have not been systematically addressed over the last five years, in spite of their evident needs and their high reoffending rates’.²⁹²

In 2007 13,758 young people were sent to prison under sentence. In the last fifteen years the number of sentenced young adults entering prison has increased by 30%. Over that time the number of sentenced young women imprisoned has more than trebled.²⁹³

A study published in November 2004 by the Prison Reform Trust based on interviews with young people and information supplied by Independent Monitoring Boards revealed that whilst in custody many young adults are frequently moved around the prison estate causing great disruption and distress. It also showed that, in general, they experience impoverished regimes.²⁹⁴

Young people between 18 and 21 were

held an average of 50 miles away from their home or committal court address.²⁹⁵ Around 1,300 were held over 100 miles away. HM Chief Inspector of Prisons has commented that: ‘these considerable distances from home compromises the resettlement and rehabilitation of young adults’.²⁹⁶

Fewer than half the young people in surveys conducted by HM Prisons Inspectorate said that they had two or more visits a month.²⁹⁷

In addition, fewer than half of young adults surveyed said that they knew where to get help to find accommodation, drug treatment or continuing education when they left prison.²⁹⁸

Reconviction rates are particularly high for young people. 74.8% of young men released from prison in 2004, were reconvicted within two years of release.²⁹⁹

87% of the population of Polmont young offenders institute have been there before their present sentence.³⁰⁰

Nearly half (42%) of first time offenders are young adults.³⁰¹

Young offenders have poor literacy and numeracy skills. Just under a third have basic skills deficits compared to under a quarter of those aged 25 and over in custody. Nearly three-quarters were excluded from school at some stage, and 63% were unemployed at the time of their arrest.³⁰²

290. Ministry of Justice (2009) Prison population monthly tables, March 2009, England and Wales. This figure includes some 21 year-olds not classified as part of the adult population

291. Scottish Executive Statistical Bulletin, Criminal Justice Series, Prison Statistics Scotland, 2007/08

292. HM Chief Inspector of Prisons for England and Wales (2007) Annual Report 2005-06, London, HM Inspectorate of Prisons

293. Home Office (1999) Prison Statistics England and Wales 1999, and Ministry of Justice (2008) Offender Management Caseload Statistics 2007, London: The Stationery Office

294. Solomon, E. (2004) A Lost Generation: the experiences of young people in prison, London: Prison Reform Trust

295. Hansard, House of Commons written answers, 31 January 2008

296. HM Chief Inspector of Prisons for England and Wales (2007) Annual Report 2005-06, London, HM Inspectorate of Prisons

297. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: The Stationery Office

298. HM Chief Inspector of Prisons for England and Wales (2007) Annual Report 2005-06, London, HM Inspectorate of Prisons

299. Home Office Statistical Bulletin, Re-offending of adults: results from the 2004 cohort

300. HM Chief Inspector of Prisons for Scotland (2009) Annual Report 2008-09, Edinburgh: The Scottish Government

301. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

302. Ibid.

In 2004-05, 54% of those leaving young offender institutions had no recorded education, training or employment place.

13% left with no recorded accommodation.³⁰³

More than a third (35%) of sentenced young men say they have gained a qualification whilst in prison.³⁰⁴

HM Prisons Inspectorate found that purposeful activity was unsatisfactory in five out of eight young adult prisons. Half of young adults said they had done something that would help prevent reoffending.³⁰⁵

An average of just over three hours per week is spent on physical education in young offender institutions in 2006-07. An average of eight hours per week is spent on other educational activities.³⁰⁶

Mental health problems, drug and alcohol abuse are common amongst young people in prison. They are more likely than adults to suffer from mental health problems and are more likely to commit or attempt suicide than both younger and older prisoners (see previous section for statistics relating to 16-18 year olds).³⁰⁷

Up to 30% of young women in custody report having been sexually abused in childhood.³⁰⁸

In 2007, 69% of young women in custody had harmed themselves.³⁰⁹

25% of men in young offender institutions are, or are shortly to become, fathers.³¹⁰ It is estimated that four out ten young women in prison are mothers.³¹¹

Young offender institutions and juvenile establishments have the highest assault rates of any prisons in England and Wales.³¹²

303. Hansard, House of Commons written answers, 2 October 2006: Col. 2664W

304. Home Office (2001) Jobs and Homes - a survey of prisoners nearing release, Findings 173, London: Home Office

305. HM Chief Inspector of Prisons for England and Wales, Annual Report 2005/2006, 30 January 2007, p. 14

306. Hansard, House of Commons written answers, 19 July 2007: Col. 592W

307. Singleton et al (2000) Psychiatric Morbidity among young offenders in England and Wales, London: Office for National Statistics

308. Solomon, E. (2004) A Lost Generation: the experiences of young people in prison, London: Prison Reform Trust

309. HM Chief Inspector of Prisons for England and Wales (2008) Annual Report 2006-07, London: HM Inspectorate of Prisons

310. Ministry of Justice and Department for Children, Schools and Families, Children of Offenders Review, June 2007

311. A survey carried out by Young Voice in 2001 found that 51% of men in prison under the age of 23 and 79% of women in the same age group were parents, Young Voice (2001) Parenting Under Pressure, London: Young Voice

312. Solomon, E. (2003) A Measure of Success: An analysis of the Prison Service's performance against its Key Performance Indicators, London: Prison Reform Trust

313. Ministry of Justice (2009) Statistics on Women and the Criminal Justice System, London: Ministry of Justice

Older people in prison

In 2007, 9% of men and 7% of women in prison were over 50.³¹³

On 31 March 2009 there were 7,358 prisoners aged over 50 in England and Wales, including 518 over 70.³¹⁴

People aged 60 and over are now the fastest growing age group in the prison estate. However, there is no national strategy for the care and management of older prisoners.³¹⁵ The number of sentenced prisoners aged 60 and over rose by 149% between 1996 and 2006.³¹⁶

On 31 August 2007 the oldest male prisoner was 92 and the oldest woman was 78.³¹⁷

More than one in ten older prisoners belong to a minority ethnic group, far higher than the proportion of the general population.³¹⁸

40% of men in prison aged over 50 have been convicted of sex offences. The next highest offence is violence against the person (26%) followed by drug offences (14%). For women, drug offences were the most common (38%).³¹⁹

On 31 March 2009 there were 1,953 people aged 50 and over serving life sentences. 3,167 were serving sentences of more than four years, but less than life.³²⁰

The number and proportion of men aged over 60 sentenced to prison by the courts has increased significantly. Between 1995 and 2000 the number of elderly men given custodial sentences increased by 55%. In 1995 fines accounted for the majority of sentences (31%). By 2000 imprisonment accounted for the majority of

sentences (31%) and fines accounted for 24%.³²¹

The significant rise in the number of male prisoners aged over 60 is not matched by a corresponding rise in the number of men convicted by the courts for indictable offences. Between 1995 and 2000 the number of convictions for this age group increased by only 8%.³²²

The increase in the elderly prison population is not explained by demographic changes, nor can it be explained by a so-called ‘elderly crime wave’. The increases are due to harsher sentencing policies which have resulted in the courts sending a larger proportion of offenders aged over 60 to prison to serve longer sentences. This has particularly been the case in relation to those convicted of sex offences and drug trafficking.³²³

A Department of Health study conducted in 1999-2000 of 203 sentenced male prisoners aged 60 years and over in 15 establishments in England and Wales (about one-fifth of that total population) reported that 85% had one or more major illnesses reported in their medical records and 83% reported at least one chronic illness or disability when interviewed. The most common illnesses were psychiatric, cardiovascular, musculoskeletal and respiratory.³²⁴

A report by the Prisons Inspectorate has indicated ‘little evidence of multidisciplinary working’ and found it ‘disappointing that the social care needs of older and disabled prisoners were still considered the responsibility of health services only.’³²⁵

314. Prison Reform Trust, information from Offender Policy and Rights Unit, 31 March 2009

315. NOMS, Safer Custody News, January/February 2008

316. Hansard, House of Commons written answers, 20 March 2007: Col. 791W, and Ministry of Justice (2007) Offender Management Caseload Statistics 2006, London: The Stationery Office

317. HM Chief Inspector of Prisons for England and Wales (2008) Older Prisoners in England and Wales: A follow up to the 2004 thematic review, London: HM Inspectorate of Prisons

318. Prison Reform Trust (2003) Growing Old in Prison, London: Prison Reform Trust

319. Prison Reform Trust, information from Offender Policy and Rights Unit, 31 March 2009

320. Ibid.

321. HM Inspectorate of Prisons (2004) ‘No problems – old and quiet’: Older prisoners in England and Wales, a thematic review by HM Chief Inspector of Prisons, London: HM Inspectorate of Prisons

322. Ibid.

323. Ibid.

324. Prison Reform Trust (2003) Growing Old in Prison, London: Prison Reform Trust

325. HM Chief Inspector of Prisons for England and Wales (2008) Older Prisoners in England and Wales: A follow up to the 2004 thematic review, London: HM Inspectorate of Prisons

326. Ibid.

Some older prisoners will have a physical health status of 10 years older than their contemporaries on the outside.³²⁶

A Prison Reform Trust report expresses concern that some older people entering prison had the medication they were receiving in the community stopped.³²⁷

More than half of all elderly prisoners suffer from a mental disorder. The most common disorder is depression which often emerges as a result of imprisonment.³²⁸

HM Inspectorate of Prisons has identified ‘a complete lack of staff training in identifying the signs of mental health problems among the elderly.’ Few prisons had a designated nurse for older prisoners.³²⁹

In 2007, 35 people aged 60 and over died of natural causes whilst in prison.³³⁰

Lack of palliative care for the terminally ill is a major concern. Apart from HMP Norwich there is no hospital/hospice facility for the terminally ill within the prison system.³³¹

Most older prisoners are held more than 50 miles from home, and a third are more than 100 miles away from home. This causes particular problems for visitors, many of whom are themselves older people.³³²

A thematic review of older prisoners by HM Inspectorate of Prisons published in December 2004 found little evidence that their individual needs were being assessed or provision made for them. It concluded ‘prisons are primarily designed for, and

inhabited by, young and able-bodied people; and in general the needs of the old and infirm are not met.³³³ This is supported by the findings of a number of academic studies and a report by the Prison Reform Trust and the Centre for Policy on Ageing.³³⁴

In a follow-up to this report, HM Chief Inspector of Prisons stated that ‘the response from the National Offender Management Service itself has been disappointing ... Eight of [our] key recommendations have not been implemented.’ This is while ‘the issues older prisoners pose are likely to become more acute, as an increasing number of long-sentenced prisoners grow old and frail in prison.’³³⁵

More recent PRT research has found that services for older people in prison did not meet those that would be available for the elderly in the community.³³⁶

The Prisons Inspectorate also found that older prisoners were more likely to have physical disabilities, and to require specialist provision, in a system and regimes that are largely designed around the young.³³⁷ Older prisoners lacked individual care plans and were often unable to access the full regime.³³⁸

Despite the sharp rise in the number of elderly prisoners, the Prison Service does not yet have a Prison Service Order or national strategy for older prisoners, although this is being considered. The Department of Health has developed ‘a pathway to care for older offenders: a toolkit for good practice. The Disability Discrimination Act (2005) now applies to prisons’.³³⁹

327. Prison Reform Trust (2008) *Doing Time: the experiences and needs of older people in prison*, London: Prison Reform Trust

328. HM Chief Inspector of Prisons for England and Wales (2008) *Annual Report 2006-07*, London: HM Inspectorate of Prisons

329. HM Chief Inspector of Prisons for England and Wales (2008) *Older Prisoners in England and Wales: A follow up to the 2004 thematic review*, London: HM Inspectorate of Prisons

330. Hansard, House of Commons written answers, 19 July 2007: Col. 583W

331. Prison Reform Trust (2008) *Doing Time: the experiences and needs of older people in prison*, London: Prison Reform Trust

332. HM Inspectorate of Prisons (2004) ‘No problems – old and quiet’: *Older prisoners in England and Wales A thematic review* by HM Chief Inspector of Prisons, London: HM Inspectorate of Prisons

333. *Ibid.*

334. Howse, Ken (2003) *Growing Old in Prison, a scoping study on older prisoners*, London: Centre for Policy and Ageing and Prison Reform Trust

335. HM Chief Inspector of Prisons for England and Wales (2008), *Older Prisoners in England and Wales: A follow up to the 2004 thematic review*, London: HM Inspectorate of Prisons

336. Prison Reform Trust (2008) *Doing Time: the experiences and needs of older people in prison*, London: Prison Reform Trust

337. HM Chief Inspector of Prisons for England and Wales (2009) *Annual Report 2007-08*, London: The Stationery Office

338. *Ibid.*

339. Communication between Prison Reform Trust, CPA and Department of Health.

'It's hard, hard dealing with the sentence let alone dealing with the stresses of not being able to do the course. The pressure of just being here ... and knowing that you'll have to be here longer because you can't read is hard.'³⁴¹

20 – 30% of offenders have learning disabilities or difficulties that interfere with their ability to cope with the criminal justice system.³⁴²

7% of prisoners have an IQ of less than 70 and a further 25% have an IQ of less than 80.³⁴³

23% of under 18 year olds in prison have an IQ of less than 70.³⁴⁴

Dyslexia is three to four times more common amongst prisoners than amongst the general population.³⁴⁵

80% of prison staff state that information accompanying people into prison is unlikely to show that the presence of learning disabilities or difficulties had been identified prior to their arrival. Once in prison there is no routine or systematic procedure for identifying prisoners with learning disabilities or learning difficulties. Consequently the particular needs of such prisoners are rarely recognized or met.

Over half of prison staff believe that prisoners with learning disabilities or difficulties are more likely to be victimized and bullied than other

prisoners. Over half of such prisoners say they have been scared while in prison and almost half say they have been bullied or that people have been nasty to them.

Prisoners with learning disabilities or difficulties are unable to access prison information routinely; over two-thirds had difficulties reading prison information, which rose to four-fifths for those with learning disabilities.

Over two-thirds have difficulties filling in prison forms, which rises to three-quarters for those with learning disabilities. Consequently many miss out on things such as family visits and going to the gym, or are disadvantaged by getting the wrong things delivered such as meals.

Over half say they have difficulties making themselves understood in prison, which rises to more than two-thirds for those with learning disabilities.

The use of a learning disability screening tool shows that over two-thirds experienced difficulties in verbal comprehension skills, including difficulties understanding certain words and in expressing themselves.

Prisoners are excluded from elements of the prison regime including opportunities to address their offending behaviour. A report by HM Chief Inspectors of Prison and Probation described this predicament – prisoners being unable to access the

340. Unless marked otherwise, all the figures in this section are from Talbot, J. (2008) Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties, London: Prison Reform Trust, and 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. Research as part of the No One Knows programme was also conducted in prisons in Scotland and Northern Ireland.

341. This interviewee was unable to progress through his sentence plan because the cognitive behaviour treatment programme he was required to complete demanded a level of literacy that he did not have; he was on an indeterminate public protection sentence, IPP, which means that until (and unless) he was able to demonstrate a reduction in risk, achieved by progressing through his sentence plan, he would be unlikely to get parole and was likely to remain longer in prison as a result. This situation has been strongly criticised by the Joint Committee on Human Rights. Joint Committee on Human Rights (2007-08) A life like any other? Human rights of adults with learning disabilities, London: The Stationery Office

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

343. Mottram, P. G. (2007) HMP Liverpool, Styal and Hindley Study Report. Liverpool: University of Liverpool

344. Harrington, R. and Bailey, S., and others (2005) Mental Health Needs and Effectiveness of Provision for Young Offenders in Custody and in the Community. London: Youth Justice Board for England and Wales

345. Rack, J. (2005) The Incidence of Hidden Disabilities in the Prison Population, Egham, Surrey: Dyslexia Institute

interventions they needed to secure their release as 'kafka-esque'.³⁴⁶ On the same issue the Joint Committee on Human Rights noted that 'people with learning disabilities may serve longer custodial sentences than others convicted of comparable crimes.' The report went on to say that 'this clearly breaches Article 5 ECHR (right to liberty) and Article 14 ECHR (enjoyment of ECHR rights without discrimination).'³⁴⁷

Prisoners' inability to participate fully in the prison regime leaves them at greater psychological risk as they spend more time alone with little to occupy themselves. People with learning disabilities were the most likely to spend time on their own and have fewer things to do.

Prisoners with learning disabilities or difficulties are five times as likely as prisoners without such impairments to be subject to control and restraint techniques and more than three times as likely to spend time in segregation.

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.

Over half of prison staff are not confident that their prison has the skills and expertise to support this group of prisoners.

Over half of prison staff believe that the overall quality of support available for this group of prisoners at their prison is low.

Specific disability awareness training on learning disabilities and difficulties is not readily available for prison staff.

Prison staff would like greater strategic and operational direction to assist their work with this group of prisoners.

Prisoners with learning disabilities and difficulties are discriminated against personally, systemically and routinely as they enter and travel through the criminal justice system.³⁴⁸ 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 (2005) and the Disability Equality Duty in particular.

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

347. Joint Committee on Human Rights (2007-08) A life like any other? Human rights of adults with learning disabilities, London: The Stationery Office

348. Talbot, J. (2008) Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties, London: Prison Reform Trust

Mental health

‘On the wing there was plenty of evidence of behaviour brought on by mental distress... one young man only ever wore the same pair of jeans and a green nylon cagoule. He never wore shoes or socks, never went out on exercise, hardly ever spoke to anyone and was understood to have been taken advantage of sexually by predatory prisoners. He was in his early 20s with many years in prison still ahead of him. Another had a habit of inserting objects into his body: a pencil in an arm, matchsticks in his ankles.’³⁴⁹

Many prisoners have mental health problems. 72% of male and 70% of female sentenced prisoners suffer from two or more mental health disorders.

Twenty per cent of prisoners have four of the five major mental health disorders.³⁵⁰

10% of men and 30% of women have had a previous psychiatric admission before they come into prison.³⁵¹

Neurotic and personality disorders are particularly prevalent - 40% of male and 63% of female sentenced prisoners have a neurotic disorder, over three times the level in the general population. 62% of male and 57% of female sentenced prisoners have a personality disorder.³⁵²

According to Michael Spurr, NOMS Chief Operating Officer, at any one time 10% of the prison population has ‘serious mental health problems’.³⁵³

A significant number of prisoners suffer from a psychotic disorder. 7% of male and

14% of female sentenced prisoners have a psychotic disorder; 14 and 23 times the level in the general population.³⁵⁴

A fifth of Scottish prisoners reported that they had been put on ACT (Scottish Prison Service Suicide Risk Management Process) and 38% of prisoners indicated that they had experienced mental health problems.³⁵⁵

There is currently no 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.³⁵⁶

Research undertaken by the national evaluation of prison mental health in-reach services in August 2008 at a local establishment for young and adult women found that of all of those screened, 51% had severe and enduring mental illness, 47% a major depressive disorder, 6% any psychosis and 3% schizophrenia.³⁵⁷

In 2007, there were 22,459 recorded incidents of self-harm in prison.³⁵⁸ A total of 23,420 self-harm incidents were recorded during 2006 by the Prison Service.³⁵⁹

There were around 15,800 self-harm incidents involving roughly 4,500 prisoners in the first eight months of 2008.³⁶⁰

349. Erwin James, Foreword to Edgar, K., and Rickford, D. (2005) *Troubled Inside: Responding to the mental health needs of men in prison*, London: Prison Reform Trust

350. Paul Goggins, minister for prisons and probation speaking in a debate on prisons and mental health, Hansard, 17 March 2004

351. Department of Health, Conference Report, Sharing Good Practice in Prison Health, 4/5 June 2007

352. Stewart, D. (2008) *The problems and needs of newly sentenced prisoners: results from a national survey*, London: Ministry of Justice

353. Michael Spurr, Chief Operating Officer of the National Offender Management Service, speaking on the Today Programme, 2 September 2008

354. Singleton et al (1998) *Psychiatric Morbidity among Prisoners in England and Wales*, London: Office for National Statistics

355. Scottish Prison Service, 9th Prisoner Survey 2006

356. 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

357. Cabinet Office Social Exclusion Task Force (2009) *Short Study on Women Offenders*, London: Cabinet Office

358. Hansard, House of Commons written answers, 5 March 2008: Col. 2628V

359. NOMS, Safer Custody News, May/June 2007

360. NOMS, Safer Custody News, September/October 2008

By gender, women accounted for about 54% of total self-harm incidents – even though they form only around 5% of the prison population. Women in prison are more likely to injure themselves repeatedly than men or young male offenders.³⁶¹

From September 2007 to August 2008, 77% of self-harm incidents were carried out by white prisoners.³⁶²

Over 100 prisoners were resuscitated during 2007 after serious self-harm incidents.³⁶³

In a case study conducted by the Safer Custody Group of 50 ‘prolific self-harmers’, only 12 people had not experienced abuse or rape in their lives. Of those who had experienced rape or abuse, 18 were children when it happened. Half had been in a psychiatric inpatient unit in the past, and 19 had been receiving psychiatric treatment prior to custody.³⁶⁴

Only 30% of mental health in-reach team records looked at by the Prisons Inspectorate recorded ethnicity, even though this is a minimum requirement within the NHS dataset.³⁶⁵

Black and minority ethnic groups are 40% more likely than white people to access mental health services via a criminal justice system gateway.³⁶⁶

The number of restricted patients under the Mental Health Act in England and

Wales was 3,395 at the end 2005, the highest for a decade. 779 of the patients were transferred from prison to hospital. Those released from restricted hospitals in 2003 have a 7% reconviction rate after two years.³⁶⁷

In the quarter ending December 2006, 38 prisoners had been assessed and were waiting three months or more before being transferred to hospital. Many prisoners also have long waits before an assessment takes place.³⁶⁸

Mental health in-reach teams are operating in 102 prisons.³⁶⁹

Prisoners with severe mental health problems are often not diverted to more appropriate secure provision. The Chief Inspector of Prisons has estimated, based on visits to local prisons, that 41% of prisoners being held in health care centres should have been in secure NHS accommodation.³⁷⁰ Research has found that there are up to 500 patients in prison health care centres with mental health problems sufficiently ill to require immediate NHS admission.³⁷¹ In December 2007 Lord Bradley, a former Minister of State at the Home Office, was asked by the government to carry out a review of how offenders with mental health problems can be diverted away from prison and into more appropriate treatment. The government had previously committed itself to a programme of standardising court diversion schemes across the country.³⁷²

After an analysis of over 21,000 custody records in four police stations in cities in

361. NOMS, Safer Custody News, September/October 2008

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

363. Ministry of Justice, Deaths in Prison Custody 2007, <http://www.justice.gov.uk/news/newsrelease010108a.htm>

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

365. Ibid.

366. 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

367. Home Office Statistical Bulletin, Statistics of Mentally Disordered Offenders 2005, 1 March 2007

368. Hansard, House of Commons written answers, 27 March 2007: Col. 1454W

369. Hansard, House of Commons written answers, 19 February 2007: Col. 137W

370. HM Inspectorate of Prisons (2004) Annual Report of HM Chief Inspector of Prisons for England and Wales 2002-03, London: Stationery Office

371. Reed, J. (2003) Mental Health Care in Prisons, British Journal of Psychiatry 182

372. Hansard, House of Commons written answers, 12 September 2005

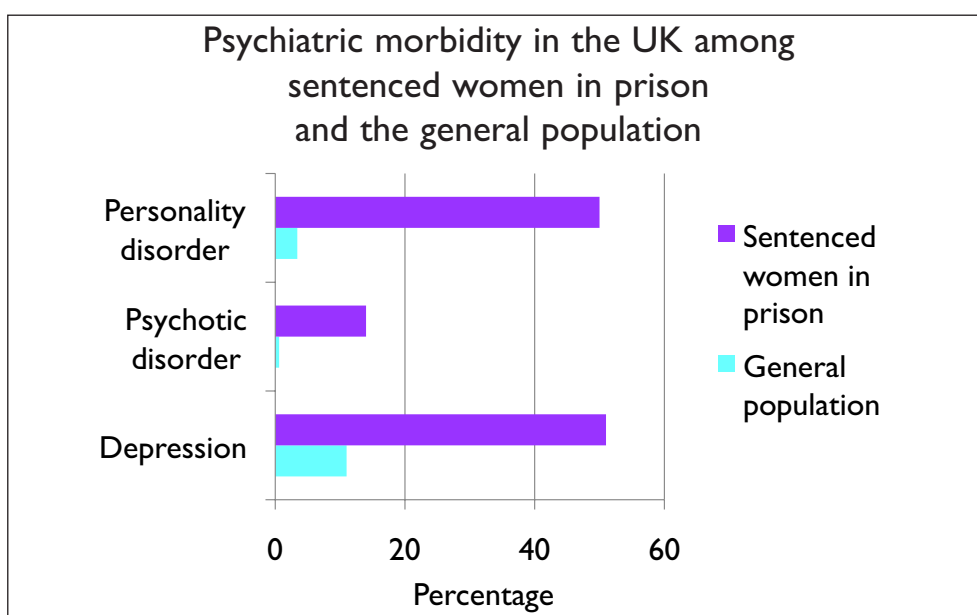
the east Midlands area of England, the appropriate adult scheme was used in only 38 instances (0.016%). Based on the lowest or most conservative extract of the numbers with mental illness in the population, there should have been about 400 (1.9%), and on the more generous estimate 3,000 (14%).³⁷³

75% of prisoners have a dual diagnosis (mental health problems combined with alcohol or drug misuse).³⁷⁴ Yet HM Prisons Inspectorate found that few prisons had dual diagnosis expertise.³⁷⁵

The resettlement needs of prisoners with mental health problems are not being met. Research found that 96% of mentally-

disordered prisoners were returned to the community without supported housing, including 80% of those who had committed the most serious offences; more than three quarters had been given no appointment with outside carers.³⁷⁶ A PRT report outlines that many people have a right to services under health and social care legislation.³⁷⁷

In a thematic review of the care and support of prisoners with mental health needs, HM Chief Inspector of Prisons said that ‘prison has become, to far too large an extent, the default setting for those with a wide range of mental and emotional disorders.’³⁷⁸



Cabinet Office Social Exclusion Task Force (2009) *Short Study on Women Offenders*, London: Cabinet Office

373. 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

374. Cabinet Office Social Exclusion Task Force (2009) *Short Study on Women Offenders*, London: Cabinet Office

375. HM Chief Inspector of Prisons for England and Wales (2008) *Annual Report 2006-07*, London: HM Inspectorate of Prisons

376. Melzer et al (2002) *Prisoners with psychosis in England and Wales: a one-year national follow-up study*, *The Howard Journal* 41

377. Edgar, K. and Rickford, D. (2009) *Too little too late: an independent review of unmet mental health need in prison*, London: Prison Reform Trust

378. HM Inspectorate of Prisons (2007) *The mental health of prisoners, a thematic review of the care and support of prisoners with mental health needs*, London: HM Prisons Inspectorate

Prison suicides

There were 61 apparent self-inflicted deaths in custody in England and Wales in 2008. This is down from 92 in 2007.³⁷⁹

This figure includes the death of one woman (compared with eight in 2007), four young people aged 18-20 (six in 2007) and no children.

The three-year rolling average to the end of 2008 was 91 self-inflicted deaths per 100,000 of the population.³⁸⁰

The suicide rate for men in prison is five times greater than that for men in the community. Boys aged 15-17 are 18 times more likely to kill themselves in prison than in the community.³⁸¹

Men recently released from prison were eight times more likely, than the general population, to commit suicide. Women were 36 times more likely to kill themselves.³⁸²

In 2007-08, 15% of self-inflicted deaths occurred within the first seven days in prison, compared with only 8% in 2006.³⁸³

Around two-thirds of self-inflicted deaths occurred in local prisons, though they hold only 38% of the population. One in five self-inflicted deaths took place in training prisons.³⁸⁴

Remand prisoners, 16% of the prison population, accounted for 43% of self-inflicted deaths in 2008.³⁸⁵

Nearly two-thirds of those who commit suicide in prison have a history of drug misuse and nearly a third have a history of alcohol misuse.³⁸⁶

One study found that 72% of those who commit suicide in prison had a history of mental disorder. 57% had symptoms indicative of mental disorder at reception into prison.³⁸⁷

One in five suicides take place in prison healthcare or segregation units.³⁸⁸

In all, 20% of men and almost 40% of women entering custody say they have previously attempted suicide. According to the government's Social Exclusion Unit, more than 50 prisoners commit suicide shortly after release each year.³⁸⁹

Number of self-inflicted deaths in prisons in England and Wales, 1998 - 2008

Year	Number	Rate of suicides per 100,000
1998	76	127
1999	89	140
2000	80	124
2001	73	110
2002	95	130
2003	94	126
2004	95	127
2005	78	103
2006	67	87
2007	92	114
2008	61	73
Total	901	

NOMS, Safer Custody News, 1997-2008

379. NOMS, Safer Custody News, January/February 2009

380. Ibid.

381. Fazel, Seena et al, Suicides in male prisoners in England and Wales, 1978-2003, The Lancet, Vol 366, 2005

382. Pratt, D. Piper, M, Appleby, L. Webb, R. Shaw, J. Suicide in recently released prisoners: a population-based cohort study, The Lancet - Vol. 368, Issue 9530, 8 July 2006

383. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HM Inspectorate of Prisons. Note: the reporting year runs from September 2007 to August 2008

384. Ibid.

385. Ibid.

386. Joint Committee on Human Rights, Deaths in Custody, Third Report of Session 2004-2005

387. Shaw, J. Appleby, L. and Baker, D. (2003) Safer Prisons, A National Study of Prison Suicides 1999-2000 by the National Confidential Inquiry into Suicide and Homicide by People with Mental Illness, London: Stationery Office

388. Joint Committee on Human Rights, Deaths in Custody, Third Report of Session 2004-2005

389. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

Disability, health and wellbeing

A survey by the Ministry of Justice found that over a quarter of newly sentenced prisoners reported a long-standing physical disorder or disability. Musculo-skeletal and respiratory complaints were most commonly reported.³⁹⁰

24% of prisoners who responded to Prison Reform Trust's advice and information service survey said they had a disability. A hearing impairment and arthritis were most common.

In HM Inspectorate of Prison surveys, 15% of prisoners self-reported a disability.³⁹¹

Through its reports, the Inspectorate found that many prisons did not have a disability policy and it was rare to find any form of needs analysis or consultation with prisoners to help establishments to carry out their duties under the Disability Discrimination Act (2005) (DDA).³⁹²

Disabled prisoners are more likely to feel unsafe, less likely to be involved in activities and more pessimistic about their prospects on release.³⁹³

In 18 out of 24 inspections carried out by HM Inspectorate of Prisons, disability officers said they did not have enough time, support or training to carry out their task.³⁹⁴

Following a judicial review by a disabled prisoner (who had not been provided with an accessible cell or motorised wheelchair) the Prison Service accepted that both PSO 2855 (disabled prisoners) and PSO 0900

(categorisation and allocation) will be amended to comply with the requirements of the DDA. This has resulted in new guidance being issued in PSI 31/2008: allocation of prisoners with disabilities.

Half of all those sentenced to custody are not registered with a GP prior to being sent to prison.³⁹⁵

According to a recent study, 83% of women in prison stated that they had longstanding illness, compared with 32% of the general female population. 73% were on medication on arrival at prison – mainly benzodiazepines (42%), methadone (36%), antidepressants (14%), and sleeping pills (10%).³⁹⁶

Prior to imprisonment 85% of women were smokers, 75% had used illegal drugs and 40% drank alcohol in excess of the recommended limits.³⁹⁷

HM Inspectorate of Prisons has found that ethnicity is not recorded in clinical records. Staff concluded that ethnicity was not relevant as all patients were treated the same way, which contravenes the 'Nursing and Midwifery Council Code of Professional Conduct' on recognising the diverse needs of patients.³⁹⁸

HM Inspectorate of Prisons also noted a paucity of health information in different languages and, of particular concern, the use of prisoners to translate for others thus breaching patient confidentiality.³⁹⁹

A Department of Health study conducted in 1999-00 of 203 sentenced male

390. Stewart, D. (2008) The problems and needs of newly sentenced prisoners: results from a national survey, London: Ministry of Justice

391. HM Chief Inspector of Prisons for England and Wales (2009), Annual Report 2007-08, London: HM Inspectorate of Prisons

392. Ibid

393. Ibid.

394. HM Chief Inspector of Prisons for England and Wales (2008) Annual Report 2006-07, London: HM Inspectorate of Prisons

395. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

396. HM Chief Inspector of Prisons (2009) Race relations in prison: responding to adult women from black and minority ethnic backgrounds, London: HM Inspectorate of Prisons

397. Ministry of Justice (2009) Statistics on Women and the Criminal Justice System, London: Ministry of Justice

398. HM Chief Inspector of Prisons (2009) Race relations in prison: responding to adult women from black and minority ethnic backgrounds, London: HM Inspectorate of Prisons

399. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HM Inspectorate of Prisons

prisoners aged 60 years and over in 15 establishments in England and Wales (about one-fifth of that total population) reported that 85% had one or more major illnesses reported in their medical records and 83% reported at least one chronic illness or disability when interviewed. The most common illnesses were psychiatric, cardiovascular, musculoskeletal and respiratory.⁴⁰⁰

Across the prison estate only 40% of prisoners participate in exercise.⁴⁰¹

In nearly half of establishments holding young men aged 15–18 years, the proportion of young men able to exercise outside daily was 10% or less.⁴⁰²

77% of young men and 90% of young women (15–18 years old) reported visiting the gym once, or more than once a week.⁴⁰³

The average number of hours prisoners spend exercising per week is 2.4 for adults, 3.5 for young people, and 3.9 for children.⁴⁰⁴

The average daily food cost per person in public prisons was £1.93 in 2005–06.⁴⁰⁵

The lowest average spend per prisoner per day on food in 2006–07 was £1.09, at HMP Hollesley Bay (inc. HMYOI Warren Hill). The highest was £2.91 per day at HMP Kirkham.⁴⁰⁶

The average time out of cell on a weekday for each prisoner is 10 hours exactly in 2005/06, a fall from 11.2 in 1996/07.⁴⁰⁷

48% of young men and 69% of young women (15–18) said they had periods of association with other prisoners more than five times a week.⁴⁰⁸

In 2006–07, in local prisons, between 30% and 40% of prisoners were locked up during the core day.⁴⁰⁹

In HM Prisons Inspectorate surveys, fewer than 20% of men reported spending the mandated ten hours out of their cell on a week day.⁴¹⁰

To meet the 3% year-on-year efficiency savings, the Prison Service decided, with ministerial support, to reduce the core week for prisoners from April 2008.

Prisoners are now locked up for half-a-day more than before thus reducing constructive activity and time outside cells.⁴¹¹

Prisoners in Peterhead still do not have proper access to proper sanitation. HM Chief Inspector of Prisons for Scotland has stated that the continuation of slopping out 'remains the worst single feature of prisons in Scotland'.⁴¹²

A survey conducted by the National AIDS Trust and the Prison Reform Trust among prison healthcare managers across the UK, found that a third of prisons surveyed had no HIV policy, one in five had no hepatitis C policy and well over half had no sexual health policy. This is despite the fact that the most recent survey of prevalence in prison found HIV was 15 times higher than in the community.⁴¹³

Investment in prison healthcare has increased from £118 million in 2002–03 to £200 million in 2006–07.⁴¹⁴

56% of young men and 72% young women (15–18 years old) reported that the quality of prison healthcare was good or very good.⁴¹⁵

400. Prison Reform Trust (2003) Growing Old in Prison, London: Prison Reform Trust

401. House of Commons, Committee of Public Accounts, Serving time: prisoner diet and exercise, 56th Report of Session 2005–06

402. Parke, S., (2009) HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2006–2008, an analysis of the experiences of 15–18-year-olds in prison, London: HM Inspectorate of Prisons

403. Ibid.

404. Hansard, House of Commons written answers, 29 January 2008: Col. 304W

405. Hansard, House of Commons written answers, 28 March 2007: Col. 1646W

406. Hansard, House of Commons written answers, 5 March 2008: Col. 2631W

407. Hansard, House of Commons written answers, 9 January 2007: Col. 543W

408. Parke, S., (2009) HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2006–2008, an analysis of the experiences of 15–18-year-olds in prison, London: HM Inspectorate of Prisons

409. HM Chief Inspector of Prisons for England and Wales (2008) Annual Report 2006–07, London: HM Inspectorate of Prisons

410. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007–08, London: HM Inspectorate of Prisons

411. Paul Tidball, Prison Governors' Association, Justice Select Committee, Oral evidence, Towards effective sentencing, 12 December 2007

412. HM Chief Inspector of Prisons for Scotland (2009) Annual Report 2008–09, Edinburgh: The Scottish Government

413. HIV and Hepatitis in UK Prisons: Addressing Prisoners' Healthcare Needs, Prison Reform Trust and National AIDS Trust, 2005

414. Hansard, House of Commons, written answers, 19 June 2007: Col. 1709W

415. Parke, S., (2009) HM Inspector of Prisons and Youth Justice Board, Children and Young People in Custody 2006–2008, an analysis of the experiences of 15–18-year-olds in prison, London: HM Inspectorate of Prisons

Drugs

The number of people in prison for drug offences is high and growing. At the end of April 2009, 15% of male sentenced prisoners had been convicted of drug offences. In 1996 drug offences accounted for 13% of male sentenced prisoners. For the sentenced female prison population at the end of April 2009 drug offences accounted for 26% of prisoners, by far the largest proportion. In 1996 they accounted for 28% of the sentenced female prison population.⁴¹⁶

There is a much wider group of prisoners whose offence is in some way drug related. Shoplifting, burglary, vehicle crime and theft can be linked to drug misuse. Over half of prisoners (55%) report committing offences connected to their drug taking, with the need for money to buy drugs the most commonly cited factor.⁴¹⁷

In 18% of violent crimes reported to the 2004-05 British Crime Survey, the victim believed that the offender was under the influence of drugs. More than a quarter (29%) of robbery victims believed their attacker to be under the influence of drugs.⁴¹⁸

Epidemiological studies show that around 55% of those received into custody are problematic drug users. That equates to 70,000 a year, or 39,000 at anyone time. According to the Home Office that means around one sixth of problematic drug users are in prison at any one time.⁴¹⁹

A report by the Cabinet Office Social Exclusion Unit found that around 70% of women coming into custody require clinical detoxification and that 65% had used a

drug during the year before custody. 49% of women had used crack cocaine and 44% had used heroin compared to 30% of men.⁴²⁰ Rates of using heroin, cocaine or crack were higher (44% to 35%) for prisoners sentenced to less than one year than those serving longer terms.⁴²¹ Practitioners report that women may hide or underplay substance misuse through fear of losing their children.

Half of Scottish prisoners have reported that they had used drugs in prison at some point in the past. 74% of these said that their use had decreased while in prison.⁴²²

In some inner city local prisons as many as eight out of ten men are found to have class A drugs in their system on reception.⁴²³ **In the local women's prison, Styal, the same number of new arrivals are thought to have drug problems.**⁴²⁴

Many prisoners have never received help with their drug problems. According to the Social Exclusion Unit officers at HMP Manchester have estimated that 70% of prisoners come into the jail with a drug misuse problem but that 80% of these have never had any contact with drug treatment services.⁴²⁵

Drug use amongst prisoners in custody is reported to be high. A Home Office study found that four out ten prisoners said they had used drugs at least once whilst in their current prison, a quarter had used in the past month and 16% in the past week. Cannabis and opiates were the drugs most often used. Almost a third of prisoners reported cannabis use and one in five opiate use in their current prison, while 9% and 10% respectively reported using these drugs in the past week.⁴²⁶

416. Ministry of Justice (2007) Offender Management Caseloads Statistics 2006, London: The Stationery Office, and Ministry of Justice (2009) Population In Custody, England and Wales, April 2009, London: Ministry of Justice

417. Ramsay, M. (ed.) (2003) Prisoners' drug use and treatment: seven studies, Home Office Research Findings 186, London: Home Office

418. Home Office Statistical Bulletin, 02/06, January 2006: Violent Crime Overview, Homicide and Gun Crime 2004/5, 2nd edition

419. Home Office FOI Release 4631, 6 Dec 2006

420. Cabinet Office Social Exclusion Task Force (2009) Short Study on Women Offenders, London: Cabinet Office

421. Stewart, D. (2008) The problems and needs of newly sentenced prisoners: results from a national survey, London: Ministry of Justice

422. Scottish Prison Service, 9th Prisoner Survey 2006

423. Interview with Prison Service Director General, Phil Wheatley, Independent, December 1st 2003

424. HM Prisons Inspectorate (2004) Report on a full unannounced inspection of HMP and YOI Styal 19-23 January 2004, London: Home Office

425. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

426. Singleton et al (2005) The impact and effectiveness of Mandatory Drugs Tests in prison, Findings 223 London: Home Office

In local and high security prisons, HM Prisons Inspectorate surveys showed that over a third of prisoners reported that it was easy to access drugs in prison – and in some it was nearer half.⁴²⁷

Prisoners being held in large prisons find it easier to get illegal drugs than those in small prisons (38% compared to 26%). They are also less likely to know who to contact to get help with drug addiction.⁴²⁸

All prisoners are subject to random mandatory drug tests. 9% of the prison population tested positive in random mandatory drug tests compared with over 20% 10 years ago.⁴²⁹ But a Home Office study found that ‘mandatory drug testing results generally underestimate the level of drug misuse as reported by prisoners’.⁴³⁰

Research has found that arrangements for detoxification appear to vary considerably between different prisons.⁴³¹

Less than a third of prisoners in surveys carried out by HM Prisons Inspectorate in local, high security and women’s prisons reported that they felt their drug or alcohol programme would help them on release.⁴³²

Nine out of ten young adult prisoners say they used drugs prior to imprisonment but only one in three Young Offender Institutions provide intensive drug treatment programmes.⁴³³

Transfers between prisons due to overcrowding often disrupt drug

treatment.⁴³⁴ National Audit Office research found that a third of prisons were unlikely to be able to continue the treatment of prisoners transferred to them.⁴³⁵

Drug use on release from prison is very high. One survey of prisoners who had mostly served short sentences and had used drugs in the 12 months before imprisonment, found that 77% admitted taking illegal drugs since release.⁴³⁶

The Social Exclusion Unit found that the ‘chances of continuing drugs programmes and support on release are very slim’ and concluded, ‘prisoners are often viewed as ‘new cases’ when they are released and have to join the back of the queue’.⁴³⁷

A Home Office study has found that the risk of death for men released from prison is forty times higher in the first week of release than for the general population. This is ascribed largely to drug-related deaths. 342 deaths were recorded among their sample group of men in the year after release whereas in a sample matched for age and gender in the general population, only 46 deaths would be expected.⁴³⁸

According to HM Chief Inspector of Prisons, funding for the new integrated drug treatment system, to provide interventions and support for those coming off drugs is nearly 60% less than was hoped for.⁴³⁹ £77.3 million was provided for custodial drug treatment during 2006-07⁴⁴⁰ up from £60.3 million in 2005/06.⁴⁴¹

Offenders who receive residential drug treatment are 45% less likely to reoffend on return to the community than comparable offenders receiving prison sentences.⁴⁴²

427. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HM Inspectorate of Prisons

428. Prison Reform Trust (2008) Titan prisons: a gigantic mistake, London: Prison Reform Trust

429. HM Prison Service (2007) Annual Report and Accounts April 2006 – March 2007, London: HM Prison Service

430. Singleton et al (2005) The impact and effectiveness of Mandatory Drugs Tests in prison, London: Home Office

431. Home Office (2003) Differential substance misuse, treatment needs of women, ethnic minorities and young offenders in prison: prevalence of substance misuse and treatment needs, Home Office Online Report 33/03

432. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HM Inspectorate of Prisons

433. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

434. National Audit Office (2002) Reducing re-offending, London: National Audit Office

435. Ibid.

436. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

437. Ibid.

438. Drug-related mortality among newly released offenders 1998 to 2000, Home Office online report 40/05

439. HM Chief Inspector of Prisons for England and Wales (2007) Annual Report, 2005-06, London: HM Inspectorate of Prisons

440. Hansard, House of Commons written answers, 21 June 2007: Col. 2128W 441. Hansard, House of Commons written answers, 15 March 2007: Col. 551W

442. Matrix Knowledge Group (2007) The economic case for and against prison, London: Matrix Knowledge Group

In almost half of violent crimes (48%) the victim believed the offender or offenders to be under the influence of alcohol.⁴⁴⁴

Nearly two-thirds of sentenced male prisoners (63%) and two-fifths of female sentenced prisoners (39%) admit to hazardous drinking which carries the risk of physical or mental harm. Of these, about half have a severe alcohol dependency.

According to HM Chief Inspector of Prisons the level of alcohol use on entering custody was not properly assessed in many prisons.⁴⁴⁵

34% of prisoners in Scotland have indicated that their drinking was a problem outside, and 35% that they had to have a drink first thing in the morning. 44% reported that they were drunk at the time of their offence. 20% indicated that they received help/treatment for their alcohol problems whilst in prison.⁴⁴⁶

44% of young adults (18-24 years old) are binge drinkers. 27% of binge drinkers admitted committing an offence in 2005 – compared with 13% of drinkers who did not binge.⁴⁴⁷

Children who have begun binge drinking by the age of 16 are 90% more likely to have criminal convictions by the age of 30.⁴⁴⁸

It is common for prisoners who have alcohol problems to also have drug problems. Just over a quarter of male prisoners and about a fifth of female prisoners who are

hazardous drinkers are dependent on at least one type of illicit drug.

In 2002-03 an estimated 6,400 prisoners undertook alcohol detoxification programmes, and an estimated 7,000 more prisoners undertook detoxification for combined alcohol and drug misuse.

There are no specific accredited alcohol treatment programmes with ring-fenced funding in prisons in England and Wales.

A Prison Service survey conducted in 2003, that received responses from half of all prisons in England and Wales, identified only one prison that had a dedicated alcohol strategy.

In December 2004 the Prison Service published its long awaited Alcohol Strategy for Prisoners, which focuses primarily on improving consistency of measures across the prison estate to prevent future hazardous drinking and builds on existing good practice. But it has not been supported by additional resources.

Misuse of alcohol and irresponsible drinking result in economic and social costs in the region of £18–20 billion per year.⁴⁴⁹

HM Chief Inspector of Prisons has said that ‘the growing salience of alcohol as both a health and a criminogenic problem is not yet reflected in national or local substance misuse strategies.’⁴⁵⁰

443. Unless marked otherwise, all the figures in this section are from Prison Reform Trust briefing paper (January 2004) Alcohol and re-offending: who cares?

444. Home Office Statistical Bulletin, 02/06, January 2006: Violent Crime Overview, Homicide and Gun Crime 2004/5, 2nd edition

445. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HM Inspectorate of Prisons

446. Scottish Prison Service, 9th Prisoner Survey 2006

447. Home Office, Alcohol-related crime and disorder, 2005

448. 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

449. Home Office Departmental Report 2007, May 2007

450. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HM Inspectorate of Prisons

Housing and employment

15% of men, 19% of women and 10% of young people were not in permanent accommodation before entering custody. 8% of men, 10% of women and 6% of young people were sleeping rough.⁴⁵¹

Prior to entering prison, 63% of prisoners were renting from a local authority or housing association.⁴⁵²

12% of prisoners depended on housing benefit to help with their rent before they entered custody.⁴⁵³ However, 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.

Surveys indicate 30% of people released from prison will have nowhere to live.⁴⁵⁴ This is despite the fact that stable accommodation can reduce reoffending by over 20%.⁴⁵⁵

The Home Office found that women prisoners are particularly likely not to have accommodation arranged for their release. Just 62% of women had accommodation arranged, compared with 90% of young male offenders and 69% of adult men.⁴⁵⁶ In 2004 housing advisors were recruited for all women's local prisons.⁴⁵⁷

In surveys by HM Prisons Inspectorate, one in three women said that they believed they would have problems finding accommodation on release, despite the fact that this is a known primary concern for women, over half of whom have a child under 16.⁴⁵⁸

Fewer women than men in prison were returning to rented or owned property and more to temporary accommodation with family and friends.⁴⁵⁹

Many prisoners do not receive advice on housing. A Big Issue survey of its vendors found that 13% had received housing advice and the House of Commons Home Affairs Committee found that only 19% of prisoners received advice or guidance about accommodation.⁴⁶⁰

Prisoners held in large prisons are much less likely to receive help arranging accommodation than those held in small prisons.⁴⁶¹

The Revolving Doors Agency found that 49% of prisoners with mental health problems had no fixed address on leaving prison. Of those who had a secure tenancy before going to prison, 40% lost it on release.⁴⁶²

A lack of accommodation can also severely hinder former prisoners' chances of finding employment. Almost one quarter of employers would not consider employing a homeless person.⁴⁶³

Homelessness can also prevent former prisoners from accessing support services such as benefits or registering with a GP.⁴⁶⁴

Getting ex-prisoners into stable housing can act as a gateway to effective resettlement. Home Office research has found that prisoners who have accommodation arranged on release are four times more likely to have employment, education or training arranged than those who do not have accommodation in place.⁴⁶⁵

451. Stewart, D. (2008) The problems and needs of newly sentenced prisoners: results from a national survey, London: Ministry of Justice

452. Ibid. 453. Ibid.

454. Niven, S. and Stewart, D. (2005) Resettlement outcomes on release from prison, Home Office Findings 248, London: Home Office

455. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

456. Ibid.

457. Hansard, House of Lords, 28 October 2004: Col. 1479

458. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: The Stationery Office

459. Ministry of Justice (2009) Statistics on Women and the Criminal Justice System, London: Ministry of Justice

460. House of Commons Home Affairs Committee, Rehabilitation of Prisoners, First Report of Session 2004-2005, Volume 1 and 2. More than one-third of Big Issue vendors are ex-prisoners

461. Prison Reform Trust (2008) Titan prisons: a gigantic mistake, London: Prison Reform Trust

462. Revolving Doors Agency (2002) Where Do They Go? Housing, Mental Health and Leaving Prison, London: Revolving Doors

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

464. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

465. 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

37% of people are unemployed at the time of imprisonment - around seven times the national unemployment rate.

13% are unable to work because of long-term sickness or disability. A recent Ministry of Justice study found that 13% of prisoners said they had never had a paid job before custody.⁴⁶⁶

Around two-thirds of those who do have a job lose it whilst in custody.⁴⁶⁷

A survey by the Chartered Institute of Personnel and Development showed that people with a criminal record are part of the 'core jobless group' that more than 60% of employers deliberately exclude when recruiting.⁴⁶⁸

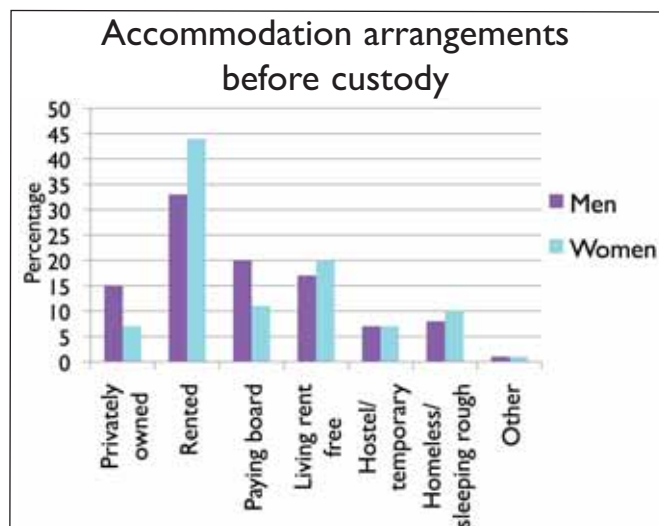
Research by the House of Commons Home Affairs committee found that two-thirds of prisoners have no job on release.⁴⁶⁹

Prisoners being held in small prisons are more likely to know who to contact for help in finding a job than those held in large prisons (47% compared with 36%).⁴⁷⁰

25% of men have paid employment arranged for their release from custody, compared to only 9% of women.⁴⁷¹

58% of women and 53% of men in prison identified unemployment and skills as an issue contributing to their offending.⁴⁷²

A Home Office study which followed up prisoners between two and 12 months after release found that only half had done some paid work; 2% were on a government training scheme, and 48% had not found any work. Of those who had done some paid work, nearly two-thirds found it after leaving prison. Only 9% arranged a job whilst in custody.⁴⁷³



Stewart, D. (2008), *The problems and needs of newly sentenced prisoners*, London: Ministry of Justice

Prisoners who have problems with both employment and accommodation on release from prison had a reoffending rate of 74% during the year after custody, compared to 43% for those with no problems.⁴⁷⁴

Breaking the circle, published in 2002, is the Home Office's consultation on important amendments to the Rehabilitation of Offenders Act (1974). To date these proposals to reduce disproportionately long periods of disclosure have not been carried forward in legislation.

466. Stewart, D. (2008) *The problems and needs of newly sentenced prisoners: results from a national survey*, London: Ministry of Justice
 467. Home Office (2001) *Through the Prison Gate: a joint thematic review by HM Inspectorates of Prisons and Probation*, London: Stationery Office
 468. Chartered Institute of Personnel and Development, *Labour Market Outlook*, Summer 2005
 469. House of Commons Home Affairs Committee, *Rehabilitation of Prisoners*, First Report of Session 2004-2005, Volume 1 and 2
 470. Prison Reform Trust (2008) *Titan prisons: a gigantic mistake*, London: Prison Reform Trust
 471. Ministry of Justice (2009) *Statistics on Women and the Criminal Justice System*, London: Ministry of Justice
 472. Cabinet Office Social Exclusion Task Force (2009) *Short Study on Women Offenders*, London: Cabinet Office. Note: evidence from analysis of Offender Assessment System data
 473. Stewart, D. *An evaluation of basic skills training for prisoners*, Home Office Findings 260, London: Home Office (2005)
 474. Ministry of Justice (2008) *Factors linked to reoffending: a one-year follow-up of prisoners who took part in the Resettlement Surveys 2001, 2003 and 2004*, London: Ministry of Justice

Education and skills

48% of prisoners are at, or below, the level expected of an 11 year old in reading, 65% in numeracy and 82% in writing.⁴⁷⁵

Nearly half those in prison have no qualifications at all.⁴⁷⁶

Half of all prisoners do not have the skills required by 96% of jobs and only one in five are able to complete a job application form.⁴⁷⁷

41% of men in prison, 30% of women and 52% of young offenders were permanently excluded from school.⁴⁷⁸

In 2002-03 an average of £1,185 per prisoner was spent on education in custody. This is less than half the average cost of secondary school education at £2,590 per student per year, which many prisoners have missed.⁴⁷⁹ But government funding for prison education more than doubled in five years from £47.5m in 1999-2000 to £122m in 2004-05.⁴⁸⁰

In 2007-08, the government spent £156 million on education and training in prison.⁴⁸¹

According to the Offenders Learning and Skills Unit in 2008 just under a third of the prison population is attending education classes at any one time.⁴⁸²

According to Ofsted in 2008, a third of learning and skills provision inspected in prisons was inadequate.⁴⁸³

The National Audit Office has found that only around a fifth of prisoners with

serious literacy or numeracy needs enroll on a course that would help them.⁴⁸⁴

Research by NATFHE and the Association of College Lecturers has found that only one third of education managers regularly receive prisoners' records following transfers.⁴⁸⁵

In her annual report for 2006-07, HM Chief Inspector of Prisons reported overall, there was insufficient purposeful activity in adult male closed prisons.

Nearly two-thirds of those prisons were assessed as performing poorly or not sufficiently well, and this year none of them, not even training prisons, were assessed as performing well.⁴⁸⁶

Only around half of training prisons, which should focus on resettlement, were performing reasonably well in this area, and none were performing well. Distance from home, increasing size, and a more transient population were identified as key areas inhibiting effective work.⁴⁸⁷

HM Prisons Inspectorate found that only half the prisoners in training prisons felt that their education would help them on release, and even fewer (42%) felt that they had gained useful vocational skills.⁴⁸⁸

The Social Exclusion Unit found that basic skills learning can contribute to a reduction in reoffending of around 12%.⁴⁸⁹ However, the House of Commons education and skills committee has expressed concern that 'the heavy concentration on basic skills qualifications is based on little more than a hunch' and urged the government to undertake more research.⁴⁹⁰

475. Hansard, House of Commons written answers, 9 January 2007: Col. 548W

476. Stewart, D. (2008) The problems and needs of newly sentenced prisoners: results from a national survey, London: Ministry of Justice

477. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

478. Stewart, D. (2008) The problems and needs of newly sentenced prisoners: results from a national survey, London: Ministry of Justice

479. Braggins, J. and Talbot, J. (2003) Time to Learn: Prisoners' Views on Prison Education, London: Prison Reform Trust

480. House of Commons Education and Skills Committee, Prison Education, Seventh Report of Session 2004-2005

481. Hansard, House of Commons written answers, 31 March 2008, Col.: 558W

482. Ibid.

483. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HM Inspectorate of Prisons

484. House of Commons Committee of Public Accounts (2008) Meeting needs? The Offenders' Learning and Skills Service, London: The Stationery Office

485. Braggins, J. (2002) Shared Responsibilities: Education for prisoners at a time of change, London: NATFHE

486. HM Chief Inspector of Prisons for England and Wales (2008) Annual Report 2006-07, London: HM Inspectorate of Prisons

487. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HM Inspectorate of Prisons

489. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

490. House of Commons Education and Skills Committee, Prison Education, Seventh Report of Session 2004-2005

Financial exclusion

The Ministry of Justice has identified ‘finance, benefit and debt’ as reasons for reoffending. Recent research from the Legal Services Research Centre (LSRC) has found that the relationship between financial exclusion and a prison sentence is ‘compelling’.⁴⁹¹

Assessments for 2007 suggest over 23,000 offenders had financial problems linked to their offending.⁴⁹²

Home Office statistics on women in the criminal justice system found that the most common reason given for offending by women (54% of cases) was lack of money.⁴⁹³

40% of prisoners surveyed by the LSRC reported having no current account or other financial products, compared to 5% of people interviewed in the community.⁴⁹⁴

90% of people interviewed in prison reported not receiving any advice about their financial difficulties, compared to 31% of those interviewed in the community.⁴⁹⁵

48% of people in prison have a history of debt which can present problems for both prisoners and families on release.⁴⁹⁶

38% of people interviewed by the LSRC reported that their debt problems had got worse since being in prison, and 12% reported falling into debt since being in prison.⁴⁹⁷

In 2005-06, Citizens Advice workers in

prisons reported seeing 1,100 people with debt-related enquiries, nearly half of which were arrears on credit cards or unsecured loans.⁴⁹⁸

In a survey of prison outreach services run by Citizens Advice, all respondents said that debt is one of the top five issues that can cause reoffending or poor reintegration into society.⁴⁹⁹

One significant area of need for people leaving prison is insurance.⁵⁰⁰ All sentenced prisoners leave custody with an unspent conviction, while they are still in their ‘rehabilitation period’. This typically ranges from ten years following a six month sentence, to forever for prison sentences over 30 months. Disclosure of unspent convictions almost always leads to refusal of cover, or unaffordable premiums, both for former offenders and for the households to which they return on leaving prison. This is a barrier to resettlement. Families have to forfeit their buildings and home contents insurance. Non-disclosure is illegal, and will invalidate insurance or lead to prosecution.

62% of people in prison surveyed by the Ministry of Justice reported claiming benefits during the 12 months before custody.⁵⁰¹

The amount of discharge grant has remained fixed at £46.75 since 1997. According to Citizens Advice, ‘this amount is insufficient to last for a week, let alone the 11 to 18 days which are the target benefit claim processing times.’⁵⁰² A recommendation to close this ‘benefit gap’ was made by the Social Exclusion Unit in 2002.⁵⁰³

491. New Philanthropy Capital (2008) Short changed: financial exclusion, a guide for donors and funders, London: New Philanthropy Capital

492. http://noms.justice.gov.uk/managing-offenders/reducing_re-offending/reducing_re-offending_pathways/finance-benefit-debt/

493. <http://www.probation.homeoffice.gov.uk/files/pdf/PC68%202005.pdf>

494. New Philanthropy Capital (2008) Short changed: financial exclusion, a guide for donors and funders, London: New Philanthropy Capital 495. Ibid.

496. http://www.noms.homeoffice.gov.uk/news-publicationevents/publications/strategy/FBD_Guidance_2007?view=Standard&pubID=479644

497. New Philanthropy Capital (2008) Short changed: financial exclusion, a guide for donors and funders, London: New Philanthropy Capital

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

499. Ibid.

500. 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: <http://www.cii.co.uk/pages/research/thinkpieces.aspx>

501. Stewart, D. (2008) The problems and needs of newly sentenced prisoners: results from a national survey, London: Ministry of Justice

502. Ibid.

503. Social Exclusion Unit (2002) Reducing re-offending by ex-prisoners, London: Social Exclusion Unit

Prison work and volunteering

Overall there are around 24,000 work places for prisoners across the estate in workshops, catering, cleaning, land based activities and day release programmes – most entail low grade menial work.⁵⁰⁴ This means that a maximum of just under a third of the prison population is engaged in work activities at any one time.

An average of 10,000 prisoners are employed in nearly 300 workshops across the prison estate in a diverse range of industries that include; clothing and textiles, woodwork, engineering, print and laundries.⁵⁰⁵

40% of the 10,000 prisoners who work across these industries work for ‘contract services’ and are producing goods and services for an external, commercial market. This can range from laundry contracts for hospitals to manufacturing camouflage jackets for the Ministry of Defence.⁵⁰⁶

Clothing and textiles is the biggest employer in prison workshops with roughly 3,000 prisoners involved across 60 prisons. Almost all (95%) of textile products are for the internal market.⁵⁰⁷

An internal Prison Service review of workshops suggested that the focus should be almost totally on the internal market as demand for goods was so high due to the rise in prison numbers over the last decade.⁵⁰⁸

There are around 1,500 people in the

open prison estate who go out to work in full time paid employment during the day on day release.⁵⁰⁹ They are, generally, long term prisoners who are in the final stages of their period in custody and preparing to return to the community.

For ten years, the average rate of pay for employed prisoners has been £8 per week. The Prison Service sets a minimum rate of pay which is currently £4.00 per week but each prison has devolved responsibility to enable it to set its own pay rates.⁵¹⁰

The Prison Service has acknowledged that prison industries have ‘rather got left behind by other developments within the system’ and that providing work opportunities for prisoners is not currently a central and essential part of the of the prison regime.⁵¹¹

1,955 Samaritan Listeners were selected and trained during 2006. Listeners play an invaluable role in making prisons safer by offering emotional support to fellow prisoners in crisis.⁵¹²

There were 103,927 Listeners contacts during 2006, an average of 67 contacts per Listener per year.⁵¹³

There is considerable scope to develop more opportunities for volunteering, peer support, representation and prisoner councils.⁵¹⁴ The Prison Reform Trust is currently conducting a second ‘Barred Citizens’ survey across the prison estate in England and Wales.

504. House of Commons Home Affairs Committee, Rehabilitation of Prisoners, First Report of Session 2004-2005

505. ‘Service on the verge of industrial revolution’ Prison Service News, September 2003

506. Ibid.

507. Ibid.

508. Prison Service (2003) Report of the Industries Review Team, An internal review of the strategic oversight and management of public sector prison industries in England and Wales, London: Prison Service

509. House of Commons Home Affairs Committee, Rehabilitation of Prisoners, First Report of Session 2004-2005

510. Hansard, House of Commons written answers, 23 March 2007

511. House of Commons, Home Affairs Committee, Rehabilitation of Prisoners, First Report of Session 2004-2005

512. NOMS, Safer Custody News, July/August 2007

513. Ibid.

514. Farrant, F and Levenson, J. (2002) Barred citizens: volunteering and Active Citizenship by Prisoners, London: Prison Reform Trust

Ministry of Justice compliance, Prison Service performance and staffing

In March 2004 in a case brought by life sentenced prisoner, John Hirst, the European Court of Human Rights ruled that the ban on sentenced prisoners voting violated Article Three of the European Convention on Human Rights.

The Prison Reform Trust lodged a successful complaint in March 2009 with the Council of Europe about the UK government's continuing failure to comply with this 2004 ruling.⁵¹⁵

Through its reports, HM Prisons Inspectorate found that many prisons did not have a disability policy and it was rare to find any form of needs analysis or consultation with prisoners to help establishments to carry out their duties under the Disability Discrimination Act (2005).⁵¹⁶

Prisoners with learning disabilities and difficulties are discriminated against personally, systemically and routinely as they enter and travel through the criminal justice system.⁵¹⁷ 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 DDA (2005) and the DED in particular.

The Corporate Manslaughter and Corporate Homicide Act sets 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. The majority of the Act was

implemented on 6 April 2008, with the exception of section 2(1)(d) which makes the duty of care a custody provider owes to a person who is detained a relevant duty of care.⁵¹⁸

Breaking the circle, published in 2002, is the Home Office's report of the review of the Rehabilitation of Offenders Act (1974). To date its proposals have not been carried forward in legislation.

A five year follow-up report by the National Offender Management Service (NOMS) on race equality in the Prison Service concludes that while the actions taken over the last five years have generated substantial improvements, it also acknowledges that the experience of BME prisoners and staff has not been transformed.⁵¹⁹

The National Offender Management Service currently has no published policy on gender identity or the management, treatment and care of transgender offenders.⁵²⁰

Data on the sexual orientation of offenders is not routinely collected by prisons or probation areas.⁵²¹ NOMS has no formal policy on sexual orientation and no national system for reporting homophobic incidents. It is difficult to assess the extent to which NOMS is meeting its responsibilities under equalities legislation.⁵²²

The total full-time equivalent staff of officer grade employed throughout the

515. <http://www.prisonreformtrust.org.uk/subsection.asp?id=839>

516. Ibid

517. Talbot, J. (2008) Prisoners' Voices: Experiences of the criminal justice system by prisoners with learning disabilities and difficulties, London: Prison Reform Trust

518. Hansard, House of Commons ministerial statements, 21 July 2008, Col.: 75WS

519. Ministry of Justice (2008) Race Review 2008, implementing race equality in prisons – five years on, London: National Offender Management Service

520. Ministry of Justice (2009) Promoting Equality in Prisons and Probation: The National Offender Management Service Single Equality Scheme 2009 – 2012, London: Race and Equalities Action Group

521. Ibid.

522. Ibid.

prison estate was 24,272 in 2000 and 26,474 at the beginning of 2006. That is an increase of 9%, while over the same period, the prison population has increased by 24%.⁵²³

In 2006-2007, the Prison Service met nine of its 12 annual delivery targets.⁵²⁴

The Prison Service just failed to meet its overcrowding target, having 24.1% of the prison population held in 'accommodation units intended for fewer prisoners', the target was under 24%.⁵²⁵ In 2003-04 a lower target was set of 18% of all prisoners held two for a cell designed for one. In that year the Prison Service failed to meet the target, instead putting 21.7% in such accommodation.⁵²⁶

Targets on serious assaults, and ethnic diversity among the staff were not met. Some progress towards them had been made in all areas.

In 2006 there were 11,520 recorded prisoner on prisoner assaults and 3,123 recorded prisoner on officer assaults.⁵²⁷

Prisoners in large prisons were more likely to say that they had been assaulted or insulted by a member of staff or by another prisoner than those held in small prisons.⁵²⁸

The Prison Service is faced with high sickness levels amongst prison officers.⁵²⁹ The average number of working days lost due to staff sickness in 2006-07 was 11.6.⁵²⁹

There has been a high turnover of prison governors. In the five years to March 2002 just under a third of all prisons (44) had had four or more governors or acting governors in charge.⁵³⁰ The average tenure for governing governors in an establishment is one year and nine months.⁵³¹

44% of prison staff would speak critically about the criminal justice system as a whole, while only 10% would speak highly of it.⁵³²

By 2009, the number of minority ethnic staff in the Prison Service overall is 6%. The number of black and minority ethnic staff in governor grade positions represents 4% of all governor grades.⁵³³

61% of black and minority ethnic prison staff have experienced direct racial discrimination while employed in the service. Over half chose not to report it.⁵³⁴

Stonewall's 2008 workplace equality index ranked the Prison Service as 17th in Britain's top 100 employers for lesbian, gay, bisexual and transgendered people.⁵³⁵

523. Hansard, House of Commons written answers, 20 March 2007: Col. 790W, Home Office (2005) Offender Management Caseload Statistics, 2005, and NOMS, Prison Population and Accommodation Briefing for 30 March 2007

524. HM Prison Service (2007) Annual Report and Accounts, April 2006 – March 2007, London: HM Prison Service 525. Ibid.

526. HM Prison Service (2004) Annual Report and Accounts 2003-04, London: HM Prison Service

527. Hansard, House of Commons written answers, 30 October 2007: Col. 1150W

528. Prison Reform Trust (2008) Titan prisons: a gigantic mistake, London: Prison Reform Trust

529. HM Prison Service (2007) Annual Report and Accounts, April 2006 – March 2007, London: HM Prison Service

530. Hansard, House of Commons written answers, 31 January 2003: Col. 1091W

531. Hansard, House of Commons written answers, 19 January 2004: Col. 989W

532. Duffy, B., Wake, R., Burrows, T., and Bremner, P., Closing the Gaps, Crime and Public Perceptions, Ipsos MORI, December 2007

533. Ministry of Justice, (2009), Statistics on Race and the Criminal Justice System 2007/08 London: Ministry of Justice

534. Prison Reform Trust (2006) Briefing: Experiences of Minority Ethnic Employees in Prisons, London: Prison Reform Trust

535. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HM Inspectorate of Prisons

The UK has the most privatised prison systems in Europe. In England and Wales 8,942 prisoners (10.8 % of the prisoner population) are held in private prisons.⁵³⁷

Private prison contracts are shared between just three companies: Serco operates, Ashfield, Dovegate, Lowdham Grange and Doncaster; G4S operates Altcourse, Parc, Rye Hill, and The Wolds; Kalyx operates Bronzefield, Forest Bank, and Peterborough.

Wolds and Doncaster are let on 10 year management-only contracts; the remaining nine are financed, designed, built and operate by the private sector on 25 year contracts.

There are now two privately financed, designed built and operated prisons in Scotland; Serco-run Kilmarnock and Kalyx-run Addiewell. Combined they hold some 1,340 prisoners, approximately 16.5% of Scotland's prisoner population.⁵³⁸

In England two new 600-cell Category B prisons at Belmarsh, south east London and Maghull, Merseyside, are due to be commissioned from the private sector. All three shortlisted consortia include voluntary sector partners for the first time.

In April 2009 the government announced plans to scrap three proposed 2,500 place 'titan' prisons in favour of five 1,500 place prisons. These will also be privately built and operated.⁵³⁹

In addition, a number of existing public prisons are to be competitively tendered,

along with Doncaster and The Wolds when their contracts are due to expire.

Some 25% of the prison population of England and Wales could be held privately by 2014 if all new private prisons come on stream as scheduled and if the private sector wins all tendering competitions.

Spending on the private prisons sector was £259.4 million in 2007-2008.⁵⁴⁰ The expenditure on Ashfield prison was £21.02 million with an average of 383 prisoners costing £54,876 per prisoner.⁵⁴¹

According to a parliamentary written answer, the costs of private prisons per place are higher than public sector prisons in most categories:⁵⁴²

Function	Contracted sector cost per place £000s	Public sector cost per place £000s
Male category B	26,813	25,881
Male category C	20,855	21,976
Female closed	44,400	34,617
Male juvenile	48,669	42,143
Male local	33,805	31,912

In 2006-07, the lowest cost per place per prisoner in a contracted/private prison was £25,557 at Rye Hill. The highest cost per place per prisoner was £55,108 at Altcourse.⁵⁴³

In 2006, basic pay for private sector custody officers was 39% less than their public sector equivalents. Taking a valuation of benefits such as pensions and holidays into account, the public sector advantage rose to 61%.⁵⁴⁴

An average of 40% of private sector staff have over five years' service.⁵⁴⁵ High staff

536. For more information on the performance of private prisons, the companies and their profits see Prison Reform Trust (2005) Private Punishment: Who Profits?, London: Prison Reform Trust

537. NOMS Monthly Bulletin, March 2009

538. Scottish Prison Service, Prisoner Population 24 April 2009

539. <http://www.justice.gov.uk/publications/docs/capacity-and-competition.pdf>

540. Ministry of Justice Resource Accounts 2007-08

541. Statement of Performance 2007-08: Nationally Commissioned Services, pre-audited financial information

542. Hansard, House of Commons written answers, 9 January 2007: Col. 546W

543. Hansard, House of Commons written answers, 13 March 2008: Col. 632W

544. Prison Service Pay Review Body, Privately Managed Custodial Service, September 2006

545. Hansard, House of Commons written answers, 1 March 2007: Col. 1510W

turnover remains a problem in a number of private prisons.

Private prison staff turnover⁵⁴⁶

	2006	2005	2004	2003	2002
Altcourse	5	11	9	10	(1)
Ashfield	19.5	29.4	(1)	34.6	(1)
Bronzefield	17.2	30.5	27.2	(2)	(2)
Doncaster	14.6	17.9	19.8	9.1	(1)
Dovegate	21.7	22.3	41.5	43.9	(1)
Forest Bank	19.8	25.5	25.5	25.3	22.7
Lowdham Grange	30.2	24.7	29.1	30.9	(1)
Parc	12.9	19.4	16.2	27.1	23.1
Peterborough	29.2	18.8	(3)	(3)	(3)
Rye Hill	15	39	27	36	(1)
Wolds	10	11	11	8	(1)

In 2006 resignations of prison custody officers and detention custody officers in the private sector averaged 24%, with very large variations between establishments.⁵⁴⁷

According to the National Audit Office, staffing problems mean private prisons struggle to create a safe environment for prisoners. It noted high levels of assaults at Dovegate, Ashfield, Rye Hill, Forest Bank and Altcourse. It said that prisoners in these jails expressed concerns about their safety due to the relative inexperience of staff.⁵⁴⁸

In her 2007 annual report The Chief Inspector of Prisons noted that: ‘it is of some concern that the four private adult prisons reported on had more negative than positive assessments, and only one out of the four was assessed as performing satisfactorily on safety. This has been a recurring concern ... as has the

nature of activity available with contracts that tend to focus on quantity rather than quality ... safety was also an issue in all the local private prisons we inspected.’⁵⁴⁹

In 2009 she stated that: ‘The only clear differential between publicly and privately managed prisons was in relation to safety, where privately managed prisons performed less well.’ Safety was predicted by a model incorporating the size of the prison population, the age of the prison, and the type of management (private or public). Large prisons, private prisons and prisons built before 1938 were less likely to perform well against this test. The privately managed prisons included in the analysis were: Altcourse, Ashfield, Bronzefield, Doncaster, Dovegate (main), Forest Bank, Lowdham Grange, Parc, Peterborough, Rye Hill, and The Wolds.⁵⁵⁰

Ten out of the 11 prisons managed by the private sector were in the lowest poor performance quartile of the 132 prisons in England and Wales.

Private prisons’ performance in the third quarter of 2008-09 according to the most recent Prison Service performance ratings⁵⁵¹

Establishment	Qtr 3
Altcourse	3
Ashfield	3
Bronzefield	3
Doncaster	3
Dovegate	3
Forest Bank	2
Lowdham Grange	3
Parc	3
Peterborough	2
Rye Hill	2
Wolds	2

546. Hansard, House of Commons written answers, 1 March 2007: Col. 1510W

Notes: Staff turnover expressed as a percentage of the total staff for each year since 2002. (1) Unavailable (2) Opened June 2005 (3) Opened March 2005

547. Prison Service Pay Review Body, Sixth Report on England and Wales, March 2007

548. National Audit Office (2003) The Operational Performance of PFI Prisons, London: Stationery Office

549. HM Chief Inspector of Prisons for England and Wales (2009) Annual Report 2007-08, London: HM Inspectorate of Prisons

550. HM Chief Inspector of Prisons (2009) The prison characteristics that predict prisons being assessed as performing ‘well’: A thematic review by HM Chief Inspector of Prisons, London: HM Inspectorate of Prisons

551. Ministry of Justice (2009) Prison quarterly ratings, quarter 2, 2008-09. Key: 4 = exceptional performance; 3 = good performance; 2 = requiring development

Long term trends and future prison building

Estimates of future prison numbers vary widely. By the end of June 2015 the demand for prison spaces is projected to increase to between 83,400 and 95,800.⁵⁵²

On 5 December 2007 in its response to Lord Carter's review of prisons the government announced an additional 10,500 places to be built by 2014. This is on top of the existing 9,500 capacity programme.⁵⁵³

The government is committed to building new prisons to increase the net capacity of the prison estate to 96,000 by 2014.⁵⁵⁴

In England two new 600-cell Category B prisons at Belmarsh, south east London and Maghull, Merseyside, are due to be commissioned from the private sector. All three shortlisted consortia include voluntary sector partners for the first time.

In April 2009, due to a weight of evidence,⁵⁵⁵ **the government announced plans to scrap three proposed 2,500 place 'titan' prisons in favour of five 1,500 place prisons.** These will also be privately built and operated.

In an interview with The Times, Jack Straw stated that 'the government will not be able to build its way out of the prison crisis' and indicated that 'the only way the pressure could be relieved was by sending fewer people to jail and using more non-custodial sentences.' In the

interview, his first since becoming Justice Secretary and Lord Chancellor, Mr Straw called for a 'national conversation' about the use of prison. He also spoke of the need to make community sentences more effective to build confidence and trust in non-custodial sentences. Even if he could click his fingers 'and magic an extra 10,000 places' they would still need to have the same debate about the use of prison, he said.⁵⁵⁶

The Scottish prison population is predicted to rise to 9,300 by 2015.⁵⁵⁷

The prison population is expected to rise in Northern Ireland by 6%, year on year for the next five years, and by 5% in the following years, with the population of life sentenced prisoners up by 50% within 10 years largely due to the introduction of new indeterminate sentences.⁵⁵⁸

The House of Commons Justice Committee has recently conducted an inquiry into whether the enormous sums spent on criminal justice and to cope with consistently high levels of reoffending are being used most effectively. This included an e-consultation asking how much the public knows about prison and probation services and how they work, and whether they think the £5 billion estimated cost of prisons and probation every year could be spent in a better way to reduce crime and save the massive further costs of reoffending to our economy and our society.⁵⁵⁹

552. Ministry of Justice Statistical Bulletin (2008) Prison Population Projections, England and Wales, 2008-2015

553. Jack Straw, Oral statement to the House of Commons, http://www.justice.gov.uk/news/announcement_051207a.htm

554. Ministry of Justice (2009) Capacity and Competition Policy for Prisons and Probation, London: Ministry of Justice

555. Prison Reform Trust (2008) Titan prisons: a gigantic mistake, London: Prison Reform Trust

556. Rt Hon Jack Straw, The Times, 12 July 2007

557. BBC News online, 25 November 2005

558. Interview with Robin Masefield, Director General of the Northern Ireland Prison Service, 12 February 2006 – Belfast Telegraph

559. http://www.parliament.uk/parliamentary_committees/justice/jsc310108pn12.cfm

Community solutions

In 2007-08, 55,771 people successfully completed community payback sentences. This amounts to over eight million hours of labour, which was used to benefit the community.⁵⁶⁰

The total number of community sentences has seen a steady increase between 1996 and 2006 with the number increasing by 44% from 132,600 to 190,800. However, between 2005 and 2006 the number decreased by 7%.⁵⁶¹

The government acknowledges that ‘...sentencers have increased the use of community punishments, but only for those who would previously have got fines.’⁵⁶²

Since the creation of the Ministry of Justice, £630,000 has been spent on advertising community payback across 59 pioneer areas in England and Wales.⁵⁶³

The average length of a Community Order is 14 months. 85% of Orders comprise one or two requirements. The two most frequently used are supervision (37%) and unpaid work (31%).⁵⁶⁴

A recent study has indicated that nearly half of those serving sentences in the community have mental health needs. Half have an alcohol problem and a quarter have a drug problem.⁵⁶⁵

In 2006, only 725 mental health treatment requirements (MHTRs) were

issued out of a total of 203,323 requirements. This compares with 11,361 drug treatment requirements. One of the most substantial factors preventing courts from issuing an MHTR is the difficulty in obtaining access to psychiatric assessment, on which the requirement depends. Many offenders are not given an MHTR because their mental health needs have not been identified.⁵⁶⁶

If one takes into consideration the proportion of individuals who receive short sentences who may be experiencing mental health problems and may possibly be eligible for a community sentence, then it is estimated that as many as 2,000 prison places per year could be saved. Set against an increase in the cost of community sentences, the savings for the criminal justice system may reach £40 million per year.⁵⁶⁷

Reoffending rates for community sentences are much lower than for custodial sentences. The actual one year reoffending rate for community orders was 37% in 2007. This compares to a rate of 47% for adults released from prison and 75% for children.⁵⁶⁸

Two in three people, of over 1,000 polled in an ICM survey for SmartJustice, think that prisons are universities of crime - and 65% think they are not effective in reducing young people’s offending. Instead, the vast majority (eight out of ten) back mental health and drug or alcohol treatment.⁵⁶⁹

560. Hansard, House of Commons written answers, 8 May 2009: Col. 483W

561. Ministry of Justice (2007) Sentencing Statistics 2006, London: The Stationery Office

562. Cabinet Office, 2006. As cited in Seymour, L. and Rutherford, M. (2008) The Community Order and the Mental Health Treatment Requirement, London: Sainsbury Centre for Mental Health

563. Ibid.

564. Seymour, L. and Rutherford, M. (2008) The Community Order and the Mental Health Treatment Requirement, London: Sainsbury Centre for Mental Health

565. Solomon, E. and Rutherford, M. (2007) Community Sentences Digest, London: Centre for Crime and Justice Studies.

566. Seymour, L. and Rutherford, M. (2008) The Community Order and the Mental Health Treatment Requirement, London: Sainsbury Centre for Mental Health

567. 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

568. Ministry of Justice (2009) Reoffending of adults: results from the 2007 cohort, London: The Stationery Office, and Ministry of Justice (2009) Reoffending of juveniles: results from the 2007 cohort, London: The Stationery Office.

569. SmartJustice (2007) Public Say: prison doesn’t work for young offenders, <http://www.smartjustice.org/pr4jan08.html>

The West London Drugs Court catering for low level offenders who commit drug fuelled crime opened on 13 December 2005 as part of a pilot under the Ministry of Justice. Figures for ‘non-motor’ theft in Hammersmith and Fulham for the last quarter of 2006 compared with those for the last quarter of 2005, show a 23% reduction in offending.⁵⁷⁰

Rigorous tests of Restorative Justice (RJ) have found substantial reductions in repeat offending for both violent and property crime. Among violent white girls in Northumbria, RJ prevented 71 crimes per 100 former offenders in the following year, the re-offending rate was cut by 54% for those on RJ.⁵⁷¹

The Chard & Ilminster Community Justice Panel, a restorative justice programme, has a re-offending rate of only 2%, compared with the 70% re-offending rate of traditional methods of justice.⁵⁷²

An Impact Assessment of the Prolific and other Priority Offender Programme shows that conviction rates for 7,800 offenders who had been through an intensive programme of supervision fell by 62% after 17 months of the scheme.

The Prolific and other Priority Offender Programme (PPO), which was launched in September 2004, aims to prevent prolific offenders from re-offending by monitoring, training, accommodation and drug treatment over a period of two years.⁵⁷³

Nine out of 10 of those surveyed by ICM want better support of young people by parents and more constructive activities for young people to stop them getting into crime.⁵⁷⁴

Just one year after Newham council introduced free estate-based sports, putting every youngster within a 10 minute walk of an activity area, first time appearances at Stratford Youth Court went down by 25%. This compared to a 1% reduction in other parts of London.⁵⁷⁵

570. http://www.smartjustice.org/71_alt_wldc.html

571. Sherman, L., and Strang, H., (2007) Restorative Justice: the evidence, London: The Smith Institute

572. <http://www.somerset.gov.uk/council/board30%5C2007%20July%204%20Item%205%20Paper%20A%20Restorative%20Justice%20bid%20Appendix%201.htm>

573. Home Office Press Release, 20 February 2007

574. SmartJustice (2007) Public Say: prison doesn't work for young offenders, <http://www.smartjustice.org/pr4jan08.html>

575. Newham council <http://www.newham.gov.uk/News/2006/June/GovernmentMinistercongratulatesNewham.htm>

Public perceptions of crime

The UK now spends more per head on law and order than any other country in the Organisation for Economic Co-operation and Development (OECD), including the US, France and Germany.

Total spending for public order and safety by the government was £29.5 billion in 2006.⁵⁷⁶

Actual crime rates have fallen since 1997 with crime overall reduced by 32%.⁵⁷⁷

There are now record police numbers, 141,000 compared with 127,000 in 1997.⁵⁷⁸

However, the majority of people do not believe these figures: only one in five are willing to accept that crime is falling and less than half (43%) believe there are more police.⁵⁷⁹

83% of people think violent crime is rising, despite the proportion of people 'very worried about' violent crime falling from 25% in 1998 to 17% in 2006-07.⁵⁸⁰

British people have the lowest confidence in their government when it comes to crime. Only 25% of British people feel confident in their government when it comes to 'cracking down on crime and violence' compared to 44% in the US, 46% in France and 48% in Germany.⁵⁸¹

In 2006 crime and anti-social behaviour were the most important issues for people when deciding how to vote.⁵⁸²

60% of those who think crime is rising

say it is because of what they see on television, and 46% because of what they read in the newspapers.⁵⁸³

45% of crimes reported in newspapers in the UK involve sex or violence, compared with only 3% of actual reported crime.⁵⁸⁴

Only 11% of people surveyed believe that increasing the number of offenders in prisons would 'do most' to reduce crime in Britain. The public is more focused on intervening at the level of families and young people, with 55% thinking that better parenting, and 42% thinking that more constructive activities for young people would have most effect.⁵⁸⁵

An ICM poll commissioned by SmartJustice, shows that almost two thirds of victims of crime do not believe that prison works to reduce non-violent crime.⁵⁸⁶

576. HM Treasury (2006), Public Expenditure Statistical Analysis 2006, London: HM Treasury

577. Duffy, B., Wake, R., Burrows, T., and Bremner, P., (2007) Closing the Gaps, Crime and Public Perceptions, London: Ipsos MORI

578. Solomon, E., Eades, C., Garside, R., Rutherford, R. (2007), Ten years of criminal justice under Labour – An independent audit, Centre for Crime and Justice Studies. As cited in Duffy, B., Wake, R., Burrows, T., and Bremner, P., (2007) Closing the Gaps, Crime and Public Perceptions, London: Ipsos MORI

579. Duffy, B., Wake, R., Burrows, T., and Bremner, P., (2007) Closing the Gaps, Crime and Public Perceptions, London: Ipsos MORI 580. Ibid.

581. Ipsos MORI, International Social Trends Monitor, November 2006

582. Ipsos MORI, Political Monitor, September 2006

583. Duffy, B., Wake, R., Burrows, T., and Bremner, P., (2007) Closing the Gaps, Crime and Public Perceptions, London: Ipsos MORI 584.

584. Ibid.

585. Ibid.

586. SmartJustice (2006) Briefing: Crime victims say jail doesn't work, <http://www.smartjustice.org/pr16jan06.html>

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